



Home of the Tualatin River National Wildlife Refuge

CITY COUNCIL MEETING PACKET

FOR

Tuesday, May 21, 2013

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

6:00pm City Council Work Session

7:00 pm Regular City Council Meeting

URA Board of Directors Meeting-Work Session
(following the regular City Council meeting)



Home of the Tualatin River National Wildlife Refuge

6:00PM COUNCIL WORK SESSION

- A. Fee Schedule Discussion
- B. Discuss Council Summer Mtg. Calendar

REGULAR CITY COUNCIL MEETING

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. CONSENT

- A. Approval of May 7, 2013 City Council Meeting Minutes
- B. Resolution 2013-023 Authorizing the City Manager to enter into an Intergovernmental Agreement (IGA) with Washington County for the 2013 Slurry Seal Program

5. PRESENTATIONS

- A. Proclamation Recognizing EMS (Emergency Medical Services) Week

6. CITIZEN COMMENTS

7. NEW BUSINESS

- A. Ordinance 2013-002 Declaring certain sidewalks in the City to be defective under Sherwood Municipal Code Chapter 12.08 for Areas 1 & 2, Phase 3 (Craig Sheldon, Public Works Director)

8. PUBLIC HEARINGS

- A. Ordinance 2013-003 to amend Section 16.12 of the Zoning and Community Development Code relating to property zoned Very Low Density Residential (Michelle Miller, Sr. Planner)

9. CITY MANAGER AND STAFF DEPT REPORTS

10. COUNCIL ANNOUNCEMENTS

11. ADJOURN TO URA BOARD MEETING

How to Find Out What's on the Council Schedule:

City Council meeting materials and agenda are posted to the City web page at www.sherwoodoregon.gov, by the Friday prior to a Council meeting. Council agendas are also posted at the Sherwood Library/City Hall, the YMCA, the Senior Center, and the City's bulletin board at Albertson's. Council meeting materials are available to the public at the Library.

To Schedule a Presentation before Council:

If you would like to appear before Council, please submit your name, phone number, the subject of your presentation and the date you wish to appear to the City Recorder Sylvia Murphy by calling 503-625-4246 or by e-mail to: murphys@sherwoodoregon.gov

AGENDA

**SHERWOOD CITY COUNCIL
May 21, 2013**

6:00pm City Council Work session

7:00pm Regular City Council Meeting

**URA Board of Directors-Work Session
(following the City Council Mtg.)**

**Sherwood City Hall
22560 SW Pine Street
Sherwood, OR 97140**



SHERWOOD CITY COUNCIL MINUTES
22560 SW Pine St., Sherwood, Or
May 7, 2013

WORK SESSION

1. **CALL TO ORDER:** Mayor Bill Middleton called the meeting to order at 5:30 pm.
2. **COUNCIL PRESENT:** Mayor Bill Middleton, Councilors Robyn Folsom, Matt Langer, Krisanna Clark. Councilor Bill Butterfield arrived at 5:32 pm, Council President Linda Henderson arrived at 5:40 pm. Councilor Dave Grant was absent.
3. **STAFF PRESENT:** Joseph Gall City Manager, Tom Pessemier Assistant City Manager, Julia Hajduk Community Development Director, Craig Gibbons Finance Director, Bob Galati City Engineer, Craig Sheldon Public Works Director, Kristen Switzer Community Services Director, Police Chief Jeff Groth, Craig Christensen Engineer Associate, Brad Kilby Planning Manager, Julie Blums Accounting Supervisor, Colleen Resch Administrative Assistant, and Sylvia Murphy City Recorder.
4. **OTHERS PRESENT:** Brian Bailey Sherwood High School Associate Principle, Ray Pitz with the Sherwood Gazette, Fenit Nirappil with the Oregonian and Cam Durrell with the Woodhaven Homeowners Association.
5. **TOPICS DISCUSSED:**

A. Permit Parking Near High School:

City Manager Joseph Gall introduced the issue and said Chief Groth and Craig Sheldon will brief the Council on issues with students parking in residential areas near the high school. Mr. Gall stated neighboring cities of Tigard, Tualatin and Newberg have similar programs. He stated staff is looking for Council direction on creating a program. Craig provided maps of the neighborhood near the high school (see record, Exhibit A). Chief Groth explained the issue as an ongoing issue most prevalent in the Woodhaven area. He explained parking permit processes implemented in Tigard and Tualatin and explained his recommendation for Sherwood's code language. Craig Sheldon briefed on approximate cost of \$19,000, discussion followed regarding who covers the cost. Chief Groth spoke of recommended code changes and Council discussed the HOA being part of the process.

Discussion occurred regarding the School District involvement and receiving information on whether or not there is sufficient parking provided at the high school. Chief Groth explained program implementation and said Sherwood's program would be easy to implement and enforce. He provided information on code violation type and ticketing process.

Cam Durrell with the Woodhaven Homeowners Association explained issues resulting from students parking in the neighborhood; littering, drug use, homeowner's trashcans being moved, street sweeper unable to access streets, cars parked on top of leaf piles not allowing for City leaf pickup.

The Council discussed the growing student population and current high school parking lots. Council reviewed the maps and discussed the current parking issues and potential of this issue expanding further into the neighborhoods with a permit process implementation closest to the school. Council discussed notification and homeowner approval of permit parking process. The Council discussed the no-parking signs that were not installed at the time of neighborhood development. Also discussed was lack of access to neighborhood streets by emergency, postal and trash hauling services, due to parking on both sides of a street.

Brian Bailey Sherwood High School Associate Principal explained the number of parking spaces available, number of permits issued, cost of permits and permit proceeds going towards grounds maintenance. He explained permit issuing process is on a first come first serve basis, priority given to seniors, he explained their policy of selling permits for the 249 parking spaces available. He informed the Council after evaluation of empty parking spaces due to sick kids, absences etc, they oversold in an attempt to fill the parking spots. He further explained their permit issuing process. Discussion followed regarding if the school supported the permit parking. Mr. Bailey informed of his experience with permit parking at other schools, and concerns of enforcement. He informed of issues regarding moving the student behavior further from the school and the behavior not changing substantially. He commented regarding issues with trash, loitering, and other non-parking related issues. Mr. Bailey asked how would the school district partner with the City for enforcement, and was informed the Sherwood police department would enforce.

Council discussed impacts to the police department with enforcement. Chief Groth indicated there would not be any additional impacts as they already patrol this area. Council discussed the language of the street signs indicating the timeframe of parking/no-parking. Council discussed concerns for the students having a place to park, concerns for property owners, and having a plan to address overflow-parking issues. Discussion occurred regarding staff working on the details, working with the school district and HOA and coming back to the Council with a proposed program.

Discussion occurred regarding developing and offering incentives to students for carpooling.

The Council conceded to have staff move forward.

B. Future of Sherwood's Budget:

Mayor Middleton explained he spoke with some of the Council members regarding wanting to focus on where the City is going with the budget and feeling they did not have direction on where the City was headed with ability to fund programs. He stated the Council members he spoke with wanted to come up with 3 scenarios they can provide to the City Manager for him to see which one he can make work. He said we all have different thoughts and ideas on how the budget needs to be put together and said he was not impressed with the budget committee meeting process and it did not meet their objectives. He stated they are bringing forward three plans to work on as a Council to allow for a philosophy going into next year's budget, allowing for the City Manager to identify one of the three plans that will work.

Mayor Middleton stated he spoke with a few of the Councilors about putting \$300,000 this year back into park maintenance and purchasing the financial software program. He said we need to keep park maintenance going and in speaking with Craig, it's a building problem. He suggested looking at the budget and changing things around.

Councilor Folsom expressed concern with disenfranchising the Budget Committee Citizen Members and stated this conversation should have occurred with the full budget committee members. Discussion occurred regarding questions asked and understanding the dialog at the budget committee meeting and lack of questions from the citizen members. Comments were made about respecting the time and efforts of the citizen members and appreciating their efforts and the ultimate decision falling on the Council to address the concerns of the community.

Council discussed the budget committee meeting and not hearing specific questions to staff inquiring about the budget, and wanting an open discussion on a specific item and or expressing concerns.

Councilor Butterfield stated his concern is he knows staff needs and wants direction and he is trying to encourage us to do that, to get together and figure out what the needs are and provide direction.

Discussion occurred regarding doing this for next year's budget process and Mayor Middleton indicated he wanted it for this year, Councilor Butterfield responded he did not think it could happen this year.

Councilor Folsom stated, in trying to clarify one of the objectives, Council would like to see staff find \$300,000 to put back into park maintenance. Councilor Butterfield said whether it's that or something else, this is something staff can work with. Councilor Folsom asked if we should have done this in the Council's Goal Setting process. Councilor Clark replied we did not hear from Craig (Public Works Director) that the parks were going downhill. She stated we have now heard this from Craig and we see in the horizon that we have these issues with parks. She asked what are we going to do about it, push it further out until it actually falls.

Councilor Folsom commented that she thought it was addressed very well when we closed the process at the budget committee, that we have to get together and work on a strategic plan. She said she is completely onboard with that.

Discussion occurred regarding discussions at the budget committee meeting and comments received by the Mayor and committee Chair and what was heard and understood by Councilor Folsom. Councilor Folsom gave examples of the conversation.

Mayor Middleton stated his concern is we don't address a park this year and next year it's two parks and said if we don't have a constant plan to take care of our parks we are going to have a new facility coming in across the street and we will not have any money for that. He commented that we will have to put in the budget, maintenance for that. He said he thinks, in this year's budget, which he looked at line by line, we could come up with the money to take care of the park.

Councilor Langer stated his understanding is we have a certain budget right now and we heard the two problems, particularly the park and while we understand we will probably not make the \$300,000 right now, we could do something. And at the same time, we all feel it's very important we come up with a plan for addressing these two needs. And in the short term, from some of the things we fixed

in the last couple of years, particularly the sidewalks along Edy Road, we could probably figure out a way in the budget, maybe this year, to address the worst park and then get a strategic plan on how we are going to take care of the parks and a strategic plan on how we are going to address the officer. He said we know we can't solve it in a meeting or two and it's going to take several months.

Mayor Middleton said he thinks we can come to an agreement that we fix the one bad park and we get the program for the computers.

Councilor Folsom stated she remembers that and agrees, and doesn't think this process at all disenfranchises the budget committee because it's the same thing we did when we decided to go and repair the turf this year. Mayor Middleton responded ok. Councilor Folsom added it's strategic and we have to deal with it.

Councilor Butterfield stated it's beyond the budget committee and Council members agreed that it's their decision. Mr. Butterfield added now is the time to get strategically planning, whatever the issues are.

Mayor Middleton stated we need to start this year as next year it's going to come in as twice as much. Councilor Folsom replied she completely agrees.

Councilor Henderson asked to clarify and asked, did you just agree to change this year's budget by \$500,000.

Councilor Folsom replied no, and said I think what we all talked about was informing the City Manager, we don't want to wait until 2014-15 and watch our parks fail, can you help us through this year find some money for the park and find money for the computer accounting software and bring us some options, and this is something we can do as we go along. She stated she appreciates the idea. She said the other thing is looking toward next year's budget process and why not make it a constant conversation.

Councilor Henderson stated she wanted to give credibility to staff and when staff started this budget process, we had an \$800,000 deficit, combined and everyone had to give something up and said she did not want to negate, that everyone gave up something, it wasn't a first pass budget. She commented she believes the Budget Committee and herself trust staff and believes we have challenges moving forward because we have growing costs without growing revenues.

Councilor Butterfield commented regarding not waiting for the budget committee to convene and start thinking about the budget today and where we need to go.

Councilor Henderson stated at times we are able to do things midyear because of savings in projects or things not getting done. She commented regarding the Council goal of being at 20% of our contingency in the general fund and we are currently at 27%. Councilor Henderson commented regarding previous administrations and negative contingencies.

Finance Director Craig Gibbons commented regarding the amount of work that went into the budget process and reminded of the comments made at the end of the budget committee meeting that staff wanted to begin meeting next month to develop a strategic plan so next year when we put together the budget it will reflect 6-7 months' worth. Craig commented regarding the budget committee's past

being dysfunctional and staff working very hard to make the committee functional and asked the Mayor to respect the work done by staff. Mayor Middleton replied we did not get any answers and he is not challenging staff on this, and said he has a responsibility to the citizens and you (Craig) responds to the City Manager, and said he did not see any solid questions being answered at the budget committee meeting, and although it's a balanced budget, there are other areas we could have moved money around. He stated he has worked for the City for many years and knows how to do a budget and functional or dysfunctional we will work together, but they have to come to the table as well. He asked, did we get any good solid questions. Discussion followed with staff receiving and responding to questions in written form, but not at the meeting for the public to hear during comments.

City Manager Gall stated he hears what people are saying and there are two things; you would like to see for the June budget....Mayor interrupted and said we want to start...Gall continued and said for him to figure it out with staff and come back with some savings. Mayor interjected and said we trust you to do it. City Manager Gall stated more importantly he wanted to hear from the Council, and said he gets it, he knows what the Council is looking for and stated he wants them to be concerned about the future.

Councilor Folsom clarified with City Manager Gall, on him providing a balanced budget, that he did not spend more than he took in. He confirmed this was correct.

Councilor Folsom stated she had been thinking of the budget and she did not want to add any more fees and wants to figure it out with the money we have.

City Manager Gall commented that he was looking for direction from the Council as a body of seven and the citizens, what they want. When he comes back to the Council in June, to have options to fund the park, to figure it out as we aren't going to wait a year. Councilor Butterfield replied this is just one issue. Open discussion continued on how to get there, items staff gave up to be able to present the balanced budget and others items given up by staff that the Council may not be aware of. Discussion occurred about staff listing out what they were giving up and Craig Gibbons reminded the Council these lists were included in the staff memos provided to the budget committee.

C. Council Rules – Time clock for Non-agenda Speakers:

Council discussed increasing the time limit from 4 minutes to a suggested 7 minutes. Discussion occurred regarding responding to speakers and engaging in dialog and exceeding the 4 minute limit. Council discussed the 4 minute limit and if this was a sufficient amount of time to effectively deliver a message to the Council. Discussion occurred and Council conceded to not change the time limit.

D. Brucker Fee Request:

City Manager Gall explained the issue and the staff recommendation previously provided to the Council to not wave fees. Community Development Director Julia Hajduk informed the Council of the total fee of \$2940 and briefly explained the modification details of Mr. Bucker's project. She informed of the stop work order issued by the building department. Discussion occurred regarding project specifics and whether or not Mr. Brucker followed City processes, having knowledge of processes and circumventing processes. Council discussed examining City fees and setting precedence when allowing for refunds. Julia explained recent code clean up and minor and major modification process

language and explained the purpose of the fee. Brad Kilby, Planning Manager commented regarding old town standards and provided examples. Discussion occurred regarding scheduling future Council discussion on old town policies and standards and fees. Julia briefly explained the old town standards and history of the code language. City Manager Gall reminded the Council that decisions are not made in work session but can be made in open session.

6. ADJOURN:

Mayor Middleton adjourned the work session at 7:00 pm and convened to a regular meeting.

REGULAR CITY COUNCIL MEETING

1. CALL TO ORDER: Mayor Bill Middleton called the meeting to order at 7:03 pm.

2. PLEDGE OF ALLEGIANCE:

3. ROLL CALL:

4. COUNCIL PRESENT: Mayor Bill Middleton, Council President Linda Henderson, Councilors Robyn Folsom, Bill Butterfield, Matt Langer and Krisanna Clark. Councilor Dave Grant was absent.

5. STAFF AND LEGAL COUNSEL PRESENT: City Manager Joseph Gall, Tom Pessemier Assistant City Manager, Julia Hajduk Community Development Director, Craig Gibbons Finance Director, Bob Galati City Engineer, Craig Sheldon Public Works Director, Kristen Switzer Community Services Director, Police Chief Jeff Groth, Craig Christensen Engineer Associate, Brad Kilby Planning Manager, Administrative Assistant Colleen Resch and City Recorder Sylvia Murphy. City Attorney Heather Martin.

Mayor Middleton addressed the Consent Agenda and asked for a motion.

6. CONSENT:

A. Approval of April 2, 2013 City Council Meeting Minutes

B. Resolution 2013-020 Reappointing Brian Stecher to the Parks & Recreation Advisory Board

C. Resolution 2013-021 Reappointing Luther Vanderburg to the Parks & Recreation Advisory Board

MOTION: FROM COUNCIL PRESIDENT LINDA HENDERSON TO ADOPT THE CONSENT AGENDA, SECONDED BY COUNCILOR ROBYN FOLSOM, MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILOR DAVE GRANT WAS ABSENT).

Mayor Middleton addressed the next agenda item.

7. PRESENTATIONS:

A. Scout Recognition

The Council recognized Caleb Lindgren for receiving his Eagle Award and asked Caleb to give a description of the project that earned him the award. Caleb explained that Magness Tree Farm, south of Sherwood, is building trails to a waterfall. He helped build a 300 foot trail along a creek, using

gravel with garden fabric and a border. Mayor Middleton asked how long it took to complete the project. Caleb stated it took a few months to plan and 2 Saturdays to complete. Councilor Folsom congratulated Caleb and noted that he was only 14 years old, which is very young to receive an Eagle Award. Mayor Middleton thanked Caleb for his service and presented him with a Certificate of Achievement.

The Council recognized William Karceski for receiving his Eagle Award and asked William to give a description of the project that earned him the award. William said his project was at the Good Neighbor Center in Tigard, a homeless shelter for families. He built seven double size bedframes. He said he spent two Saturdays designing and building the frames, including staining and sanding them, and on one Saturday delivered the frames. Mayor Middleton thanked William for his service and presented him with a Certificate of Achievement.

Mayor Middleton stated that this community would not be what it is today without these projects.

Mayor Middleton addressed the next agenda item.

B. Recognition of Liam Kliever

Liam Kliever's family came forward and his mother explained that he was born 11 weeks premature, very ill, and required life support measures for an extended time. She said Liam took it upon himself to find out what organization funded his life support. He found out it was the March of Dimes and started a fundraiser for the organization and became an ambassador for the organization.

Mayor Middleton stated he was proud of Liam for starting so early and giving back to his community.

Council President Henderson noted that her children's school participated in the charity and this was a positive project to help a local child raise funds. She stated their school won the fund raising contest and commented regarding the impact to her child considering a younger child started the project.

Councilor Clark stated that her children also participated in the charity and realized that competitive giving is good.

Mayor Middleton thanked Liam for his service and presented him with a Certificate of Achievement.

C. Proclamation National Police Week

Mayor Middleton asked Chief Groth to present the proclamation. Chief Groth stated that Congress and President of the United States have designated the week of May 12 through May 18, 2013 as National Police Week and said it is important that all citizens know and understand the duties, responsibilities, hazards and sacrifices of their police department. He stated law enforcement is one of the few chosen professions that require the willingness to lay down one's life to protect others and they deserve to be recognized for the dedicated service they provide.

D. Proclamation National Public Works Week

Mayor Middleton asked Public Works Director Craig Sheldon to present the proclamation. Craig stated that the week of May 19 through May 25, 2013 has been designated as Public Works Week, which recognizes water, sewer, streets, public buildings and solid waste collection as a vital

importance to the community. He stated this year there will be events at Edy Ridge Elementary and Hopkins Elementary, with the 3rd grade classes, showcasing the role of public works.

Mayor Middleton thanked both the Police Department and Public Works Department for their service and addressed the next agenda item.

E. Tualatin National Wildlife Refuge

Erin Holmes, Project Leader of the Tualatin National Wildlife Refuge (TNWR) approached the Council and explained that the refuge is part of the US National Fish and Wildlife Service under the Department of Interior. Erin manages the Tualatin River National Wildlife Refuge, which is a system of over 500 wildlife refuges throughout the country. She stated that Tualatin River National Wildlife Refuge (TRNWR) is unique in that it exists because of the community efforts that began in 1992. TRNWR currently has 2200 acres with an acquisition boundary of 8000 acres. She stated TRNWR just completed their Comprehensive Conservation Plan. The plan outlines the importance of wildlife and habitat, but since Tualatin is an urban refuge, the main focus is people and education. Erin noted the importance of getting people outside and said the refuge is planning to offer fishing in the future. She stated the most important mission is environmental education, and mentioned that TRNWR just hosted an alternative outdoor school program for Sherwood students. Currently, TRNWR has over 100,000 visitors a year, and last week they hosted 14 wildlife conservationists from Africa. She stated they are focusing on diversity and non-English cultures and groups and this year they will be providing Spanish and Russian materials. Ms. Holmes stating that it's importance for them to be part of the City and is looking to the Council for ideas of partnering with Sherwood working on environment and education and an invasive species program. Ms. Holmes commented regarding the importance of working on invasive species including Nutria at Stella Olsen Park and the refuge wanting to provide expertise and help. Ms. Holmes offered their support on trails and grants.

Councilor Folsom mentioned that we are one of only 10 urban wildlife refuges in the Nation. She commented regarding events at the refuge including a night hike around Halloween. She stated she is very grateful for the refuge and the programs and commented regarding the people who made this refuge possible 20 years ago who had a great vision.

Erin Holmes stated they have been in national magazines and shared a photo they posted on twitter and informed on the number of hits it received. She announced the upcoming Bird Festival on May 18, 2013, and a Creatures of the Night event for Halloween. She stated the refuge has their first bald eagles nest with chicks and encouraged people to come out and visit the refuge.

Mayor Middleton thanked Erin and encouraged everyone to visit the refuge, Erin stated the trails opened May 1st.

Mayor Middleton addressed the next agenda item.

8. CITIZEN COMMENTS:

Mayor Middleton stated before receiving citizen comments, City Manager Gall wanted to make a brief statement, and then he would make a brief statement.

Mr. Gall stated that he believes most of the audience is here due to the Walmart announcement and want to testify during the non-agenda period. He asked Community Development Director Julia

Hajduk to give a brief overview of how we got here and said although this came as a big surprise to many of our citizens, and we have heard since the announcement, that a lot of citizens did not know this was on the horizon. He stated this has been a long process and wants Julia to inform of the process and the criteria the City uses when making land use decisions.

Julia Hajduk stated there has been some confusion already with the project name of Sherwood Town Center, which should not be confused with the Sherwood Town Center Planning effort currently happening, which happens to be adjacent to the current development.

Julia stated the Langer property is zoned light industrial, however it received planned unit development (PUD) approval in 1995 as part of the larger Langer Farms PUD which allowed the commercial use as proposed. She stated other portions of the Langer Farms PUD include the development of the Target site, Arbor Terrace Subdivision, apartments around that area.

The Council re-affirmed that these commercial uses were allowed in a preexisting PUD with the light industrial zoning in 2007 when they approved a minor modification to the PUD relating to the phasing of the remaining development portion. In July of 2012, Gramor Development submitted an application for site plan approval for the commercial development for 190,000 square feet of retail space, including a 145,000 square foot general retail tenant. Julia stated the applicant did not indicate who the tenant was nor did they have too. They only indicated that it was a 145,000 square foot general retail pad. The zoning code lists the type of uses allowed and our reviews are based on that. Julia provided the example of, if somebody wanted to put in a 5000 square foot oil change facility, the City would not need to know if it was a Jiffy Lube or an Oil Can Henry's, we review the material based on the use. The City does not have the authority to determine which businesses are able to locate in the City. The City can determine the types of uses that are allowed in certain areas and can prescribe standards, such as building design, parking, landscaping, access, building height, etc that can help ensure that it functions well within the community. The application materials allowed the City to review for these standards and to ensure compliance with the code requirements.

Julia spoke of the process that was followed when the application was submitted in 2012; after a review of the application materials for completeness, we send notice to the public and affected agencies for review and comment. Public notices are mailed to property owners of record based on the tax assessors record data, within 1000 feet of the project. In addition, notice is published in the Gazette, the Times, posted on the public notice boards at the Library, City Hall, Senior Center, Albertson's and the YMCA, and on the site.

She stated the Planning Commission considered the matter over the course of three public meetings on September 23, a continued meeting on October 23 and a meeting on November 6, 2012. During the course of the hearing, the record was left open on two separate occasions to receive addition evidence. The Planning Commission deliberated and decided to conditionally approving the proposal after considering the public testimony and the evidence, and based their decision to approve the development on the findings of the project. The decision became final on November 26, 2012, when no appeals were filed to the City Council. She stated the applicant must still obtain the necessary building and engineering permits for construction and must comply with the conditions of approval of the decision it's based upon. Julia stated the City website has additional information on the Walmart proposal as well as links to the decision, and all the materials that were placed in front of the planning commission. Julia offered to answer questions.

City Manager Gall stated as the Council receives testimony, if they have questions as Council members for the staff, we are here to answer those questions.

Mayor Middleton reminded the public to fill out the testimony forms and include a name and address and stated he would call people forward based on the order the forms are received. He encouraged the public to testify and refrain from personal attacks, he said the Council will not be responding, they will be listening and taking in information and reviewing that information along with staff. He commented regarding being a cohesive Council, being here to listen to the public and encouraged public testimony. He reminded the public of the 4 minute limit on providing testimony and requested that no personal attacks be made.

Councilor Folsom confirmed with Julia Hajduk that the developer was not required to reveal who the tenant was, it was about the use, and the Planning Commission and the Council did not know who the tenant was until it was released to the public. Julia confirmed this was correct and said it was not revealed to the public until this last Monday. She stated there was speculation at the planning commission meeting, but it was speculation of several potential tenants and those were discussed. She stated they are not required to say and in fact, in Tigard where there is also a Walmart going in, it was originally proposed and approved as a Target. She said the uses are basically the same. She stated we look at the use and how the use fits with parking, set-backs and traffic and not the specific user. Councilor Folsom confirmed that the Council, as a legislative body, can only speak to "use", we cannot control who the user is. Julia confirmed this was correct and gave an example of not being able to select one specific business over another.

With no further questions, Mayor Middleton asked to receive Citizen Comment.

Tammy Steffens, 23617 SW Voss, Sherwood approached the Council on behalf of the Sherwood High School Booster Club and informed of a fundraiser. She stated their fundraisers are more important than ever with recent budget cuts. She stated in the last two years the athletic budget has been cut by over \$140,000. She said this particular fundraiser raises about \$6000 in one day and will be on Saturday, May 18, 2013, from 9 am to approximately 3 pm, in the Sherwood High School parking lot. She stated the Booster Club partners with Newberg Ford and the Booster Club receives \$20 for every test drive. She encouraged people to come down and encouraged employers to allow their employees time off to come down. She stated the Booster Club supports all athletic teams at the high school, freshman through senior, boys and girls for all seasons. Ms. Steffens explained the Booster Club can raise a maximum of \$6000 and if they reach this limit prior to 3pm, the event will conclude when the limit is reached.

Mayor Middleton confirmed with staff there was sufficient time to get the information on the bulletin, and Ms. Steffens offered to send the information to staff.

Councilor Clark commented that she had previously participated in this fundraiser and said it's very fun and could not be an easier fundraiser. She shared her experience, stated a booster club member accompanies the test drive and said there is no pressure, and it is very family friendly.

Robert James Claus, 22211 SW Pacific Hwy, Sherwood approached the Council and stated he has never heard such a falsified public record as he's heard tonight. He commented regarding the Langer's being in probate court, commented regarding the property being light industrial, and the Langer's stating they could not do anything with it due to value of square footage. He commented

regarding previous actions of the Council turning it into a PUD, with open zoning by referring it back to the original zoning, none of which others operate under. He commented regarding the Council giving the Langer's a free ticket to do what they wanted. He commented regarding a 10 million dollar gain with Walmart. Mr. Claus stated his problem is no one knew it was Walmart, he commented regarding prior Mayor Mays chasing Walmart off the Shannon and Broadhurst properties and drove Walmart to Langer's property. Mr. Claus commented regarding the Council selling zoning and not representing the citizens. Mr. Claus commented regarding the planning commission not having a choice because the Council used earlier rules, not allowed by others to use. Mr. Claus commented regarding the presence of the Sherwood Police Chief at the Council meetings, dressed and armed and commented regarding the police presentation at the budget committee meeting requesting additional officers. He commented regarding the profile of Walmart in comparison to the profile of Target and their profiles being very different. He commented regarding the Council slipping this under the mat, and covering the loss of urban renewal funds. He commented regarding the Council having an orphan routine, commented regarding high density parking, he commented regarding the police request for more police officers due to more accidents because of Walmart. Mr. Claus commented regarding the 4 minute speaking limit imposed by the Council and they having information overload, and the Council shutting down information.

Mayor Middleton reminded the public to refrain from personal attacks and to stay focused on the issue.

Amanda Stanaway, 16103 SW 2nd Street, Sherwood approached the Council and stated that she has been a residence since 2001 and has recently begun getting involved. She stated she was not aware of the Walmart until she read about it in the Gazette. She stated it is difficult for her to swallow that Mr. Langer is the developer and sits on the Council. She stated Walmart is the worst picture of what America is today, it degrades our culture and our communities. She commented regarding times when people are going into communities and blowing up things and said it's very hard to watch. She commented regarding wanting a better future for her kids, commented regarding the financial gain of Mr. Langer and his family leaving the community when his kids are out of high school. Ms. Stanaway stated it's very disappointing and has invited her neighbor's to come, she commented regarding the community uniting over this issue and as parents they should be at home with their kids. She commented regarding the placing of granite in the roads at the replacement at the taxpayers' expense. She informed the Council of the homeless problem in Sherwood and her home currently open to three homeless children.

Lori Stevens, 15630 Farmers Way, Sherwood approached the Council and stated she echoes the previous comments and said it's not the development that people have protested, it's what went into the development. She commented regarding understating the rules of not having to disclose the tenant, but unfortunately it's Walmart and we have no choice but allowing it to come in. She stated Walmart is the worst of this country and is being protested in every city they try to build in. She commented regarding still having protesters in Raleigh Hills, said they are not welcome, they outsource overseas to sweatshops with people earning less than \$38 a month. She stated they are not controlled warehouses or sweatshops and said 212 people died in Bangladesh this year in a fire, Walmart contributed towards this in an indirect way. She commented regarding traffic and said she lives off Langer Parkway and said the roundabout is a joke, she said people have jumped the curb, bikers have been hit and people don't understand the two lane circle and said to bring this much traffic down a two lane street is ridiculous. She commented regarding the current issues with Tualatin Sherwood Road and the thought of putting a 145,000 square foot big box, with six restaurants and an unknown number of parking spots and traffic, off a two lane road that has the worst traffic at any time

of day, is ridiculous. She stated she was aware of the police asking for more staff and Walmart will bring more crime, more accidents, more thefts, more foot traffic of all kinds of different populations and this is not ok. Ms. Stevens stated she understands the Council does not make the decisions and referenced the audience as proof of the community's strong feeling against what comes into the community. She commented regarding building her home in 1996 with a population of 8000 and watching the growth with Home Depot, an Ice Arena and a 10 screen cinema and not needing another big box, especially not Walmart.

Richard Rementeria, 17210 SW Green Heron Drive, stated he has been a resident since 1996. He stated he hopes people appreciate the fact that the Langer's are a family that have lived here when Sherwood had 2000 people and believes they have the right, have earned the right, to do what they want with their land as long as it falls within the zoning regulations. He commented regarding the American dream where hard work pays off. He stated his concern is people feel that Walmart's type of customers are not Sherwood's type of people and stated he is not sure where "these people" are coming from as Tigard will have their own Walmart. He stated this store is slightly larger than Target and the exact same size as the new Fred Meyer in Wilsonville. He stated he suspects the people that are upset about this would not be upset if it were a Fred Meyer. He stated he would have preferred a Bass Pro Shop and said he doesn't believe that people have a clear logical, unemotional reason for opposing this use. He said he doesn't understand how the traffic would be a bigger issue with a Walmart versus a Fred Meyer, maybe more customers per square foot. He commented about residing off Roy Rogers and seeing all the traffic and believes most of it are people passing through Sherwood. He commented regarding Walmart not being his personal choice and wanted to remind people to not be so hard on our fellow citizens. He commented regarding people presuming with the lack of support for Walmart that the shoppers would be from out of town only.

Amelia Stanaway, 16103 SW 2nd Street, Sherwood approached the Council and commented regarding Walmart and said Sherwood's businesses will have negative problems and this is very bad. She Said Walmart does not pay their employees a living wage, paying them less than what it costs to live and people going on welfare. She stated when people go on welfare this is not good for the community or government and when Walmart comes it will destroy our community.

Victor Polanco, 16464 SW Cornus Court, Sherwood approached the Council and commented regarding the Walmart announcement and said Walmart used to be his favorite store until he saw a documentary showing terrible living conditions in Asia and other countries, where people receive low wages and are not feed much. He said it doesn't cost Walmart that much to make a shirt and they sell it for a lot more than they pay into it. He said the employees in America aren't paid much and have to receive state medical and dental care because Walmart's is too high and they aren't paid enough to afford it.

Dean Boswell, 22796 SW Lincoln Street, Sherwood approached the Council commented regarding his worldly travels and living in many areas and said every community he has seen with a Walmart has ended tragically. He gave the example of Woodburn and their gang and drug activity and his prior experience of watching this type of activity and said these are the types of people that live near Walmart in Woodburn. He said he has lived in Sherwood for 10 years, longer than any other city. He has children in Sherwood schools and friends with Sherwood businesses, friends who reach out to the elected officials to help with small businesses. He commented regarding lack of parking and the reconstruction of downtown streets and losing two parking spaces at each corner. He said we are a small growing community that cares about each other and said this will stop in Sherwood with a

Walmart. He said he doesn't know if there's anything that we can do or that the elected officials want to do and said he doesn't have money for lawyers and believes as a community we can raise awareness and work together to stop this. He stated he supports big business and referenced Trader Joe's in the state of Washington and how they treat their employees in comparison to Walmart. He said he doesn't care about the people that shop at Walmart, he cares about what it does to a community and the people that come to live here. He stated he is not aware of the fill situation concerning the Council members and said if there is someone on the Council that has sold land, there is a conflict of interest.

Peter Sternkopf, 28288 SW Ladd Hill Road, Sherwood approached the Council and said he is the newly elected Sherwood High School PAC President, and works in the legal field, but is not an attorney. He said he has worked with a lot of large corporations and Walmart is the second largest corporation in America, with annual revenues of \$446,950,000,000, with profits over 15 billion. He said in the legal field a "conflict of interest" means, if there is a part of an action that you are involved in, a preceding, a court case, any of these types of activities, that you have a personal interest in, and there's a possibility that the decisions you make or that you influence other people to make a decision in, is a conflict of interest. He said attorney's, judges and city council's face it. He said in our opinion as a community, believing he speaks for a lot of people, this is a conflict of interest. He said Walmart is a brand of store people are not having great success with, and there's obviously an issue there. He said Walmart is not changing their image or how they do business, they are impacting communities in a negative way. He said the Oregon law is what it is and they will pay for some of the road expansion. He said he has lived here for 7 years, 5 years previously in Tigard and came to this community because it was very special. He said he has considered moving to another community that is special. He asked if a Walmart representative was present this evening and said this is who we need to address as a community. He said he believes there's some legal action or legal precedence with a possible conflict of interest that should be looked into and said people should be addressing Walmart as they have a better chance of keeping them from coming into our community. Mr. Sternkopf asked Mayor Middleton what opportunities he took to invite other big box stores into our community and asked if he spoke with Trader's Joe's or Wholefoods during his tenure.

Mayor Middleton replied the Council doesn't get involved at this level and doesn't respond to questions as they are taking in citizen comments. He said the Council does not get involved in the choosing of businesses.

Trish Goldstein, 18096 SW Handley Street, Sherwood approached the Council and said a lot of people feel that they have been sold out to a certain degree. She said speaking on behalf of herself and her family who has been severely impacted by Walmart. She shared a personal family experience about how Walmart treats their employees and said this is not the kind of company she would want any of her friends or family to work for. She stated the fact that they generate jobs is laughable. She stated she believes the frustration is not knowing who is moving in and as staff can't ask, rumors have been floating around. She said she moved to Sherwood in 2006 with five children, because it was a phenomenal place, she never locks her doors and leaves keys in her car and has never worried about it. She commented regarding snootiness in Sherwood and said people are concerned for the safety of their children. She said there is also concern that this is impacting so many people on so many levels and commented regarding the high impact to businesses. She spoke of the impact of Target and the expanding of their produce department and how Albertson's and Safeway had reductions in employees hours and layoffs. She commented regarding not knowing who the tenant is and changing this rule. She noted how much she pays in annual property taxes and said

she has a right to know what's coming into her community. She asked with Walmart coming, do they pay property taxes, where's the revenue, what does Sherwood gain from it and where is that money being earmarked for. She said we see the negative impact and asked what is the positive, and will there be one. She commented regarding having to lock up her child's bike and Walmart creating incidents with drawing more people in. She stated she did not think any of us are ignorant and said we all have the right to speak our mind.

Mayor Middleton called for a 10 minute recess at 8:10pm and reconvened at 8:20pm.

Lori Randel, 22710 SW Orcutt Place, Sherwood approached the Council and said she lives across from what will eventually be the housing for the Walmart employees, commented regarding lack of parking and Walmart employees not being able to afford cars. She said she is not in support of Walmart and referenced a comment in the newspaper that most people in Sherwood would approve of this. She said she will do everything in her power to find a way to stop Walmart from coming and if she does not, she will boycott Walmart and every other store in that mall, and hopes others will follow. She stated she thought Kohl's was a wonderful addition to Sherwood and would have welcomed Trader Joe's, with the two grocery stores we have a Trader's Joes would have been a compliment to what we have. Walmart is an addition, it's a third grocery store we don't need, a third everything we don't need. She said we all know of their sweatshop conditions and that their employees are paid nothing and receive public assistance in large numbers. She has been looking around Sherwood and noticed the Scrap Book store in going out of business and commented regarding the large number of vacant business spaces, and stated that Walmart will only make this worse. She commented regarding "No Parking" signs near her home, where the new apartments are being built and expressed concerns with lack of parking, and lack of parking for the current residents who can't park in front of their houses. She commented regarding Tualatin Sherwood and Langer and said it's going to make Willamette that much worse. She commented regarding the proposed restaurant she heard about and suspects they will be fast food and said she is the poster child for fast food and hopes there is never another fast food shop in Sherwood. She said she has lived in Sherwood for eighteen years and said when she was looking for a home, if she had seen Walmart she would have kept on going.

Patti Spreen, 20488 SW Lavender Place, Sherwood approached the Council and stated she heard of this last night via the Portland Tribune and thereafter the Sherwood Gazette. She said her outrage truly comes from the fact that this was a backdoor situation and a denial (referring to Councilor Langer) is unacceptable on behalf of the Sherwood residents. She stated it's not fair to the children or to the community. She said it's one thing to accept and try to move forward peacefully and make things work, but when we are left with a situation that we don't hear about, who the retailer is going to be, until three weeks before breaking ground. She stated June 24th, six weeks before ground breaking, and asked Mr. Langer if he is ok with this, she asked can he sleep at night.

Mayor Middleton asked Ms. Spreen to not make it personal and to address the entire Council.

Ms. Spreen stated it's very personal to her and the bottom line is.... the traffic....said this is not rocket science, we know what's going on in Sherwood with the traffic and parking. She stated as a family we choose Sherwood in 2004 from Tualatin, living there for 2.5 years. She commented in their decision to grow their family they moved to Sherwood, we have amazing schools and people and Walmart doesn't fit the Sherwood mold. She commented regarding sounding pretentious and commented regarding how much she spends annually in taxes and she thought she was restoring

old town and bringing growth to small businesses downtown. She said she was under the impression this was happening, she said we have amazing restaurants, stores and people filled with heart that want our town to grow. Ms. Spreen stated so many of our parks and roads are named after Langer and he's the one that sells out. Ms. Spreen apologized to Mr. Langer for making it personal and stated it truly is, and he has let down this community. Ms. Spreen addressed crime and said we have a big box store with Target, and Walmart will be next store. She commented regarding hearing that they are similar, and believes they are in many ways, but when it comes to crime they are not. She stated she and her children will have to watch over their shoulders, this is not right and this is not why I choose Sherwood, this is not why I pay \$5700 a year in property tax. She said we will need more police presence and asked who will pay for this, so Mr. Langer can walk away with his padded pockets. She commented regarding the carbon footprint and referenced the speaker from the refuge and said this is amazing, we are rated the 18th most livable City in the US, not any more.

Jennifer Harris, 21484 SW Roellich Avenue, Sherwood approached the Council and provided statistic that a survey showed 32 Walmart stores experienced 770 crime incidents in one year, while 30 Target stores in the same vicinities experienced 170 crime incidents. She said she can tell the Council that Walmart and Target are not the same, and how Walmart doesn't pay enough. She said she knows that most of the Council did not have a choice and they had to follow the rules. She stated several people have spoken to her off the record that they do not support a Walmart and referred to some of the elected officials. She said she has children in the community and agrees with what has been said by the community members, especially in regards to the children. She said she can show statistics and quotes from Walmart employees and the reason she is here is because we need to come together as a community and this was the biggest forum she could find to bring us together. She said she knows Walmart is who we have to fight and the Council can't do anything to help us except to join our fight. Ms. Harris commented regarding previous testimony about big boxes and said just because you can take advantage of someone, doesn't mean you should. She said we need a grassroots effort to fight the Langer's and fight Walmart and said Walmart has a history of pulling out when it gets too messy for them. She commented regarding everyone knowing about Walmart and it being public knowledge, commented regarding the hands of Council being tied, and about the decision being made before Mayor Middleton was on the Council. She said this is a small community with 18,000 people and there should be 10,000 here, not 100. She referenced a quote from Mr. Langer that there is a large group that is fine with Walmart, and believes there is a larger group that is not. She said we have to bring this group together and the Council is welcome to join them. She encouraged the audience and local businesses to come together. She said 1% of Walmart's income comes back to the community, with 99% going to Chicago. She said they don't keep it at our local banks or schools, they do what they need to do to pacify the 70 people that are here, she stated let's not be pacified.

Elizabeth Farnum, 16933 SW Cobblestone Drive, Sherwood approached the Council commented regarding the previous comments. She asked the Council what can be done to stop this and said she realizes the Council is not taking questions, but wants this on the record. She asked why would we zone for a very large store like this when we already have so many in our small town.

Brian Larson, 22813 SW Saunders Drive, Sherwood approached the Council and said originally when clarifying what's required in this process and hearing quotes of what's not require to be disclosed or planned. He referenced comments made by a council member that we did not know what it was, made reference to quotes that they aren't required to tell us. He commented regarding it meaning something to him, when failing to answer the question, this answers it for him. He

commented regarding what was done to notifying the public along the way, and the words “this was backdoored in” comes to mind. He said there are things you can do to let people know, if some of the suspects has been discussed more publically, he believes this audience turnout would have come a lot sooner, rather than people finding out yesterday. He said his opinion of the Council is you serve us and the City and in his view, this was not doing either. He said the conflict of interest has been discussed and at best you can say this is certainly not a case of full disclosure. He said at worst, you can say it’s borderline fraudulent and said he believes from a legal standpoint it absolutely needs to be looked into. He said you have a desperate community here and believes we should exhaust all resources. He commented regarding playing by the rules and being investigated. Mr. Larson commented regarding the speaker from the Refuge and comments regarding the vision for Sherwood and all the things that fit with Sherwood and why we live here. He said this is an example of not that and said this doesn’t fit with Sherwood’s vision and said he is not sure who thought it did. He asked why the zoning was changed to begin with and said we don’t need that, and this raises some questions. He said there’s been lots of rumors about this and heard today that because of the zoning in this case and being part of the urban growth boundary, that there are stipulations with the tax revenue that we will supposedly receive from Walmart of whoever is in place there. He commented regarding tax breaks to Walmart, if any, and not knowing when or if that information becomes public. He said he heard because of the zoning there, those tax dollars cannot be used for our schools and public safety. He said this could be rumor, he doesn’t know and believes the community would like to know the answer to this. Mr. Larson commented regarding previous comments heard from the Mayor about not getting involved in the process, it runs itself and there are limitations as to what you can do. He stated in his view based on what he has heard today, at least one of you was involved in the process and whether or not that should have been the case, this is a question everyone will want answered. He commented regarding there being more comments and ideas posted on the Gazette website.

Dawn Pastores, 17091 SW Cobblestone Drive, Sherwood approached the Council and stated she loves Sherwood and grew up in Aloha and remembers when Sherwood’s McDonalds went in. She referenced the City’s Mission Statement and said she is a business development consultant, a small business professional that likes to help small businesses, and said she doesn’t know if this decision is living into the mission, which makes her question the leadership in general. She stated as someone who serves on different boards, she tries to take into consideration who she is serving, and said she appreciates the service the Council is providing, but, Walmart is a huge decision. She commented regarding the noticing requirements of noticing within 1000 feet of the building and said no one lives within 1000 feet of that area. She suggested going the extra mile on this would have been helpful. Ms. Pastores said Sherwood reminds her of Ashland Oregon and said they don’t have big box stores, not even a McDonalds. She stated she is concerned for the small businesses in our community that make us special. She stated Walmart brings many services with them, including nail and hair salons, eye services, similar to Fred Meyer and stated for the record she would not have supported a Fred Meyer. She stated Sherwood has a lot to offer and part of our uniqueness is the fact that we support the citizens that live in this community through supporting their small businesses. She commented if the land was going to be developed it would have been nice to know which direction we were going to allow for this discussion. She commented regarding large companies who give profits, that would be services that are not competing with other services and adding and benefiting in other ways. She stated she doesn’t know how Sherwood, with a population of 18,000 can support Walmart, Target and Kohl’s and two grocery stores, this requires people coming from the outside. She stated when we bring people in, it brings opportunities for more things to happen. She

stated she will do what she needs to do, like was done in Hillsboro, to stop them from opening their doors in Sherwood.

Beth Cooke, 23598 SW McLoughlin Court, Sherwood approached the Council stated she is a new resident and moved here in 2011 and stated she is opposed to Walmart joining our community. She stated they have a well-documented history of one of the worst employers in the country, their employment practice are not even at a base level employer standard. She stated Sherwood can and should do better and feels it's not too late. She urged the Council to join the community and explore ways to protect businesses in Sherwood and local small employers. Those employers who support their employees by providing benefits, fair wages, earned sick leave, and affordable healthcare. She urged the Council to look at what this means to the workers of our community and to take action to protect small business employers.

Sarah Hagan, 22471 SW Murdock Road, Sherwood approached the Council and stated she can't add anything that hasn't already been said. She said they are first time homeowners and have struggled, married for nine years and when looking for a home, looked all over the area. She commented regarding they are committed to her being home to raise their children and said she is the Walmart demographic, but doesn't want it here. She stated her concerns are traffic and environment and said every Walmart she has seen is a 24 hours store. They allow overnight parking of RV's and motorhomes. She stated if this is 24 hour Walmart, this will mean increased traffic and said she doesn't know if there's zoning to consider and said if there are things that can be done to please do them. She stated this is the start of our community being aware. She stated she loves the Refuge and her property and a lot of the property around this property is part of the Refuge and she is concerned with the environmental impact. She said she is sure some studies have been done and suggested additional studies.

Josh Highberger, 22435 SW Nottingham Court, Sherwood approached the Council stated this is not personal and more from a business and community standpoint and targeted at Walmart. He said he has been a resident for 10 years and moved here for the small town family environment, low crime rate and great schools. He said his family history is in land development and construction and said he gets it, it's America, we can develop your property when great opportunities present themselves. He stated he heard about Walmart late last night and commented regarding google searches resulting in hundreds of sites opposing Walmart. He said he has lots of stats that he will not mention and said his big concern is not where Sherwood will be in one year, as much as where it will be in 10-15 years. He said he moved here for the long haul and his kids attend an awesome school, across from the building site. He said if he had issues with land development, he should have been here several years ago. He said he works for the Department of Corrections in an intake center and sees 400-500 inmates come through in a month and in sitting with those inmates he know the communities they come from, where they live and their environments. He said when looking at their demographics, it's not Sherwood, and we should be proud of that. He said we have something we should be proud of and this is why he moved here. He said his fear is as he moves out of this community and people come in because of what we offer, like low income jobs, and as we move into one big strip club, a Beaverton or Hillsboro style of living, where will we be in the long term. He said he wants to stay here and be proud. He said he supports development and opportunity and commented regarding small retailers benefiting from an anchor store. He said it's more of the data, crime rate, the cost of transportation and who will be supporting that. He said he struggles with Walmart and what it brings, as it's a low blow.

Dan Ettelstein, 23773 Scott Ridge Terrace, Sherwood approached the Council and said he appreciates the opportunity to voice his opinion. He said what's absent from this forum is information and dialog between the citizens and City management and asked how can we get a roundtable discussion on developments or situations that will impact the community. He said as citizens we know there will be in impacts on infrastructure and services and asked if there have been impact reports and asked how have they been revealed or put up for discussion with the citizens. He said those impacts will affect our tax dollars and it becomes a tax without representation. He said we don't have any say, we have 60 days before groundbreaking and this has the appearance of a backdoor deal. He said people have brought up discussion of a conflict of interest and it doesn't seem fair and doesn't seem like the Council is laying out and representing the thoughts and feelings of the community. He said he would like to hear how the citizens can have a dialog and as the Council can't answer that, maybe it can be printed. He said 60 days prior to groundbreaking doesn't seem like a fair deal.

Mayor Middleton stated he believes staff can come up with information on how the process works and will get this information to the public to allow for an understanding of the process. He stated the process is not something we try to hide.

Council Folsom asked the Mayor where can the public look for this information and how will it appear, in the Archer and then online? On the City website? Julia explained she heard what the Mayor was asking for as far as process, and said staff can post something on the City website explaining the planning process and offered to mail information to all those that testified.

Councilor Clark stated the mailing is a good idea, but citizens are looking for an answer, and suggested posing the question and providing an answer would be helpful to the public.

Councilor Folsom suggested the information be provided at the library.

City Manager Gall stated that staff can put some information together and make it available in a variety of ways, especially on the City website. He stated that staff is available to answer questions, and questions on process and legality should be directed to Community Development Director Julia Hajduk. He said questions on taxes could be directed to him or the Finance Director. Mr. Gall mentioned possibly holding public forums to answers citizen questions that may be more appropriate for staff rather than the elected officials.

Mayor Middleton offered his monthly column in the Archer to provide space for information explaining the process.

Councilor Folsom stated that she appreciates the comments and said this is democracy in action and America at its best.

Naomi Belov, 22741 SW Lincoln Street, Sherwood approached the Council and said she moved here about 1.5 years ago from Boston area and was impressed by Sherwood's website. She asked Councilor Langer as his family seems to be integrated in the community, to do all he can to make it a community that he can feel integrated in, in his relationships, personal and in business interactions. She commented regarding Walmart being terrible and encouraged everyone present to stay in touch and said there is a face book page called "keep Walmart out of Sherwood".

Mayor Middleton mentioned the Naomi Belov's children started the SOLV trash pickup program that has been very successful and thanked her children.

Lynn Snyder, 15085 SW Highpoint, Sherwood, approached the Council and said he has been a resident for 10 years and has served on the Parks and Recreation Board for 2-3 years and loves the community. He said what he likes about the community is how much we have invested in the community. He gave examples of a new park and cannery square, a new upcoming Cultural Arts Center. He said we passed a 100 million dollar bond in 2006 to pay for our schools and this is a big investment in our community with big dollars, that we have all contributed to with our time and property taxes, organizing and input. He commented regarding public safety, new and former police chiefs and new City Manager and putting a lot of resources into the community. He commented regarding 6 weeks from groundbreaking and the turnaround time and said you can't tell the impact just by the zoning. He commented regarding zoning in a particular way, with a Walmart, a Costco, a Trader Joe's or a bowling alley and all of these are significantly different impacts on the community. He said we don't have time to study that, not only do we not have time to study this in six weeks, how will it affect all of our investments, our schools, public safety which is already stretched. Mr. Snyder said not only do we not have time to study the impacts, who will pay for the study. Do we pay for that? Does Walmart? And do we have time to pay for that study? He asked is there a roundtable where we can have some give and take and have questions answered or at least propose questions that we would like a response from our elected officials who represent us tonight. He said we don't have time to get anything on a ballot and don't have any forum to discuss this, other than tonight. He asked the elected officials to come back to the community members who elected them and answer some of these questions and provide feedback on what can be done. He thanked Councilor Clark for her posting on face book regarding what was occurring tonight. He commented regarding the right to study the impacts as taxpayers as this is going to affect us, either in higher taxes or the services we will give up because the taxpayer dollars we are paying have to go towards public safety, now diverted away from parks other items. He said we will pay for it in one way or another and doesn't know how we will pay for that or what we will pay for.

Patricia Lyon, 15171 SW Ginkgo Court, Sherwood, approached the Council and said the Council knows the impact Walmart will have on a community. She stated she did not see anything on a traffic study, affects to traffic, what study was made, are there going to be new roads built, and if so, who will build them, those are tax-paying dollars. She commented regarding the difference between Target and Walmart and said if we spent more time helping our local businesses and not having to pay astronomical prices just to start a business in Sherwood, we would have a lot more small businesses and it's those small business dollars that go to the schools. They are the ones that just write a check instead of going through corporate and waiting 2-3 months to get \$5 per kid. She commented regarding hearing the rumors and thinking they are trying to fight it, and here it is. She said she will do everything in her marketing networking power to make sure this is stopped. She stated she will not pay extra taxes to clean up a parking lot instead of giving it to our kids who need the education. She stated our school funds were cut 1.8 million this year.

Kathy Michard-Tradd, 22136 SW Hall Street, Sherwood, approached the Council and said she has been a resident since 1978 and raised her family here and said she heard from her grown children and they will not be moving to Sherwood because of Walmart. She stated she doesn't shop box stores and lives a simple life and is concerned that people will not have that ability. She said she is concerned with the traffic that is being routed to 99, because supposedly Walmart is paying for that road and we will have another light on Sherwood Tualatin Road. She commented regarding who will

travel this way when you can come down the new Parkway, which goes by her street, near Oregon Street. She said she lives three houses from there and will never get out, they will not use 99. She commented regarding the refuge and that traffic. She said she was concerned with layoffs of local people that live here and have always lived here. She commented regarding an Albertson's employee already having their hours cut because of Target introducing produce. She is concerned about downtown and local businesses and people not coming downtown to spend money. She believes it was ridiculous that there was no public hearing, no information and the educational process on this project didn't happen earlier.

Brian Smith, 21037 SW Houston Drive, Sherwood, approached the Council and stated that he moved to Sherwood in 2006 for the family atmosphere, excited to move to Sherwood with it's small town feel where he grew up. He said he managed a small face book page called Sherwood Concerned Citizens and felt it would be a disservice to not show up and speak. He stated, last night after hearing about Walmart he made a quick post on face book and within 24 hours he had an increase in his following, overwhelming people are dissatisfied with Walmart coming to Sherwood. He said it is very important the Council take this into account with how they move forward in the next six weeks and how they publicize Walmart coming to Sherwood. He said so far things have been marketed seemingly in a positive light for Walmart. He commented regarding earlier comments regarding impact studies, and said there have been studies, a Harvard Review study that was done and overwhelmingly Walmarts have negatively impacted communities. He said it is shown that once a Walmart comes in, local businesses shut down and move on. He said the wages that Walmart pays is not going to help the economy of Sherwood or anywhere. He said it's very important the community comes together and the Council as leaders and the planning commission should do their part in partnering with the citizens on this.

Wendy Malcomson, 22424 SW Washington Street, Sherwood, approached the Council and said she grew up in a small town and moved to Sherwood a few months ago and was attracted by the sense of community and quaint small town feel. She said it is sad to her to hear about Walmart and commented regarding us all knowing about their background and what they do to a city, this is really distressing. She said there is a Walmart going into Tigard, and aside to whether Walmart is a good fit for Sherwood, she asked what is the necessity, with several big boxes already here. She thanked the Council for their service and said despite whatever regulator things prevent the Council from acting, they see that this is not a good choice for our community.

Mayor Middleton reminded everyone to leave their address or written comment if they would like to be on a mailing list to receive information.

Jacob Feenstra, 23933 SW Scott Ridge Terrace, Sherwood came forward and commented regarding his growing up and commented regarding the rules of not revealing who the big box was and said he can't imagine that someone, somewhere did not have the power and ability to sway that, or change that or make people more aware to have voices heard further or sooner in this process. He said the town he grew up in, has a big box store cap and doesn't know why we can't do that. He said he can't think of an upside, competition with Safeway, Albertson's, Home Depot, Les Schwab, he can't imagine that these retailers are not concerned. He commented regarding it being too bad the scrapbook store closing, he said as Council members and citizens we need to talk. Why not have a square foot cap? 45,000? 80,000? If we don't know what's coming in, it limits the Walmart's from coming. He said he thinks this needs to be considered and if we can change something now he is in favor and supportive. He commented about changes for the future, commented regarding the great

schools and teachers and hopes this continues and doesn't dwindle with a big box coming in. He commented regarding keeping Sherwood small and quaint and sitting down with the Council and citizens, talking about the cap and what's important to us as a community.

Terran Stuckey, 16506 SW Travis Court, Sherwood approached the Council and commented regarding hearing people say if you don't vote you don't have a say. She said she gets to vote and still didn't have a say and if she doesn't talk she can't say what she is feeling. She commented regarding missing time this evening from her family to be here. She said she is very upset with Walmart coming to town, across from a well-established Target store that her kids love. She said say hello to crime and traffic and goodbye to Sherwood's small town feel, goodbye to kids playing in the cul-de-sac and not getting hit by a car, goodbye sense of security. She said the worst thing Sherwood could have brought was a Walmart and asked what about a Dick's sports. She commented regarding our sports community, her kids and husbands involvement and said she was sad to see GI Joe's go. She said why not support our youth by putting in something that will help them and not hinder them. She said when they moved here, it was everything they wanted, schools, low crime, low traffic, close to both our jobs and they looked at Wilsonville and said maybe in six weeks we might go back to Wilsonville. They don't have a Walmart, they have a sense of community and pride and a school system that is close to ours and kids can play without the worry of getting hit by a car. She commented regarding concerns with crime, and said Sherwood is a community that comes together and commented regarding family, children, education and events. She said she moved from SE Portland and knows what Walmart feels like and moved because her kids needed and wanted more. She said she will not ever support Walmart.

Wade Anderson, 16513 SW Gleneagle Drive, Sherwood approached the Council and commented regarding the Walmart announcement and was concerned with the reference of the "Sherwood Town Center". He said as Council may be aware, near and dear to him, is the study around the Sherwood Town Center, Sherwood Blvd and Gleneagle area. He said he didn't think it was meant that way, but it seems cynical to call it Sherwood Town Center, when "this" is the town center, "Sherwood Town Center" should be reserved for downtown Sherwood. He commented regarding the Council having the power to make a name change. He commented regarding the prior statements regarding funding being given to the community and said he knows there could be a potential breach of contract, potential for lawsuits against the City, but there could be considerations that we could do, maybe a bond. He suggested talking with the citizens to change the zoning of that area, turning it into urban reserve, putting in a skate park, use it for some other use. He said the benefit you get there is, the family that committed the dollars that made the investment in the land, still has a chance to get those dollars. They will get the dollars they would have received from the developer, from Walmart, but instead from the citizens. He said these are suggestions and doesn't know the ramifications and realizes these are discussion should have occurred in 2005 and not tonight at the last moment. He said it's an option for this to stay as urban reserve and minimize traffic impacts.

Mayor Middleton thanked everyone for coming and bringing their concerns. He encouraged everyone to get involved and to read the website and the newsletter.

Councilor Folsom commented regarding Council previous discussions of blue light poles and stated that she testified before the City Council 10 years ago and was inspired to run for City Council. She informed the audience that three Council members ran unopposed last fall and said this is a good place to learn and take pride in citizenship. She stated she hopes she is a better citizen because she has learned about civics. She commented regarding appreciating how terrifying and emotional it may

have been and said she is very grateful and feels there are few things that are more important than being involved in your community and is what makes Sherwood great.

Councilor Butterfield stated the Council is committed to listen and encourages it and said once we hear what is said, they will seriously ponder it and try to come to some type of resolution. He said this is a commitment from him and knows the other Council members are committed as well.

Councilor Langer stated that he appreciated the input and discussion and understands the community concerns and said if he was in their shoes he probably would do the exact same thing. He said they worked on this for many years and tried to get different folks and would love to have a Trader Joes, but they are too small for that particular property and we have a spot picked out for them. He said they have tried to call Trader Joes for years and they won't return calls. He suggested putting together a face book page to bring Trader Joes to Sherwood. He stated that they have another 28-acre parcel south of this site they are already working on, and heard comments of retailers and said they are in the process to bring in some of the ones named. He said they have another 5-acre piece across the street. He commented regarding retailers seeing how strong of a community Sherwood is and they wanting to be here. He said we want to make sure it's a good responsible, well designed project. He commented that he heard from people involved, that they said in twenty three years they have never seen a Walmart like this and said he realizes the community doesn't have all the information and have not seen the design or architecture or landscaping and said this one is special and we have worked hard on it. He offered to speak one on one with anyone that is interested.

Mayor Middleton thanked Councilor Langer for his comments and stated he recognizes that this is an emotional issue, and thanked everyone for their civility.

Councilor Clark agreed with Councilor Folsom and said she appreciated people coming out and has her own personal feelings about the project and said the entire Council wants to hear what people have to say as we want to represent you. She said we also give up in order to be here. She commented regarding wanting to serve the public and has two kids at home tonight and pays a sitter for the privilege of serving the community. She said she can't say she disagrees with people coming forward and saying they don't want Walmart, and said she doesn't want them either. She commented regarding personal opinions and having to follow the codes and said she doesn't know if there is something that can be done. She said if there is something that can be done, she will light face book on it. She encouraged people to be part of the process and come to the meetings and said this is what makes Sherwood great, why she moved here and is willing to serve.

Mayor Middleton addressed the next item on the agenda.

9. NEW BUSINESS:

A. Resolution 2013-022 Authorizing the City Manager to Execute a Construction Contract for the Tonquin Employment Area Sanitary Upgrade Project

Engineer Associate Craig Christensen approached the Council and stated in November the property east of SW Oregon Street, south of SW Tualatin Sherwood Road was approved for future annexation and the sanitary sewer needs to be upgraded. He said, currently, there is a 10-inch and 8-inch sanitary sewer line that runs from Rock Creek, runs along southeast side of railroad tracks, and along

the south side of Tualatin Sherwood Road. The sewer will serve the industry on the south and north side of Tualatin Sherwood Road and the Tonquin employment area. He stated, however, this existing sewer line is not adequately sized and needs upgrading to accommodate the new industrial area. He said the 10-inch line will be upsized to a 15-inch line and the 8-inch line will be upsized to a 12-inch line. This will be done by pipe bursting and a trenching process. Craig stated the City has worked with the property owners on the south side of Tualatin Sherwood Road in developing the design plan. He said, after the construction of the project is complete the wetlands will be returned to their natural condition. He said this project went through an open bid process with the low bid from NW Kodiak Construction with a cost of \$698,491.97. An additional \$104,773.80 (15%) contingency is being requested to cover unforeseen construction issues.

Councilor Butterfield asked City Engineer Bob Galati what kind of contract the City will have with NW Kodiak. Mr. Galati stated that this is a standard construction contract with open bidding.

Councilor Butterfield asked if the City was the Engineering firm. Bob stated that the City would be the Engineering firm and said Craig did the design in house with peer review and said the contracts have gone through the City Attorney.

Mr. Galati informed the Council of an error in the Resolution and referenced the following language with the proposed amended language:

Current Language: *Whereas, the City has budgeted and will temporarily pay for the construction cost through City of Sherwood System Development Charges with 100 percent of the construction cost being reimbursed by Clean Water Services System Development Charges.*

He stated the resolution needs to state:

Proposed Language: *Whereas, the City has budgeted the full cost of the project and will be reimbursed approximately 60% of those project costs pursuant to an IGA being negotiated with the Clean Water Services.*

Mr. Galati informed the Council that it is standard to have a 60/40 split. He said when we upgrade projects, there is a certain size and limitation requirements that are the City's responsibility. He said, basically, Clean Water Services cost is 60 percent.

Mayor Middleton asked whether the Council would be voting on an amendment resolution. Mr. Galati said that is correct.

Council President Linda Henderson asked Mr. Galati to restate the new language that the Council would be voting on. Mr. Galati stated the language as:

WHEREAS, *the City has budgeted the full cost of the project and will be reimbursed approximately 60% of those project costs pursuant to an IGA being negotiated with the Clean Water Services.*

Mr. Galati provided the written amendment to Council President Henderson. City Recorder reminded the Council that if they are accepting of the language that Mr. Galati has presented, they need a motion and a second to amend the resolution, and a motion and a second to adopt the amended resolution, and the resolution may be amended based on Mr. Galati's comments.

With no further discussion, Mayor Middleton asked for a motion.

MOTION TO AMEND: FROM COUNCIL PRESIDENT LINDA HENDERSON TO AMEND RESOLUTION 2013-022 TO READ: Whereas, the City has budgeted the full cost of the project and will be reimbursed approximately 60% of those project costs pursuant to an IGA being negotiated with the Clean Water Services, SECONDED BY COUNCILOR ROBYN FOLSOM, MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILOR DAVE GRANT WAS ABSENT).

Mayor Middleton asked for a motion to adopt the amended resolution.

MOTION TO ADOPT: FROM COUNCILOR ROBYN FOLSOM TO ADOPT RESOLUTION 2013-022 AS AMENDED, SECONDED BY COUNCIL PRESIDENT LINDA HENDERSON, MOTION PASSED 6:0, ALL PRESENT MEMBERS VOTED IN FAVOR (COUNCILOR DAVE GRANT WAS ABSENT).

Mayor Middleton addressed the next agenda item.

10. CITY MANAGER REPORT:

Mr. Gall reported on the budget process and stated that the Council will consider the budget at the June 4, 2013 meeting and reminded the public that there will be a public hearing. He stated the Council, by law, has to approve the budget by June 30, 2013.

Mayor Middleton addressed the next item on the agenda.

11. COUNCIL ANNOUNCEMENTS:

Councilor Folsom thanked the Budget Committee for their hard work during the budget process. She mentioned that Sherwood Foundation for the Arts is hosting an event called Altered Arts, which will take place at Veterans Park on June 1, from 10 am to 5 pm, with over 25 vendors. There will be art demonstrations, music and performances by the VPA choirs and potentially the school choirs. She mentioned that Sherwood Saturday Market is open for business at the new Cannery Square location.

Councilor Langer provided a YMCA update. Mr. Langer stated as of December 9, 2012, the YMCA had \$285,106 in funds for deferred maintenance. The following projects have been planned for 2013: painting in many areas, 16 more security cameras to add to the security system, new carpet on the main level, new ADA lift for the pool, a gym net divider, more basketball hoops, an ADA door for the Teen Center, a slide pump for the pool, new cardio equipment, and new signage for the facility. Mr. Langer reminded the public that the YMCA facility will shut down the week August 31 through September 8 to complete these projects, and the YMCA pool will be shut down for two weeks, August 24 through September 9.

Mayor Middleton thanked Mr. Langer for the update and reminded the Council members that serve as liaisons on Boards and Commissions to start bringing information to the Council meetings to share with the public.

With no other announcements, Mayor Middleton adjourned the meeting and convened to a URA Board meeting.

12. ADJOURN:

Meeting adjourned at 9:45pm.

Submitted by:

Sylvia Murphy, CMC, City Recorder

Bill Middleton, Mayor

TO: Sherwood City Council

FROM: Craig Sheldon, Public Works Director
Through: Joseph Gall, City Manager and David Doughman, City Attorney

SUBJECT: Resolution 2013-023 - Authorizing the City Manager to enter into an Intergovernmental Agreement (IGA) with Washington County for the 2013 Slurry Seal program

Issue:

The City of Sherwood has a need to maintain our public infrastructure and to perform preventative maintenance work in order to prolong the quality of our streets.

Background:

The City is partnering with Washington County to complete this service using their contract which is for a much larger amount of material than we would use individually and lowers the overall cost of the material by purchasing in bulk. This allows the City to complete more streets due to the overall savings of combining resources with the County.

In this agreement the County plans to contract for approximately 291,551 square yards and the City will seal approximately 48,387 square yards. Both parties agree it is in the best interest to complete this work in a joint manner.

Financials:

Our Intergovernmental Agreement (IGA) with the County in the amount of \$78,442.83 will provide the contract, bidding, inspection and administrative costs associated with performing the work. We recommend carrying an additional 5% contingency for any unforeseen items that may arise.

Failure to adopt the IGA will require the City of Sherwood to bid, contract, and perform inspections and our costs will increase per square yard since we won't have the volume of combined material by partnering with the County. If City Council adopts the approved FY2013-14 budget in June 2013, these dollars are already captured in the street fund.

Recommendation:

Staff respectfully requests City Council adoption of Resolution 2013-023, authorizing the City Manager to enter into an Intergovernmental Agreement (IGA) with Washington County for the 2013 Slurry Seal program.



RESOLUTION 2013-023

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT (IGA) WITH WASHINGTON COUNTY FOR THE 2013 SLURRY SEAL PROGRAM

WHEREAS, the City of Sherwood has a responsibility to maintain the City's infrastructure; and

WHEREAS, ORS 190.010 encourages intergovernmental cooperation and authorizes local government agencies to delegate to each other authority to perform their respective functions as necessary; and

WHEREAS, the City of Sherwood has an opportunity to partner with Washington County to provide the 2013 Slurry Seal program at a significant savings to the City.

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. The City Manager is authorized to enter into an Intergovernmental Agreement, attached as Exhibit A, with Washington County for the 2013 Slurry Seal Program.

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

Duly passed by the City Council this 21st day of May 2013.

Bill Middleton, Mayor

Attest:

Sylvia Murphy, CMC, City Recorder

INTERGOVERNMENTAL AGREEMENT

This Agreement is entered into, by and between Washington County, a political subdivision of the State of Oregon, and the City of Sherwood, a municipal corporation of the State of Oregon.

WHEREAS ORS 190.010 authorizes the parties to enter into this Agreement for the performance of any or all functions and activities that a party to the Agreement has authority to perform.

Now, therefore, the parties agree as follows:

- 1) The effective date is: April 1, 2013, or upon final signature, whichever is later.
The expiration date is: December 31, 2013; unless otherwise amended.
- 2) The parties agree to the terms and conditions set forth in Attachment A, which is incorporated herein, and describes the responsibilities of the parties, including compensation, if any.
- 3) Each party shall comply with all applicable federal, state and local laws; and rules and regulations on non-discrimination in employment because of race, color, ancestry, national origin, religion, sex, marital status, age, medical condition or handicap.
- 4) To the extent applicable, the provisions of ORS 279B.220 through ORS 279B.235 and ORS 279C.500 through 279C.870 are incorporated by this reference as though fully set forth.
- 5) Each party is an independent contractor with regard to each other party(s) and agrees that the performing party has no control over the work and the manner in which it is performed. No party is an agent or employee of any other.
- 6) No party or its employees is entitled to participate in a pension plan, insurance, bonus, or similar benefits provided by any other party.
- 7) This Agreement may be terminated, with or without cause and at any time, by a party by providing 30 (30 if not otherwise marked) days written notice of intent to the other party(s).
- 8) Modifications to this Agreement are valid only if made in writing and signed by all parties.
- 9) Subject to the limitations of liability for public bodies set forth in the Oregon Tort Claims Act, ORS 30.260 to 30.300, and the Oregon Constitution, each party agrees to hold harmless, defend, and indemnify each other, including its officers, agents, and employees, against all claims, demands, actions and suits (including all attorney fees and costs) arising from the indemnitor's performance of this Agreement where the loss or claim is attributable to the negligent acts or omissions of that party.
- 10) Each party shall give the other immediate written notice of any action or suit filed or any claim made against that party that may result in litigation in any way related to this Agreement.

- 11) Each party agrees to maintain insurance levels or self-insurance in accordance with ORS 30.282, for the duration of this Agreement at levels necessary to protect against public body liability as specified in ORS 30.269 through 30.274.
- 12) Each party agrees to comply with all local, state and federal ordinances, statutes, laws and regulations that are applicable to the services provided under this Agreement.
- 13) This Agreement is expressly subject to the debt limitation of Oregon Counties set forth in Article XI, Section 10 of the Oregon Constitution, and is contingent upon funds being appropriated therefore.
- 14) This writing is intended both as the final expression of the Agreement between the parties with respect to the included terms and as a complete and exclusive statement of the terms of the Agreement.

WHEREAS, all the aforementioned is hereby agreed upon by the parties and executed by the duly authorized signatures below.

City of Sherwood

Jurisdiction

Signature

Joseph Gall

Printed Name

Address:

Date

City Manager

Title

Address:

15527 SW Willamette Street, Sherwood, OR 97140

WASHINGTON COUNTY:

Signature

Printed Name

Address:

1400 SW Walnut Street
Mail Stop # 51
Hillsboro, OR 97123

Date

Title

Attachment A
Washington County – City of Sherwood
Intergovernmental Agreement
2013 Slurry Seal

1. Washington County (“County”) plans to contract for approximately 291,551 square yards of slurry seal on a variety of county roads as part of County’s 2013 Slurry Seal program.
2. The City of Sherwood (“City”) would like to slurry seal approximately 48,387 square yards on the City road segments listed in Attachment A – 1.
3. The parties agree it is in their best interest to complete this work in a joint manner. Both County and City agree to pay for their portions of the work.
4. City agrees to:
 - a. Grant County, its contractors and subcontractors, permission to enter and use city rights of way for purposes of this agreement.
 - b. Assist the County in field locating the slurry seal limits for all road segments listed in Attachment A – 1.
 - c. Assist the County with field locating the stop bar pre-marks for Cinnamon Hills Ln., Madrona Ln., Little John Ter., Friars Ln., Sir Lancelot Ln., Aldridge Ter., Cereghino Ln., Eldred Ln., Gillette Ln., Roellich Ave., Cedar View Way, Handley Ln., and Stein Terrace.
 - d. Provide the County with information and assistance under paragraphs 4.a and 4.b above in a timely manner to coordinate with the schedule of the County’s contracted work.
 - e. Provide tree and vegetation trimming on City’s road segments to ensure sufficient accessibility for the contractor’s equipment to perform the work. Tree and vegetation trimming shall occur at least 7 calendar days prior to the start of work.
 - f. Prepare door hangers or other notifications and provide them to the contractor for distribution to the property owners on City’s road segments.
 - g. Pay the actual contracted costs to County to slurry seal the segments of road identified in Attachment A – 1 as determined under paragraph 6 below (“Share”). City’s Share is estimated to be **\$71,311.66**. The actual contracted costs, which will be based on the contractor’s bid to County, may differ from the estimate. City shall also be responsible for any additional or unforeseen costs, including but not limited to towing expenses, associated with the City’s Share. City shall also pay an additional 10 percent of its Share for costs associated with County’s administrative and inspection activities (“Administrative Costs”). The Administrative Costs shall be a flat rate and will not be itemized.
 - h. Review and approve, within five (5) calendar days of receipt, the reimbursement request or provide written response with payment adjustment to County.
 - i. Reimburse County within forty five (45) days of receipt of each reimbursement request. The actual construction cost may differ from the construction estimate.
5. County agrees to:
 - a. Perform all aspects of the 2013 Slurry Seal Program, including the areas described in paragraph 2, to include soliciting and awarding the work to a contractor in accordance with Oregon law and contract and construction management, except as such performance may be specifically allocated to City under this Agreement. The

County shall retain the right not to undertake a 2013 Slurry Seal program; if it makes that decision, it shall notify City immediately.

b. Specify that the contractor provide “No Parking” signs for the City’s road segments.

c. Specify that the contractor place city-provided door hangers on each residence or building a minimum of 48 hours prior to commencement of work.

d. Specify that work will not commence prior to July 1, 2013.

e. Specify the following work hour restrictions:

i. All City road segments: No lane restrictions before 8:00 a.m. and after 5:00 p.m. Monday through Friday

iii. Slurry seal application must be performed a minimum of two hours prior to opening to traffic.

f. Forward reimbursement requests within 30 days of completed work for City’s Share directly to City. Multiple reimbursement requests may be necessary based on the timing and schedule of the work performed.

6. Cost Estimate and Actual Cost Calculation:

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total</u>
1	Mobilization (Sherwood)	1	Lump Sum	\$2,000.00	\$2,000.00
2	Temp. Work Zone Traffic Control - Complete (Sherwood)	1	Lump Sum	\$1,500.00	\$1,500.00
	Pollution Control Plan (Sherwood)	1	Lump Sum	\$703.76	\$703.76
3	Slurry Seal, Type II	48,387	Sq. Yard	\$1.25	\$60,483.75
	Longitudinal Pavement Markings	1,409	Lin. Feet	\$0.25	\$352.25
	Pavement Legend, Bike Symbol	1	Each	\$400.00	\$400.00
4	Pavement Bar, Type B	204	Sq. Feet	\$8.40	\$1,713.60
5	Pavement Bar, Type B-HS	501	Sq. Feet	\$8.30	\$4,158.30
				Share Total Estimate	\$71,311.66

Administrative Costs

<u>Item</u>	<u>Description</u>	<u>Quantity</u>	<u>Unit</u>	<u>Unit Price</u>	<u>Total</u>
6	Administrative Costs	1	Lump Sum	10% of Contracted Work	\$7,131.17
				Subtotal	\$7,131.17

IGA Total Estimate \$78,442.83

Attachment A - 1

Washington County – City of Sherwood
 Intergovernmental Agreement
 2013 Slurry Seal

City Road List

Road Name	From	To
Orchard Heights Ct.	Cul de sac	Cul de sac
Royal Ann Ln.	Cinnamon Hills Ln.	Orchard Heights Ct.
Cinnamon Hills Ln.	Sunset Blvd.	Cul De Sac
Madrona Ln.	Main St.	Cinnamon Hills Ln.
King Richard Ct.	Sir Lancelot Ln.	Dead End
Little John Ter.	Meinecke Rd.	King Richard Ct.
Friars Ln.	Meinecke Rd.	King Richard Ct.
Archers Pl.	King Richard Ct.	Cul de sac
Sir Lancelot Ln.	Meinecke Rd.	King Richard Ct.
Aldridge Ter.	Handley St.	Gillette Ln.
Cereghino Ln	Aldridge Ter.	Roellich Ave.
Eldred Ln.	Aldridge Ter.	Roellich Ave.
Reisner Ln.	Aldridge Ter.	Roellich Ave.
Gillette Ln.	Aldridge Ter.	Roellich Ave.
Roellich Ave.	Handley St.	Gillette Ln.
Handley Rd.	Aldridge Ter.	Cedar Brook way
Stein Ter.	Swanstrom Dr.	Handley Rd.
List Pl.	Swanstrom Dr.	Cul de sac
Hines Pl.	Swanstrom Dr.	Cul de sac
Hail Pl.	Swanstrom Dr.	Cul de sac
Swanstrom Dr.	Dead End	Stein Ter.
Crestmont Pl.	CedarView Way	Cul de sac
Duckridge Pl.	CedarView Way	Cul de sac
CedarView Way	Roy Rogers Rd.	Cul De Sac

TO: Sherwood City Council

FROM: Craig Sheldon, Public Works Director

Through: Joseph Gall, City Manager

SUBJECT: Ordinance 2013-002 - Declaring certain sidewalks in the City to be defective under Sherwood Municipal Code Chapter 12.08 for Areas 1 & 2, Phase 3

Issue:

Should the City of Sherwood notify and work with homeowners through the concrete sidewalk repair assistance program to complete sidewalk repairs.

Background:

The City of Sherwood has deficiencies in our sidewalk system which creates safety issues. The concrete sidewalk repair assistance program was implemented to assist property owners in making the repairs. In 2012, the City completed an inspection of all city sidewalks and identified approximately 1,700 sidewalk deficiencies.

Chapter 12.08 of the Sherwood Municipal Code (SMC) states that property owners abutting sidewalks are the responsible party for all sidewalk maintenance and repair in the City of Sherwood. In order to assist with sidewalk repairs, City Council asked staff to create a sidewalk repair assistance program to help property owners with the cost of sidewalk repair or replacement. Under the policy, the City will provide written notice to property owners of necessary sidewalk repairs or replacement and the property owner will have 60 days to comply. The property owner may choose to use the City's contractor and the assistance program or use a contractor of their own choice, at their own cost. If the Owner chooses to use their own contractor, or make repairs themselves, the assistance program will not apply.

For the purpose of implementing the program, city staff has divided the city into four sections (Areas 1-4). This is the 3rd round of repairs and covers the final sidewalk issues in Area 1 and addresses repairs in Area 2. As with the last two rounds of repairs, work has been staggered to help city staff and the contractors complete the work within the timeframe defined per the program.

Financials:

City Council approved the implementation of a sidewalk maintenance fee in the 2011/12 budget year. The fee was established to repair sidewalk deficiencies.

City Council approved the program which allows for two types of repairs: shaving and/or replacement (per criteria outlined in the policy). The City has obtained competitive pricing for concrete sidewalk shaving and replacement. The City has completed the RFP process to obtain an arborist and a firm has been selected.

City Council has determined through the assistance program that the homeowner is

responsible for 50% of the total cost of the repair and will have up to 12 months to remit payment.

If the owner does not correct the defect, or eliminate the hazard, or make the repairs, the City will construct or repair the sidewalk deficiency(s) and the Owner will be responsible for all costs associated with the repair including the cost of notice, engineering, advertising and attorney's fees, in the form of an assessment lien.

Recommendation:

Staff respectfully requests City Council adopt Ordinance 2013-002 - Declaring certain sidewalks in the City to be defective under Sherwood Municipal Code Chapter 12.08 for areas 1 & 2, phase 3.



ORDINANCE 2013-002

DECLARING CERTAIN SIDEWALKS IN THE CITY TO BE DEFECTIVE UNDER SHERWOOD MUNICIPAL CODE CHAPTER 12.08 FOR AREAS 1 & 2, PHASE 3

WHEREAS, pursuant to the Sherwood Municipal Code Section 12.08, the City of Sherwood (City) assigns sidewalk responsibility to abutting property owners; and

WHEREAS, the City approved implementation of a sidewalk maintenance repair fee in the 2011/12 budget year to identify and fund sidewalk repairs; and

WHEREAS, City Council approved Resolution 2011-097 for a concrete sidewalk assistance program; and

WHEREAS, SMC Chapter 12.08 requires the council to enact an ordinance to enforce the terms of SMC Chapter 12.08.

NOW, THEREFORE, THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

Section 1. The Council finds that the Public Works Director’s recommended area-by-area approach to addressing defective sidewalks is consistent with the priority levels established in Resolution 2011-097 and will most effectively and cost-efficiently promote public safety when balanced against competing city projects.

Section 2. In accordance with SMC 12.08.060, the Council declares that the sidewalks associated with the properties identified in attached Exhibit A are defective, a nuisance and must be brought into conformance with City standards for sidewalks.

Section 3. In accordance with SMC 12.08.070, City staff shall notify the owners of such properties that they must repair their respective sidewalks consistent with City standards.

Section 4. The defective sidewalks must be repaired within 60 days of the date of the notice described in Section 2 above, unless the Public Works Director or designee permits an extension. The director or designee may not permit an extension longer than 120 days.

Section 5. The materials and specifications to be used and followed in repairing the sidewalks are on file with the Public Works Department.

Section 6. This ordinance shall become effective the 30th day after its enactment by the City Council and approval by the Mayor.

Duly passed by the City Council this 21st day of May 2013.

Bill Middleton, Mayor

Attest:

Sylvia Murphy, CMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Clark	_____	_____
Langer	_____	_____
Butterfield	_____	_____
Folsom	_____	_____
Henderson	_____	_____
Grant	_____	_____
Middleton	_____	_____



**Exhibit A
Areas 1&2, Phase 3
Concrete Sidewalk Repairs**

STREET ADDRESS	CITY, STATE, ZIP
23558 SW Denali Ln	Sherwood, OR 97140
23580 SW Denali Ln	Sherwood, OR 97140
23705 SW Everest Ct	Sherwood, OR 97140
22427 SW Hall St	Sherwood, OR 97140
14080 SW Mckinley Dr	Sherwood, OR 97140
14110 SW Mckinley Dr	Sherwood, OR 97140
14113 SW Mckinley Dr	Sherwood, OR 97140
14141 SW Mckinley Dr	Sherwood, OR 97140
14146 SW Mckinley Dr	Sherwood, OR 97140
14163 SW Mckinley Dr	Sherwood, OR 97140
14191 SW Mckinley Dr	Sherwood, OR 97140
14200 SW Mckinley Dr	Sherwood, OR 97140
14215 SW Mckinley Dr	Sherwood, OR 97140
14237 SW Mckinley Dr	Sherwood, OR 97140
14300 SW Mckinley Dr	Sherwood, OR 97140
23552 SW Mcloughlin Ct	Sherwood, OR 97140
23574 SW Mcloughlin Ct	Sherwood, OR 97140
23581 SW Mcloughlin Ct	Sherwood, OR 97140
23598 SW Mcloughlin Ct	Sherwood, OR 97140
23675 SW Robson Ter	Sherwood, OR 97140
23680 SW Robson Ter	Sherwood, OR 97140
23812 SW Robson Ter	Sherwood, OR 97140
23846 SW Robson Ter	Sherwood, OR 97140
23853 SW Stonehaven	Sherwood, OR 97140
22807 SW Upper Roy	Sherwood, OR 97140
22865 SW Washington St	Sherwood, OR 97140
14144 SW Whitney Ln	Sherwood, OR 97140
14188 SW Whitney Ln	Sherwood, OR 97140
14219 SW Whitney Ln	Sherwood, OR 97140
14252 SW Whitney Ln	Sherwood, OR 97140
15085 SW Willamette St	Sherwood, OR 97140
15755 SW Willow Dr	Sherwood, OR 97140
21639 SW Aldridge Ter	Sherwood, OR 97140
21661 SW Aldridge Ter	Sherwood, OR 97140
21811 SW Aldridge Ter	Sherwood, OR 97140
21867 SW Aldridge Ter	Sherwood, OR 97140
21895 SW Aldridge Ter	Sherwood, OR 97140

STREET ADDRESS	CITY, STATE, ZIP
21989 SW Aldridge Ter	Sherwood, OR 97140
21155 SW Bedstraw Ter	Sherwood, OR 97140
21162 SW Bedstraw Ter	Sherwood, OR 97140
17988 SW Bridger Ln	Sherwood, OR 97140
22034 SW Bushong Ter	Sherwood, OR 97140
22039 SW Bushong Ter	Sherwood, OR 97140
22063 SW Bushong Ter	Sherwood, OR 97140
22121 SW Bushong Ter	Sherwood, OR 97140
22138 SW Bushong Ter	Sherwood, OR 97140
22153 SW Bushong Ter	Sherwood, OR 97140
22164 SW Bushong Ter	Sherwood, OR 97140
22187 SW Bushong Ter	Sherwood, OR 97140
22192 SW Bushong Ter	Sherwood, OR 97140
17630 SW Cedarview Way	Sherwood, OR 97140
17635 SW Cedarview Way	Sherwood, OR 97140
17668 SW Cedarview Way	Sherwood, OR 97140
17826 SW Cereghino Ln	Sherwood, OR 97140
17831 SW Cereghino Ln	Sherwood, OR 97140
17850 SW Cereghino Ln	Sherwood, OR 97140
17855 SW Cereghino Ln	Sherwood, OR 97140
17874 SW Cereghino Ln	Sherwood, OR 97140
17898 SW Cereghino Ln	Sherwood, OR 97140
17932 SW Cereghino Ln	Sherwood, OR 97140
17959 SW Cereghino Ln	Sherwood, OR 97140
17981 SW Cereghino Ln	Sherwood, OR 97140
17986 SW Cereghino Ln	Sherwood, OR 97140
20620 SW Claudia Ct	Sherwood, OR 97140
20625 SW Claudia Ct	Sherwood, OR 97140
20409 SW Crestmont Pl	Sherwood, OR 97140
20431 SW Crestmont Pl	Sherwood, OR 97140
20492 SW Crestmont Pl	Sherwood, OR 97140
20510 SW Duckridge Pl	Sherwood, OR 97140
17829 SW Eldred Ln	Sherwood, OR 97140
17843 SW Eldred Ln	Sherwood, OR 97140
17872 SW Eldred Ln	Sherwood, OR 97140
17877 SW Eldred Ln	Sherwood, OR 97140
17912 SW Eldred Ln	Sherwood, OR 97140
17934 SW Eldred Ln	Sherwood, OR 97140
17939 SW Eldred Ln	Sherwood, OR 97140
17980 SW Eldred Ln	Sherwood, OR 97140
17983 SW Eldred Ln	Sherwood, OR 97140
22050 SW Elwert Rd	Sherwood, OR 97140
22040 SW Fisk Ter	Sherwood, OR 97140

Concrete Sidewalk Repair
Areas 1&2, Phase 3

STREET ADDRESS	CITY, STATE, ZIP
22047 SW Fisk Ter	Sherwood, OR 97140
22117 SW Fisk Ter	Sherwood, OR 97140
22271 SW Fisk Ter	Sherwood, OR 97140
22034 SW Fletcher Ter	Sherwood, OR 97140
22078 SW Fletcher Ter	Sherwood, OR 97140
22102 SW Fletcher Ter	Sherwood, OR 97140
17805 SW Gillette Ln	Sherwood, OR 97140
17816 SW Gillette Ln	Sherwood, OR 97140
17821 SW Gillette Ln	Sherwood, OR 97140
17840 SW Gillette Ln	Sherwood, OR 97140
17864 SW Gillette Ln	Sherwood, OR 97140
17888 SW Gillette Ln	Sherwood, OR 97140
17912 SW Gillette Ln	Sherwood, OR 97140
17936 SW Gillette Ln	Sherwood, OR 97140
17960 SW Gillette Ln	Sherwood, OR 97140
17984 SW Gillette Ln	Sherwood, OR 97140
17084 SW Green Heron Dr	Sherwood, OR 97140
22032 SW Hail Pl	Sherwood, OR 97140
22050 SW Hail Pl	Sherwood, OR 97140
22084 SW Hail Pl	Sherwood, OR 97140
22085 SW Hail Pl	Sherwood, OR 97140
22119 SW Hail Pl	Sherwood, OR 97140
22133 SW Hail Pl	Sherwood, OR 97140
17770 SW Handley St	Sherwood, OR 97140
17890 SW Handley St	Sherwood, OR 97140
17932 SW Handley St	Sherwood, OR 97140
18036 SW Handley St	Sherwood, OR 97140
22051 SW Hines Pl	Sherwood, OR 97140
22058 SW Hines Pl	Sherwood, OR 97140
22083 SW Hines Pl	Sherwood, OR 97140
22086 SW Hines Pl	Sherwood, OR 97140
22112 SW Hines Pl	Sherwood, OR 97140
17105 SW Houston Ct	Sherwood, OR 97140
17110 SW Houston Ct	Sherwood, OR 97140
17130 SW Houston Ct	Sherwood, OR 97140
20710 SW Houston Dr	Sherwood, OR 97140
20725 SW Houston Dr	Sherwood, OR 97140
20730 SW Houston Ct	Sherwood, OR 97140
20760 SW Houston Dr	Sherwood, OR 97140
20780 SW Houston Ct	Sherwood, OR 97140
20790 SW Houston Dr	Sherwood, OR 97140
21181 SW Houston Dr	Sherwood, OR 97140
21236 SW Houston Dr	Sherwood, OR 97140

Concrete Sidewalk Repair
Areas 1&2, Phase 3

STREET ADDRESS	CITY, STATE, ZIP
20561 SW Jonquil Ter	Sherwood, OR 97140
20583 SW Jonquil Ter	Sherwood, OR 97140
20605 SW Jonquil Ter	Sherwood, OR 97140
20627 SW Jonquil Ter	Sherwood, OR 97140
20649 SW Jonquil Ter	Sherwood, OR 97140
20671 SW Jonquil Ter	Sherwood, OR 97140
20732 SW Jonquil Ter	Sherwood, OR 97140
20742 SW Jonquil Ter	Sherwood, OR 97140
21118 SW Ladyfern Dr	Sherwood, OR 97140
21178 SW Ladyfern Dr	Sherwood, OR 97140
21190 SW Ladyfern Dr	Sherwood, OR 97140
20611 SW Lavender Ave	Sherwood, OR 97140
20693 SW Lavender Ave	Sherwood, OR 97140
22022 SW List Pl	Sherwood, OR 97140
22041 SW List Pl	Sherwood, OR 97140
22044 SW List Pl	Sherwood, OR 97140
22078 SW List Pl	Sherwood, OR 97140
22104 SW List Pl	Sherwood, OR 97140
22120 SW List Pl	Sherwood, OR 97140
22122 SW List Pl	Sherwood, OR 97140
17002 SW Lynnly Way	Sherwood, OR 97140
17006 SW Lynnly Way	Sherwood, OR 97140
17018 SW Lynnly Way	Sherwood, OR 97140
17023 SW Lynnly Way	Sherwood, OR 97140
17032 SW Lynnly Way	Sherwood, OR 97140
17040 SW Lynnly Way	Sherwood, OR 97140
17048 SW Lynnly Way	Sherwood, OR 97140
17051 SW Lynnly Way	Sherwood, OR 97140
17036 SW Lynnly Way	Sherwood, OR 97140
17052 SW Lynnly Way	Sherwood, OR 97140
20724 SW Nettle Pl	Sherwood, OR 97140
20741 SW Nettle Pl	Sherwood, OR 97140
20792 SW Nettle Pl	Sherwood, OR 97140
18245 SW Orchard Hill Ln	Sherwood, OR 97140
18381 SW Orchard Hill Ln	Sherwood, OR 97140
16842 SW Reghetto St	Sherwood, OR 97140
16864 SW Reghetto St	Sherwood, OR 97140
16912 SW Reghetto St	Sherwood, OR 97140
16936 SW Reghetto St	Sherwood, OR 97140
16974 SW Reghetto St	Sherwood, OR 97140
16992 SW Reghetto St	Sherwood, OR 97140
17818 SW Reisner Ln	Sherwood, OR 97140
17823 SW Reisner Ln	Sherwood, OR 97140

Concrete Sidewalk Repair
Areas 1&2, Phase 3

STREET ADDRESS	CITY, STATE, ZIP
17842 SW Reisner Ln	Sherwood, OR 97140
17866 SW Reisner Ln	Sherwood, OR 97140
17871 SW Reisner Ln	Sherwood, OR 97140
17890 SW Reisner Ln	Sherwood, OR 97140
17895 SW Reisner Ln	Sherwood, OR 97140
17914 SW Reisner Ln	Sherwood, OR 97140
17938 SW Reisner Ln	Sherwood, OR 97140
17943 SW Reisner Ln	Sherwood, OR 97140
17967 SW Reisner Ln	Sherwood, OR 97140
17988 SW Reisner Ln	Sherwood, OR 97140
21425 SW Roellich Ave	Sherwood, OR 97140
21572 SW Roellich Ave	Sherwood, OR 97140
21588 SW Roellich Ave	Sherwood, OR 97140
21672 SW Roellich Ave	Sherwood, OR 97140
21718 SW Roellich Ave	Sherwood, OR 97140
21888 SW Roellich Ave	Sherwood, OR 97140
21912 SW Roellich Ave	Sherwood, OR 97140
21984 SW Roellich Ave	Sherwood, OR 97140
16934 SW Roosevelt St	Sherwood, OR 97140
16956 SW Roosevelt St	Sherwood, OR 97140
16969 SW Roosevelt St	Sherwood, OR 97140
16973 SW Roosevelt St	Sherwood, OR 97140
16997 SW Roosevelt St	Sherwood, OR 97140
17055 SW Seely Ln	Sherwood, OR 97140
17911 SW Swanstrom Dr	Sherwood, OR 97140
18029 SW Swanstrom Dr	Sherwood, OR 97140
18041 SW Swanstrom Dr	Sherwood, OR 97140
18063 SW Swanstrom Dr	Sherwood, OR 97140
18133 SW Swanstrom Dr	Sherwood, OR 97140
18191 SW Swanstrom Dr	Sherwood, OR 97140
18237 SW Swanstrom Dr	Sherwood, OR 97140
18251 SW Swanstrom Dr	Sherwood, OR 97140
18275 SW Swanstrom Dr	Sherwood, OR 97140
18329 SW Swanstrom Dr	Sherwood, OR 97140
18341 SW Swanstrom Dr	Sherwood, OR 97140
18363 SW Swanstrom Dr	Sherwood, OR 97140
18385 SW Swanstrom Dr	Sherwood, OR 97140
18427 SW Swanstrom Dr	Sherwood, OR 97140
18440 SW Swanstrom Dr	Sherwood, OR 97140
18451 SW Swanstrom Dr	Sherwood, OR 97140
17214 SW Terrapin Dr	Sherwood, OR 97140
17227 SW Terrapin Dr	Sherwood, OR 97140
17648 SW Wapato St	Sherwood, OR 97140

Concrete Sidewalk Repair
Areas 1&2, Phase 3

STREET ADDRESS**CITY, STATE, ZIP**

17663 SW Wapato St

Sherwood, OR 97140

20616 SW Windflower Ave

Sherwood, OR 97140

Concrete Sidewalk Repair
Areas 1&2, Phase 3

Agenda Item: Public Hearing

TO: Sherwood City Council

FROM: Michelle Miller, AICP, Senior Planner

Through: Brad Kilby, AICP, Planning Manager, Joseph Gall, City Manager and Chris Crean, City Attorney

SUBJECT: Ordinance 2013-003 TO AMEND SECTION 16.12 OF THE ZONING AND COMMUNITY DEVELOPMENT CODE RELATING TO PROPERTY ZONED VERY LOW DENSITY RESIDENTIAL

Issue:

This ordinance will amend the Zoning and Development Code to change the minimum lot size and density requirements for properties zoned very low density residential, when they are developed as a planned unit development.

ACTION REQUESTED:

Council to hold a public hearing and consider approving the Ordinance amending the Development Code **§ 16.12 Residential Uses** as it pertains to the properties zoned Very Low Density Residential (VLDR).

Background/Problem Discussion:

The City of Sherwood received a land use application from a property owner within the VLDR zone proposing to amend the Development Code for all properties in the VLDR zone. The applicant proposed to allow an increase in density from two units per acre to four units per acre if developed as a Planned Unit Development (PUD). The applicant proposed to allow a minimum lot size for the PUD of 7,500 for single-family homes.

The Sherwood Planning Commission held multiple hearings on the proposed amendments. The Planning Commission heard and received written testimony from the applicant, staff and property owners within the area on January 8 and February 26, 2013.

After receiving direction from the Planning Commission at the first hearing on January 8, 2013, staff presented changes to the initial applicant's text amendments that incorporated basic elements from the SE Sherwood Master Plan with a minimum lot size of 8,500 square feet and a maximum residential density of four units per acre if developed as a plan unit development. The applicant was in favor of these amendments and the Commission heard testimony on those amendments on February 26, 2013.

On February 26, 2013, alternative language was presented during public testimony that proposed a minimum lot size of 10,000 square feet, but kept the density at four units per net acre. The Planning Commission continued the hearing until April 9, 2013 where they deliberated over whether to approve or deny the amended language. During deliberations, the Commission discussed the multiple issues concerning the challenges of developing the property within the VLDR zone and at the same time preserving the character of the existing and abutting neighborhoods. In the end, the Planning Commission found the 10,000 minimum lot size and four units per acre persuasive and recommended approval of the text amendment reflecting these changes.

Recommendation:

Staff respectfully recommends that the City Council adopt the attached Ordinance 2013-003 which reflects the Sherwood Planning Commission's recommendation.

Attachments:

Ordinance

Exhibit 1– PC Recommendation

- 1- A. Planning Commission proposed development code changes--with “track changes” recommended April 9, 2014
- B. Applicant's materials submitted on October 16, 2012
- C. Comments from Kurt Kristensen, submitted via email on December 26, 2012
- D. SE Sherwood Master Plan dated February 26, 2006
- E. Planning Commission Resolution 2006-01 dated, May 9, 2006
- F. Patrick Huske Comments
- G. Lisa and Roger Walker Comments
- H. Jean Simson Comments
- I. Mary and Richard Reid Comments
- J. Mr. and Mrs. Joseph Barclay Comments
- K. John and Judith Carter Comments
- L. Proposed VLDR Text Amendment-SE Sherwood Master Planned Unit Development
- M. Walker additional proposed language with written comments
- N. Kurt Kristensen additional testimony
- O. Final Proposed Amendments—with “track changes” after hearings
- P. Staff memo to the Planning Commission dated February 19, 2013
- Q. Staff memo to the Planning Commission dated April 2, 2013

PA 12-04 Very Low Density Residential Text Amendment

Recommendation:

The Planning Commission held hearings on January 8, 2013, and February 26, 2013 on proposed amendments to the Sherwood Zoning and Development Code pertaining to § 16.12.020 Very Low Density Residential zone. The Planning Commission heard and received written testimony from the applicant, staff and property owners within the area.

After receiving direction from the Commission at the first hearing on January 8, 2013, staff presented amendments to the initial applicant's text amendments that incorporated basic elements from the SE Sherwood Master Plan with a minimum lot size of 8,500 square feet and a maximum residential density of four units per acre if developed as a plan unit development. The applicant was in favor of these amendments and the Commission heard testimony on those amendments on February 26, 2013. At that hearing, Lisa and Roger Walker presented alternative language to staff's amendments that increased the minimum lot size to 10,000 square feet but kept the density at four units per net acre. The Commission found their amendments concerning minimum lot size persuasive. (Exhibit M) During their deliberations on the amendments, the Planning Commission weighed three alternatives for Council to consider.

Alternative 1 - The Planning Commission discussed the merits of conducting a new or revised SE Sherwood Master planning effort for the area and requested Council's guidance on this policy decision. They noted that many of the same challenges that brought the area to the forefront of a planning effort in 2006 still existed and that the area remained relatively undeveloped. The Commission continued to be concerned about how this area might develop in piecemeal fashion and recognized the SE Sherwood Master Plan attempted to ensure that this area developed in a more comprehensive manner. They recognized that the SE Sherwood Master Plan was not formerly adopted via ordinance by Council or incorporated into the Comprehensive Plan, which would generally be the conclusion of an approved master planning effort.

The Commissioners who had participated in the SE Master Plan noted that the actual plan did not reach a formal consensus from the participants. However, of the three alternatives developed through the master planning process, one alternative layout was the most agreeable to all parties and one concept layout matched most closely with the idea and vision of the participants for the area. The 2006 Planning Commission opted to agree to a resolution that recognized the planning efforts of the SE Sherwood Master Plan and encourage future development that reflected the objectives identified in the plan. In the end, the Commissioners noted that the grant funds for the master planning process in 2006 had been exhausted as well as the time allotted for the planning process for the group to continue developing a plan that they could wholeheartedly endorse.

The Commission discussed either starting the process anew with the new landowners and other property owners within the zone that would include new information on the site constraints and environmental contamination or in the alternative, to take the existing information found within the 2006 plan and revise the outcomes reached with the earlier plan. The Commission wanted Council to evaluate whether there was merit in developing an updated SE Sherwood Master Plan to reflect the changes within that zoning designation. This option would require Council to deny the requested text amendment. It would also include the recommendation that Council direct staff to budget funds and time to update the SE Sherwood Master Plan.

Alternative 2 - The Commission discussed the historical problems with the designation of the subject area to be zoned very low density residential (VLDR). The existing zoning was up to one single-family home per acre with 40,000 square foot lot minimums. If developed as a Planned Unit Development, the density could be up to

two units per acre and the minimum lot size was 10,000 square feet. The Commission considered whether VLDR continued to be an appropriate zoning designation for this costly, environmentally constrained area. Due to the constraints, the Commission concluded that it would likely continue to be difficult to develop under large lot zoning in an urbanized manner despite its location within the City limits.

The Commission noted that the surrounding property owners that resided in the area also had an expectation that the area would maintain its existing character of larger lot single-family homes. The Commission felt that these issues would continue to be unresolved under current circumstances. This option would require Council to deny the requested text amendment and wait for the contaminated soil issue to be resolved and consensus be reached.

Alternative 3: In this alternative, the Planning Commission recommended that Council consider the alternative amendment originally developed by staff and revised by Lisa and Roger Walker. (Exhibit O, Proposed Amendments) The amendments call for 10,000 square foot lot size minimum along with four units per net buildable acre if developed as a planned unit development. They noted it was the best compromise and used elements of the SE Sherwood Master Plan to achieve a greater density. It also most closely resembled the existing developments of Sherwood View Estates reflecting the same minimum lot size as well as a similar density of 3.6 units per acre within the Sherwood View Estates development. This option would require Council to adopt the proposed text amendment as revised.

Proposal: The applicant proposes to amend the § 16.12 Residential Uses section of the Sherwood Zoning and Development Code, (SZDC), specifically the § 16.12.020 Very Low Density Residential Zone. The proposed changes are attached as Exhibit M.

I. BACKGROUND

- A. Applicant: John Satterberg/Community Financial
P.O. Box 1969
Lake Oswego, OR 97035
- B. Applicant's Representative: Kirsten Van Loo, Emerio Design
- C. Location: The proposed amendment is to the text of the development code and specifically applies to the properties zoned Very Low Density Residential (VLDR).
- C. Review Type: The proposed text amendment requires 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. Any appeal of the City Council decision would go directly to the Oregon Land Use Board of Appeals.
- D. Public Notice and Hearing: Notice of the January 8, 2013 Planning Commission hearing on the proposed amendment was published in *The Gazette* on January 1, 2013 and *The Times* on December 20, 2012. Staff posted notice in five public locations around town and on the web site on December 19, 2012. Regular updates were provided in the City newsletter.

While this does not apply citywide, it may affect the value of property located within the very low density residential zone; therefore Measure 56 notice was sent on December 19, 2012 informing property owners within that zoning designation. DLCD notice was provided on December 4, 2012.

- E. Review Criteria:
The required findings for the Plan Amendment are identified in Section 16.80.030 of the Sherwood Zoning and Community Development Code (SZCDC). Applicable Statewide Planning Goals: Goal 1

Citizen Involvement, Goal 2 Land Use Planning, Goal 5 Natural Resources, Scenic and Historic Areas and Open Space, and Goal 12 Transportation.

F. Background:

The area east of SW Murdock Road is zoned very low density residential, (VLDR). The VLDR zoning district provides for low density, larger lot single-family housing and other related uses in natural resource and environmentally sensitive areas warranting preservation, but otherwise deemed suitable for limited development, with a density of 0.7 to 1 dwelling unit per acre.

If developed through the Planned Unit Development (PUD) process, and if all floodplain, wetlands, and other natural resource areas are dedicated or remain in common open space, the permitted density of 1.4 to two (2) dwelling units per acre may be allowed.

There are two existing planned unit developments within this VLDR zoning designation: Fair Oaks, and Sherwood View Estates. The remaining properties, approximately fifty-five acres, consists of 11 parcels zoned VLDR and nine single-family homes. The area includes a 2.25-acre wetland located in the southeast corner of the site with standing water most of the year. Areas are included in Metro's natural resource Goal 5 inventory including Class A wildlife habitat, with groves of woodland habitat and mature trees.

Several challenges exist for site design including the Tonquin Scablands, a rocky terrain sculpted from ancient glacial flooding. There are two high points: one point in the center of the area and one in the southern portion of the site with sloping terrain in between. This results in challenges to the street and pedestrian circulation network and added costs to develop and design.

Another challenge to the area is due to the presence of soil contamination identified by the Department of Environmental Quality (DEQ). The VLDR site area was part of the "Ken Foster Farm" site, originally about 40 acres and was used for farming. Portions of the larger Ken Foster Farm site had been used for discarding animal hides and carcasses that were remnants from the local tannery operation in the city. As part of the Department of Environmental Quality (DEQ) investigation of the Tannery site located on SW Oregon Street, it was discovered that the soil on the Ken Foster Farm site was also contaminated. The property to the northeast of the undeveloped area, Ironwood Subdivision, was in development when the issue arose which required significant soil removal and oversight from the Department of Environmental Quality (DEQ).

DEQ entered the Ken Foster Farm site into the Environmental Cleanup Site Information Database in 2000, and completed a Preliminary Assessment (PA) in 2004, funded by cooperative grant funds from the Environmental Protection Agency (EPA) Region 10. (DEQ Technical Memorandum) The results of the soil sampling completed for this site listed concentrations of antimony, chromium, lead and mercury above expected background concentrations. In addition, sediment samples from the wetland areas on the site were found to contain elevated concentrations of chromium copper, mercury and zinc.

They found that the human health risk based upon the soil results from the EPA Impervious Area results and data from property-owner site investigations on two of the properties within the former farm acreage was relatively low, according to the report. Since valid soil sample tests of the subject site indicate that hexavalent chromium was not present in soils, and that the prevalent form of chromium in soils is trivalent chromium. The other concentrations do not present an unacceptable human health risk on an individual contaminant basis. The DEQ concluded that the chance of significant exposure to residents living around these areas is low under current conditions.

In 2005, the City received a grant to develop the Southeast Sherwood Master Plan (Exhibit D), a master plan for the area to serve as a guide to coordinating the potential separate land use actions and infrastructure investments of property owners, developers, and the City in order to create a cohesive, livable neighborhood that could develop over time. The SE Sherwood Master Plan was prepared with the input of property owners, developers, neighbors and City representatives. Three open houses were held in order to develop a preferred alternative for development of this area. The purpose was to identify a more efficient way to develop the area and to try to get property owners in the area to work collaboratively when considering developments. The plan did not result in amendments to the Comprehensive Plan or Zoning map but was accepted by the Planning Commission via Resolution 2006-01(Exhibit E).

The recommended master plan was a hybrid of several alternatives that were developed through the open house workshops. Through the planning phase, the developers emphasized the need for providing sufficient density to pay for the necessary infrastructure while the citizens emphasized a preference for larger lots to preserve the wildlife habitat. This resulted in the development of a hybrid plan that provided for a mix of lot sizes with a range of increased density in the center of the plan area to 15,000 square foot lot sizes abutting the southern portion of the site. The gross density, under the preferred option would be 2.2 units per gross acre and a net density of 4.43 units per net acre.

The Planning Commission approved the SE Sherwood Master Plan in concept in 2006. Although not formally adopted and incorporated into the Comprehensive Plan nor adopted by the City Council, it does provide guidance for development and the intention of the community and surrounding property owners for the area. The applicant's proposal applies some of the recommendations for development as adopted by resolution to the SZDC regarding the density requirements and proposes a minimum lot size to achieve the resulting net density if developed through a planned unit development process.

The applicant, the property owner of tax lot 2S133CB01000, just north of the Sherwood View Estates had previously applied for a Planned Unit Development in 2011 for an eight-lot subdivision (Denali PUD 2011-01). The City Council approved via Ordinance 2012-004, a six-lot subdivision and Planned Unit Development known as Denali Planned Unit Development including application of a Planned Unit Development Overlay on the Comprehensive Plan and Zone Map.

The applicant has not submitted a final development plan for the planned unit development and elected to pursue a text amendment in order to achieve the greater density that would have been allowed under the SE Sherwood Master Plan.

II. AFFECTED AGENCY, PUBLIC NOTICE, AND PUBLIC COMMENTS

Agencies:

The City sent a request for comments to the standard agency notification list on December 5, 2012. The City received one comment as discussed below. The City has received either no response or no comment on the proposal from the other agencies.

Engineering Department: After review of the proposal, the proposed amendment will not have a significant impact on the infrastructure and services are available to accommodate this increased density.

Public:

Kurt Kristensen 22520 SW Fair Oaks Ct. Sherwood, OR 97140 submitted comments via email that are attached as **Exhibit C**.

Mr. Kristensen is opposed to the text amendment as written as it does not incorporate the entire SE Sherwood Master Plan and some of the elements of the plan may not be implemented if the Planning Commission recommends adoption of the text amendment as proposed by the applicant. He requests that the Planning Commission recommend to Council the SE Sherwood Master Plan so it can be implemented in its entirety. Mr. Kristensen is also concerned about the environmental impacts that the entire site area presents.

Response: Not all of the recommendations within SE Sherwood Master Plan are incorporated with this proposed text amendment. The text amendment standards will apply only to properties developed as a planned unit development. This gives the Planning Commission and City Council another level of review where they could impose the unique conditions that would not be available to them if developed as a standard subdivision or partition such as the open space areas and pedestrian connections that are part of the SE Sherwood Master Plan. They could incorporate the elements of the SE Sherwood Master Plan within each proposed development so long as the standards are not contrary to the Code.

The density standards and minimum lot size developed under the SE Sherwood Master Plan were not compatible with existing VLDR PUD standards and therefore the applicant submitted this proposal. The particular text amendment provisions are not contrary to the SE Sherwood Master Plan as a whole. The Commission could chose to move the plan forward to Council later and this text amendment does not prohibit this.

No other comments have been received as of the date of this staff report.

III. REQUIRED FINDINGS FOR A PLAN TEXT AMENDMENT

The applicable Plan Text Amendment review criteria are 16.80.030.1 and 3.

16.80.030.1 - Text Amendment Review

An amendment to the text of the Comprehensive Plan shall be based upon the need for such an amendment as identified by the Council or the Commission. Such an amendment shall be consistent with the intent of the Comprehensive Plan, and with all other provisions of the Plan and Code, and with any applicable State or City statutes and regulations.

Need Identified:

The applicant identified the need for the proposed text amendment in response to the Planning Commission Resolution 2006-01. The Planning Commission resolution accepted the SE Sherwood Master Plan report and approved the process to implement the plan. The Resolution advised that the Planning Commission would consider development proposals from an applicant that is consistent with the principals and goals listed in the master plan. Alternative B/C from the master plan became the recommended layout with a net density of 4.43 units per buildable acre. Although not formally adopted and incorporated into the Comprehensive Plan nor adopted by the City Council, the plan provides guidance for development and the intention of the community and surrounding property owners for the area. Had it been formally adopted by the Council, it would have then required amendments to the SZDC regarding the density requirements in this particular zone as the density shown in the plan is much higher than the existing special density allowance currently allowed in the VLDR.

The Planning Commission did not forward a recommendation to the Council to adopt the specific changes to the density, minimum lot size and changes to the minimum parcel size to develop a planned unit development that the applicant is now proposing. Nor were any of the Code amendments outlined in the plan adopted by the Council. The Commission resolved that they would review applications applying the standards developed through the master planning process.

One could advance the idea that because the Planning Commission adopted via resolution the master plan that the Commission would subsequently find the need to adopt text amendments that would

support the outcomes and the density achieved in the plan that was approved through the master planning process.

FINDING: The Planning Commission must review the proposed changes to the Code that the applicant has brought forward to determine if it does indeed achieve the result of the master plan and whether they satisfy the need within the zoning designation for these amendments.

Comprehensive Plan:

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.

The property is located within the City limits and within the urban growth boundary. Most of the area has not been partitioned and the density is well below the 1 dwelling unit per acre minimum. Several of the properties do not currently have urban facilities such as adequate roadways, water, sanitary sewer and pedestrian connections. Development could improve the level of services occurring in this area and would provide improved connection and infrastructure within our City boundaries. Additionally, the properties will have direct access to SW Murdock Road, an arterial.

The applicant proposes a maximum density of four units per acre and a minimum lot size of 8,000 square feet if developed as a planned unit development. Planned unit developments are only allowed in this zone, if it can be demonstrated that the natural areas can be preserved. Each applicant within this zone will have to comply with this standard when applying for a PUD. This is consistent with the policy.

FINDING: Based on the above discussion, the proposed text amendment is consistent with the growth management policy objective.

Chapter 4. Land Use

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.

Very Low Density Residential Minimum Site Standards:

1 DU/Acre, 1 acre minimum lot size

This designation is intended to provide for single-family homes on larger lots and in PUD's in the following general areas:

Where natural features such as topography, soil conditions or natural hazards make development to higher densities undesirable. This zone is appropriate for the Tonquin Scabland Natural Area.

Along the fringe of expanding urban development where the transition from rural to urban densities is occurring.

Where a full range of urban services may not be available but where a minimum of urban sewer and water service is available or can be provided in conjunction with urban development.

The applicant identified several changes to the Planned Unit Development (PUD) standards within the VLDR zone. The minimum lot size is still considered a large lot for an urbanized area as it will remain the largest minimum lot size in the City if developed as a PUD. The zone is located on the fringe of the urbanized area and compatible with the surrounding properties already developed as planned unit developments under the VLDR standards to the north and south of the subject area as the larger lots will still contain single family dwelling units.

FINDING: Based on the above discussion, the proposed amendments are consistent with the land use policy objective.

Consistency with Statewide Planning Goals

Goal 1- "Citizen Involvement"

The purpose statement of Goal 1 is "to develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process."

The proposed code changes do not include changes to the City's citizen involvement program, which complies with Goal 1; however, the process to develop the proposed changes was fully compliant with this Goal. The City provided notice to property owners zoned VLDR, published notice in the paper and posted notice around the City.

In 2005, over 120 people participated and provided input through the various open houses in the SE Sherwood Master Plan process to develop the recommended plan. There were multiple work sessions with the Planning Commission and two public hearings were held on March 28 and April 4, 2006 to provide the public an opportunity to be heard.

Goal 2- "Land Use Planning"

The purpose statement of Goal 2 is "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 ensure an adequate factual base for such decisions and actions".

The proposed code changes affect the land use process when utilizing the planned unit development standards. The City's land use planning process and policy framework, which are in compliance with Goal 2, will not change as result of this action.

FINDING: As discussed above in the analysis, the applicant identified a need for the proposed amendments to reflect the Planning Commission approval of the SE Sherwood Master Plan and the density, lot size and amendments when a planned unit development was sought. The amendments are consistent with the Comprehensive Plan and applicable City, regional and State regulations and policies.

16.80.030.2 – Transportation Planning Rule Consistency

A. Review of plan and text amendment applications for effect on transportation facilities. Proposals shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with OAR 660-12-0060 (the TPR). Review is required when a development application includes a proposed amendment to the Comprehensive Plan or changes to land use regulations.

The transportation analysis conducted during the SE Sherwood Master Plan process concluded that the street system could accommodate an increased density to the level proposed by the applicant. The analysis considered the trip generation increases for net densities ranging from 3.35 to 5.03 units per acre.

FINDING: The amendments will not result in a change of uses otherwise permitted and will not have a significant impact on the amount of traffic on the transportation system; therefore, this policy is not applicable to the proposed amendment.

IV. RECOMMENDATION

Based on the above findings of fact, and the conclusion of law based on the applicable criteria, the Planning Commission has provided three viable alternatives for the City Council to consider.

The Commission, recommends Alternative 3, however respects that ultimately this is a legislative decision to be made by Council.

V. EXHIBITS

- A. Proposed development code changes--with "track changes" submitted by the applicant
- B. Applicant's materials submitted on October 16, 2012
- C. Comments from Kurt Kristensen, submitted via email on December 26, 2012
- D. SE Sherwood Master Plan dated February 26, 2006
- E. Planning Commission Resolution 2006-01 dated, May 9, 2006
- F. Patrick Huske Comments
- G. Lisa and Roger Walker Comments
- H. Jean Simson Comments
- I. Mary and Richard Reid Comments
- J. Mr. and Mrs. Joseph Barclay Comments
- K. John and Judith Carter Comments
- L. Proposed VLDR Text Amendment-SE Sherwood Master Planned Unit Development
- M. Walker additional proposed language with written comments
- N. Kurt Kristensen additional testimony
- O. Final Proposed Amendments—with "track changes" after hearings

Please Note: Proposed Additions are underlined in blue

Proposed Deletions are crossed out in ~~red~~

Chapter 16.12 Residential Land Uses

16.12.010. - Purpose and Density Requirements

A. Very Low Density Residential (VLDR)

1. Standard Density

The VLDR zoning district provides for low density, larger lot single-family housing and other related uses in natural resource and environmentally sensitive areas that warrant~~ing~~ preservation, but are otherwise deemed suitable for limited development. Standard density in the VLDR zone is, ~~with a density of~~ 0.7 to 1 dwelling unit per acre.

2. VLDR Planned Unit Development Density Standards

~~If~~Property in the VLDR zone that is developed through the Planned Unit Development (PUD) process, ~~as~~ under ~~per~~ Chapter 16.40, ~~and~~ if all floodplain, wetlands, and other natural resource areas are dedicated or remain in common open space, ~~the permitted~~ may develop to a density of 1.4 to ~~2.0~~two (2) dwelling units per net buildable acre ~~may be allowed under the following conditions~~:

~~Minor land partitions shall be exempt from the minimum density requirement.~~

a. ~~The Housing densities up to two (2) units per net buildable acre, and~~ minimum lot sizes ~~of~~ is not less than 10,000 square feet; ~~may be allowed in the VLDR zone.~~

b. The following areas are dedicated to the public or preserved as common open space: floodplains, ~~as per~~ under Section 16.134.020 (Special Resource Zones); natural resources areas as shown on, ~~per~~ the ~~—~~ Natural Resources and Recreation Plan Map, attached as Appendix C, or ~~as specified in Chapter~~ ~~5~~ of the Community Development Plan; ~~and~~ wetlands defined and ~~regulated~~ ~~as per~~ under current ~~—~~ Federal regulation and Division VIII of this Code; and

c. The ~~Review Authority determines that the~~ higher density development ~~would~~ will better preserve natural resources as compared to one (1) unit per acre ~~design~~.

3. Southeast Sherwood Master Planned Unit Development

a. Property in the VLDR zone that is developed through the Planned Unit Development process under Chapter 16.40 and is based on, and generally conforms to the concepts, goals and objectives of the SE Sherwood Master Plan may develop to a maximum density of 4.0 dwelling units per net buildable acre.

Recommended Development Code Language

April 2, 2013

- b. Development under Section 16.12.010.A.3 must generally follow the development pattern shown as Alternative B/C in the SE Sherwood Master Plan (2006) and address the following factors:
 - (1) Varied lot sizes are allowed with a minimum lot area of 10,000 square feet if it can be shown that adequate buffering exists adjacent to developed properties with screening, landscaping, roadways or open space.
 - (2) The open space areas as required by Chapter 16.40 (Planned Unit Development), where feasible, should include parks and pathways that are located within the general vicinity of Alternative B/C in the SE Sherwood Master Plan.
 - (3) There is a pedestrian friendly transportation system that links the site with nearby residential developments, schools, parks, commercial areas and other destinations.
 - (4) The unique environmental opportunities and constraints identified in the SE Sherwood Master Plan.
 - (5) The view corridors identified in the SE Sherwood Master Plan.
 - (6) Housing design types that are compatible with both surrounding and existing development.
- c. A density transfer under Chapter 16.40.050 C. 2. is not permitted for development under this Section 16.12.010.A.3.
- d. The Planning Commission will consider the specific housing design types identified and the preservation of the identified view corridors at the time of final development review to ensure compatibility with the existing and surrounding development.

16.12.010. - Purpose and Density Requirements

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A. Very Low Density Residential (VLDR)

The VLDR zoning district provides for low density, larger lot single-family housing and other related uses in natural resource and environmentally sensitive areas warranting preservation, but otherwise deemed suitable for limited development, with a density of 0.7 to 1 dwelling unit per net buildable acre.

1. If developed through the Planned Unit Development (PUD) process, as per Chapter 16.40, and if all floodplain, wetlands, and other natural resource areas are dedicated or remain in common open space, the permitted density of ~~1.4 to two (2) four (4)~~ dwelling units per net buildable acre may be allowed.

a. ~~To be eligible for a PUD in the VLDR zoning district the project site must be a minimum of 3(three) acres.~~

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b. ~~The minimum lot size in a PUD in the VLDR zoning district shall be 8000 sq. ft.~~

~~1.2.~~ Minor land partitions shall be exempt from the minimum density requirement.

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~~2. Special Density Allowances~~

~~Housing densities up to two (2) units per acre, and minimum lot sizes of 10,000 square feet, may be allowed in the VLDR zone when:~~

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a. ~~The housing development is approved as a PUD, as per Chapter 16.40; and~~

b. ~~The following areas are dedicated to the public or preserved as common open space: floodplains, as per Section 16.134.020(Special Resource Zones); natural resources areas, per the Natural Resources and Recreation Plan Map, attached as Appendix C, or as specified in Chapter 5 of the Community Development Plan, and wetlands defined and regulated as per current Federal regulation and Division VIII of this Code; and~~

e. ~~The Review Authority determines that the higher density development would better preserve natural resources as compared to one (1) unit per acre design.~~

NOTE: The chart in 16.12 needs to be amended to show the minimum lot size for VLDR development in a PUD is 8,000 sq. ft.

Proposal: The application proposes to amend the development code standards of the Very Low Density Residential (VLDR) zoning district to include specific elements of the SE Sherwood Master Plan so that plan can be implemented relative to new development density. The proposed code text amendment language changes the allowable density to 4 dwelling units per net buildable acre if developed through a planned unit development.

Background: In 2005 the City Council authorized the SE Sherwood Master Plan process and participation in the Oregon Transportation and Growth Management Quick Response program to fund the study and master plan process. Numerous public meetings and workshops with property owners were held, and in 2006 the Planning Commission passed a resolution to accept the SE Sherwood Master Plan and approve a process to implement the plan. The entire SESMP area is zoned Very Low Density Residential and contains approximately 55 acres. At this time, these are the only lands inside the City that are zoned VLDR.

Several design/development alternatives were presented during the master plan process, *Alternative B/C* became the 'recommended plan', with a net density of 4.43 units per buildable acre.

Figure 8 - Alternative B/C Plan View



Affected Property: There are four parcels in the City of Sherwood with VLDR zoning that could be developed under the VLDR standards currently in place, using the PUD standards. Those four parcels are:

1. Moser – 2S1 33 BC TL 1700, 11.63 acres
2. Miller – 2S1 33 CB TL 200, 5.37 acres
3. Yuzon – 2S1 33 CB TL 100, 10.36 acres
4. First Community – 2S1 33 CB TL 1000, 3.71 acres

These four parcels total approximately 31 acres. Assuming a loss of 20% of the total acreage for streets, an estimated TOTAL development density under the current development standards would result in 45-49 units (at the currently allowable density of 2 units/net acre through the PUD approval process), or a gross density of approximately 1.6 dwellings/gross acre.



Figure 2 - Study Area and Property Ownership, September 2005

With the adoption of the recommended text amendments, as supported by the SESMP, a total of six parcels could be developed, as follows:

1. Moser – 2S1 33 BC TL 1700, 11.63 acres
2. Miller – 2S1 33 CB TL 200, 5.37 acres
3. Yuzon – 2S1 33 CB TL 100, 10.36 acres
4. First Community – 2S1 33 CB TL 1000, 3.71 acres
5. Huske – 2S1 33 CB TL 300, 4.88 acres
6. Chinn – 2S1 33 CB TL 600, 3.01 acres
7. Walker – 2S1 33 CB TL 700, 3.06 acres *(while this parcel is large enough to be redeveloped under the proposed text changes, it is doubtful that more than one additional dwelling unit could be added to the site due to the existing development)*

The Chinn property was included in the original SESMP, and is included in these calculations, however, access to that property is limited and little interest in development was expressed by that property owner @ the time of the SESMP public outreach. It is likely that the Chinn parcel will someday develop as a 3 parcel Minor Partition with 1 acre lots.

The Huske parcel adjacent to Murdock Road was included in the SESMP designs and was anticipated to be redeveloped; however, without the proposed text amendments that site does not qualify for review under the current PUD standards and currently can ONLY be redeveloped with 1 acre lots.

These six parcels total approximately 39 acres. Assuming 20% of the property is used for public streets, the resulting developable land totals approximately 31 acres. With 15% of that remaining acreage in open space (per the PUD requirements) and 10% set aside for water quality tract(s) – the resulting developable land totals 23+ net buildable acres. When additional land is subtracted for a wooded open space on the Moser property as anticipated in the SESMP (4 acres +/-) there actually only 19 net buildable acres available (at a maximum) for development of single family homes.

The Technical Memo from Julia Hajduk to Kevin Cronin included as an appendix item (#5) in the SESMP details the history of the zoning designations for the area, and clarifies the “downzoning” of the property as it was annexed into the City. The process employed throughout the SESMP evaluation provided an opportunity for citizens to “get involved” with development of a new plan for the area. This text amendment request carries the work completed for the SESMP to its culmination.

If the recommended text changes are approved by the Planning Commission and City Council there is opportunity for development of 70 + single family lots in this section of the city. The potential resulting density is similar to that anticipated by the SESMP.

Excerpted purpose statement from the SESMP

The Sherwood City Council agreed with the need for a master plan study and adopted Resolution 2005-059 on September 6, 2005 (see appendix 1). Primary goals include developing solutions to the problems of piecemeal development, exploring options to provide better urban levels of service, emergency response, transportation, tree preservation, open space for fish and wildlife habitat, and recreation opportunities such as walking trails.

Excerpted Alternatives Comparison from the SESMP

Alternatives Comparison

Alternative	A	B	C	B/C
Total # of proposed lots ¹	54	83	80	82
Acres of right-of-ways & alleys	6.5	7.1	9.4	7.1
Acres of open space	14	13	9	11
Gross Density ²	1.5	2.3	2.2	2.2
Net Density ³	3.35	5.03	4.39	4.43

1. Proposed lots - does not include 11 “existing” 1-acre lots.
2. Gross Density is equal to number of new lots divided by total acres of developable land. Total acres of developed land does not include “existing” lots. Roads, alleys, and open space have not been subtracted from total developable land. Total developable land equals 36.6 acres.
3. Net Density is equal to number of new lots divided by net acres of developable land (roads, alleys, and open space have been subtracted from total developable land area).

Excerpted Density Question from SESMP

Question 4: *Why is the City considering a new zoning designation or amending the existing Very Low Density designation?*

Answer: According to the Metro Housing Rule (OAR 660-007-0035), Sherwood is required to provide a minimum 6 units per acre for new housing. For example, the Washington County zoning designation is R-6, or six to an acre, for the Yuzon property, which is far and above the existing 1 acre minimum and is consistent with the state standard. Typically, when areas are annexed to the City a property is “upzoned” to an urban density and not “downzoned” to a rural density located in a city limits. The City is simply following the pre-existing zoning that was in place before annexation. The City is honoring the property owners request to review the zoning standards because they see higher densities all around them. From a market perspective, in order to privately finance public improvements, and reduce the burden on taxpayers, the development community needs a project “to pencil out” so different land use scenarios need to be considered prior to any master plan being adopted.

Chapter 16.80 - PLAN AMENDMENTS

16.80.010 - Initiation of Amendments

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

Response: The amendment is being initiated by a property owner.

16.80.020 – Amendment Procedures

Zoning Map or Text Amendment

A. *Application - An application for a Zoning Map or text amendment shall be on forms provided by the City and shall be accompanied by a fee pursuant to Section 16.74.010*

Response: The proposed text amendment application is considered a **legislative action** and is requested on the general land use application form, accompanied by the required application fee.

B. *Public Notice - Public notice shall be given pursuant to Chapter 16.72*

Response: As a Type V **legislative action** application - Chapter 16.72.020 requires public notice for the required hearings to be both in the newspaper and posted in several locations throughout the city. Mailed notice to property owners is not required because this application is for a text amendment that is not specific to any single parcel of land. The application fee paid to the City includes monies to cover the public notice costs for the proposed text amendment.

C. *Commission Review - The Commission shall conduct a public hearing on the proposed amendment and provide a report and recommendation to the Council. The decision of the Commission shall include findings as required in Section 16.80.030*

Response: The proposed text amendment application will be reviewed by the Planning Commission at a public hearing.

D. *Council Review - Upon receipt of a report and recommendation from the Commission, the Council shall conduct a public hearing. The Council's decision shall include findings as required in Section 16.80.030. Approval of the request shall be in the form of an ordinance.*

Response: The proposed text amendment application will be reviewed by the City Council at a public hearing.

16.80.030 - Review Criteria

A. *Text Amendment*

An amendment to the text of the Comprehensive Plan shall be based upon a need for such an amendment as identified by the Council or the Commission. Such an amendment shall be consistent with the intent of the adopted Sherwood Comprehensive Plan, and with all other provisions of the Plan, the Transportation System Plan and this Code, and with any applicable State or City statutes and regulations, including this Section.

Response: The proposed text amendment is in response to PC Resolution 2006-001. The Planning Commission accepted the SE Sherwood Master Plan Report and approved a process to implement the plan. The PC resolved to consider development proposals that are consistent with the principals and goals listed in the SE Sherwood Master Plan. The specific amendments to the text are contained in Exhibit 'A'.

Comprehensive Plan

Response: The proposed text amendment does not include changes to the text of the Comprehensive Plan, but amends language of the development code, which implements the Comprehensive Plan. The proposed amendment continues to implement the Land Use goals and policies as they apply to Very Low Density Residential zoned lands.

Applicable Statewide Planning Goals

Goal 1: Citizen Involvement

Response: The purpose of Goal 1 is *“to develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process”*. The proposal is to amend the code to implement the elements of the SE Sherwood Master Plan that was accepted by the City and does not include changes to the citizen involvement program. There was extensive citizen involvement in the development of the SE Sherwood Master Plan, including several public workshops, meetings with property owners and planning commission meetings. This application process includes additional opportunities for public input as well. Citizens will be notified of the proposed text amendment changes as required by Section 16.72 and will have an opportunity to participate in the public hearings held before the Planning Commission and the City Council.

Goal 2: Land Use Planning

Response: The purpose of Goal 2 is *“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”*. The proposal is to amend the code to incorporate criteria developed through the master plan process into the development code so that the SE Sherwood Master Plan can be implemented as accepted by the Planning Commission. The proposal does not include changes to the planning process.

Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

Response: The purpose of Goal 5 is *“to protect natural resources and conserve scenic and historic areas and open spaces”*. The area within the boundaries of the SE Sherwood Master Plan includes steep slopes, wetlands and woodlands. The proposed plan amendment is to incorporate elements of the SE Sherwood Master Plan into the development code so that the plan can be implemented as accepted by the Planning Commission. The PC resolution includes specific performance targets for open space to conserve natural resources within the plan area. The proposed text amendment allows for increased net density in the VLDR zone and retains the 15% open space requirement if developed through a Planned Unit Development. Existing resource protections remain intact.

Goal 12: Transportation

Response: The purpose of Goal 12 is *“to provide and encourage a safe, convenient and economic transportation system”*. The proposal is to amend the development code to increase density on Very Low Density Residential lands to 4 units per net buildable acre, if processed

through a PUD. Allowing opportunities for increased density in the area of the SE Sherwood Master Plan will help make it economically feasible for development to pay for infrastructure. The proposed text amendment will not promote any changes to the adopted Transportation Systems Master Plan for the City of Sherwood.

B. 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.....

Response: A map amendment is not proposed.

C. Transportation Planning Rule Consistency

1. *Review of plan and text amendment applications for effect on transportation facilities. Proposals shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with OAR 660-12-0060 (the TPR). Review is required when a development application includes a proposed amendment to the Comprehensive Plan or changes to land use regulations.*
2. *"Significant" means that the transportation facility would change the functional classification of an existing or planned transportation facility, change the standards implementing a functional classification, allow types of land use, allow types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility, or would reduce the level of service of the facility below the minimum level identified on the Transportation System Plan.*
3. *Per OAR 660-12-0060, Amendments to the Comprehensive Plan or changes to land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:*
 - a. *Limiting allowed uses to be consistent with the planned function of the transportation facility.*
 - b. *Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses.*
 - c. *Altering land use designations, densities or design requirements to reduce demand for automobile travel and meet travel needs through other modes.*

Response: The proposal is to incorporate elements of the SE Sherwood Master Plan into the development code so that the plan can be implemented. Transportation analysis conducted during the SE Sherwood Master Plan process concluded that the street system serving the area is planned to have adequate capacity to accommodate the alternatives presented. The analysis considered trip generation increases for net densities ranging from 3.35 to 5.03 units per acre. The proposed text amendment is for a change in net density on VLDR lands to 4 units per net buildable acre if developed through the PUD process. This change reflects the net density of the 'recommended plan' in the SE Sherwood Master Plan that was accepted by the Planning Commission. Topography and geology of the area present infrastructure challenges and approval of the amendments will make it feasible for transportation facilities planned for by the City to be completed.

The functional classification of all public streets within and adjacent to the VLDR-zoned parcels has been evaluated with the conclusions of the SESMP in mind. Development of the few

remaining vacant parcels of land within the VLDR district under the proposed densities envisioned with this text amendment will not result in levels of travel or access that is inconsistent with the existing functional classification of the identified streets.

While not an approval criteria, it is critical to understand that the City of Sherwood Transportation Systems Plan – adopted in 2005 – requires connectivity as illustrated in the excerpt below.



**Figure 8-8
LOCAL STREET CONNECTIVITY**

This connectivity was considered in the SESMP, and was reflected in each of the design scenarios. Furthermore – commentary in the SESMP reflected the need for development at densities that could support the construction of the desired infrastructure. The proposed text amendment facilitates development at a density that can provide the necessary transportation system elements.

Southeast Sherwood Master Plan

February 20, 2006



Prepared for the:
City of Sherwood
Oregon Transportation and Growth Management Program
A joint program of the Department of Transportation and
the Department of Land Conservation and Development



In association with
DKS Associates

Exhibit 65



Funding

The Southeast Sherwood Master Plan was prepared with funding from the State of Oregon through the Transportation and Growth Management (TGM) Program, a joint program of the Department of Transportation and the Department of Land Conservation and Development.

The TGM program supports community efforts to expand transportation choices for people. By linking land use and transportation planning, TGM works in partnership with local governments to create vibrant, livable places in which people can walk, bike, take transit or drive where they want to go.



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City of Sherwood Planning Commission

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Patrick Allen - Vice Chair
Jean Lafayette
Dan Balza
Matt Nolan
Russell Griffin
Todd Skelton

City of Sherwood Planning Department

Kevin Cronin - Planning Supervisor
Julia Hajduk - Senior Planner
Cynthia Butler - Administrative Assistant

Consultant Team

Joe Dills - Project Manager, Otak
Michelle Stephens - Planner, Otak
Benvenuto “Ben” Bortolazzo - Architect & Urban Designer, Otak
Anne Samuel - Landscape Architect, Otak
Carl D. Springer - Senior Transportation Planner, DKS Associates
Chris Maciejewski - Transportation Engineer, DKS Associates

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Oregon Department of
Land Conservation and
Development



Oregon Department of
Transportation

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Purpose

The purpose of the master plan is for the City of Sherwood to be proactive in coordinating future development of the site. Making good use of the City's urban land supply is consistent with smart growth principles to use land resources efficiently and take advantage of existing urban services. It is also consistent with Sherwood's Comprehensive Plan policies regarding the integration of land use, transportation, open space, natural resource conservation, and preservation of historic resources.

Prior to initiating the study, the City held two informal neighborhood meetings to discuss issues and potential solutions, pre-application meetings for two subdivisions, and heard interest in development proposals from other owners. Based on the potential for piecemeal development, the City concluded that there was a need for a master plan to guide the transition of the area.

The Sherwood City Council agreed with the need for a master plan study and adopted Resolution 2005-059 on September 6, 2005 (see appendix 1). Primary goals include developing solutions to the problems of piecemeal development, exploring options to provide better urban levels of service, emergency response, transportation, tree preservation, open space for fish and wildlife habitat, and recreation opportunities such as walking trails.

The City applied for and received a grant from the Oregon Transportation and Growth Management Program to conduct the master plan process. As stated in the grant's statement of work, which was endorsed by the City Council, the goals of the study were to plan:

A. *A pedestrian friendly transportation system that will link the site with nearby residential developments, parks, schools, commercial sites, and other destinations;*

B. *An increase in residential densities;*

C. *A land use plan that provides for a mix of housing types that is compatible with adjacent uses;*

D. *Conceptual plans for public facilities (roads, paths, water, sewer and storm drainage) needed to support the land use plan;*

E. *Implementing strategies including map and text amendments for the City to adopt (to be prepared by the City); and*

F. *A high level of neighborhood and citizen involvement.*

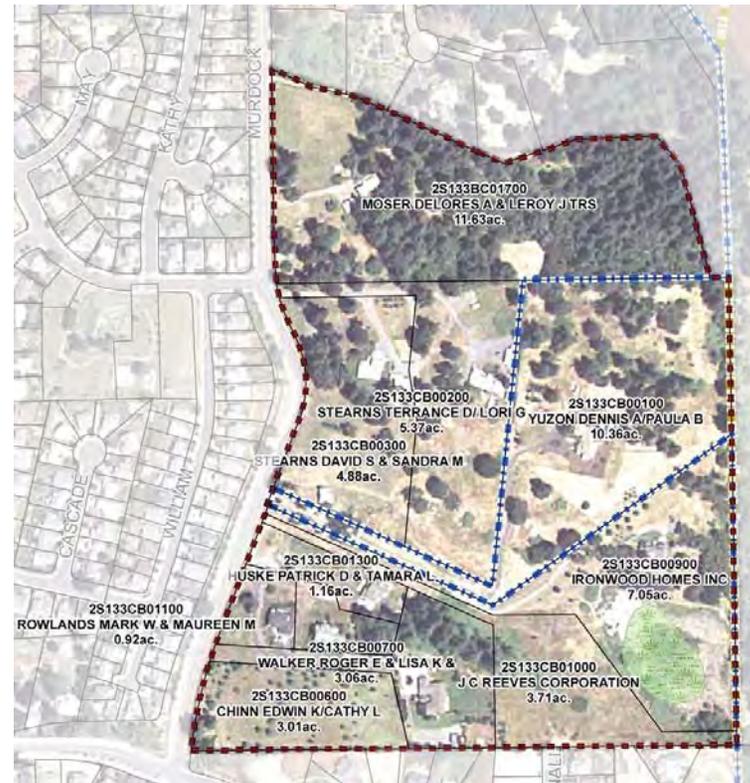


Figure 2 - Study Area and Property Ownership, September 2005

Process

The master plan was prepared with the input of property owners, developer representatives, neighbors, and City representatives. A series of three open houses were held between October, 2005 and January, 2006. Please see appendix 2, 3, and 4 for the materials and meeting summaries from the open houses. The City developed a project webpage, which was used along with electronic meeting notices and postcards, to provide ongoing information about the project. The process, in summary, included the following steps.

September 21, 2005 – Pre-application conference with property owners and developers.

September 21 – October 13, 2005 – Three site visits by the project team, with mapping of existing conditions.

October 6 and 12, 2005 – Interviews with property owners.

October 26, 2005 – Open House No 1. In this workshop, thirty-two participants viewed background materials regarding existing conditions, opportunities and constraints, transportation issues, frequently asked questions, and smart growth principles. An exit questionnaire was used to obtain feedback. The meeting was held at the Sherwood Police Facility.

November 30, 2005 – Open House No 2. In this workshop, following the open house portion, three working alternative plans were presented. Thirty-nine participants attended the meeting. The meeting was held at the Sherwood YMCA.

January 18, 2006 – Open House No. 3. This workshop was originally planned to present a “preferred” alternative. Based on feedback from the November open house, the meeting was redesigned to continue the development and evaluation of the alternatives. The meeting was held at the new Sherwood Civic Center in Old Town.

The following information was reviewed by the community at the third open house:

- The three previous alternatives from November (Alternatives A, B, and C);
- A new hybrid alternative (Alternative B/C) that responded to issues raised in November;
- Perspective images of the alternatives using the master plans overlaid on Google Earth imagery;
- An illustration of a proposed public park on the property; and
- Information about smart development practices, green streets, and low impact development practices.

In addition to the above, a “Design Your Own Alternative” station was included, where citizens worked with one of Otak’s designers to discuss and create additional ideas. The results from that station are included in appendix 4-d of this report. AKS Engineering, who represents several property owners, brought their own alternative master plans to the workshop. They set up a station and discussed their ideas with participants. Forty-one people attended the third Open House. Seventeen people filled out exit questionnaires and/or submitted letters and e-mail comments.

II. Opportunities and Constraints

The site has multiple environmental constraints which can also be viewed as potential opportunities. These opportunities and constraints are illustrated in figure 3, as well as described in detail in the opportunities and constraints memorandum included in appendix 2-e.

A 2.25-acre wetland is located in the southeast corner of the site. According to neighbors, this wetland has standing water except in the driest summer months. The wetland is an opportunity for the future neighborhood to have passive open space, wildlife habitat, and a natural stormwater area. Neighbors expressed concern about impacts to the wetland area including pesticide runoff, groundwater recharge, and the importance of the wetland as wildlife habitat.

The northern portion of the site has a 12-acre mixed woodland. It includes a variety of secondary growth mature trees, including Madrone, Douglas Fir, and others. Metro's natural resource (Goal 5) inventory describes this area as Class A (highest-value) wildlife habitat. According to a long-term resident, the area provides habitat for many species of mammals and birds. Wildlife moving through the Tonquin lowlands also travel through this portion of the site.

Small tree groves and isolated large trees extend from the northwest to the southeast portion of the site. These trees are a defining feature of the landscape in the interior portion of the site.

The wooded areas and trees are an opportunity to provide visual and open space amenities for the neighborhood. They also provide a challenge for site design. This site is marked by channels, depressions, and bedrock knolls that are part of the broader Tonquin Scablands Geological Area sculpted by ancient glacial flooding. There are two high points, one in the center of the property (elevation 315 feet) and one on the south (elevation 360 feet), with sloping terrain between them. These hilltops have great views, including a view of Mount Hood to the east. The unique terrain of this site provides an opportunity for very appealing home sites, but also provides a challenge to a connected circulation network and cohesive neighborhood design.

Preserving the natural environment of the site (including wildlife habitat, wetlands, steep slopes, endangered species, Tonquin Scablands, and mature vegetation) was mentioned in the majority of the comments received from the first open house. At least one of the above issues was raised by every respondent.

Adjacent land uses are summarized as follows:

North: Fair Oaks Subdivision, large lots (1-acre or larger) single family detached homes;

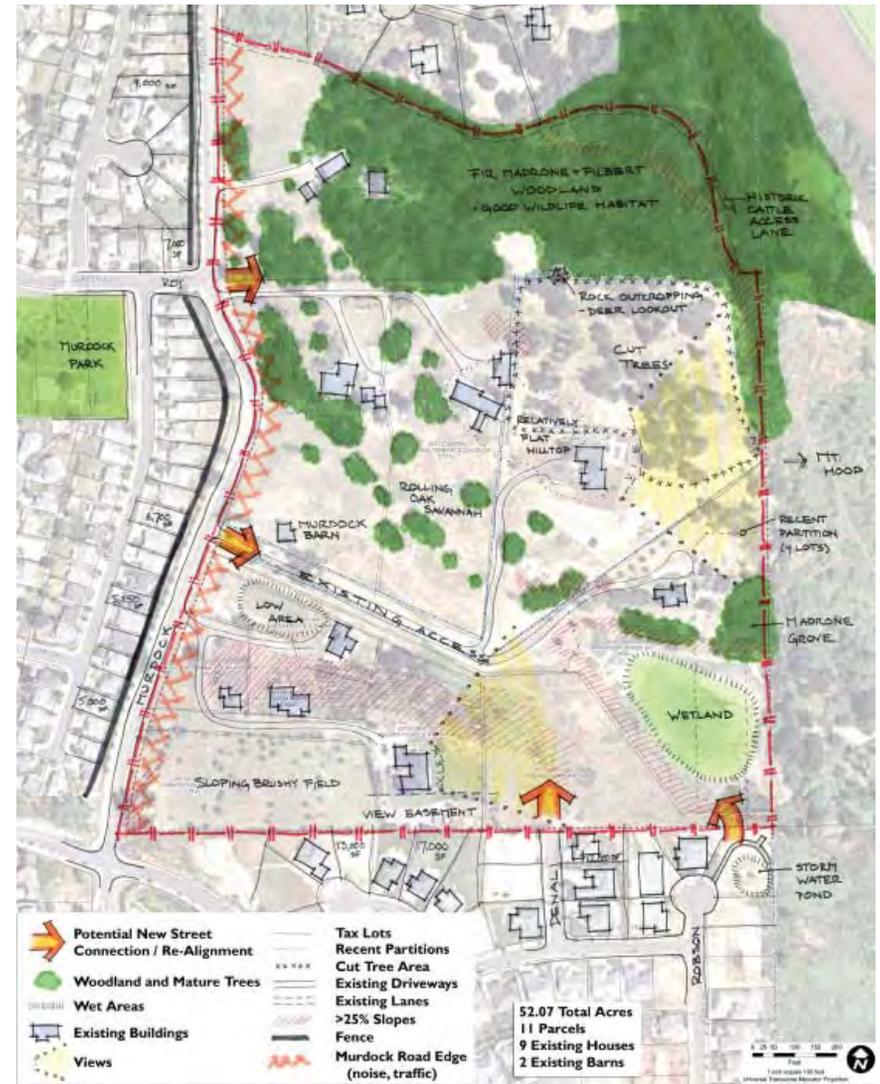
South: Sherwood View Estates, medium lots (approximately 12,000 square feet) single family detached homes;

West: Across Murdock Road, small lots (approximately 6,000 square feet) single family detached homes; and

East: Open space and Resource Land.

Of the comments received from the first open house, the second major concern was the desire of some of the residents within and most adjacent to the project area to maintain the existing Very Low Density Residential (VLDR) zoning of the site. However, some respondents were willing to consider additional density if the existing rural character of the neighborhood was maintained, and proposed lots that were smaller than one acre were placed in the center of the project, buffered from the existing lots.

Figure 3 - Opportunities and Constraints Map



Transportation conditions and issues are described in the Baseline Conditions Transportation Memorandum, prepared by DKS Associates (see appendix 2-d). Transportation conditions, opportunities and constraints include the following:

- Southwest Murdock Road is classified as an arterial and has a posted speed limit of 35 miles per hour. The average daily traffic (ADT) on the road is approximately 6,000 vehicles. A sidewalk only exists on the east side of the street for approximately half the distance between Division Street and Oregon Street. Bike lanes are not provided.
- Southeast Roy Street is classified as a neighborhood street and has a posted speed limit of 25 miles per hour. The two-lane street has sidewalks along both sides and a trail which leads to Murdock Park on the south side of the street. Bike lanes are not provided.
- West Sunset Boulevard is classified as an arterial and has a posted speed limit of 35 miles per hour. The two-lane roadway has sidewalks along both sides and serves approximately 6,000 vehicles per day. Bike lanes are not provided.

- The following table lists performance level of each of the three study intersections. The three intersections in the study area are all operating at level-of-service (LOS) C or better, which meets the City of Sherwood LOS standard of LOS D.

Existing PM Peak Hour Intersection Performance

Intersection	Traffic Control	Level of Service	Average Delay	Volume to Capacity
SW Murdock Road/Oregon Street	Roundabout	A	7.3	0.68
SW Murdock Road/SE Willamette Street	2-Way Stop	A/C	--	--
SW Murdock Road/W Sunset Boulevard	All-Way Stop	B	10.4	0.44

- The Sherwood Transportation System Plan requires local street connections to Denali Lane and Roy Street when the area develops.

III. Alternatives

The Southeast Sherwood Master Plan was prepared through a process of preparing and refining alternatives. Otak prepared four alternatives over the course of Open Houses 2 and 3, as follows:

Open House 2 – Alternatives A, B, and C were presented and discussed with attendees. Comments on the plans were submitted during and following the Open House. Comments received from this open house are summarized in appendix 3-b. These alternatives are described on the following pages.

Open House 3 – Following Open House 2, the City directed Otak to prepare a hybrid plan using: (1) the best features from Alternatives A, B, and C; (2) input received at Open House 2; and, (3) an evaluation of how the plan could be refined to follow ownership boundaries as much as possible. Alternative B/C emerged from this direction. Alternative B/C is described in this report in Section IV, Recommended Plan.

In addition to the four alternatives prepared by Otak, five other plans were created during the process. They include:

Citizen Alternatives – During Open House 3, a “Create Your Own Alternative” station was provided. This station allowed attendees to analyze the site, discuss options, and draw their own alternative. This was a lively and creative session that resulted in the four plans included in appendix 4-d.

AKS Alternative – AKS Engineering, representing several of the property owners who desire to potentially develop their property, prepared an alternative. This plan was brought to Open House 3, where AKS set up their own station and discussed the plan with attendees. The AKS alternative is included in appendix 4-e.

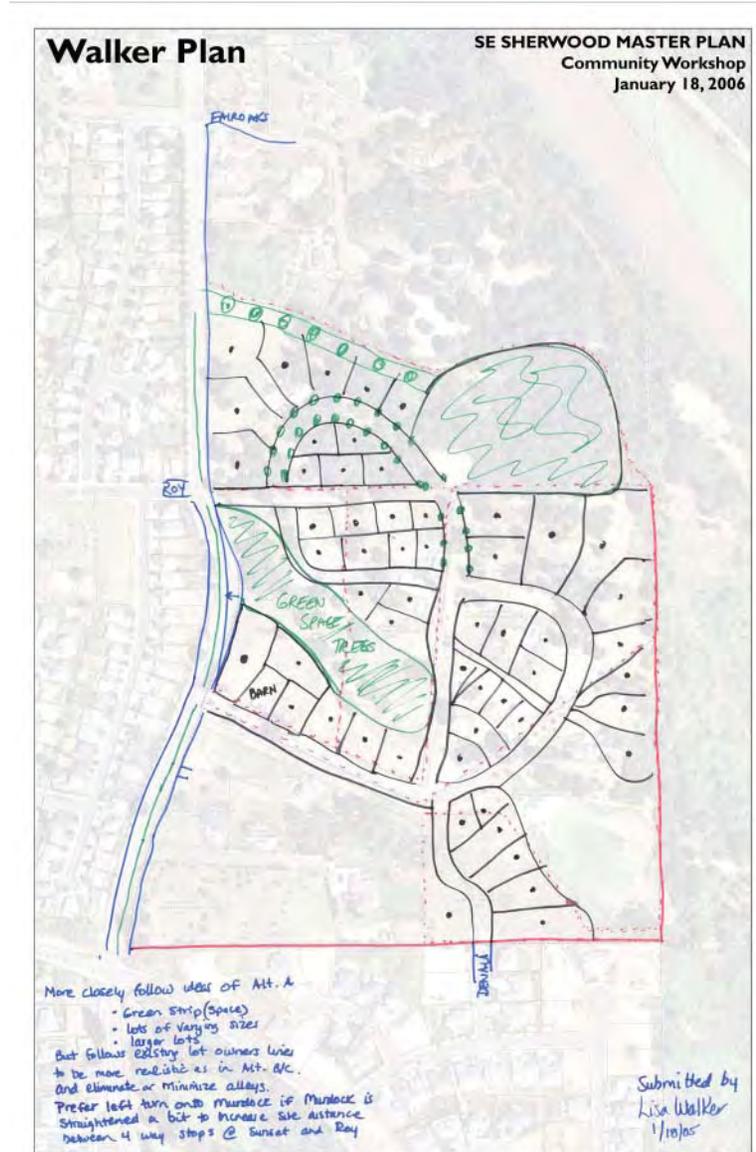


Figure 4 - “Create Your Own Alternative” - Example

Alternative A

Alternative A was presented at both the second and third open houses. The image shown to the right is the revised drawing, as shown at the third open house. Highlights of Alternative A include:

- 54 new lots (+ 11 existing = 65 Total)
- 14 acres of open space
- 6.5 acres of local streets and alleys
- Two main areas of open space: a five acre area located at the northern woodland and an eight acre corridor that connects and preserves treed areas to the wetland.
- Retention of the Historic Murdock Barn as an open space tract.
- A looping street pattern that follows the topography.
- Connections to existing streets are made at Denali Lane, Roy Street, and Ironwood Lane (south-bound left turn prohibited).
- A pathway network connects all of the open spaces. A mid-block pedestrian crossing is provided on Murdock Road.
- Lots ranging from 5,000 square feet to 1-acre.
- A gross density of 1.5 units/acre and a net density (net of existing lots) of 3.4 units/acre.
- The layout of new lots does not conform to existing ownership boundaries – cooperation between property owners would be needed to process land use approvals.
- This alternative could be developed under current zoning with a planned unit development (PUD) overlay.



Figure 5 - Alternative A Plan View

Alternative B

Highlights of Alternative B include:

- 83 new lots (+ 11 existing = 94 Total)
- 13 acres of open space
- 7.1 acres of local streets and alleys
- Three main areas of open space: a five acre area located at the northern woodland, a one acre neighborhood park, and a six acre corridor that connects treed areas to the wetland.
- Retention of the Historic Murdock Barn as an open space tract.
- A looping street pattern that follows the topography and provides an edge to the park.
- Connections to existing streets are made at Denali Lane, Roy Street, and Ironwood Lane. A fourth connection to Murdock Road is made at the north property line.
- A pathway network connects all of the open spaces. A mid-block pedestrian crossing is provided on Murdock Road.
- Lots ranging from 5,000 square feet to 1-acre, with many lots in the 7,000 – 10,000 square foot range.
- A gross density of 2.3 units/acre and a net density (net of existing lots) of 5 units/acre.
- The layout of new lots does not conform to existing ownership boundaries – cooperation between property owners would be needed to process land use approvals.
- This alternative would require a text amendment to the VLDR zone district.

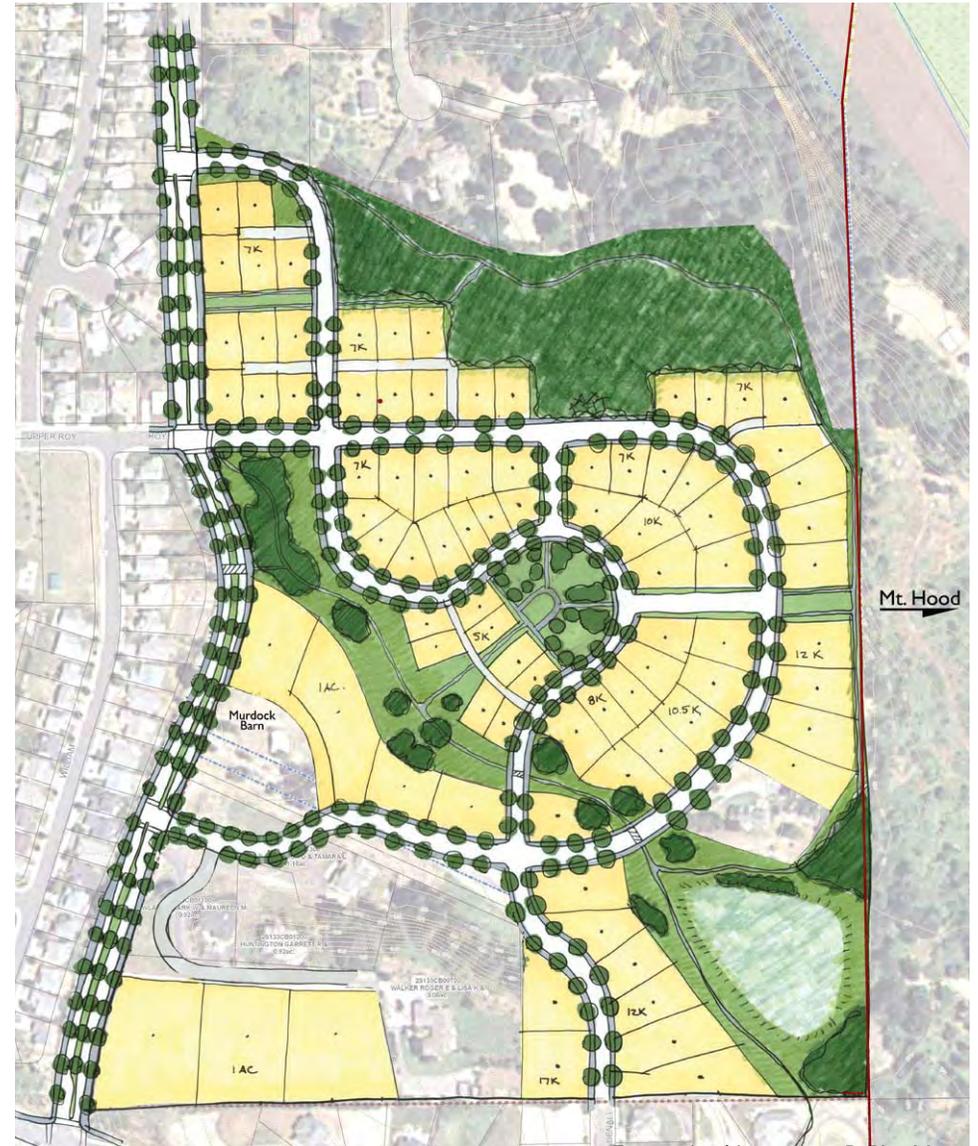


Figure 6 - Alternative B Plan View

Alternative C

Highlights of Alternative C include:

- 80 new lots (+ 11 existing = 91 Total)
- 9 acres of open space
- 9.4 acres of local streets and alleys
- Open spaces as follows: a three acre area located at the northern woodland, two open space corridors, and a view point in the center of the site.
- Retention of the Historic Murdock Barn as an open space tract.
- A looping street pattern that follows the topography. All new streets are double-loaded with lots.
- Connections to existing streets are made at Denali Lane, Roy Street, and Ironwood Lane. An alley connection to Murdock Road is made at the north property line.
- A pathway network connects all of the open spaces. A mid-block pedestrian crossing is provided on Murdock Road.
- Lots ranging from 5,600 square feet to 0.5-acre, with many lots in the 10,000 – 15,000 square foot range.
- A gross density of 2.2 units/acre and a net density (net of existing lots) of 4.4 units/acre.
- The layout of new lots does not conform to existing ownership boundaries – cooperation between property owners would be needed to process land use approvals.
- This alternative would require a text amendment to the VLDR zoning district.



Figure 7 - Alternative C Plan View

Alternatives Comparison

Alternative	A	B	C	B/C
Total # of proposed lots ¹	54	83	80	82
Acres of right-of-ways & alleys	6.5	7.1	9.4	7.1
Acres of open space	14	13	9	11
Gross Density ²	1.5	2.3	2.2	2.2
Net Density ³	3.35	5.03	4.39	4.43

1. Proposed lots - does not include 11 “existing” 1-acre lots.
2. Gross Density is equal to number of new lots divided by total acres of developable land. Total acres of developed land does not include “existing” lots. Roads, alleys, and open space have not been subtracted from total developable land. Total developable land equals 36.6 acres.
3. Net Density is equal to number of new lots divided by net acres of developable land (roads, alleys, and open space have been subtracted from total developable land area).

IV. Recommended Plan

Overall Character

The recommended plan (Alternative B/C) is a 55-acre neighborhood characterized by a mix of large- and medium-lot homes, a variety of open spaces, and a network of streets and paths. It is designed as a walkable neighborhood. The design strikes a balance between compatibility with adjacent uses and densities that are characteristic of Sherwood's low density neighborhoods. The layout generally follows the existing ownership boundaries in order to facilitate future land use approvals.

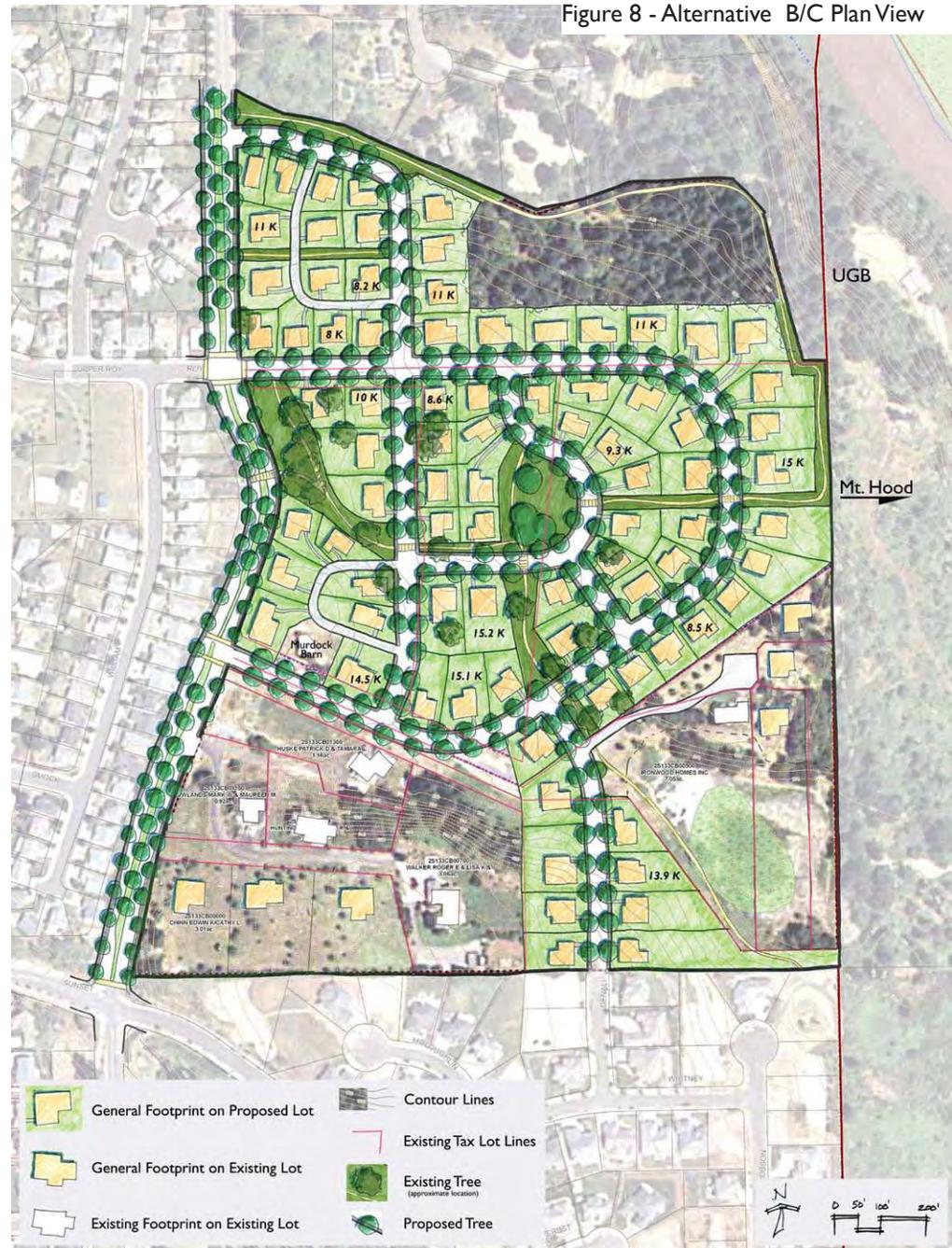
Residential Density

The 82 new lots on this plan have an approximate gross density of 2.2 units per acre, not including existing lots. The approximate net density is 4.4 units per acre, when streets and open space are not included. Development of this plan would require a text change to the Sherwood Zoning and Development Code Very Low Density Residential (VLDR) zoning district to allow approval as a Planned Unit Development.

Coordination with Existing Ownerships

The design of the neighborhood conforms very closely to the pattern of existing ownerships. Wherever possible, existing parcel lines have been used as the boundary for streets or lots. This will enable separate land use approvals that, together, will knit into a cohesive neighborhood plan. Some refinements to the plan will be required during implementation.

Figure 8 - Alternative B/C Plan View



Housing Variety

The plan includes 82 “new” lots, i.e. the colored lots illustrated on Figure 8. These comprise the undeveloped portions of the site. The plan assumes that four existing homes would be redeveloped. Two of these redeveloped homes (tax lots 2S 1 33 CB 200 and 300, see figure 2) are consistent with input received from property owners. With small refinements, all four of these homes could be easily incorporated into the recommended plan.



Figure 9 - Recommended Plan with existing homes and lot lines highlighted.

The plan also has 11 lots on existing or future one acre parcels. These include the southwest corner and the four lots comprising Ironwood Estates, a subdivision approved in May 2004. The property owners in the southwest corner of the site do not want further subdivision of their properties.

The overall transition of lot sizes is a “transect” of increasing density from 1-acre lots in the southwest corner, to approximately 15,000 square-foot new lots in the south and middle areas, to 8,000 – 10,000 square feet in the north. This method of design provides a buffer to the existing homes and intensifies towards the center of the plan area, away from the existing neighborhood.



Figure 10 - Transect Diagram.

This diagram illustrates a complete application of transect design, from central city to rural edge. Courtesy of Duany Plater - Zyberk & Company.

Open Space

The plan includes 11 acres of open space that is woven throughout the neighborhood. The main open space is 4.5 acres clustered in the northern wooded area. This space is connected to Murdock Road by a green 25-50 foot-wide linear buffer of open space and walking path along the north edge of the site. A one acre neighborhood park is located in the center of the neighborhood at the high point of the site. This prominent location provides views (including an eastward view to Mt. Hood) and serves to organize the pattern of streets and lots around it. The park is visually and physically connected to two open space tracts extending to the south and west.

A grove of trees is preserved at the newly formed intersection of Roy Street and Murdock Road. This location may also accommodate stormwater facilities. The Murdock Barn is preserved and allows a subdivision of the parent parcel.

The wetland area at the south end of Ironwood Estates is key open space. It is a delineated wetland that is part of the lots recorded on the Ironwood Estates plat. One of the off-road pedestrian paths extends along its west edge.

Wetland in southeast corner of the site



Circulation

The streets form a connected system of blocks that follow the topography of the site. Connections are made at Roy Street and Denali Lane, as required by the Sherwood Transportation System Plan. A new connection to Murdock Road is proposed at the north end of the site. The existing access to Murdock Road, Ironwood Lane, is illustrated with a prohibited south-bound left turn due to sight distance. More site specific mapping is recommended to determine the degree of the sight distance problem. It is likely that modifications to Murdock Road could improve the sight distance to allow for left turns from the site onto Murdock Road. This is further described in the DKS Alternatives Transportation Analysis (appendix 3-c). There are 7.1 acres of land dedicated to local streets and alleys.

The street circulation is supplemented by a network of off-road pedestrian paths. The paths form a walking loop around the north half of the site that connect all of the northern open spaces. A path extends south from the neighborhood park to the wetlands and connects to the cul-de-sac at the north end of Robson Road.

Murdock Road 2005 - looking south



Green Streets

As part of a larger strategy for low impact infrastructure and development practices, green streets should be considered for Murdock Road and the local circulation within the Southeast Sherwood Master Plan area.

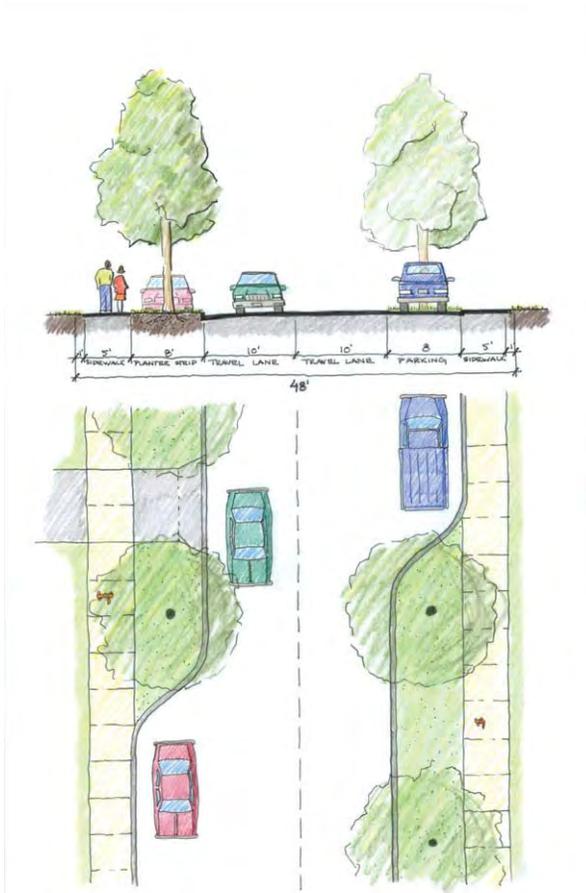


Figure 11 - Local Green Street with Parking

- 28 feet wide with parking on one side
- 32 feet wide with parking on both sides

Issues to be considered include accommodation of adequate parking on residential streets, the feasibility of soils and drainage characteristics, maintenance of green streets, and how green street storm water conveyance will work with other water quality facilities. Three green street cross sections (two local streets to use within the plan area and one for Murdock Road) have been prepared and are illustrated below. For additional information, the Metro Green Streets Handbook is available at <http://www.metro-region.org/article.cfm?ArticleID=262>.

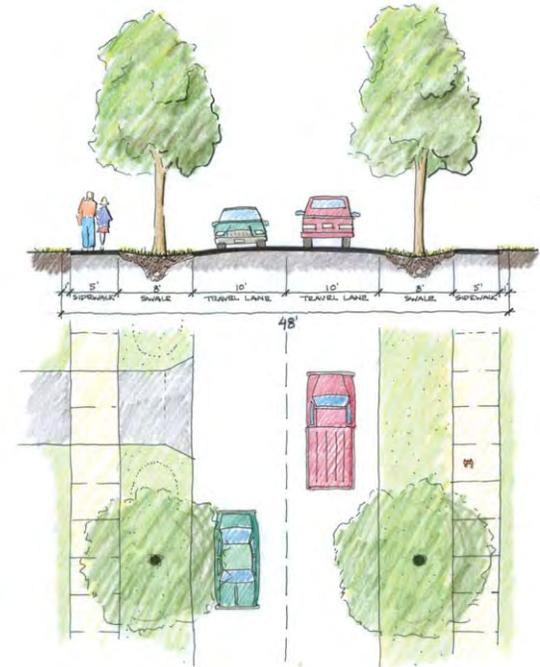


Figure 12 - Local Green Street without Parking

Figure 14 - Murdock Road Green Street Design, Plan View

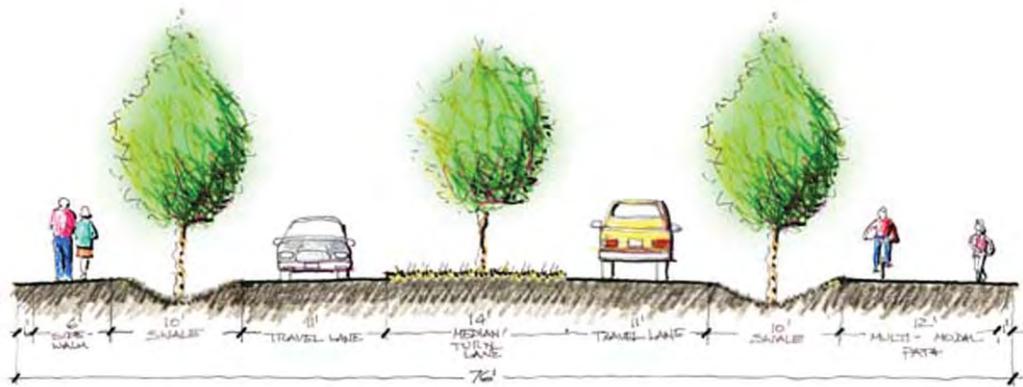
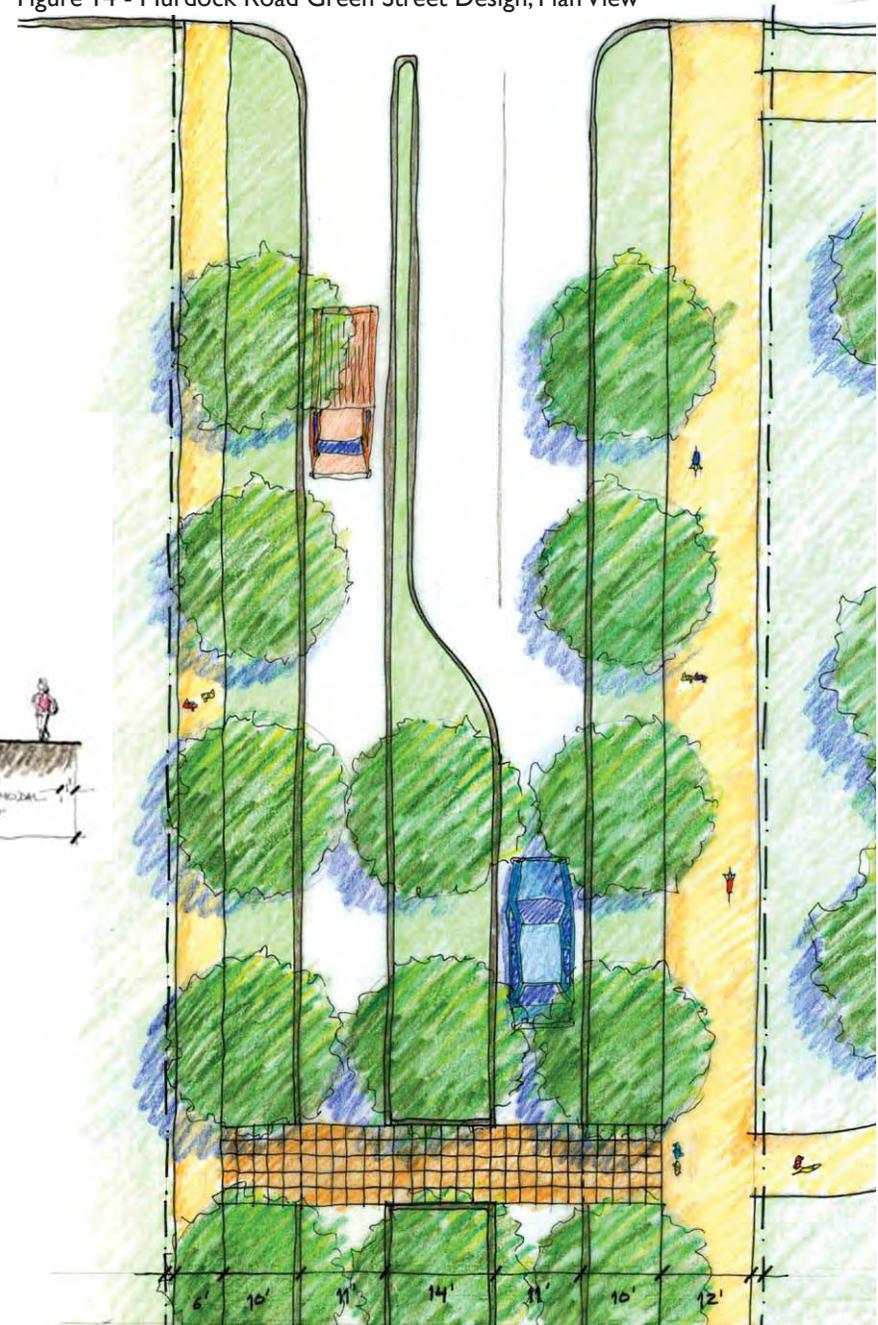


Figure 13 - Murdock Road Green Street Design, Cross- Section



Curb Options

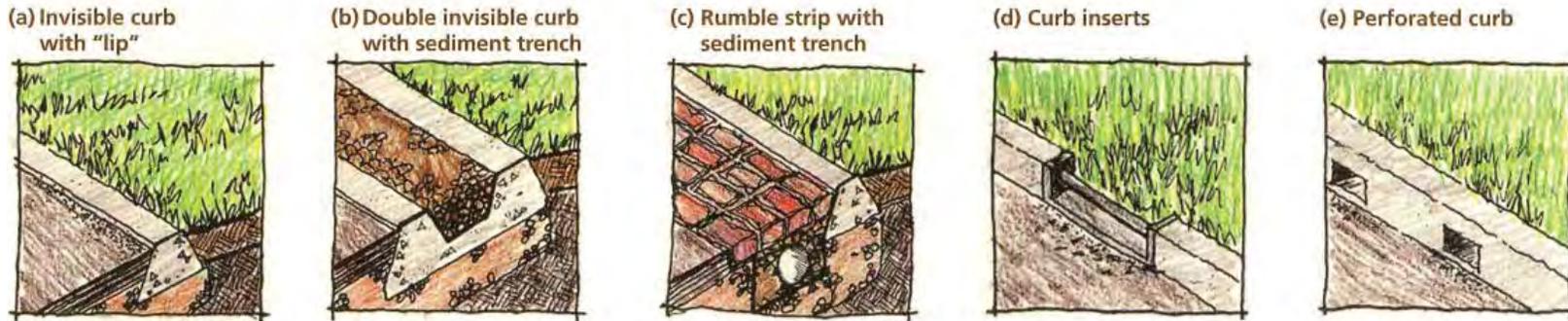


Figure Courtesy of *Green Streets - Innovative Solutions for Stormwater and Stream Crossings*, METRO. 2002



Green Street in Seattle Washington - Courtesy of Seattle's pilot Street Edge Alternatives Project (SEA Streets)

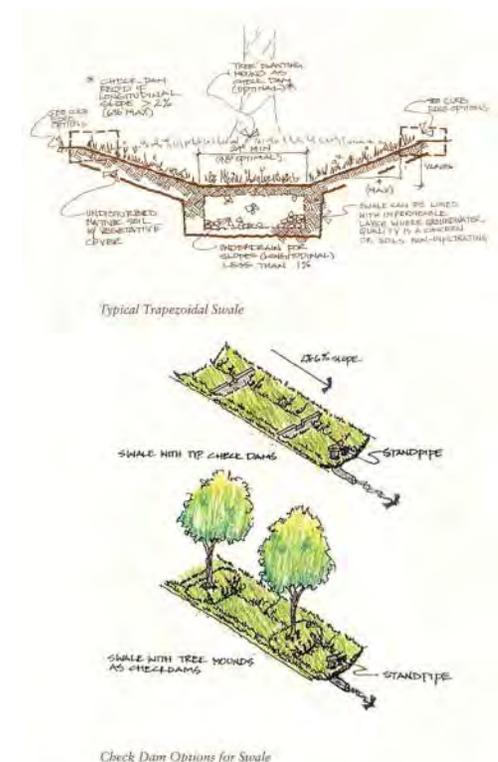


Figure Courtesy of *Green Streets - Innovative Solutions for Stormwater and Stream Crossings*, METRO 2002.

Rationale for Recommended Plan

The recommended master plan is Alternative B/C as illustrated in Figure 15. As described in previous sections of this report, this alternative grew out of the consideration of all of the other alternatives, plus commentary from participants in the process. The following describes the reasons why Alternative B/C is recommended, using the project goals (in italics) as organizing criteria.

A. A pedestrian friendly transportation system that will link the site with nearby residential developments, parks, schools, commercial sites and other destinations.

- All of the alternatives provide pedestrian friendly transportation systems to a strong degree.
- Alternative B/C has the best balance of “public realm” circulation because of the connected and logical pattern of streets and alleys.
- Alternative B/C also has an off-road path network that responds to site opportunities.

B. An increase in residential densities.

- Developer and City representatives emphasized the need for providing sufficient density to feasibly pay for infrastructure. Alternative B/C provides an 82-lot design that also has significant open space amenities. This is less than the developer preferred plan (AKS plan - appendix 4-e) of 121 lots with far less open space.

- Citizen input emphasized a preference for larger lots. Many citizens expressed a preference for the VLDR 1-acre zoning pattern. In the third workshop, some citizens who previously supported 1-acre zoning stated they were open to a variation of Alternative A. Alternative A is not recommended because it: (1) does not follow existing ownership lines, which makes coordinated land use approvals difficult; (2) has a disproportionate amount of open space on a few properties; and (3) may not have enough density to pay for infrastructure.
- Alternative B/C incorporates a “transect” of lot sizes from 1-acre lots in the southwest corner, to approximately 15,000 square-foot new lots in the south and middle areas, and to 8,000 – 10,000 square feet in the north. Alternative B/C also incorporates varied open space amenities throughout the neighborhood – this is an essential design feature to enhance neighborhood livability.
- Alternative B/C includes similar lots sizes across streets and in sub-areas of the plan. It also does not include 5,000 – 7,000 square foot lot sizes. These elements are responsive to comments received in the workshops.
- Alternative B/C provides 24 lots on the 12-acre Moser property at the north end of the site, while retaining a 4.5 acre open space in that location. This design maintains base density available under a planned unit development approval procedure, while preserving an important open space and wildlife habitat area.
- Alternative B/C follows existing lot lines as closely as the overall layout would allow.

Figure 15 - Alternative B/C Plan View



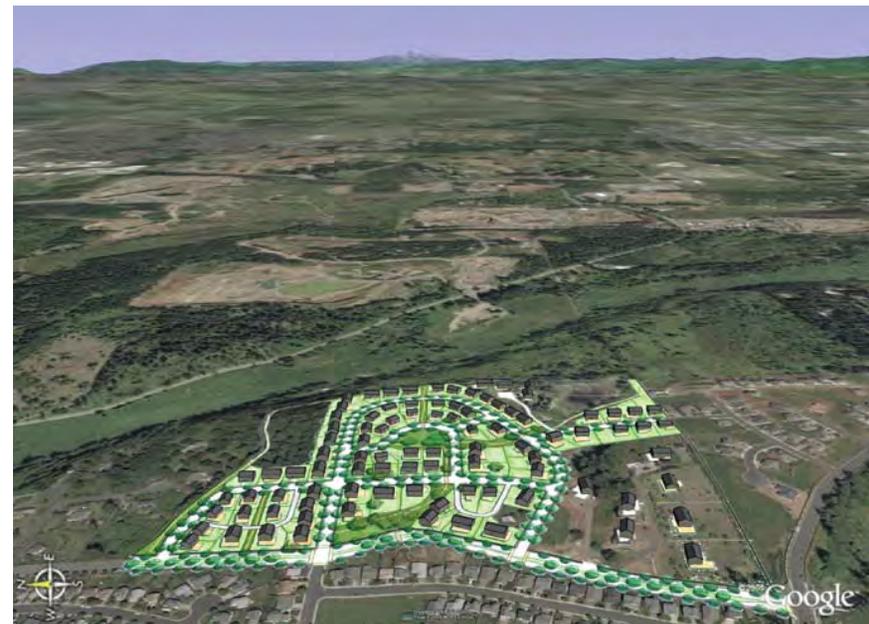
C. A land use plan that provides for a mix of housing types and is compatible with adjacent uses.

- Alternative B/C achieves a mix of lots sizes, without very small lots (5,000 square foot lots) and without too much variation in sub-areas of the plan. All lots are single-family detached, which is responsive to comments received at the first workshop. Accessory dwelling units would still be allowed.
- At the south end of the site, the 15,000 square foot lot pattern is compatible with the 12,000 square foot lot pattern to the south. The height and specific location of buildings along the Denali Lane extension will be important. The further east, and the lower in height, these homes are constructed, the less they will block eastward views from the adjacent home to the west.
- At the north end of the site, a 25-50 foot buffer with trail has been included to increase compatibility with the 1-acre homes and mature vegetation of Fair Oaks Subdivision. The large open space in this area is a key feature of Alternative B/C and ensures compatibility between the existing subdivision and new development.
- Along Murdock Road, the lot arrangements will provide a friendly neighborhood character that is much more open and green than the existing character of the west side of the street, which is dominated by rear yard fences.

D. Conceptual plans for public facilities (roads, paths, water, sewer and storm drainage) needed to support the land use plan.

- As noted above, Alternative B/C provides an 82-lot density (in balance with open space) to enhance the feasibility of paying for infrastructure.
- It provides a connected and clear pattern of public streets.
- Engineering of stormwater facilities was not part of the scope for this neighborhood design process. One or two lots within Alternative B/C may be needed for stormwater facilities. Green streets and low impact development practices are recommended in order to reduce water-related impacts and the land area required for detention basins.

Figure 16 - Alternative B/C Perspective View



- As noted in the transportation analysis, the City’s requirements for sight distance are not achieved at the intersection of the proposed southern access and Murdock Road. However, the relocation of this intersection (as shown in Alternative B) was strongly opposed by all participants. More site specific mapping is recommended to determine the degree of the sight distance problem. It is likely that modifications to the alignment of Murdock Road will be needed, as described in the DKS report (appendix 2-d).
- Alternative B/C includes a 1-acre hilltop park. The park is recommended because of its unique location and value as a shared amenity for the neighborhood. It is relatively close to Murdock Park to the west, but would provide passive park use and an alternative to having to cross Murdock Road to visit a local park. This park needs to be coordinated with the City’s Park Master Plan. An alternative (not recommended) would be to reduce the space to about 0.25 acre and design it as a small viewpoint.

E. Implementing strategies including map and text amendments for the City to adopt.

- Implementing land use procedures and standards will be prepared by the City.
- Alternative B/C follows existing ownership boundaries as closely as the overall layout would allow. This increases the potential for the individual properties to be phased in over time and have the neighborhood “knit together” according to the plan.

F. A high level of neighborhood and citizen involvement.

- This project included significant involvement from project area owners and neighbors. Well over 120 individuals attended all three workshops. Further description of neighborhood and citizen involvement is described in Sections I and III of this report as well as in appendixes 2, 3, and 4.
- At the outset of the project, it was hoped that the large public involvement effort would result in a consensus plan with widespread support. However, generally speaking, neighbors and citizens did not support Alternative B/C. And although there was some neighborhood support for Alternative A, this alternative did not achieve the project goals. Conversely, the AKS Plan is not supported by the City or neighbors. The recommended plan responds to as many of the comments as possible and strikes a carefully considered balance between Alternative A and the AKS Plan.

Figure 17 - Alternative B/C Illustrated View of Park



Appendix



Resolution 2005-059

A RESOLUTION AUTHORIZING PARTICIPATION IN A STUDY OF THE "SE SHERWOOD STUDY AREA" AND THE VERY LOW DENSITY RESIDENTIAL ZONE

WHEREAS, the City of Sherwood has a Very Low Density Residential (VLDR) Zone in the Sherwood Plan and Zone Map that requires a minimum 1 acre per lot; and

WHEREAS, the City has approved recent subdivisions and partitions in the proposed study area without adequate public improvements because the City cannot require urban levels of service in proportion to the impacts of the projects; and

WHEREAS, the City expects future private development in the immediate future and that a master plan for the neighborhood would better serve current and future property owners, neighbors, and the City; and

WHEREAS, City staff has applied for technical assistance through the Oregon Transportation and Growth Management (TGM) Quick Response program to fund the study and master plan for the "SE Sherwood Study Area" and at no additional cost to the City; and

WHEREAS, the City is committing in-kind services, such as staff time, to match the overall \$50,000 estimated budget; and

WHEREAS, this technical assistance application requires a demonstration of support from local elected officials, the Planning Commission has identified the task in the 2005 Work Program; and the City Council recognizes the benefits of a coordinated master plan for efficient land use, multi-modal transportation, and shared open space, and acknowledge the need to analyze and plan for the proposed study area; and

NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. The SE Sherwood Study Area (Exhibit A) and technical assistance application is hereby endorsed and the Planning Supervisor shall administer the study according to the attached Statement of Work (Exhibit B).

Duly passed by the City Council this 6th day of September 2005.

ATTEST:


 C.L. Wiley, City Recorder


 Keith S. Mays, Mayor

Southeast Sherwood Neighborhood Plan Open House - October 26, 2005

Thank you for attending the open house. Please let us know any comments you have or information we should know regarding:

Existing Conditions: _____

Transportation: _____

Frequently Asked Questions: _____

Neighborhood Design (including specific ideas about the design of this neighborhood):

Other: _____

Please submit comments by **November 2, 2005**

To: Kevin Cronin, AICP, Planning Supervisor

City of Sherwood

Southeast Sherwood Open House #1

22566 SW Washington Street

Sherwood, OR 97140



Existing Conditions:

- Conditions in study area are currently good.
- More units/acre has no option for space to do anything except exist. People walk in our neighborhood because it is kind of open. When we were elsewhere we walked in the less densely built areas. We need more open space, HOWEVER we must be willing to acquire it – buy, gift, will or some ownership mechanism.
- JC Reeves Dev. Road proposal to go through Denali Lane North has a huge issue due to steep slopes (around 25%). Alternate proposal to go through Robson is unrealistic due to wetland (check 100 year flood plain – it’s much broader than map at meeting shows).

Transportation:

- I would prefer most transportation planning to be focused on improving traffic flow on Tualatin – Sherwood road. That is the greatest problem related to growth in my estimation/perspective.
- We’ll need some public transportation with more park and ride space.
- To put road in through Denali Lane will require major retaining walls in order to grade slope for road. In the end, it would resemble a tunnel minus the roof. Is that going to be cost-effective?

Frequently Asked Questions:

- You have such a BIG lot – are there any more around here? is one question. Another frustrated remark is – there are no one-story houses to be found anywhere!
- When Woodhaven was developed, the area was designed with green spaces, walking trails and recreational area/parks. How come JC Reeves didn’t have to put anything into his development that would be for the benefit of the entire community?

Neighborhood Design:

- This study area needs large lots and low density due to its unique terrain. Whatever is decided in the end, be sure to protect the forested areas in this study area.
- A mix of apt/condo, large 2 story homes, one story, some larger lots. Sunset Park is great but a tree filled park that offers summer shade and picnic possibilities for apt/condo dwellers and walking/running paths is part of a “neighborhood.” Some planning went into the development of Lake Oswego – there are lots of trees and space between houses. I don’t feel that I need to “keep my elbows in” as I’m beginning to here.
- I believe JC Reeves should consider selling back that portion (3.7 acres) north of existing development. City should consider walking trails/park (nature) to “connect” areas rather than a road. Building more houses directly about (west) of wetland, as JC Reeves intends, will destroy wetland due to fertilizers/pesticides run-off from lawns. This is an extremely viable wetland. The “pond” is home to many different varieties of birds during the winter and spring months. Deer and coyotes as well as other wildlife, frequent this area.

Other:

- This open house was a good idea to open communication flow.
- Concern with any high density building and apartments town houses, etc.
- Also, the wetlands and property between Tonquin and the west edge of Metro Boundary.
- Major Concern – impact on wetlands if land becomes subdivision with high density – must protect the wildlife and wetlands.
- We don’t want to loose the value of our property because of neighbors or trees.
- Almost everything being built for the “younger” set – two or more story places, etc.
- The area in question should not be more than one house per acres. People in Fair Oaks’ and Ironwood’s developments custom-built homes there with the knowledge that it was zoned as such. It wouldn’t be ethical to re-zone since the majority of those people don’t want it rezoned (2 developers owning 85% of the land knowing it was zoned as such). In fact P. Huske built homes for people using that knowledge in his favor to entice people to buy into his development.

Curt Peterson

- Concerned about unique geologic features – Tonquin Scablands.
- Concerned about wildlife habitat and migration.
- Would prefer VLDR Density retained.
- Not enough technical knowledge involved in the creation of the master plan (i.e. needs more geologic studies, etc).

Carolyn Peterson

- The overall plan theme should be Low Impact to the current citizens of Sherwood and low density zoning should be preserved.
- Due to the unusual natural landscape and woodlands, any plan should only allow natural landscaping and native vegetation. Traditional lawns and non-native plants should be minimized.
- Cut and filling of topography must be minimized.
- Fencing that inhibits movement of wildlife should not be allowed.
- These types of safeguards will lessen pollution to the adjacent Tonquin wetlands and groundwater.
- There is no need for an internal connected road network that inhibits the movement of wildlife and discourages pedestrians.
- Bike and pedestrian trails can interconnect the areas. These same trails can be designed to allow emergency access.
- The plan to turn Murdock Road into another three lane Day Road is a high price for the citizens of Sherwood to pay for continued unrestrained development.
- Be a leader for low impact development in the Metro area.

Kurt Kristensen

- Set aside master plan until UGB extended to wetland high mark below the bluff parallel with Rock Creek (with Metro collaboration).
- Have more collaborative process including: Metro, Federal Wildlife Refuge, Neighbors and property owners of bluff property, Washington County commissioners.
- Area is too sensitive to develop at higher density than currently zoned.
- City favors developers over residents.
- Murdock Road does not need improvements.

Roger and Lisa Walker

- Concerned about increased pedestrian and vehicular traffic
- Concerned about loss of wildlife, view, and natural environment.
- Would like City to maintain diverse lot sizes by retaining large lot zoning in this area (minimum 1 unit/acre).
- Non-resident land owners are pushing the need for a rezone.
- Do not make improvements to Murdock Road that would encourage its use as a bypass road to Tualatin-Sherwood Road.
- Buffer existing homes with large new homes, parks, or wetlands.
- Require height and setbacks to protect existing homes and views.
- Avoid building on steep property.

Rufauna Craigmiles (Roni)

- The Metro Long-Range Growth Plan of 2040 considered diversity of housing and protection of natural areas key issues.
- To my knowledge, the comparatively small area of very low-density zoning that exists east of Murdock represents the only one-acre lots available for homes in the Sherwood city boundary. If this is true, we may have our last opportunity to protect them. The area under consideration for rezoning is partially developed with homes on acre or larger lots.
- Maintaining the integrity of the existing homes is important. Any future development should be done to protect these property owners as well as to address concerns over the wildlife, wetlands and vegetation in the area. Zoning to allow less than acre lots would destroy the last chance to offer Sherwood this level of diversity and would harm the natural environment.
- Murdock Road needs some attention without question. Resurfacing and maybe a left hand turn lane for safety would be nice. I would not, however, like to see it turned into a thoroughfare connecting Tualatin Sherwood Highway and Sunset. This could easily become a by-pass from Oregon to 99W and create a traffic Rufauna Craigmiles (Roni)
- Feedback Form Format
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- Murdock Road needs some attention without question. Resurfacing and maybe a left hand turn lane for safety would be nice. I would not, however, like to see it turned into a thoroughfare connecting Tualatin Sherwood Highway and Sunset. This could easily become a by-pass from Oregon to 99W and create a traffic nightmare for local residents. If future development in the area were in line with present zoning restrictions, the present street would be adequate with general maintenance.
- Buffer existing properties with parks and wetlands. Change siting of Denali to the east to protect existing wetlands.
- Require setbacks and height restrictions in consideration of existing houses and view property.
- Avoid building on steep property. Slides and erosion potential could be harmful to the area in general. Use this property for green spaces.

Gary Huntington

- Minimum 1 unit/acre zoning, especially on existing 3 acres between Ironwood Homes and Sherwood View Estates (Chinn Property).
- If higher density allowed, it should be placed in center of property.
- Homes should have a minimum size to be consistent with existing homes in surrounding subdivisions.

Martin J. Gavin

- Supports minimum one acre zoning.
- Murdock Road traffic has increased greatly over last 10 years and new residential development will add to the traffic resulting in right of way improvements that may encroach upon their property.
- Values heavily wooded area on north end of site. Concerned about the impact development will have on wildlife.
- Why is there a focus on Southeast Sherwood Neighborhood rather than on other areas of town that need planning?
- Why is Sherwood not focusing on a greater mix of uses overall (jobs/residential/commercial)?
- The City should place a higher priority on sustainable building and renewable energy technologies and be an example for other communities.
- The City should preserve this land.

Nancy and Mark Batz

- The environmental impact of any development must be considered in this extremely sensitive area.
- Concerned that low density residential is not being considered as part of the master planning process.

Jean Lafayette – Planning Commissioner

Summary of comments heard at open house:

- John McKinney wants to keep large lots. No less than 1/4 of an acre.
- Gail Toien requested more adult oriented activities available in the parks.
- Dan Jamimeson, School District Super., expressed concerns on sidewalk connectivity especially on Sunset near the school.
- What's the current right of way? How much will the city take and from which side of the road?
- Why is this a city priority? There are many other things that need to be addressed.
- Future notices. Please confirm that if they signed in future notices will be mailed directly to them.
- Maintain and protect existing owners. Bought based on VLDR adjacent.
- This should be kept VLDR to provide diversity. The only one acre lots in the city.
- Don't change zone to build.
- Need to consider wildlife in the area. This is near (next to?) areas that the Tualatin Wildlife Refuge is interested in protecting.
- We discussed protecting existing home owners by smart planning with the highest density in the center of the area and the adjacent properties maintaining larger lots.
- There was also concern about the city's goal for developing this at a higher density than its currently zoned. "What's the city getting out of this?"

Frequently Asked Questions (FAQ)

Question 1: *Why is the City doing a master plan?*

Answer: The secret is out. Sherwood is a great place to live and work and a lot of new families continue to move here to enjoy a high quality of life. As a result, development is going to happen. The City wants to coordinate this new development so it fits in with the existing community and is designed well. As it pertains to SE Sherwood, the City wishes to avoid piecemeal development and inadequate infrastructure that could result from development under the existing zoning or from multiple requests for zone changes. Property owners and developers who would like to develop control over 85 percent of the land in the study area. Recent developments have resulted in a disjointed land use pattern without public improvements, connected streets, recreation trails, or shared open space. The master plan will address the issues of public facilities, traffic and transportation, recreation and open space, tree preservation, and location and lot patterns for new housing.

Question 2: *Has the City decided to change the existing zoning?*

Answer: No. The master plan is a study. The Planning Commission and City Council will review the results and decide whether to initiate further action.

Question 3: *Who is paying for the master plan?*

Answer: The Oregon Transportation & Growth Management program has provided the necessary funds to pay for the consultant services. The City does not pay any direct costs for the master plan. The contract is between the State and the consultant, while the City receives the professional service and provides staff support.

Question 4: *Why is the City considering a new zoning designation or amending the existing Very Low Density designation?*

Answer: According to the Metro Housing Rule (OAR 660-007-0035), Sherwood is required to provide a minimum 6 units per acre for new housing. For example, the Washington County zoning designation is R-6, or six to an acre, for the Yuzon property, which is far and above the existing 1 acre minimum and is consistent with the state standard. Typically, when areas are annexed to the City a property is “upzoned” to an urban density and not “downzoned” to a rural density located in a city limits. The City is simply following the pre-existing zoning that was in place before annexation. The City is honoring the property owners request to review the zoning standards because they see higher densities all around them. From a market perspective, in order to privately finance public improvements, and reduce the burden on taxpayers, the development community needs a project “to pencil out” so different land use scenarios need to be considered prior to any master plan being adopted.

Question 5: *Why add more housing when the local schools are at capacity?*

Answer: Regardless of school district capacity issues, the City cannot stop development. However, the City can direct where the growth goes and what it looks like. Since December 2004, the City has been working with the school district on a master plan that includes a new elementary and middle school for Area 59 west of Sherwood to address capacity issues. The City can only control *how* the area develops; the market and individual property owner decisions determine *when* the area develops.

Question 6: *Does the Planning Commission and City Council support this master plan process?*

Answer: City staff consulted the Planning Commission on many occasions prior to initiating the master plan and has supported staff's decision to develop a master plan. The Planning Commission has identified this task in their 2005 Work Program. In addition, the City Council adopted Resolution 2005-059 that endorsed and authorized the master plan.

Question 7: *How large is the study area and how many property owners are involved?*

Answer: The study area contains about 53 acres. Property sizes range from 1 to 12 acres. There are 11 properties, 8 different property owners, and 9 residential units.

Question 8: *Why is the Snyder property not included in the Study Area?*

Answer: The Snyder property, located west of the study area, is outside the UGB. In all likelihood, this property will not come into the UGB. Therefore, it will not be developed at urban densities.

Question 9: *What are the City's tree regulations and how do they apply?*

Answer: Section 8.304.07 of the Sherwood Zoning & Community Development Code (SZCDC) requires a developer to inventory and mitigate all native and non-nursery related trees on a property subject to a land use application. In addition to the inventory, a certified arborist must submit a tree mitigation plan that does one or a combination of the following:
(1) preserve as many as possible that are not impacted by new roads or structures;
(2) replace on per caliper inch any removal of trees on site;
(3) replace off site on city parks, open space, or right-of-way; and/or
(4) pay a fee in lieu per caliper inch.

These options provide the necessary flexibility to meet the tree standard. New city rules will be explored in 2006 to implement a region wide Tualatin Basin program to protect and restore fish and wildlife habitat. These new rules will implement new standards adopted by Metro in September 2005.

Question 10: *How do I get involved?*

Answer: There are four ways to get involved:

1. Check the Web for updates:
http://www.ci.sherwood.or.us/government/departments/planning/se_sherwood.html
2. Email: planning@ci.sherwood.or.us;
3. Phone: Kevin A. Cronin, Planning Supervisor, 503-625-4242; and
4. Read monthly updates in the *Sherwood Archer* insert in the *Gazette*.

If you have any other questions that have not been addressed above, or would like to receive future notices of meetings and updates, e-mail the Planning Department at planning@ci.sherwood.or.us or call 503-625-4242.

Memorandum

DATE: October 26, 2005
TO: SE Sherwood Master Plan Project Team
FROM: Carl D. Springer, PE; Chris Maciejewski, PE; Garth Appanaitis
SUBJECT: SE Sherwood Master Plan Baseline Transportation Conditions Review

The purpose of this memorandum is to summarize the existing transportation conditions surrounding the southeast Sherwood Master Plan study area. The City is considering strategies to coordinate future development of the study area, bordered on the north by Fair Oaks, on the south by Sherwood View Estates, on the west by SW Murdock Road and on the east by the UGB. This memorandum includes information regarding the roadway network and intersection operations for the areas along SW Murdock Road between W Sunset Boulevard and NE/SW Oregon Street. Specific information in the following sections includes general street and trail layout, street functional class, existing speed limits, traffic volumes, and intersection operations.

Roadway Network

The following section provides information regarding the streets located in the vicinity of the Southeast Sherwood study area based on field review and the City of Sherwood Transportation System Plan¹. The primary street characteristics are summarized in Table 1.

Table 1: Roadway System Characteristics

Street Name	Classification	Daily Traffic Volume	Posted Speed (mph)
SW Murdock Road	Arterial	6,000	35
NE Oregon Street	Arterial	9,000	35
SW Oregon Street	Collector	5,000	25
SW Willamette Street	Neighborhood Street	500	25
SW Fair Oaks Drive	Local	N/A	25
SW Roy Street	Neighborhood Street	N/A	25
West Sunset Boulevard	Arterial	6,000	25
SW McKinley Drive	Local	N/A	25

N/A = not available

¹ City of Sherwood Transportation System Plan, Prepared by DKS Associates, March 2005.



Southwest Murdock Road is classified as an arterial and has a posted speed limit of 35 miles per hour. The two-lane roadway runs from the roundabout at NE/SW Oregon Street southward past W Sunset Boulevard, bordering the west side of the study area. The average daily traffic (ADT) on the road is approximately 6,000 vehicles. Sidewalks are provided for the majority of the west side of the street between Oregon Street and Sunset Boulevard, except for a short distance north of Willamette Street. A sidewalk only exists on the east side of the street for approximately half the distance between Division Street and Oregon Street. Bike lanes are not provided.

Murdock Road is controlled by a roundabout at Oregon Street and a four-way stop at Sunset Boulevard. There are currently no traditional traffic calming devices (e.g. speed humps or curb extensions) on the roadway, although there are street trees on portions of the west side. Murdock Road is designated as a primary emergency response route by Tualatin Valley Fire and Rescue² and therefore, options for installing traffic calming measures in the future are limited to options that would not impact emergency response times.

Northeast Oregon Street is classified as an arterial and has a posted speed limit of 35 miles per hour. The road intersects SW Oregon Street and Murdock Road at a roundabout. Sidewalks run along the entire north side of the street, as well as a portion of the southern side between Murdock Road and Tonquin Road. The two-lane road widens to three lanes east of Tonquin Road and serves approximately 9,000 vehicles per day. Bike lanes are provided between Tonquin Road and Tualatin-Sherwood Road.

Southwest Oregon Street is classified as a collector and has a posted speed limit of 25 miles per hour. The two-lane road serves approximately 5,000 vehicles per day and has sidewalks along the south side. Bike lanes are not provided.

Southeast Willamette Street is classified as a neighborhood street and has a posted speed limit of 25 miles per hour. The two-lane road intersects Murdock Road from the west, opposite of Fairoaks Drive. In the vicinity of the study area, sidewalks are provided along the south side of Willamette Street only. The street serves approximately 500 vehicles per day. Bike lanes are not provided.

Southeast Fairoaks Drive is classified as a local road and has a posted speed limit of 25 miles per hour. The two-lane road provides access to the Fair Oaks Planned Unit Development (PUD). Bike lanes are not provided.

Southeast Roy Street is classified as a neighborhood street and has a posted speed limit of 25 miles per hour. The two-lane street has sidewalks along both sides and a trail which leads to Murdock Park on the south side of the street. Bike lanes are not provided.

West Sunset Boulevard is classified as an arterial and has a posted speed limit of 35 miles per hour. The two-lane roadway has sidewalks along both sides and serves approximately 6,000 vehicles per day. Bike lanes are not provided.

² *City of Sherwood Transportation System Plan*, Prepared by DKS Associates, March 2005.

Southwest McKinley Drive is classified as a local road and has a posted speed limit of 25 miles per hour. The street has sidewalks along both sides and provides access to Sherwood View Estates. Bike lanes are not provided.

Existing Intersection Operations

The operational performance of the study intersections was determined using 2000 Highway Capacity Manual (HCM) methodology for signalized and unsignalized intersections. Table 2 lists the performance level of each study intersection. The three intersections in the study area are all operating at level-of-service (LOS) C or better, which meets the City of Sherwood LOS standard of LOS D³.

This finding suggests that the existing traffic controls at these study intersections could service moderate growth along the corridor. Future forecasts for any new planned development within the study area would be re-evaluated to ensure that there will be adequate facilities to serve it.

Table 2: Existing PM Peak Hour Intersection Performance

Intersection	Traffic Control	Level of Service	Average Delay	Volume to Capacity
SW Murdock Road / Oregon Street	Roundabout	A	7.3	0.68
SW Murdock Road / SE Willamette Street	2-Way Stop	A/C	—	—
SW Murdock Road / W Sunset Boulevard	All-Way Stop	B	10.4	0.44

2-Way Stop Intersection LOS:

A/A = Major Street turn LOS/ Minor Street turn LOS

Roundabout Intersection LOS:

LOS = FHWA Methodology Level of Service

Delay = FHWA Methodology Level of Service

V/C = HCM Methodology worst approach Volume to Capacity Ratio

³ City of Sherwood Transportation System Plan, Prepared by DKS Associates, March 2005.

Memorandum



17355 SW Boones Ferry Rd.
Lake Oswego, OR 97035
Phone (503) 635-3618
Fax (503) 635-5395

To: Kevin Cronin, AICP, Planning Supervisor, City of Sherwood
Michelle Stephens and Joe Dills, OTAK

From: Matt Crall, Transportation & Growth Management Program
November 15, 2005

Copies:

Date:

Subject: Southeast Sherwood Master Plan
Opportunities and Constraints Memo with Stakeholder Input from Workshop # 1 (Task 2.2d)
13384

Project No.:

The purpose of this memorandum is to outline the opportunities and constraints for the SE Sherwood Neighborhood Plan. The site is an approximately 52-acre (GIS database) area located on the east side of Murdock Road, north of Sunset Boulevard and south of the Fair Oaks Subdivision (see Vicinity Map in Appendix).

Issues addressed (and illustrated below and on the Opportunities and Constraints Map in the appendix) include existing site conditions (slope, wetlands, woodlands, public facilities/infrastructure, transportation, and parks and open space), the opportunities and constraints specific to residential master plan options for this site, and input from project stakeholders. The City of Sherwood produced a Technical Memo that addresses many of the policy and site issues in greater detail available at www.ci.sherwood.or.us/government/departments/planning/se_sherwood.html.

Parcelization

Within the 52-acre study area there are 11 total properties ranging in size from 1 to 12 acres. There are eight different property owners and nine existing homes. Piecemeal development and inadequate infrastructure could result from development under the existing zoning or from multiple requests for zone changes. The master plan presents an opportunity to coordinate development and ensure well designed, coordinated developments that have adequate infrastructure, transportation networks, and open space.

Slope Analysis and Views

The site slopes downward from both the north and the south, with a lowland area located in the center and southeast corner of the project area. Approximately 27 percent of this site (15-acres) has slopes greater than 15 percent, with over half of those being slopes greater than 20 percent (8-acres). Slopes greater than 20 percent create design difficulties for residential development and the

*SE Sherwood Master Plan - Opportunities and Constraints Memo
With Stakeholder Input from Workshop #1*

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construction of infrastructure and streets. This site is also marked by channels, depressions, and bedrock knolls that are part of the Tonquin Scablands Geological Area that was sculpted by ancient glacial flooding.

The terrain is defined by two high points and sloping terrain between them. The highest point is at the southern end of the site (tax lot 700, elevation 360 feet mean sea level). The other high point is east of the center of the site (tax lot 100, elevation 315 feet mean sea level). The two highpoints are annotated on the Opportunities and Constraints Map with view arrows. These hilltops enjoy great views, including ones of Mount Hood to the east. Other portions of the site have good views of the Tualatin Valley.

The unique terrain of this site provides an opportunity for providing privacy and variation in home orientation. It also provides a challenge to a connected circulation network and cohesive neighborhood design.

Wetlands

According to a delineation report submitted to the Department of State Lands and the City for the Ironwood Acres Subdivision, there are 2.25 acres of delineated wetlands located at the southeast corner of the site. The wetlands extend to the east of the site boundary. The wetland marsh holds water except in the driest summer months. It is bordered by defined banks on the south and north sides.

The wetland can act as passive open space for the future residents of the area, while also providing wildlife habitat and storm water mitigation. As a jurisdictional wetland, it is not part of the developable land on the site.

Woodlands and Trees

A mixed woodland is located at the northern portion of the site. It includes a variety of mature trees, including Madrone, Douglas fir, and others. It occupies approximately 12 acres of land or 21 percent of the total site area. Metro's natural resource (Goal 5) inventory describes this area as Class A (highest-value) wildlife habitat. According to the long term resident of the property, the area provides habitat for many species of mammals and birds. Wildlife moving through the Tonquin lowlands travel through this portion of the site.

The Opportunities and Constraints Map illustrates the pattern of small tree groves and isolated large trees running from northwest to the southeast portion of the site. The oak savannah is a defining element of the existing landscape in the interior portion of the site and is consistent with native upland habitat in the Willamette Valley. The trees on Tax Lot 100 have been recently cut. Section 8.304.07 of the City's zoning code addresses trees on private property. In general, the City only permits the removal of trees for the purposes of constructing City and private utilities, streets,

*SE Sherwood Master Plan - Opportunities and Constraints Memo
With Stakeholder Input from Workshop #1*

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and other infrastructure, and the minimally required site grading necessary to construct the development as approved. If other trees must be removed the City requires that the removed trees be mitigated. Mitigation can be in the form of replacement trees on-site, replacement trees planted off-site, or cash payments equivalent to the fair market value of the otherwise required replacement trees.

Overall, the wooded areas and trees provide both opportunities and challenges to the master plan. They are an opportunity to provide visual and open space amenities for the neighborhood. They also provide a challenge for site design and provision of density that may be needed for covering infrastructure costs. The master plan should explore the potential for clustering development in the north so that a portion of the woodland can be retained.

Public Facilities/Infrastructure

Public infrastructure/facilities including sanitary sewer, water, and fire protection are all available to the site. Storm water and water quality facilities can potentially be consolidated to one or two locations within the site instead of each development having its own facility, thereby reducing maintenance costs to the City and providing more developable land.

Transportation

The Transportation System Plan (TSP) for the City of Sherwood was adopted in March of 2005 and is available on the City's webpage (www.ci.sherwood.or.us/government/departments/engineering/tsp/tsp.html). The plan addresses existing conditions on Murdock Road and the surrounding streets as well as planned improvements for the next 20 years, including pedestrian and bicycle facilities that may require the dedication of right-of-way in the project area. DKS Associates, the transportation firm that prepared the TSP, has also prepared a transportation technical memo specific to new residential development on this site.

The nine homes located in the project area are all accessed by private drives from Murdock Road. Future roads for the project area will need to provide connectivity internally in addition to the surrounding projects and streets. The geologic features, wetland, and woodland are all obstacles to an internal connected road network.

Pedestrian activity in the area is relatively low, but will increase when development occurs on the site. Careful design for pedestrian crossings of Murdock will be needed for safety. A network of sidewalks and pedestrian paths will be an amenity for the neighborhood and help integrate it into the surrounding area that has parks and school facilities. There are no multi-use paths in the site area, but will be explored as part of the master plan process.

*SE Sherwood Master Plan - Opportunities and Constraints Memo
With Stakeholder Input from Workshop #1*

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Parks and Open Space

The entire site is within one-quarter mile, or a five minute walk, from Murdock Park, a four-acre active city park. The site is also within one-half mile of Sunset Park, which at 16 acres, is the second largest park in Sherwood.

The Tualatin River National Wildlife Refuge is located within one-half mile northeast of the project site. Residential development in this area will be accessible to the regional trail system that is part of Metro's future trail network which includes the wildlife refuge.

Adjacent Land Use

Fair Oaks Subdivision north of the site consists of large lot (1-acre or larger) detached single-family homes. West of the site, across Murdock Road, are small lot detached single-family homes developed on varying lot sizes that average approximately 6,000 square feet (7 units per acre). Sherwood View Estates, located south of the site, consists of detached single-family homes with an average lot size of approximately 12,000 square feet.

Compatibility with adjacent densities and existing homes on the site will need to be considered in the master plan. Opportunities include: buffer areas between the large lots on the north and smaller lots on the site; a landscaped edge treatment to Murdock Road; and careful home siting on the south.

Summary of Stakeholder Issues

Approximately 40 stakeholders attended the Southeast Sherwood Neighborhood Master Plan Open House #1. Fifteen written comments were returned on either the provided feedback form or in a letter format.

Two issues were mentioned in the majority of the comments. The first was the importance of preserving the natural environment of the site including wildlife habitat, wetlands, steep slopes, endangered species, Tonquin Scablands, and mature vegetation. At least one of these issues were raised by every respondent.

The second primary issue was the desire of the residents within the project area and adjacent to the project area to maintain the existing Very Low Density Residential (VLDR) zoning. Although some respondents were willing to consider additional density, their preference was to maintain a maximum of one unit per acre zoning. In addition, lots that were smaller than one acre needed to be placed in the center of the project, and buffered from the existing larger lots.

Some respondents felt the master plan process should be postponed. Instead, a larger study involving Washington County Commissioners, Metro, other agencies, and more residents and additional land outside of the existing UGB would be conducted. This response was due partly to the perception that the master plan process was being driven by two developers and that the City favored the developers' desires over the desires of the existing residents.

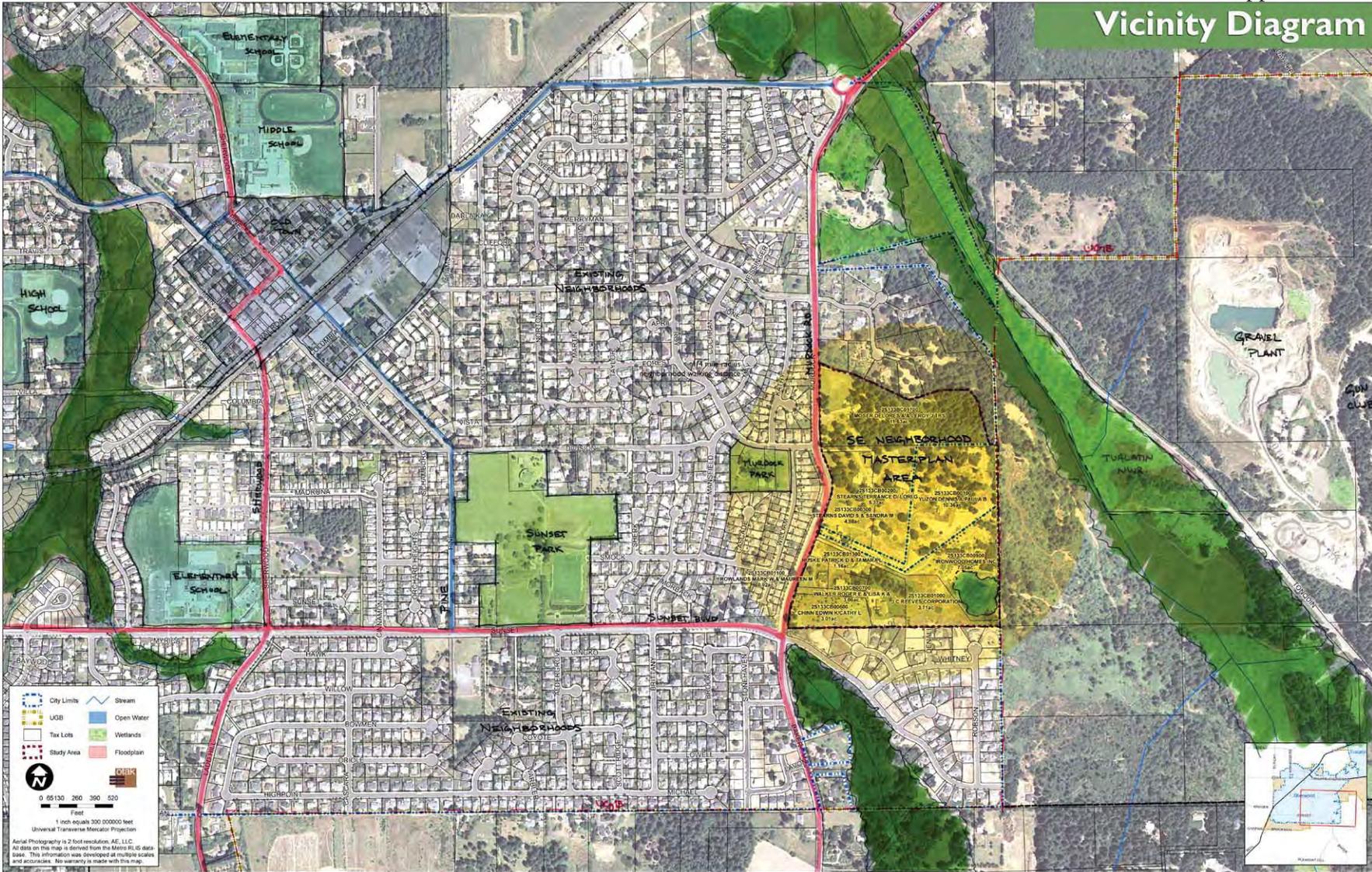
Respondents also desire to maintain the existing views and the adoption of design standards for new development that requires large setbacks, buffer areas between existing and new development, and height restrictions. Other neighborhood design issues include the request to preserve the Murdock Barn, have a connected trail network which allows for wildlife migration and access by emergency vehicles, and a request that any development keep an "open" feel (i.e. "elbow room"). Although the majority of comments desired large lot, detached single family homes, one respondent desired a mix of home styles that cater to residents in all stages of life.

Existing traffic, pedestrian and bicycling facilities along Murdock Road were not listed as a concern by any of the respondents. However, the majority of respondents did not want Murdock Road to become a bypass route onto the Tualatin-Sherwood Road. The respondents did not believe any right of way changes (besides maintenance) were necessary on Murdock Road as it not perceived to currently have a traffic problem. There is also a perception that a "high" density development within the project area would cause traffic congestion on Murdock Road, and therefore require the right of way changes proposed in the TSP. Some respondents, who were opposed to the changes in right of way, were therefore opposed to an increased density on the project site.

One commenter stated that an internal connected road network was not necessary and that a connected pedestrian network that connected safely to schools and parks was a priority that would also allow wildlife migration.

Appendix

Vicinity Diagram



L:\project\131001\13104\GIS\shw\vicinity.mxd

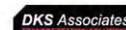
Aerial Photography: 2003 Aerials Copied

October 26, 2005

City of Sherwood
Oregon Department of
Land Conservation and Development
TGM Quick Response Program

Southeast Sherwood Neighborhood Master Plan

Sherwood, Oregon



Southeast Sherwood Neighborhood Plan Alternatives Workshop – November 30, 2005

Thank you for attending the workshop.

Please let us know any comments or preferences regarding:

Alternative A (open space, lot size, transportation network, etc.): _____

Alternative B (open space, lot size, transportation network, etc.): _____

Alternative C (open space, lot size, transportation network, etc.): _____

Overall Critique/Other: _____

Please submit comments by **December 12, 2005**

To: Kevin Cronin, AICP, Planning Supervisor

City of Sherwood

Southeast Sherwood Workshop #2

22566 SW Washington Street

Sherwood, OR 97140

Or: cronink@ci.sherwood.or.us



Use back or additional sheets if necessary

Southeast Sherwood Neighborhood Master Plan
Open House #2 – Survey Response

Appendix 3-b

Alternative A (open space, lot size, transportation network, etc.):

- Too much lot size variation – too much house size variation would result.
- Don't like the tiny lot circles if you change that, like open space near UGB.
- Don't like alleys.
- Make these lots fewer and bigger.
- Nothing < 10,000' lots.
- I like this plan the best.
- Open Space excessive.
- Not acceptable.
- This alternative does not take into account the input from the majority of the workshop participants to leave this area as it, or at the minimum subdividing it into one acre lots with 50% for open/natural space.
- Minimum lot size 10K to 12K sf.
- Denali should be cul-de-sac to preserve Sherwood View Estates as was originally planned when residents bought property.

Alternative B (open space, lot size, transportation network, etc.):

- Too many small lots.
- Don't like alleys.
- Don't like the mix of lot sizes.
- Nothing less than 10,000' lots.
- Reject.
- Having no left turn allowed onto Murdock from the SE Sherwood Neighborhood (near the Murdock barn) will cause increased traffic through the Sherwood View Estates neighborhood. That is a big concern.
- Open space excessive.
- Road at entrance runs thru wetlands.
- Best plan for view lots.
- Not acceptable.
- Subdividing this area into 91 lots would totally destroy the natural beauty. This is unique and should not be developed in this manner. Changing the zoning would go against the public input and the best interest of the overall Sherwood community.
- Too many small lots – would be difficult to get buyers for larger lots when such close quarters are “next door” – reminds you of (could not read, but looks like Alotto) – not a good thing (where you have a nice house and someone puts up a different “type”)
- Minimum lot size s/b 10K to 12K
- Keep Denali a cul-de-sac.

Alternative C (open space, lot size, transportation network, etc.):

- Too many small lots.
- Don't like alleys.
- Nothing less than 10,000' lots.
- Reject.
- Having no left turn allowed onto Murdock from the SE Sherwood Neighborhood (near the Murdock barn) will cause increased traffic through the Sherwood View Estates neighborhood. That is a big concern.
- 5000 sq. foot lots are unreasonable for this area. The planners are kidding themselves if they think someone with of 15.5k lot would want a home on 5000 sq. ft. directly across the street.
- Not acceptable.
- This alternative in even less of a desirable plan than alternative "B". It has negative issues relating to the existing plant and animal habitat, as well being an overwhelming change to the area as it exists today. There is no public support for this alternative.
- Same as for Alternative B. Too many small lots – would be difficult to get buyers for larger lots when such close quarters are "next door" – reminds you of (could not read, but looks like Alotto) – not a good thing (where you have a nice house and someone puts up a different "type"). Minimum lot size s/b 10K to 12K. Keep Denali a cul-de-sac.
- Get rid of alleys – this is not the Bronx!

Overall Critique/Other:

- Please try an option D with less # houses than B and C, and more lot size uniformity than A.
- Why is the zoning changing in the first place? We all moved in believing the current zoning. It feels like we got a bait and switch, rug pulled out from under us thing. Why have zoning if it means nothing and people can't count on it?
- It's extremely disturbing how in each alternative there are plans for eight homes directly above the delineated wetland pond. How will those homes with fertilizers, pesticides, etc. used on the lawns prevent harming the pond and the various wildlife that uses it?
- How do you make it equitable for each owner? Who will pay for open space? Overall, this process is turning out to be a disappointment. There is a core of people who are not open-minded about the alternatives presented. They are just using this as a forum to say that they want no change and would be very happy if there were not further development. Of course, they would – they are not the property owners. Everyone wants to be the last person in the City!
- I am still looking forward to an Alternative "D" from the City of Sherwood which leaves the area as it is without additional residential development. I am personally against the above three Alternatives based on the potential negative impact to already crowded school, increased traffic on Murdock Road and the natural environment of this unique area.
- I recommend that the decision to develop this area or leave as is be left up to a vote by all residents of the City of Sherwood. A ballot measure could be setup to allow this area to be preserved for future natural park land, or to be developed as a residential subdivision. If approved by the measure for future natural park land, a bond measure could be established for funding land acquisition and park development.
- Need an alternative showing original zoning.
- Also, alternative need with 10K to 12K lots.
- Keep green space and buffer zone for fragile wildlife and wetland areas.

Southeast Sherwood Neighborhood Master Plan
Open House #2 Written Comments Received

Appendix 3-b

Kurt Kristensen

- Does not believe there is support for any of the alternatives.
- Cost of development on environmental and school system too high. Would be better to not allow development on land until school system catches up
- City did not honor workshop #1 comments.
- Upgrades to Murdock Road should not be considered with this development as the need for the road improvements are related to the entire City, not just this development.
- Traffic on Murdock Road is a concern.
- Roundabouts should be considered. Intersections proposed will cause road to become unsafe and cause traffic congestion in Fair Oaks Subdivision.
- This project needs to be reviewed with Metro and Washington County to look at entire bluff area and wetlands. Make wildlife refuge a regional attraction.
- Build a Street of Dreams.
- Protect areas with lower density.
- Propose additional workshop before final recommendation.
- Believes plans are developer driven.

Steve Klein

- Preferred Alternative A to the other plans, but none were to his satisfaction. Improvements to Alternative A include reducing the number of lots, creating a minimum lot sizes of 7,500 square feet, but keep average lot size around 20,000 square feet. Increase lot sizes even if it means reducing open space.
- Does not see need for any formal parks within development. Area already served by Murdock and Sunset Parks.
- Access onto Murdock Road a large concern (doesn't say why). Combine private accesses into one of the new access roads.

Lisa Walker

- There is a need for at least one additional meeting. At least one plan needs to reflect minimum 1 acre

Bob Davidson

- Although he would prefer no development – development of lots within the 12,000 to 15,000 square foot range or larger are acceptable. Similar to development in Sherwood View Estates.
- Not in favor of smaller lot sizes mixed with larger lot sizes.

Evy Kristensen

- Worried that a zone change will be like “opening a can of worms.” Prefers to keep 1 acre zoning.
- Concerned about impact on schools and environment.
- Wants to preserve last forest in Sherwood.

Dean Glover

- Wants to see a 1 acre plan/option.
- Moser forest along north property line needs to be saved and protected. No development permitted. How is this area being protected?
- Alternative A is the preferred out of the 3 presented. Alternative C is the least preferred – lots are too small.
- Believes alleys give the impression that too many homes are being squeezed into project area without adequate access.
- Access to Murdock appears to be dangerous.
- Concerned about 20 foot easement on north property line. If developed would like 10 foot dedicated back to Fairoaks Subdivision.
- Believes process is moving too fast.
- Would like more City planning personnel at open houses to hear feedback and to have meetings recorded.

Gary De Boer

- Allow construction at the end of Denali with cul-de-sac.
- Only provide emergency access through existing subdivision rather than allowing access by new development through existing subdivision.
- Not in favor of any of the presented alternatives. Would prefer low density plan.
- Does not like alleys.
- Concerned about Murdock Road accesses and “no left turn” proposal. Would force traffic through existing subdivisions.
- Worried about school congestion.
- Create a “street of dreams.”

Carolyn and Curt Peterson

- Likes the open space, and alleys on Alternative A.
- Alternative B is less desirable than A, and C is the least desirable due to the amount of proposed open space.
- Dislikes the proposed flag lots, due to access through existing lots.
- Concerned about access through existing (western) wetland.
- Southeast wetland needs larger buffer.
- Concerned that allowing smaller lot sizes is only a way to allow future development of hundreds of houses on this site.
- Extending Denali Street results in unfair traffic burden on residents of Fairview Estates.
- Prefers minimum 1 acre zoning, similar to Fairoaks subdivision.
- Worried about school congestion.
- City should partner with Metro (or find other funding source) to protect sensitive lands/forests.
- Safeguards should be in place to ensure development is wildlife/environment friendly.
- Not in favor of a three lane Murdock Road.
- Wants City to be a leader for low impact development.

Mark and Megan Rowlands

- Keep current 1 acre zoning.
- Would like another meeting with 4th option presented.
- Consider doing a “Street of Dreams.”
- Take more time to develop smart growth plan.

AKS – Montgomery Hurley

- Master plans do not recognize existing homes and/or property lines.
- Streets and lot layouts on three alternatives are irregular.
- Proposed layouts/lot sizes/streets do not appear to meet City code or require PUD overlay to accomplish.
- Plans do not seem to add much density over what is currently allowed.
- Not in favor of alleys.
- Wants more details on ownership of alleys and open space.
- Would like specifics on plans (setbacks, stormwater, and length of driveways).
- Plan requires excessive lengths of driveways and awkward home configurations.
- Would like to see an additional public open house.

Paula Yuzon

- Encourages the City on its path of thinking for the entire community and region (prevent sprawl, develop compact urban form).
- Don't be swayed by NIMBY's, but listen to their comments.

Lori Stearns

- Owns property within plan area. Does not want sale/development of her land attached to a Master Plan – property controlled by neighbors.
- Concerned with all three alternatives:
 - Not dense enough lot sizes.
 - None of the three plans were acceptable.
 - Believes true parcel lines and recorded plats need to be represented on alternatives.
 - Layout does not consider existing property lines
 - Too much open/green space shown on her property
 - Concerned with safety of nature trails – Doesn't the City already have enough trails
 - Why is there a formal park?
 - More consideration should have been given to other clusters of mature trees on developed lots within the plan area.
- Doesn't like Murdock with a median. Too expensive, why not just use turn lanes.
- Feels her property is taking unfair share of burden of open space.



Memorandum

DATE: November 30, 2005
TO: SE Sherwood Master Plan Project Team
FROM: Chris Maciejewski, PE; Carl D. Springer, PE
SUBJECT: SE Sherwood Master Plan – Alternatives Transportation Analysis

P05274-000-000

The purpose of this memorandum is to review the transportation performance and other key characteristics of the alternatives created for the SE Sherwood Master Plan (Alternatives A, B, and C). The first two sections of this memorandum discuss compliance of the proposed alternatives with City access spacing and safety standards. The last section evaluates local traffic operation issues in the long term (2020).

Access Spacing

Murdock Road is designated as an arterial roadway in the City’s Transportation System Plan (TSP)¹, which has an access spacing minimum of 600 feet and maximum of 1,000 feet. The properties forming the study area combine for approximately 2,000 feet of frontage to Murdock Road. The City’s TSP designates a connection to the study area at Roy Street. Because Roy Street is located approximately 1,500 feet north of Sunset Boulevard, there should also be one access point to the study area between Sunset Boulevard and Roy Street. North of Roy Street, the study area has approximately 500 feet of frontage, which under the City access spacing criteria would not allow an access point north of Roy Street.

In addition to access to Murdock Road, the TSP designates a local street connection from the study area to the south (Denali Lane). This connection should be included in each of the alternatives.

While the adopted City standards for access spacing are aimed at providing a well-connected, functional roadway system, it is important to consider the balance between maintaining standards and providing effective access to the lands served by the roadway. The City has the authority to grant exceptions to the access spacing criteria when it is warranted. For example, there are no access options to Murdock Road between Roy Street and Willamette Street (which are 1,100 feet apart) where development has already occurred. Therefore, a public roadway access to Murdock Road at the north end of the study area (500 feet north of Roy Street) may be desirable as it could balance motor vehicle traffic accessing the study area (less turning traffic at each site access intersection, less traffic on the local streets leading into the study area) and it would meet the City’s criteria of maximum 1,000 foot spacing between public roadways.

¹ *City of Sherwood Transportation System Plan*, Prepared by DKS Associates, March 2005.

1400 SW Fifth Avenue
Suite 500
Portland, OR 97201
(503) 243-3500
(503) 243-1934 fax
www.dksassociates.com

In addition, access spacing criteria is subject to the physical constraints of the surrounding land (topography, adjoining property access). When the access spacing criteria cannot be met (without significantly impacting the function of a property) due to physical constraints, the City also has the authority to grant an access spacing criteria exception. For example, the southeast corner of the study area has several existing homes served by a driveway accessing Murdock Road that winds up a steep slope. This driveway is bounded by the slope to the south and a storm water pond to the north. As it would be difficult to convert this driveway into a public roadway and connect it to the rest of the study area, it may be appropriate to have a second access to Murdock Road between Roy Street and Sunset Boulevard.

Based on these access spacing criteria, the three alternatives created for the study area were reviewed for compliance with City standards. Table 1 summarizes the findings.

Table 1: Access Criteria Review Summary

Scenario	Proposed Access Points to Murdock	Meets City Standard?	Connection to Denali?	Comments
Alternative A	3	No	Yes	<ul style="list-style-type: none"> ▪ Includes 2 access points between Roy and Sunset, which does not meet minimum 600' spacing requirement. However, both of these access points may be needed due to physical constraints between the two access points
Alternative B	3	Marginal	Yes	<ul style="list-style-type: none"> ▪ Meets criteria between Sunset and Roy ▪ Northern access is approximately 500 feet north of Roy, which is slightly below the 600 foot minimum. This access may be desirable as it would be the only intersection on Murdock in the 1,100 feet between Roy and Willamette.
Alternative C	4	No	Yes	<ul style="list-style-type: none"> ▪ Includes 2 access points between Roy and Sunset, which does not meet minimum spacing requirements. However, both of these access points may be needed due to physical constraints between the two access points ▪ Northern access is approximately 500 feet north of Roy, which is slightly below the 600 foot minimum. This access may be desirable as it would be the only intersection on Murdock in the 1,100 feet between Roy and Willamette.



Table 2: Forecasted 2020 (TSP) PM Peak Hour Intersection Performance

Intersection	Traffic Control	Level of Service	Average Delay	Volume to Capacity
Murdock Road / Oregon Street	Roundabout	A	5.4	0.34
Murdock Road / Willamette Street	2-Way Stop	A/B	—	—
Murdock Road / Sunset Boulevard	All-Way Stop	B	10.2	0.39

2-Way Stop Intersection LOS:

A/A = Major Street turn LOS/ Minor Street turn LOS

Roundabout Intersection LOS:

LOS = FHWA Methodology Level of Service

Delay = FHWA Methodology Level of Service

V/C = HCM Methodology worst approach Volume to Capacity Ratio

All-Way Stop Intersection LOS:

LOS = Level of Service

Delay = Average delay per vehicle (seconds)

V/C = Volume to Capacity Ratio

To determine if rezoning the study area to allow more units impacts the operations at the study intersection, the trip generation of the site was estimated for each of the alternatives. Trip generation was estimated based on rates provided by the Institute of Transportation Engineers³ (ITE) for residential land uses. Table 3 lists the estimated daily and peak hour trips for each of the alternatives, including a calculation of the net increase in trips from existing zoning. Alternatives B and C, which have similar unit totals, would generate approximately 250 more daily vehicle trips and approximately 20 to 30 more peak hour vehicle trips than Alternative A.

Table 3: Motor Vehicle Trip Generation Comparison

Scenario	Residential Units	Daily Trips	AM Peak Trips	PM Peak Trips
Alternative A*	65	622	49	65
Alternative B	91	871	68	92
	<i>Net Increase (B – A)</i>	<i>+249</i>	<i>+19</i>	<i>+27</i>
Alternative C	90	861	68	91
	<i>Net Increase (C – A)</i>	<i>+239</i>	<i>+19</i>	<i>+26</i>

**Alternative A is based on the level of development allowed with existing zoning*

³ Trip Generation Manual, 7th Edition, Institute of Transportation Engineers, 2003.

Based on the small net increase of trip generation listed in Table 3, the denser alternatives for the proposed site would not significantly impact operations on the surrounding roadway system. The net increase in traffic would represent less than 5 percent growth in daily or peak hour volumes. The operation at the study area intersections is estimated to continue to meet or exceed performance standards (LOS D). The functional classification of Murdock Road (arterial) and Denali Lane (local) is not estimated to warrant change with the net increase in trips. Therefore, the planned roadway system in the study area can adequately serve the vehicle generated by any of the development alternatives.

Conclusions

The proposed alternatives for the SE Sherwood Master Plan layout a well-connected, functional roadway system that is in-line with planning objectives in the City's TSP. In each option, there are roadway issues to be considered that balance strictly meeting roadway standards with realistically providing an effective roadway system. The City has the authority to grant exceptions to criteria when warranted to address these issues. Based on the analysis presented in the previous sections, the following findings should be considered to select a preferred alternative:

- Access Spacing
 - Alternatives A and C would require an exception to access spacing criteria between Roy and Sunset. This option may be pursued if it is determined that the physical constraints (storm-water pond and hillside) create barriers to site access.
 - Alternative B would require an exception to access spacing criteria north of Roy Street. However, this would be the most likely location for an access onto Murdock between Roy Street and Willamette Street.
- Safety
 - Alternatives A and C could require the prohibition of side-street left turns at the main access point between Roy Street and Sunset Boulevard due to restricted sight distance. This could be addressed with a channeled median. If implemented, this turn restriction could increase the amount of traffic generated from the study area that would use Denali Lane to access Sunset Boulevard and Baker Road to the south of the site. As another option, the curves on Murdock Road may be able to be corrected as part of the roadway improvements to provide adequate sight distance.
 - In each alternative, the exact location of the enhanced pedestrian crossing on Murdock Road south of Roy Street needs to address sight distance issues with both the horizontal and vertical curves on Murdock Road.
- Operations
 - The street system serving the study area is planned to have adequate capacity to handle any of the alternatives. The net increase in vehicle trips would not significantly impact roadway performance or function on Murdock Road or Denali Lane.

Southeast Sherwood Neighborhood Plan Alternatives Open House # 3 – January 18, 2006

In addition to comments on specific plan alternatives (see other side), it is helpful to the City to know your opinion regarding key issues.

1. Please prioritize the following neighborhood master planning issues as least important (1) to most important (5) to you:

Master Plan Issues	No Opinion	Least Important . . .	Most Important
a. Similar Lot Sizes To Existing Neighborhood	0	1	2 3 4 5
b. Similar Home Sizes To Existing Neighborhood	0	1	2 3 4 5
c. Public Open Space (manicured park)	0	1	2 3 4 5
d. Public Open Space (nature park)	0	1	2 3 4 5
e. Mature Trees/Forests	0	1	2 3 4 5
f. Wetlands	0	1	2 3 4 5
g. Pedestrian Access/Walkable Neighborhood	0	1	2 3 4 5
h. Pedestrian Safety	0	1	2 3 4 5
i. "Green" Infrastructure	0	1	2 3 4 5
j. Connected Street Network	0	1	2 3 4 5
k. Trail/Open Space Access	0	1	2 3 4 5
l. Overall Density	0	1	2 3 4 5
m. On-Street Parking	0	1	2 3 4 5
n. Density sufficient to fund required infrastructure	0	1	2 3 4 5
o. Coordinated Development of Parcels Under Separate Ownership(s)	0	1	2 3 4 5
p. Other (please specify)	0	1	2 3 4 5

2. **Where do you live?**

- A. North of the project area
- B. South of the project area
- C. West of the project area
- D. In the project area

Thank you for attending the open house!



Southeast Sherwood Neighborhood Plan **Alternatives Open House # 3 – January 18, 2006**

Please let us know any comments or preferences regarding:

Alternative A (open space, lot size, transportation network, etc.) _____

Alternative B/C Hybrid (open space, lot size, transportation network, etc.) _____

Comments _____

Please submit comments by **January 30, 2006**
To: Kevin Cronin, AICP, Planning Supervisor
City of Sherwood
Southeast Sherwood Open House # 3
22560 SW Pine Street
Sherwood, OR 97140
Or: kcronink@ci.sherwood.or.us



Use additional sheets if necessary

**Southeast Sherwood Neighborhood Plan
Alternatives Open House #3 - January 18, 2006**

1. Please prioritize the following neighborhood master planning issues at least important (1) to most important (5) to you:

Master Plan Issues	Survey #	Mean	Max	Min	1	2	3	4	5	6	7	8	9	10	11	12	13
a. Similar Lot Sizes to Existing Neighborhood	3.6	5	2	5	3	2	3	3	5	5	4			2	4	4	
b. Similar Home Sizes to Existing Neighborhood	3.7	5	2	5	2	2	3	3	5	5	4			2	4	4	
c. Public Open Space (manicured park)	2.8	5	1	5	4	3	4	2	3	3				4	3	1	
d. Public Open Space (nature park)	4.2	5	2	5	5	5	5	5	5	5	5			2	4	2	
e. Mature Trees/Forests	4.3	5	1	5	5	5	5	5	5	5	5			1	4	4	
f. Wetlands	4.0	5	0	5	4	5	5	4	5	4	5			0	5	4	
g. Pedestrian Access/Walkable Neighborhood	3.9	5	2	4	5	4	5	5	5	5	4			2	3	3	
h. Pedestrian Safety	4.3	5	3	5	4	3	5	4	5	5	4			5	3		
i. "Green" Infrastructure	3.8	5	1	4	4	5	5	5	5	4	4			1	2	4	
j. Connected Street Network	1.7	4	0	3	0	4	3	1	1	1	1			2		1	
k. Trail/Open Space Access	4.0	5	1	3	5	5	5	5	5	4	5			1	4	4	
l. Overall Density	3.7	5	1	4	5	2	1		5	4	1	3		5	5	5	
m. On-Street Parking	1.5	4	0	1	0	1	1	1	1	1	2			2	2	2	
n. Density sufficient to fund required infrastructure	2.4	5	0	1	0	4	0	3	1	4	2			5	4	1	
o. Coordinated Development of Parcels Under Separate Ownership(s)	3.4	5	0	5	4	4	4	2	4	5	1			0	5	2	
p. Other - Minimize disruption to existing neighborhoods											na						
p. Other - Average owners lots														na			
p. Other - Traffic from new development direct access to Murdock including ability to make left turn on Murdock.																na	
p. Other - Low Density																na	
p. Other - Flexibility within Master Plan regarding lot layout and streets.																na	

2. Where do you live?

A. North of the project area									1						1	
B. South of the project area				1	1		1			1	1				1	1
C. West of the project area									1							
D. In the project area																
E. N/A							1									

The entries in the above columns (numbered 1 - 13) represent the 13 feedback forms returned with the "survey" portion completed from Open House #3. The numbers within the columns are the priority ranking from each respondent to each of the issues on the left (one through five - with five as the most important). The Mean column is the average rank of each master plan issue, followed with the highest (Max) and lowest (Min) ranking for each issue.

Alternative A (open space, lot size, transportation network, etc.)

- I would, of course, prefer even less houses – but appreciate the trails – connection to open park and nature spaces. The lot sizes are more generous than most – that’s a plus.
- Eliminate lot west of Murdock Barn so you have open space on Murdock Road and preserve the look of Murdock Barn.
- I like the trails, preserving the tree area.
- Best Alternative – most space new intersection should be “full service” left and right turns. To not do so would route much more traffic thru existing neighborhood of Sherwood View Estates.
- Yes – preserve as much as possible of the Moser Natural Area – Sherwood’s last original forest.
- Like Moser natural area a lot. Like the Murdock “existing look and feel” preservation. Much prefer this plan to all others. Except: Please make the “no left turn” intersection on Murdock a full right and left turn intersection! The backflow into Sherwood view will cause much disruption as people go that way to get to Sunset. We thought we had a dead-end neighborhood, and now I get how many people driving by my house everyday?
- Best plan presented. Leaves nice amount of green space and would best complement existing homes and neighborhoods.
- This is the least worst of the two alternatives. Less homes per acre than B/C. Rapid growth is not necessarily good. Dense housing is bad.
- Does not meet overall goals of the Master Plan for best use of the land within city boundaries.
- It does not reflect the majority owner’s wishes for higher density.
- It does not reflect accurate conditions for the region, both for platted lots; i.e. Ironwood Acres and a trail system along its eastern boundary.
- The plan shows a green corridor through the center of the plan, the long term plan success may have a problem sense the health of the current trees are poor, some are dead or dying. The plan also depicts several large trees in this area that don’t exist.
- This plan does not allow emergency services access in or out in all directions onto Murdock Road. That could be hazardous in emergency situations.
- I disagree with trails running down the center of the development that benefit very few citizens and pets.
- There are too few lots to support the cost of the infrastructure.
- Offers a better compromise and a higher degree of protection and use of the environment for City park connects and trails.
- There should be a collaboration with METRO, Washington County, and Fish and Wildlife to accomplish Alternative A and protect and provide access to viewing the wetlands, and possibly, with METRO Open Spaces look at a system of elevated trails around the perimeter of the wetlands – with access from the green belt corridor between Sherwood Fair Oaks and SE Sherwood.
- It is imperative that Planners and focus groups that are working on Sherwood’s 20 year parks plan review Alternative A and incorporate the trails and access. In particular they should visit Wilsonville’s River Park and take note of the wild trails they have incorporated; this type of system would fit the area that is to be preserved as Sherwood’s Last Forest on the Moser Property.
- The City, attorneys for developers and neighbors should work with state, Washington county and Metro to assure that once Alternative A is adopted that there is a legal guarantee that the open space concepts and areas shown will, in fact, be preserved. Either with METRO Open Space Bonds or City Parks Funds.

Alternative B/C Hybrid (open space, lot size, transportation network, etc.)

- Looks best.
- Too many houses, too many streets, too little open spaces.
- Like this because apparently will be easier to do with less owner cooperation.
- Like to have all exits from development both left and right turn.
- Alternative “B” is denser but leave more of natural area than “B/C”
- Most space new intersection should be “full service” left and right turns. To not do so would route much more traffic thru existing neighborhood of Sherwood View Estates.
- Like Moser natural area a lot. Let’s keep it as Sherwood’s last forest.
- Please make the “no left turn” intersection on Murdock a full right and left turn intersection! The backflow into Sherwood view will cause much disruption as people go that way to get to Sunset. We thought we had a dead-end neighborhood, and now I get how many people driving by my house everyday? This was my same comment in Alternative A, I can’t stress this enough. Please straighten Murdock so that the sightline is enough to allow left turns. Please do not burden us in Sherwood View with the backflow of cars coming through our neighborhood in order to get the Sunset and Murdock intersection. Our neighborhood never planned on this traffic through it. I’m counting on you, Pat!!
- Lots too small, too many people, cars, etc. Does not measure up to existing adjacent homes and neighborhoods.
- Throw this option out.
- Lot sizes are acceptable, if a lower density neighborhood was wanted.
- Closer to an acceptable plan, if a lower density plan was wanted.
- It has green space that does not dominate one property.
- It recognizes property lines.
- It recognizes existing conditions for platted lots and tree survey.
- I disagree with the exact placement of a few private streets. They do not flow well with the topography and marketability of the region.
- I like the trail system but still think flexibility for the trail system locations is needed.
- I agree that there could be a small public space, but I don’t think it should be an open space park on top of the hill (view will be blocked). There is already a park for free play a half block down the street. Perhaps a quiet space with a few benches in a serene setting like the edge of the wetland or the timber setting would better suit the neighborhood and community?

AKS Alternative

- Has met all goals of the Master Plan agreement #24248 #1 for the SE Sherwood contract.
- Reflects realistic densities for land within urban growth boundary.
- Designed with current development codes, easily implemented.
- Designed with accurate infrastructure including water quality facilities and topography.
- Liberal use of trail system and green space throughout plan.

Comments

- PLEASE straighten Murdock so cars can make left-hand turns and drive safely.
- Develop the cooperation and find the time to collaboratively create ways to protect high-value habitat and runoff to wetlands.
- Plan, plan, and plan for future traffic congestion. Don't want to be in gridlock.
- I would prefer nothing to ever be built there. Of the options I like Alternative A.
- Conservation easement.
- Like to see more evenly spaced lots and park. I think if all property owners are planned with a ratio of lots and park you would have more consensus. We need parks they can be designed in a way that considers each owners land.
- Like the AKS Versions and B/C Hybrid.
- I like Lisa Walker's plan, an also the plan drawn based on top of it. "Plan D".
- Thanks for listening to inputs at the last open house. It looks like you took inputs into consideration. Please keep it up! Thanks.
- We like plan 4 AKS, it is better for everyone, all are treated the same. We all get what we want.
- I don't believe that the Moser's property should have to give up half of the open space for this plan. I think the open space should be a percentage of each owner's property – I also feel that smaller lots would be more likely to have more amenities per developer's as it would make developing less costly.
- Unless a left turn is provided at both streets connecting to Murdock, Denali, Whitney and McKinley will see an unacceptable increase in traffic. These streets should remain low traffic, quiet residential streets as they were when the homeowners bought their properties.
- Since you are developing a master plan, developers should be required to follow it, or the plan is useless.
- Sherwood has a problem with over crowded schools now. Bringing in a large numbers of people will only make the situation worse. Instead of focusing on growth, the City of Sherwood should focus on improving existing conditions. Tualatin-Sherwood road needs to be four lanes. Murdock and Sunset Blvd. need to be repaved now with a surface that can handle the heavy trucks that use them. Note: Heavy trucks do use Sunset.
- More classrooms and more teachers are required. Sherwood should grow only when it is capable of handling growth.
- Thank you for your time and consideration. I hope that moving forward there will be a little flexibility with development layout.
- As a homeowner, a majority landowner and developer/builder in this region it was difficult to sit on the sidelines and not be an integral part of the design phase. As one final request, I ask that the future process will allow flexibility for future development layouts base on the guidelines that have been outlined in this process.
- Concerned about the traffic designs along Murdock and forecast accidents and road rage as traffic increases. Our traffic circles have proven themselves and I suggest that long-term growth will be better provided for by compact traffic circles at: 1. Murdock and Denali, Murdock and Upper Roy and 3. At Fairoaks and Murdock. There's a unique opportunity to get ahead, rather than serve near term needs. My measurements show that there is adequate space to provide tight traffic circles at all intersections, and these circles will provide flow as well as slow down speeders; long-term, regardless of volume this will provide a neighborhood with safer perimeters.
- There needs to be a lighted and guarded crossing for people at several places.



- There is a 50% chance that the I-5/99 interconnect will run 1-2 miles south of Sunset, and that Murdock will become a primary feeder; I suggest that, to protect the adjoining neighborhoods, we need those traffic circles. If that is not acceptable 4 way lights at all intersections are needed.
- I agree with Pat Fleming that there are regional advantages to connecting the area North of Fairoaks into the parks, trails and wet land access system being considered for SE Sherwood. With Metro's Open Spaces Bond the City would be able to create a WaterScape in the three parcel area in front of Fairoaks and, with Fish and Wetlands people create an access platform for regional visitors that would want to walk the visualized elevated trails - similar to Stellar Olson Park.
- The traffic master plan can be accommodated with a safety lane access that is gated at Denali rather than a full fledged traffic artery. If the planning commission could accept that I predict a huge amount of opposition would melt.
- As citizens and tax payers of Sherwood, we are greatly concerned about the proposed development of SE Sherwood. We reside in Sherwood View Estates and when we bought our lot and built our home it was our understanding that Denali Lane would be ending in a cul-de-sac and that was a selling point. This is our retirement home since we do not plan on leaving Sherwood until we have no control ("feet first").
- Supporters of the educational bond issues even though we do not have children or even grand children in the system – but we feel that is the future – the education of the children. All this leads to our concerns about what the proposed development will create:
- Increased student load on an already over capacity school system. The addition of 65 to 91 houses in the proposed development area would even further overload the system.
- Environmental impact on the fragile wet lands directly adjoining the proposed development area. Even with storm drains the run-off will still impact the area down hill – in other words – the wet lands.
- Environmental impact on the fragile wild life refuge which also directly adjoins the proposed development area. Development will affect the migratory patterns of the wildlife even more than we already have, forcing them into an ever decreasing habitat. It will also affect their food supply and water supply not to mention the impact of the encroachment of so many people on their ever shrinking habitat.
- Increased traffic and decreased safety for residents – there is already a problem at the Sunset-Murdock intersection from people not stopping for the stop sign. The three alternatives offered did not address the issue of either another round-about or traffic light for people trying to exit the proposed development and turning left.
- The “punching through” of Denali would channel traffic through Denali and through Sherwood View – which was never supposed to handle such a load. This is a safety issue which has not been properly addressed. We have heard that the City needs to have another access route to Sherwood View, however, it appears that instead of solving that City concern, it will instead create more dangerous concerns for the residents – traffic and crime (more access/exit for perpetrators).
- It was extremely disappointing to find that only three alternatives were being offered for this development – even with the concerns already voiced by participants in the three open meetings. It was even more disappointing to find that the area being developed across 99W at Elwert was considered over a year and there were FIVE alternatives proposed, along with an established citizen's advisory committee. Why were the citizens of the SE Sherwood area not given the same opportunity, but were given only three alternatives, less than six months time, no citizen advisory committee, and only three meetings? It appears input from tax payers for this particular development area doesn't carry very much weight – which makes us wonder just why!! Was our participation in the meetings just an exercise in futility and the decision had already been made as to what would be done? It is hoped the tax payers' and voters' opinions would count in the process – please consider this.

Frequently Asked Questions (FAQ) SE Sherwood Master Plan Workshop No. 3 – January 18, 2006

Question 1: *Why is the City not doing a fourth alternative?*

Answer: The project budget and timeline included the development of three plans for SE Sherwood. A fourth alternative is not budgeted, nor does it accomplish the objectives of the project. Those objectives include creative site design, a connected and multi-modal transportation system, dedicated recreation opportunities and open space, maximum tree preservation, and “green” public infrastructure. For example, a fourth alternative that has all one acre lots does not achieve any of these objectives, which is why the City initiated the master plan process.

Question 2: *Can someone from the public present their own plan to the Planning Commission?*

Answer: Yes. Anyone from the public can present a plan to the Planning Commission. AKS Engineering, who represents three property owners in SE Sherwood, will present their own plans at the January 18 workshop. In addition, the City will provide the public an opportunity to design the SE Sherwood neighborhood. Any plans produced can be presented to the Planning Commission for their consideration. City staff can work with individuals who wish to make a presentation and help navigate the public review process.

Question 3: *Is a preferred alternative being selected at the January 18 workshop?*

Answer: No. The original scope of work for this project, which was developed last summer and approved by the City Council (September 2005), included the selection of a preferred alternative. Since then, the City has received many comments concerning the selection of one plan. There is a perception in the community that the City is doing this plan for the developers and that selection will be based on the most density. Nothing could be further from the truth. As a result of a lack of consensus, City staff will forward both plans to the Planning Commission that were produced by the consultant during the last five months. Any plans that were produced by third parties can also be submitted.

Question 4: *What are the next steps?*

Answer: The consultant will collect all the public comments, revise the two alternatives based on comments, and summarize the master plan process in a report. In this report the consultant will provide a recommendation and a list of implementation measures for each alternative prepared by the consultants. City staff will review the report and forward it to the Planning Commission in February or March 2006 depending on the consultant’s schedule and staff availability.

Question 5: *Will I receive notice of future meetings regarding the SE Sherwood Master Plan?*

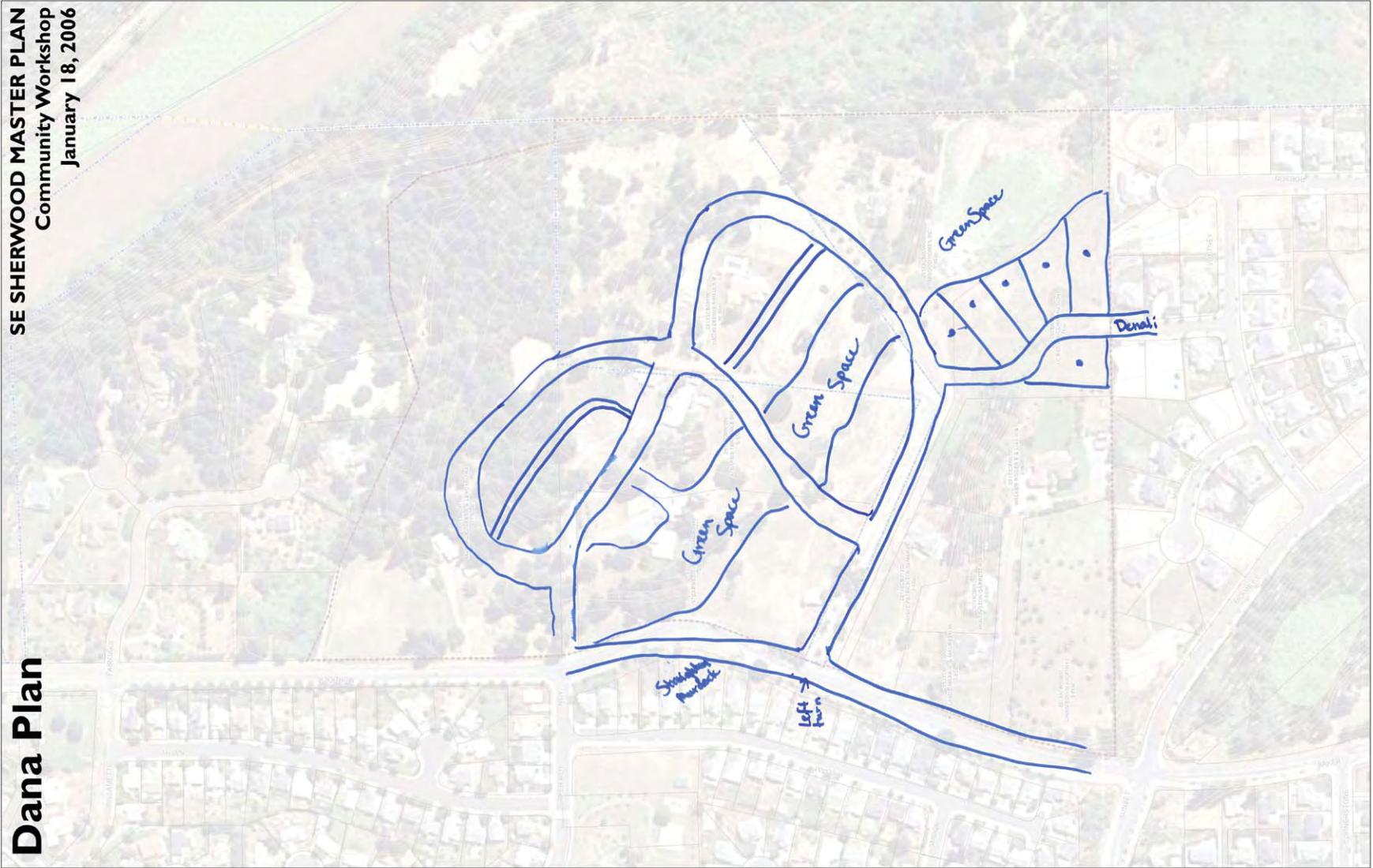
Answer: Yes. The City has been providing this service since the project began in April 2005 with the very first neighborhood meeting. If you have received e-notice in the past you will receive e-notice in the future when the Planning Commission or City Council reviews the report. Please make sure the Planning Department has current contact information.

Question 6: *What happens after the Planning Commission reviews the consultant’s report?*

Answer: The Planning Commission has a range of choices, including but not limited to: (1) Select a preferred alternative and direct City staff to implement the plan, (2) Allow property owners to submit subdivision plans, a zone change, and/or a planned unit development application based on one of the alternatives produced during the master plan process, (3) Select a preferred alternative and forward to the City Council for review and adoption by resolution, or (4) Table the process and take no action. Other implementation measures could be developed per the direction of the Planning Commission.

SE SHERWOOD MASTER PLAN
Community Workshop
January 18, 2006

Dana Plan





Walker Plan

SE SHERWOOD MASTER PLAN
Community Workshop
January 18, 2006



More closely follow ideas of Att. A

- Green strip (space)
- lots of varying sizes
- larger lots

But follows existing lot owners lines to be more realistic as in Att. B/C and eliminate or minimize alleys. Prefer left turn onto Murdock if Murdock is straightened a bit to increase site distance between 4 way stops @ Sunset and Ray

Submitted by
Lisa Walker
1/18/06



Raindrops to Refuge Position – SE Sherwood Master Plan December 2005

GOALS: 1. MANAGE STORMWATER 2. PROTECT HABITAT

- 1. Stormwater Management –**
 - To limit stormwater runoff after development to an amount that does not exceed that of the site if in an undeveloped state. (zero-discharge).
 - The stormwater that does run off the site will be clean.
- 2. Habitat –**
 - Protect high-value upland habitat to meet stormwater goals and to save habitat adjacent to the Tualatin River National Wildlife Refuge and Rock Creek wetlands.
 - Ensure the delineated wetland on the site is protected.
 - Designate that the wetland will eventually be restored to a healthy natural state.

STRATEGY: Plan and build the entire SE Sherwood Neighborhood as a Green Streets/Low-impact development.

Due to this area's proximity to the Wildlife Refuge and Rock Creek wetlands and due to its unique Tonquin geologic attributes, R2R asks that this area be considered a prime candidate for a Low-Impact neighborhood. R2R believes this is an economically advantageous strategy as well.

Discussion on the Green Streets/Low Impact strategy.

R2R believes that the current focus of the debate is on the wrong topic – density. Density may or may not have anything to do with ecological impact. Either low or high density developments can be friendly to the natural environment or can deliver great harm. Low density developments, such as 1 acre sites, have been some of the worst contributors to ecological degradation. Large homes, expensive landscaping, large areas of impervious surface, and hobby farm uses all can contribute to harmful runoff and create other negative impacts. Frequently owners of large, expensive homes employ commercial services to maintain huge, green, weed-free lawns year round. Over-watering and over-fertilizing are common. Heavy pesticide use is routine.

Conversely, high density development, when done well, can actually have less impact on ecological health. Of course the reverse of both scenarios occurs as well. The point is that discussion and planning must focus on design, development, and then homeowner behaviors, not just density, if the natural areas around the neighborhood are to be protected.

R2R is pleased to see the proposal for a green street for Murdock Road. We ask however that these concepts be expanded into the entire neighborhood. Various techniques are proven to control and clean runoff naturally and inexpensively. Neighborhood layout options are available to meet density goals while protecting habitat sites. There exists a growing realization that the use of native plants on both public and private sites results in low-cost maintenance and good looking landscapes. Metro, Clean Water Services and others offer guides to the development of low-impact/green streets neighborhoods.

R2R also asks the community to recognize the economic advantages of planning a green neighborhood. Information is available that documents the positive long-term economics of investing in green development strategies up front. A growing body of information supports the contention that land and home values are positively affected when natural areas in and around the neighborhood are protected, enhanced, and accessible.

The SE Sherwood Plan offers too good an opportunity to pass up. Here, in the preliminary planning stage, the community has the opportunity to insert these low-impact options into the discussion. Raindrops to Refuge offers to do research and compile information relevant to a low-impact scenario in support of this advanced planning process.

Neighboring residents, current and future landowners, and developers all stand to benefit economically and esthetically when this neighborhood is completed in a manner that protects its natural areas.



MEMORANDUM

City of Sherwood
 5200 SW Madeline St
 Sherwood, OR 97140
 Tel: 503-251-5500
 Fax: 503-251-5520
www.sherwood.or.us

Mayor
 Keith Mayo

Council Members
 George Duncan
 David Olson
 Thomas Tompkins
 Lisa A. Broadbent
 Greg Berg
 David Lutzker

City Manager
 Doug Brown

DATE: September 27, 2005
TO: Kevin Cronin, Planning Supervisor
FROM: Julia Hajduk, Senior Planner
SUBJECT: Southeast Sherwood Study Area Technical Memo

Introduction

The purpose of this memo is to provide technical background information to consider as the City and property owners study future growth implications in the southeast Sherwood area.

Location

The area specifically being discussed in this memo includes the areas both inside and outside of the City of Sherwood zoned Very Low Density Residential (VLDR). Generally, the subject area is located on the east side of Murdock Road. All the parcels except tax lot 100 identified on assessor's map 2S1 33CB are located inside the City limits. The properties were brought into the City in 1991 and 1987¹. An annexation application is currently in process to bring the last tax lot (TL 100) into the City limits.

Land Use

Density

The zoning, VLDR, currently provides a maximum of one dwelling unit per acre. Upon review of early versions of the Comprehensive Plan and the Washington County Sherwood Community Plan, this low density designation did not always limit development to this extent.

Comprehensive Plan

1983² – This version provided a minimum of 1-3 dwelling units per acre with minimum lot sizes ranging from 10,000-43,000 square feet per lot. The Plan and Zone Map includes portions of the SE Sherwood area zoned VLDR, but also VLDR in other locations throughout the City and Plan area.

¹ Current tax lot 1700 on assessor's map 2S1 33BC and tax lots 200 and 300 on assessor's map 2S1 33CB were annexed in 1987 (Boundary Commission file #2365). Current tax lots 600, 700, 900, 1000, 1100, 1200 and 1300 on assessor's map 2S1 33CB were annexed in 1991 (Boundary Commission file #2819). *Note: tax lot numbers were revised after the parcels were annexed.*

² Reflects changes to the Comprehensive Plan since it was adopted by the Council in August 1980 (Ordinance 726) through March 1983 (Ordinance 737).

1991 update³ – This version is the first to require the 1 dwelling unit per acre minimum. The 1991 version Plan and Zone Map identified the SE Sherwood area as the only VLDR in the Plan area.

Both versions have the same location related considerations for VLDR:

- Where natural features such as topography, soil conditions, or natural hazards make development to higher densities undesirable;
- Along the fringe of expanding urban development where the transition from rural to urban densities is occurring; and
- Where a full range of urban services may not be available but where a minimum of urban sewer and water service is available or can be provided in conjunction with urban development.

Sherwood Community Plan⁴

The Sherwood Community Plan was developed and adopted by Washington County in 1983 as part of the County Comprehensive Plan process. The Sherwood Community Plan designated the SE Sherwood area with an R-6 (6 units per acre) density. For example, the Yuzon property that is proposed for annexation in October, has a County designation of R-6, but if annexed to the City, the property will be “down zoned” to a lower density. Under normal circumstances, a County designation is lower than City designation. It should be noted, however, that at the time, the County did not assign any urban areas with a density lower than 5 units per acre and there was no “minimum” density requirement. In addition, the Community Plan identifies the SE Sherwood area as an area of special concern specifically requiring any development on these parcels to go through a planned development (PUD) process.

Natural Resources

The Sherwood Community Plan designated SE Sherwood as an area of special concern due to the Tonquin Scablands geological area. This area was thought to be an important geological and biological feature due to its unique scientific and educational value. The area is marked by channels, depressions and bedrock knolls and was determined to present some constraints to development. The Sherwood Community Plan indicated that a detailed study, in coordination with Metro, the State, Clackamas County and the Cities of Sherwood and Tualatin was needed to determine the significance of this area. While no study was found during this research, more recent information on the area determined that “The Tonquin Geologic Area” stretches from the Willamette River through the city of Wilsonville, and connects to the Tualatin River National Wildlife Refuge near Sherwood and Tualatin. It includes unique geologic depressions called “kolk ponds” and basalt “knobs” sculpted by ancient glacial flooding. Historic Coffee Lake basin, a long north-south running lowland, is the dominant natural feature in the area. The Metro open space and trails plans targeted acquisition of portions of the Tonquin Geologic Area. To date the “Metro Greenspaces” bond money funded the acquisition of 436 acres of land in the Tonquin Geologic area, the majority of which lies north of Wilsonville. Metro will consider a similar bond in November 2006 to replace expended funds from the original bond from 1995.

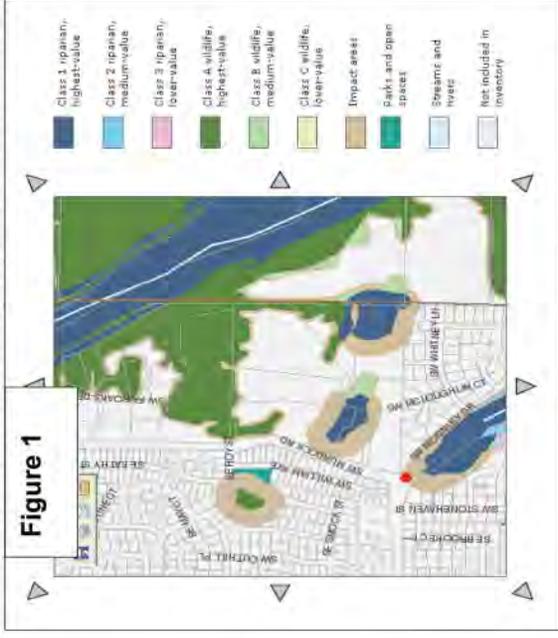
³ Adopted March 13, 1991 (Ordinance 91-922). Planning case number PA 91-12.

⁴ Adopted by the Washington County Board of Commissioners June 28, 1983 (County Ordinances 263, 264, and 265), acknowledged by the Department of Land Conservation and Development October 7, 1983. The Community Plan was revised December 27, 1983 by Ordinances 278, 279 and 280 to update information and to reflect the adoption of other plan elements.

Given Metro targets for open space acquisition providing a multi-use trail system from the Willamette River to the Tualatin River National Wildlife Refuge in Sherwood, it can be argued that the VLDR land in Sherwood is not a critical element to the overall protection of the Tonquin Geologic area. However, Comprehensive Plan policies encourage and require future growth to complement the natural environment and, if possible, add additional viewing and access opportunities.

In addition, there are significant riparian and wildlife habitat areas within the SE Sherwood Study Area that will need to be considered when planning any changes to the zoning. **Figure 1** identifies the Metro inventoried resources in this area.

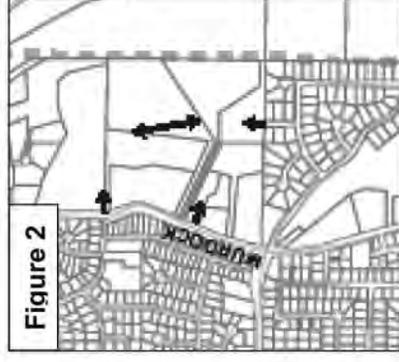
The Tualatin Basin Natural Resources Protection Program (Program) has been under development for the last four years with the cooperation and input from local cities and special districts Washington County's Tualatin River Basin. This program will not add any additional regulations beyond the existing Clean Water Services Title 3 buffer requirements. However, the Tualatin Basin Program does call for providing flexibility in development standards and encouragement of low impact development design techniques for areas that have class I and II riparian and class A and B wildlife resources. The City of Sherwood will participate in the development of new standards during the next year and will provide a proposal to the City Council in late 2006.



Transportation

The Transportation System Plan (TSP), adopted in March 2005⁵, is a master plan for all modes of transportation. The TSP identifies the need for local street connectivity in the SE Sherwood area connecting SW Denali Street to the north to provide access to the undeveloped parcels. **Figure 2** shows the local street connectivity identified in Figure 8-3 of the TSP for this portion of Sherwood. Planned connections include a new street that lines up with SW Roy Street, a new street to replace an existing flag lot drive, and another street to provide access and circulation internally.

The Southeast Sherwood study area is not directly adjacent to the newly added Urban Growth Area 48 (2004), therefore, a higher classification street and/or a street to the east of the existing City limits was not identified in the TSP. SW Murdock Road, running along the west of the study area, is classified as an arterial street. According to the TSP, SW Murdock Road lacks sidewalks and bicycle facilities adjacent to the study area. Other than SW Murdock Road, there is no planned bicycle or pedestrian facilities adjacent to the study area.



⁵ Adopted by the City Council March 15, 2005 (Ordinance 2005-006)

To the north, a planned trail is identified in the TSP through the National Wildlife Refuge connecting to the Tonquin Trail.

Historic Resources

The City adopted the Sherwood Cultural Resource Inventory as an appendix to the Comprehensive Plan update in March 1991.⁶ The inventory identified 2 resources in the SE Sherwood study area: the E. Murdock Residence and the Murdock Barn.

The E. Murdock Residence⁷ is listed as a resource of primary significance due to its connection with the Murdock family. It was inventoried in 1989 and found to be in fair condition, however, it appears that the residence was demolished. The residence was constructed circa 1905 by Emer Murdock who purchased the land in 1901. The Murdock family members were farmers in the area and resided in the Murdock residence until it was sold in 1943 to the Fosters.

The Murdock barn⁸ is listed as a resource of secondary significance and remains in the property currently identified on assessor's map 2S1 33CB, tax lot 300. In 1989 it was determined to be in poor condition, but remained in the significance inventory due to its connection with the Murdock family. The Murdock residence is directly west of the barn. The barn was constructed circa 1910.

Public Facilities

SW Murdock Road is served by an 8 inch PVC sanitary sewer line and water line that varies in size between 10 and 12 inches. There is currently no storm line in SW Murdock Road between SW Upper Roy Street and SW Sunset Blvd. The area south of the SE Sherwood study area appears to drain storm water to a pond system built with the Sherwood View Estates PUD which then flows south to an unnamed tributary of Rock Creek South. Murdock Park is the closest city park. This four acre facility is located near the intersection of Roy and Murdock Road. Sunset Park, at 16 acres, is the second largest park and located about 1,500 feet to the west along Sunset Boulevard. Archer Glen Elementary is the closest public school and has recreation fields.

⁶Adopted March 13, 1991 (Ordinance 91-922); Planning file PA 91-12.

⁷ Sherwood Cultural Resource Inventory Field No. 58, December 1989

⁸ Sherwood Cultural Resource Inventory Field No. 59, December 1989





PC Resolution 2006-001

A RESOLUTION ACCEPTING THE "SE SHERWOOD MASTER PLAN REPORT" AND APPROVING A PROCESS TO IMPLEMENT THE PLAN

WHEREAS, the City of Sherwood has a Very Low Density Residential (VLDR) Zone in the Sherwood Plan and Zone Map that requires a minimum 1 acre per lot; and

WHEREAS, the City has approved recent subdivisions and partitions in the proposed study area without full public facility improvements because the City cannot require urban levels of service in proportion to the impacts of the projects; and

WHEREAS, the City expects future private development in the immediate future and a master plan for the neighborhood would provide a guide for better services for current and future property owners, neighbors, and the City; and

WHEREAS, the City Council adopted Resolution 2005-059 that authorized the SE Sherwood Master Plan process and participation in the Oregon Transportation and Growth Management Quick Response program to fund the study and master plan; and

WHEREAS, the City has held numerous public involvement opportunities including three meetings with the property owners and three public workshops; and

WHEREAS, the Planning Commission has held a work session on February 28, 2006 to consider the findings and recommendations of the report and held open public meetings with a comment period on March 28 and April 4, 2006; and

WHEREAS, the Planning Commission has discussed the recommendations from staff and the consultant and deliberated on May 9, 2006 to endorse the benefits of a coordinated master plan for efficient land use, multi-modal transportation, recreation trails, and shared open space; and

NOW, THEREFORE, THE CITY OF SHERWOOD PLANNING COMMISSION RESOLVES AS FOLLOWS:

Section 1. The SE Sherwood Master Plan Report (Exhibit A) dated February 20, 2006 is hereby accepted and the concept plans contained in the report meet the project objectives.

Section 2. The Planning Commission will consider a specific development proposal from an applicant that is consistent with the principals and goals listed in Exhibit A, and those which provided the framework for the creation of the master plan alternatives. In particular, any proposal should attempt to meet the following performance targets:

Total number of proposed lots: 72
(Total does not include 11 existing 1-acre lots)

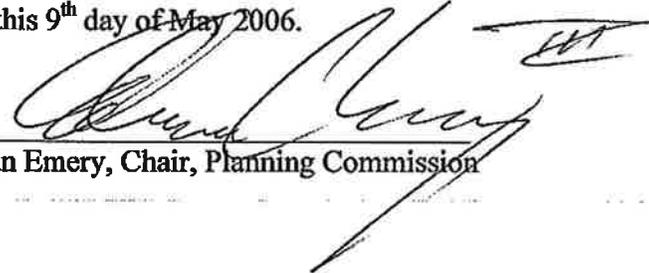
Acres of open space: 12.5

Gross Density: 2.2
(Gross density is equal to number of new lots divided by total acres of developable land. Total acres of developed land does not include "existing" lots. Roads, alley, and open space have not been subtracted from total developable land. Total developable land equals 36.6 acres)

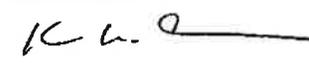
The Planning Commission also endorses a hilltop view point park included in open space, and the use of swale green space.

Section 3. This Resolution shall become effective upon its approval and adoption.

Duly passed by the Planning Commission this 9th day of May 2006.


Adrian Emery, Chair, Planning Commission

ATTEST:


Kevin A. Cronin, AICP, Planning Supervisor

Kurt Kristensen - M. Ed.
22520 SW Fair Oaks Ct.
Sherwood, OR 97140
503-625-2340

December 26, 2012

Ms. Michelle Miller, Associate Planner
Planning Department, City of Sherwood

Re: PA 12-04 Very Low Density Residential Text Amendment

Michelle Miller, Mr. Allen, Members of the Planning Commission and City Council
Representative, Ms. Clark:

According to City of Sherwood website (<https://www.sherwoodoregon.gov/vldr-pud-text-amendment-pa-12-04>), official mailings from Planning Department and a public solicitation mailing from Emerio Design (<http://emeriodesign.com/>), the latter firm has applied to the City of Sherwood to double the density requirements for the last remaining acreage (VLDR) within the City of Sherwood from two (2) per developable acre to four (4) per developable acre.

Emerio Design recently appeared in front of the City Council on behalf of a client to get approval for a PUD (Denali PUD) under the current VLDR limitations of two units per acre. City council approved a very feasible plan for an extremely challenged building site; it was accepted by council and most members of the public present.

The PA-12-04 application appears to be a direct confrontation with City Council and the public in order to push the density for not just the Denali PUD Subdivision, but the entire remaining acreage zoned VLDR within the City of Sherwood (Per proposal document, p. 1 of 8).

The proponent refers to the 2005 City Council authorized SE Sherwood Master Plan process and the subsequent 2006 City of Sherwood Planning Commission approval of the SE Sherwood Master Plan, Alternative B/C with a net density of 4.43 per buildable acre, following the connectivity, and Parks and Recreation lay-out.

According to the proposal four property owners hold parcels ranging from 11.63 acres to the 3.71 acres held by clients of applicants (First Community/Emerio Design), totalling 31 acres.

According to the proposal a doubling of the VLDR authorizing text allowing four units per buildable acre the list of property owners who would benefit increases to 7 (Proposal document, p. 2 of 8), with Mr. Huske, Chinn family and planning commission member Walker added and parcel sizes ranging from 11.63 to 3.06 acres.

The proposal refers to a technical memo from Ms. Hajduc to Mr. Cronin, but document is not available to public in foot notes to city website notice for PA 12-04

Under the compromise adoption by the Planning Commission in 2006 the City Council was asked to adopt the B/C recommendation calling for a 4.43 units per buildable lot (Proposal, p.4 of 8).

Applicant states that:

- (1) Allowing opportunities for increased density in the area of the SE Sherwood Master Plan will help make it economically feasible for development to pay for infrastructure. The proposed text amendment will not promote any changes to the adopted Transportation Systems Master Plan for the City of Sherwood.
- (2). The proposal is to incorporate elements of the SE Sherwood Master Plan into the development code so that the plan can be implemented. (Proposal, p. 7 of 8).

The current Planning Commission B/C SE Sherwood Master plan document show approximately 76 building units (Proposal, p. 1 of 8).

The proposal states that after the proposed doubling of the VLRM density allowance:

These six parcels total approximately 39 acres. Assuming 20% of the property is used for public streets, the resulting developable land totals approximately 31 acres. With 15% of that remaining acreage in open space (per the PUD requirements) and 10% set aside for water quality tract(s) the resulting developable land totals 23+ net buildable acres. When additional land is subtracted for a wooded open space on the Moser property as anticipated in the SESMP (4 acres +/-) there actually only 19 net buildable acres available (at a maximum) for development of single family homes (Proposal, p. 3 of 8). **Thus the proposal calls for approximately the same total acreage authorization as the already adopted master plan (4 x 19=76).**

It appears, however, that the beneficiaries are primarily 1-3 property owners.

The concerns that the Planning commission should carefully consider are:

1. Is it necessary since City Council and the public already have demonstrated adequate flexibility under current rules to provide for optimal building within the geological and environmental constraints.
2. Is there a chance that the SE Sherwood Master Plan design for additional city park and hiking paths will disappear within the small PUD approvals; the Denali PUD recently approved for applicant has already subsumed public access with vague assurance that open space will be maintained by homeowners.
3. Are there adequate City of Sherwood Planning constraints to enforce lay-outs of SE Sherwood Master plan B/C proposal for parks, hiking and environmental protection? The area is still in litigation with State of Oregon DEQ and property owners, and there are increasing environmental concerns about City's ability to require installation of and maintenance of an adequate area-wide SE Sherwood storm sewer system to protect adjacent wetlands and existing property owners in Fairoaks Subdivision (The entire area is mostly solid rock below 12"). Wetland owners and downstream property owners may require City of Sherwood to conduct an environmental impact assessment if further modifications are proposed.
4. The Development of the current Planning Commission Master Plan B/C for SE Sherwood took over three years to develop with multiple public meetings; the City of Sherwood City Council has, perhaps, violated the intent of the hearing process by not even placing it on a subsequent City Council Agenda between 2006-2013. It's possible that anything short of a City Council 2013 adoption of the current SE Sherwood Master Plan already adopted by the City's Planning Commission in 2006 may provide an opening for contesting a modification.

My analysis and historical involvement as a community representative for SE Sherwood and a property owner down stream from the proposed development acreage indicates that this text amendment is premature, and, perhaps unnecessary. There is a possibility it may introduce a harmful and short-sighted legal factor.

I recommend:

1. Planning commission re-refer their already adopted SE-Sherwood Master plan to the new 2013 City Council for adoption, with a strong recommendation that it be placed on a 2013 City Council Agenda for adoption.
2. Planning Commission ask Planning Department to prepare, in collaboration with Oregon DEQ, an environmental negotiated agreement between the City of Sherwood and all seven (7) property owners for submission to City Council, to assure city residents that area is developed with full assurance by DEQ that all identified pollutants are removed from within the City of Sherwood before any building permit is issued by the City of Sherwood. THE PUBLIC HEARINGS WERE VERY CLEAR THAT THE PUBLIC DID NOT FIND DATA CONVINCING TO ALLOW DEVELOPMENT OF FAMILY RESIDENCES UNTIL ALL POLLUTANTS WERE REMOVED. It is recognized that individual property owners cannot financially carry removal of pollutants, and thus have pressured DEQ to allow on-site-in perpetuity permission to leave pollutants to remain in earth embankments without any fenced containments, public signage and escrow accounts to assure maintenance and environmental protection. The City of Sherwood has, so far, resisted the community's suggestion to create a SE Sherwood improvement taxation area to fund environmental concerns of the life of proposed residences.

3. The Planning Commission vote to table the applicant's text proposal, without prejudice, until such a time as the SE Sherwood Master plan already adopted by the City of Sherwood Planning commission has been approved by a 2013 City Council.

Respectfully,

Kurt Kristensen

cc. SE Sherwood residents

References:

(1) DEQ

<http://public.health.oregon.gov/HealthyEnvironments/TrackingAssessment/EnvironmentalHealth>

http://public.health.oregon.gov/HealthyEnvironments/TrackingAssessment/EnvironmentalHealthAssessment/Documents/PHA_KFF_Final_021308.pdf

(2) Litigation

http://www.leg.state.or.us/press_releases/wingard_071311.pdf

http://arcweb.sos.state.or.us/pages/rules/bulletin/0711_bulletin/0711_othnotices_bulletin.html

Bruce Gillis communication 9-21-2012 stating: "The settlement is before the Oregon Court of Appeals as the plaintiff appealed the district court's approval and entry of the settlement. We hope this process is resolved by spring 2013..."

Michelle Miller

From: Kurt Kristensen <kurtk@poetspeak.com>
Sent: Wednesday, December 26, 2012 8:33 AM
To: Michelle Miller
Subject: Planning Commission Meeting on January 8, 2013 at 7 PM at City Hall

December 26, 2012

Dear people:

I strongly recommend that you plan to attend the planning commission meeting on Jan 8 at 7 PM at City Hall. The application for doubling density for SE Sherwood will impact you and the neighborhood.

<http://www.sherwoodoregon.gov/vldr-pud-text-amendment-pa-12-04>

The concerns that the Planning commission should carefully consider are:

1. Is it necessary since City Council and the public already have demonstrated adequate flexibility under current rules to provide for optimal building within the geological and environmental constraints.
2. Is there a chance that the SE Sherwood Master Plan design for additional city park and hiking paths will disappear within the small PUD approvals; the Denali PUD recently approved for applicant has already subsumed public access with vague assurance that open space will be maintained by homeowners.
3. Are there adequate City of Sherwood Planning constraints to enforce lay-outs of SE Sherwood Master plan B/C proposal for parks, hiking and environmental protection? The area is still in litigation with State of Oregon DEQ and property owners, and there are increasing environmental concerns about City's ability to require installation of and maintenance of an adequate area-wide SE Sherwood storm sewer system to protect adjacent wetlands and exisiting property owners in Fair Oaks Subdivision (The entire area is mostly solid rock below 12"). Wetland owners and downstream property owners may require City of Sherwood to conduct an environmental impact assessment if further modifications are proposed.
4. The Development of the current Planning Commission Master Plan B/C for SE Sherwood took over three years to develop with multiple public meetings; the City of Sherwood City Council has, perhaps, violated the intent of the hearing process by not even placing it on a subsequent City Council Agenda between 2006-2013. It's possible that anything short of a City Council 2013 adoption of the current SE Sherwood Master Plan already adopted by the City's Planning Commission in 2006 may provide an opening for contesting a modification.

My analysis and historical involvement as a community representative for SE Sherwood and a property owner down stream from the proposed development acreage indicates that this text amendment is premature, and, perhaps unnecessary. There is a possibility it may introduce a harmful and short-sighted legal factor.

I recommend:

1. Planning commission re-refer their already adopted SE-Sherwood Master plan to the new 2013 City Council for adoption, with a strong recommendation that it be placed on a 2013 City Council Agenda for adoption.

2. Planning Commission ask Planning Department to prepare, in collaboration with Oregon DEQ, an environmental negotiated agreement between the City of Sherwood and all seven (7) property owners for submission to City Council, to assure city residents that area is developed with full assurance by DEQ that all identified pollutants are removed from within the City of Sherwood before any building permit is issued by the City of Sherwood. THE PUBLIC HEARINGS WERE VERY CLEAR THAT THE PUBLIC DID NOT FIND DATA CONVINCING TO ALLOW DEVELOPMENT OF FAMILY RESIDENCES UNTIL ALL POLLUTANTS WERE REMOVED. It is recognized that individual property owners cannot financially carry removal of pollutants, and thus have pressured DEQ to allow on-site-in perpetuity permission to leave pollutants to remain in earth embankments without any fenced containments, public signage and escrow accounts to assure maintenance and environmental protection. The City of Sherwood has, so far, resisted the community's suggestion to create a SE Sherwood improvement taxation area to fund environmental concerns of the life of proposed residences.

3. The Planning Commission vote to table the applicant's text proposal, without prejudice, until such a time as the SE Sherwood Master plan already adopted by the City of Sherwood Planning commission has been approved by a 2013 City Council.

Respectfully,

Kurt Kristensen

cc. SE Sherwood residents

References:

(1) DEQ

<http://public.health.oregon.gov/HealthyEnvironments/TrackingAssessment/EnvironmentalHealth>

http://public.health.oregon.gov/HealthyEnvironments/TrackingAssessment/EnvironmentalHealthAssessment/Documents/PHA_KFF_Final_021308.pdf

(2) Litigation

http://www.leg.state.or.us/press_releases/wingard_071311.pdf

http://arcweb.sos.state.or.us/pages/rules/bulletin/0711_bulletin/0711_othnotices_bulletin.html

Bruce Gillis communication 9-21-2012 stating: "The settlement is before the Oregon Court of Appeals as the plaintiff appealed the district court's approval and entry of the settlement. We hope this process is resolved by spring 2013..."

Kurt Kristensen - M. Ed.
22520 SW Fair Oaks Ct.
Sherwood, OR 97140-9720

503-625-2340

<http://www.commondreams.org/>

Patrick Huske
23352 SW Murdock Rd
Sherwood, Or 97140

January 8, 2013

Ms. Michelle Miller, Associate Planner
Mr. Allen and Members of the Planning Commission
Planning Department, City of Sherwood

RE: PA 12-04 Very Low Density Residential Text Amendment

Dear Ms. Miller, Mr. Allen and Members of the Planning Commission

I own several properties within the VLDR. They are located at 23352 SW Murdock Rd (personal home), 23000 SW Murdock Rd (4.88 undeveloped acres), and my Company Ironwood Homes, Inc. owns two remaining lots within Ironwood Acres.

I support the Text Amendment for the following reasons:

#1 It will assist in bringing undeveloped land into productive use.

#2 It will also benefit the public, with the future development of streets, sidewalks, trails, and parks.

Please consider the positive aspects of the text amendment.
If the lots seem too small for the region, please continue your discussion regarding lot size prior to your vote.

Thank You


Patrick Huske

Exhibit F

TO: Sherwood Planning Commission

January 8, 2013

FROM: Lisa & Roger Walker
23500 SW Murdock Rd
Sherwood, OR 97140

RE: PA 12-04 VLDR Text Amendment

Dear Commissioners:

As members of the Planning Commission you are asked to review many projects. Often they involve minor issues and/or few people are affected by a particular decision. However, before you tonight is one of the larger issues you are likely to be responsible for. A few decisions have needed a lot more time, effort and research to really analyze their impacts and this is one of them. Because this is a legislative action you are not required or encouraged to move things through the process quickly.

A lot of time was spent on 'Code Clean Up' over the past 2 + years and since this involves a major change to the code and affects the future of the look of Sherwood, it needs to have even more due diligence invested in its review.

This is kind of a continuation of the SE Sherwood Master Plan discussion that began 7 years ago in 2005. I say discussion because that was really all it ended up amounting to. It has been confirmed by staff and others involved, the PC Resolution # 2006-001 really resolved nothing and has no real legislative power. I know Chair Allen was there for those discussions as was I, and some of the other members of the audience tonight. That project was a huge endeavor for those involved and yet no consensus was reached. It is for that reason we are asking that great attention is given to all the citizen testimony you receive and additional time is allowed for further citizen involvement beyond tonight. There are many thoughts and issues to bring up that cannot adequately be explored in the 5 minutes we have for testimony tonight.

I am going to try and review as many specific points as I can tonight but want to request further opportunities to provide additional information to you.

Exhibit G

At the very least we want to consider adding additional language to any final text amendment and not just have to accept it as proposed. Perhaps it could include provision for the concerns of the property owners and the citizens. Again this will take more time.

See Staff report – page 24

16.80.030.1 – Text Amendment Review

The applicant claims the need for the proposed text amendment is found in within the PC Resolution 2001-01.

Reasons why the proposal does not meet this criteria:

1. The applicant is relying on a resolution that was not adopted because:
 - a. No consensus was reached
 - b. Staff had to 'move onto other projects and grant funds were diminished causing the project to be kind of dropped where it was.

2. The PC has never before, nor since, used the Resolution process.
 - a. Therefore a Resolution by nature has no 'teeth' to enforce

3. This resolution was done 7 years ago and changes have occurred making it prudent to look further into its intent and determine its current validity and not accept its intent on face value.

4. The fact that the Resolution supported a plan that could not be legally done supports the position that the process was stopped prematurely and prior to all due diligence being completed.

5. The proposed amendment does not satisfy all issues identified in the SESMP.
 - a. Hilltop viewpoint
 - b. Density buffering

Consistency with Statewide Planning Goals:

Goal 1: “Citizen Involvement” (page 25)

While the process to develop the proposed changes was compliant with this goal the use of the data collected in the SESMP process from 7 years ago is not valid as it does not consider the current property owners and residents nor the changes to the current landscape.

PA 12-04 Facts to Highlight:

- This is a legislative not quasi-judicial action so it does not have any timelines built into it nor does it require any action at all.
- Criteria 16.80.030.1 – may not have been met.

SESMP Facts to keep in mind:

- **In your packets on pages 83, 88-92 & 99-103, are citizen comments received during the SESMP discussions. I am sure your briefly reviewed them and got the gist of them but further time should be spent to review and obtain new comments collected in a similar manner.**
- **120+ residents weighed in during 5 + months of discussion**
- No consensus was reached
- Plan B/C was ‘accepted’ only because it was the least bad plan that was brought forth before the grant funds ran out and staff had to move onto other projects
- Staff had to ‘move onto other projects and grant funds were diminished causing the project to be kind of dropped where it was.
- The PC has never before, nor since, used the Resolution process.
- **Citizens were essentially worn down over time and pushed to feel they had to accept it as inevitable.**

- **Citizens were not well counseled on their options – these are complex issues and I for one did not understand the difference between gross and buildable density. I thought the B/C plan was 2.2 homes per acre not 4.3.**
- Resolution endorsed a hilltop view point park to include in the open space
- Tree removal on the Moser property measurable changes all concept plan versions

Jean Simson, 22466 SW Nottingham Ct., Sherwood, OR

PA 12-04 – VLDR PUD Text Amendment

On page 27, Section 16.12.010 A.2 – *minor land partitions shall be exempt from minimum density requirement.* What is the purpose of this? What impact would this have? Would partitions be subject to minimum lot sizes?

As someone who participated in the 2006 SE Sherwood Master Plan process, I am a proponent of updating the code; however, I am concerned that just increasing the density will have a negative impact on the area. So, I am here to ask the commission to pursue implementing the master plan or incorporating the intent of it within the PUD section. The applicant relies on the Master Plan in proposing the changes for the text amendment; it seems reasonable to add language in the text that requires consistency with its principals and goals.

As mentioned in your packet, the SE Sherwood Master Plan was the result of a study by the consulting firm Otak, multiple public meetings, work sessions, and public hearings. Many factors were considered and integrated into this comprehensive plan. The final preferred alternative B/C provided for an 82-lot design with significant open space amenities including a neighborhood park and pedestrian paths. Consideration was made for preserving the natural environment of the site. The plan also incorporated a buffer to existing neighborhoods. Larger lots were planned for the southwest area and smaller lots located to the north.

As you know, the proposed text amendment will keep VLDR as one (1) unit per acre but allow a PUD four (4) dwelling units per net buildable acre. This is twice the density without any of the safeguards provided in the master plan.

Staff report page 22 (Page 2 of 6)				Applicant submittal page 32 (Page 3 of 8)			
	VLDR	old PUD	new PUD		VLDR	old PUD	new PUD
55 acres	55	110	220	39 acres	39	78	156
Add'l units	165			Add'l units	117		

The final 05/09/2006 Planning Commission Resolution 2006-001 (Pages 116-117) was for **72 new lots** with a Gross Density of 2.2 units per acre, not including 11 existing 1-acre lots, with an approximate net density of 4.4 units per acre after removing existing lots, streets, and **12.5 acres of open space**.

Again, I encourage the Planning Commission to move the actual master plan document forward to the council or, at a minimum, reference the purpose and intent of the plan into the PUD text language as suggested in the staff report at the top of Page 24 (Page 4 of 6).

Exhibit H

Michelle Miller

From: Julia Hajduk
Sent: Monday, January 14, 2013 4:50 PM
To: Michelle Miller
Subject: FW: Denali - Zoning changes from VLDR

From: Mary Reid [<mailto:maryl.reid@comcast.net>]
Sent: Monday, January 14, 2013 1:21 PM
To: PlanningCommission
Subject: Denali - Zoning changes from VLDR

Attn: Michelle Miller

The proposed change from very low density to four units per net acre is very disturbing. Not only is the proposal going to increase traffic along Murdoch but the proposed "punching through" of Denali will send traffic through an established neighborhood with streets not originally planned to handle outside traffic. When we (and I am sure others on Denali) purchased our lot and built 13+ years ago the plan was to have Denali end in a cul de sac. This has helped keep not only traffic down but crime, etc. too. Other citizens use Sherwood View to not only walk, bike and run, but also to bring their children and dogs for exercise knowing they are safe. The proposal to change the zoning to high density will also strain the City's ability to provide the services required – water, sewer, garbage, streets, fire and police protection – not to mention additional stress on schools and parks with the increased population.

We strongly request the zoning change to four units per net acre be disallowed.

Mary and Richard Reid
23580 SW Denali Ln
Sherwood, OR 97140

5093-625-9104

23584 SW Robson Terrace

Sherwood, OR 97140

January 16, 2013

503-610-1389

Planning Commission

Sherwood City Hall

22560 SW Pine Street

Sherwood, OR 97140

Dear Commissioner:

We are homeowners residing in the immediate vicinity of the area on Denali for which potential changes to the existing VLDR zoning are under consideration. The purpose of this letter is to express our serious concerns and strong opposition to any zoning changes that would result in smaller VLDR lot sizes.

One of the main reasons we decided to purchase a home in Sherwood View Estates was the fact that existing zoning ordinances ensured that any new home being constructed would be of essentially the same size and value. Protecting property values is an extremely important consideration for us; particularly since the current market value of our home is substantially less than what we paid for it. Permitting smaller lot sizes will potentially change the "character" of our development and adversely affect property values in the entire area.

The Planning Commission was very farsighted in adopting the SE Sherwood Master Plan. It is extremely difficult to understand changing a portion of existing VLDR zoning at the request of a Lake Oswego bank to the detriment of current property owners; with no apparent benefit to the City of Sherwood.

Both Mrs. Barclay and I appreciate the opportunity to convey our personal views regarding this matter to the Planning Commission and we respectfully urge the Commission to deny the requested zoning change.

Sincerely,

Mr and Mrs Joseph Barclay
Mr. & Mrs. Joseph Barclay

Exhibit J

January 14, 2013

Planning Commission

RECEIVED

Sherwood City Hall

JAN 14 13

22560 S.W. Pine Street

BY MLM
PLANNING DEPT.

Sherwood, OR 97140

This letter concerns the proposed Denali PUD change from VLDR to a higher density. This is the last low density area for development in Sherwood. We think this unique parcel of land should remain as planned.

We understand the applicant would like to increase density to possibly enable them to make a greater financial gain, however, homes have been and currently are being built in this area at the existing density.

My wife and I moved to Sherwood within the past year after living in a high density area on Bull Mountain. Our home was 1,000 Sq. feet larger than our present home and because of the small lot size there was no place for children to play in our yard. High density promotes more cars on the streets contributing to congestion.

We were willing to make the move to Sherwood and to pay \$3,000 in additional property taxes in order to enjoy more space. This was not an easy decision for two retired people.

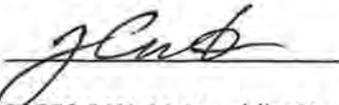
The future of our neighborhood should be determined by the wishes of the residents and not by the profit motive. At the meeting on Jan 2 the applicant, disparagingly used the term NIMBY when referring to the residents living in this area. Well, our backyard in Sherwood View Estates has been VLDR from the beginning and that is why people bought there. We love Sherwood and Sherwood View Estates for the sense of community and are glad we made the move.

When making your decision about increasing the density, please take into consideration the wishes of the existing residents and the uniqueness of the area. Cutting through Denali in combination with higher density would put a burden on traffic through Sherwood View Estates.

Many neighborhoods already exist in Sherwood with high density. This is a chance to offer future residents another choice in housing.

Please keep these thoughts in mind as you discuss this matter.

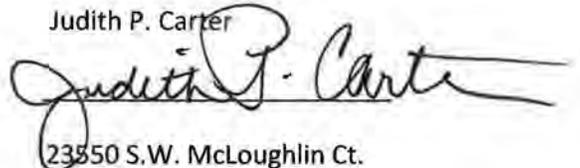
John W. Carter



23550 S.W. McLoughlin Ct., Sherwood, OR

Sherwood, OR 97140

Judith P. Carter



23550 S.W. McLoughlin Ct.

Sherwood, OR 97140

Exhibit K

Please Note: Proposed Additions are underlined in blue

Proposed Deletions are crossed out in ~~red~~

Chapter 16.12 Residential Land Uses

16.12.010. - Purpose and Density Requirements

A. Very Low Density Residential (VLDR)

1. Standard Density

The VLDR zoning district provides for low density, larger lot single-family housing and other related uses in natural resource and environmentally sensitive areas warranting preservation, but otherwise deemed suitable for limited development, with a density of 0.7 to 1 dwelling unit per acre.

2. VLDR Planned Unit Development Density Standards

If developed through the Planned Unit Development (PUD) process, as per Chapter 16.40, and if all floodplain, wetlands, and other natural resource areas are dedicated or remain in common open space, the permitted density of 1.4 to two (2) dwelling units per net buildable acre may be allowed under the following conditions-:

~~Minor land partitions shall be exempt from the minimum density requirement.~~

~~a. Special Density Allowances~~

Housing densities up to two (2) units per net buildable acre, and minimum lot sizes of 10,000 square feet, may be allowed in the VLDR zone. ~~when:~~

b. The following areas are dedicated to the public or preserved as common open space: floodplains, as per Section 16.134.020 (Special Resource Zones); natural resources areas, per the Natural Resources and Recreation Plan Map, attached as Appendix C, or as specified in Chapter 5 of the Community Development Plan, and wetlands defined and regulated as per current Federal regulation and Division VIII of this Code; and

c. The Review Authority determines that the higher density development would better preserve natural resources as compared to one (1) unit per acre design.

3. Southeast Sherwood Master Planned Unit Development

The applicant may apply the following standards if developed as a planned unit development under Chapter 16.40 (Planned Unit Development) based in part on the concepts goals and objectives of the SE Sherwood Master Planning effort as a third alternative within this zone.

a. Residential Density

Housing density up to four (4) units per net buildable acre area maximum is allowed.

b. The applicant will generally follow the development pattern of the recommended Alternative B/C found in the SE Sherwood Master Plan (2006) that includes the following considerations:

(1) Varied lot sizes are allowed with a minimum lot area of 8,500 sq. ft. if it can be shown that adequate buffering exists adjacent to developed properties with screening, landscaping, roadways or open space.

(2) The Open Space areas as required by Chapter 16.40 (Planned Unit Development), where feasible should include parks and pathways that are located within the general vicinity of the recommended Alternative B/C found in the SE Sherwood Master Plan.

(3) There is a pedestrian friendly transportation system that links the site with nearby residential developments, schools, parks, commercial areas and other destinations.

(4) The Review Authority will consider the unique environmental opportunities and constraints identified through the SE Sherwood Master planning process.

(5) The Review Authority will consider the view corridors identified in the SE Sherwood Master Plan when approving the final development plans.

(6) The Review Authority will consider housing design type based on compatibility with surrounding and existing development at the time of final development review.

c. Density Transfers per Chapter 16.40.050 C. 2. are not permitted if utilizing the SE Sherwood Master Plan density allowance.

TO: Planning Commission

Date: February 26, 2013

RE: PA 12-04 – VLDR PUD Text Amendment

Alternate Proposed language for Text amendment

Please Note: Proposed Additions by STAFF are underlined in blue

Proposed Deletions are crossed out in ~~red~~

Proposed Additions and *comments* by LISA & ROGER WALKER are underlined in green

Chapter 16.12 Residential Land Uses

16.12.010. - Purpose and Density Requirements

A. Very Low Density Residential (VLDR)

1. Standard Density

The VLDR zoning district provides for low density, larger lot single-family housing and other related uses in natural resource and environmentally sensitive areas warranting preservation, but otherwise deemed suitable for limited development, with a density of 0.7 to 1 dwelling unit per acre.

2. VLDR Planned Unit Development Density Standards

If developed through the Planned Unit Development (PUD) process, as per Chapter 16.40, and if all floodplain, wetlands, and other natural resource areas are dedicated or remain in common open space, the permitted density of 1.4 to two (2) dwelling units per net buildable acre may be allowed under the following conditions:

~~Minor land partitions shall be exempt from the minimum density requirement.~~

~~a. Special Density Allowances~~

Housing densities up to two (2) units per net buildable acre, and minimum lot sizes of 10,000 square feet, may be allowed in the VLDR zone. ~~when:~~

~~b.~~ The following areas are dedicated to the public or preserved as common open space: floodplains, as per Section 16.134.020 (Special Resource Zones); natural resources areas, per the Natural Resources and Recreation Plan Map, attached as Appendix C, or as specified in Chapter 5 of the Community Development Plan, and wetlands defined and regulated as per current Federal regulation and Division VIII of this Code; and

- d. The Review Authority determines that the higher density development would better preserve natural resources as compared to one (1) unit per acre design.

3. Southeast Sherwood Master Planned Unit Development

The applicant may apply the following standards if developed as a planned unit development under Chapter 16.40 (Planned Unit Development) based in part on the concepts goals and objectives of the SE Sherwood Master Planning effort as a third alternative within this zone.

a. Residential Density

Sherwood View Estates: Density is 3.61 units per acre.

Housing density up to four (4) units per net buildable acre area maximum is allowed.

- b. The applicant will generally follow the development pattern of the recommended Alternative B/C found in the SE Sherwood Master Plan (2006) that includes the following considerations:

10,000 sq ft keeps the lots closer to those in Sherwood View Estates & Fair Oaks.

*SVE: Min lot size: 10,018 - Max lot size: 19,166
Average lot size: 12,066*

The reason the SESMP suggested approx 8,000sq ft lots was to give the Moser property higher density to compensate them for the open space on most of their wooded land. With the wooded land no longer in existence, and the open space reduced from 21% (as was in SESMP) to 15% (which is the PUD requirement), this would no longer apply.

Can we more specifically define adequate?

- (1) Varied lot sizes are allowed with a minimum lot area of 10,000 sq. ft if it can be shown that adequate buffering exists adjacent to properties that are developed as of the date of the adoption on this text amendment. Buffering to be considered in screening, landscaping, location of roadways or open space and in the locating of larger lot sizes next to these existing developed properties.

The SESMP identified the largest lots be located on the exterior of the plan on those properties adjacent to existing developed properties. (SEE PAGE 57 OF SESMP)

- (2) The Open Space areas as required by Chapter 16.40 (Planned Unit Development), where feasible should include parks and pathways that are located within the general vicinity? of the recommended Alternative B/C found in the SE Sherwood Master Plan.

The loss of the treed Moser property will likely mean the relocation of the largest open space from the SESMP so perhaps some note should be made as to preferences upon development if this standard is used.

(3) There is a pedestrian friendly transportation system that links the site with nearby residential developments, schools, parks, commercial areas and other destinations.

(4) The Review Authority will consider the unique environmental opportunities and constraints identified through the SE Sherwood Master planning process.

(5) The Review Authority will consider the view corridors identified in the SE Sherwood Master Plan (Appendix 2-3, pg 86 – Opportunities and Constraints map) when approving the final development plans.

(6) The Review Authority will consider housing design type based on compatibility with surrounding and existing development at the time of final development review.

- c. Density Transfers per Chapter 16.40.050 C. 2. are not permitted if utilizing the SE Sherwood Master Plan density allowance.

OTHER IDEAS/COMMENTS TO CONSIDER

1. Would we want to consider the requirement of an HOA upon a % of development to ensure adequate maintenance of open spaces?
2. Minimum acreage to apply for this SESM PUD should remain at 5 acres. There is no need to decrease this acreage requirement as all properties within the 39 acres are more than 5 acres or would be eligible for the same exception due to environmentally constrained land that Denali was.
3. Any infill applications to consider?
4. Any variance requests for lot size to consider?

Former Ken Foster Farms Cleanup in Sherwood

This fact sheet provides a summary of site history and environmental concerns, and DEQ's plans for future work at the former Ken Foster Farms site in Sherwood, Oregon.

Background

The former Ken Foster Farms is a 40-acre tract of former pasture land, at 23000 to 23500 SE Murdock Rd. in Sherwood, Washington County, Oregon. Between 1962 and 1971, chromium-containing tannery wastes from the former Frontier Leather Tannery were dumped on the ground at the site. These wastes included animal wastes from the tannery's hide preparation operations, including hide scrapings, tissue, fat, and hair, and liquid sludge from the tannery's wastewater settling tanks. Lime was applied to the waste to control odors. Evidence of waste disposal, such as bone fragments and stained soil, is still visible in some areas.

The primary contaminant in the waste is chromium, most of which is in the low-toxicity trivalent form – generally not a threat to human health. The highly toxic hexavalent form has been detected at the site, generally where high levels of trivalent chromium are found. Hexavalent chromium is not used in tanneries. The oxidation of trivalent chromium over time is thought to be the mechanism for hexavalent chromium occurrence at the site.

Beginning in the early 1980s, the original Ken Foster Farms property was subdivided into 10 tax lots with single-family homes. One of these tax lots (900) was further subdivided into eight lots in 1995, with four zoned for residential use (2200, 2300, 2400, and 2500). DEQ made No Further Action determinations for these residential lots, following environmental cleanup under DEQ oversight completed in 2009. The other four tax lots to the south (2600, 2700, 2800, and 2900) comprise a wetland area of approximately two acres where the highest

levels of chromium have been detected at the site.

Investigation and cleanup to date

DEQ completed a preliminary assessment at the former Ken Foster Farms property in 2005, funded through a grant from the U. S. Environmental Protection Agency. Based on the assessment results, EPA contacted property owners at the site and notified them of EPA's decision to proceed with a sampling investigation. EPA obtained x-ray fluorescence field measurements of total chromium in soil, and also submitted soil, sediment, and groundwater samples to a laboratory for analysis. EPA completed this work in October 2006, and reported its findings in early 2007.

The EPA study showed widespread chromium contamination, with the highest levels found in the wetland and properties to the north. In several areas, total chromium levels exceeded 50,000 parts per million, or 5 percent chromium. For hexavalent chromium, the majority of analytical results were deemed invalid due to quality assurance issues. Results considered reliable suggest the presence of hexavalent chromium in surface soil at levels above risk-based concentrations for direct contact in a residential setting.

In 2009, Ironwood Homes Inc. completed cleanup of tax lots 2200, 2300, 2400, and 2500. The contaminated soil was placed into two engineered cells, capped with clean soil and seeded to establish a grass cover. One cell is on tax lot 2900, which is part of the wetland area, and the other is on the southern part of tax lot 300.

A subsequent wetland sampling investigation at the site showed total chromium levels of up to 98,600 parts per million, or almost 10 percent, with many concentrations exceeding ecological "hotspot" criteria. Hexavalent chromium concentrations in shallow soil/sediment were



State of Oregon
Department of
Environmental
Quality

Environmental Cleanup
Division
Northwest Region Office,
2020 SW Fourth Ave.,
Portland, OR 97201
Phone: (503) 229-5587
(800) 452-4011
Fax: (503) 229-6945
Contact: Mark Pugh

substantially above current risk-based concentration for residential use. However, surface water and shallow groundwater did not show significant chromium impacts.

Limited sampling has been completed by several other property owners, but no other remedial actions have been completed at the former Ken Foster Farms property.

Previous risk assessment

In July 2007, DEQ completed a screening level human health risk assessment using EPA's site data. At that time, DEQ concluded that metals in soil, including chromium, posed no unacceptable human health risk. However, in November 2011, DEQ updated its risk-based concentrations for hexavalent chromium based on new EPA toxicity data. The residential risk-based concentration for hexavalent chromium in soil decreased by two orders of magnitude (i.e., from 32 to 0.29 parts per million). DEQ conducted additional risk screening but found previous testing data to be inconclusive due to quality control issues. As a result, DEQ now considers hexavalent chromium a contaminant of potential concern for human health at the site which needs further evaluation.

Funding for additional work

In an attempt to move the remediation process forward, DEQ drafted a proposed legal settlement between DEQ and several parties for the Frontier Leather and the former Ken Foster Farms sites, issuing a public notice and opportunity to comment in July 2011. Legal challenges have delayed finalization of the settlement and the outcome and schedule for resolution of the legal process are uncertain. Until the settlement funds are available, DEQ will appropriate funds from its Orphan Program Account for completion of a remedial investigation. The investigation report will include a comprehensive risk assessment. In the event unacceptable risk is identified, a feasibility study report will be prepared to identify and evaluate potential remedial options.

Next steps

DEQ, through its contractor, will initiate the planning and coordination for this work in

spring 2013, and intends to complete fieldwork by fall 2013. DEQ will finalize the remedial investigation and feasibility study by the end of 2013. DEQ will coordinate with property owners and other interested parties during planning and field sampling, and will hold a public meeting to discuss the investigation findings. DEQ will seek access agreements from each of the former Ken Foster Farms property owners prior to site work.

For more information

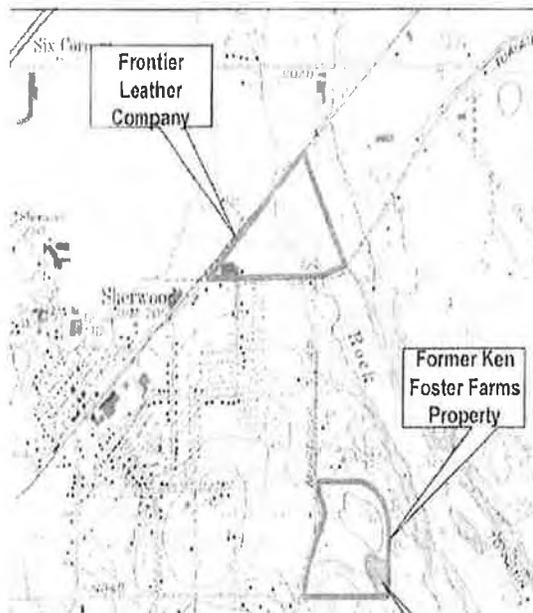
To review additional information for this site, please access DEQ's Environmental Cleanup Site Information database at www.deq.state.or.us/lq/ECSI/ecsiquery.asp.

Enter "2516" in the "Site ID" box and click "Submit" at the bottom of the page. Next, click the link labeled "2516" in the Site ID/Info column.

For additional information, contact Mark Pugh of DEQ's Cleanup and Tanks Section, Portland, at 503-229-5587, or by email at pugh.mark@deq.state.or.us

Alternative formats

Alternative formats of this document can be made available. Contact DEQ's Office of Communications and Outreach for more information at 503-229-5696, or call toll-free in Oregon at 1-800-452-4011, ext. 5696. People with hearing impairments may dial 711.



Please Note: Proposed Additions are underlined in blue

Proposed Deletions are crossed out in ~~red~~

Chapter 16.12 Residential Land Uses

16.12.010. - Purpose and Density Requirements

A. Very Low Density Residential (VLDR)

1. Standard Density

The VLDR zoning district provides for low density, larger lot single-family housing and other related uses in natural resource and environmentally sensitive areas that warrant~~ing~~ preservation, but are otherwise deemed suitable for limited development. Standard density in the VLDR zone is, ~~with a density of~~ 0.7 to 1 dwelling unit per acre.

2. VLDR Planned Unit Development Density Standards

~~If~~Property in the VLDR zone that is developed through the Planned Unit Development (PUD) process, ~~as~~ under ~~per~~ Chapter 16.40, ~~and~~ if all floodplain, wetlands, and other natural resource areas are dedicated or remain in common open space, ~~the permitted~~ may develop to a density of 1.4 to ~~2.0~~two (2) dwelling units per net buildable acre ~~may be allowed under the following conditions~~:

~~Minor land partitions shall be exempt from the minimum density requirement.~~

a. ~~The Housing densities up to two (2) units per net buildable acre, and~~ minimum lot sizes ~~of~~ is not less than 10,000 square feet; ~~may be allowed in the VLDR zone.~~

b. The following areas are dedicated to the public or preserved as common open space: floodplains, ~~as per~~ under Section 16.134.020 (Special Resource Zones); natural resources areas as shown on, ~~per~~ the ~~—~~ Natural Resources and Recreation Plan Map, attached as Appendix C, or ~~as specified in Chapter~~ ~~5~~ of the Community Development Plan; ~~and~~ wetlands defined and ~~regulated~~ ~~as per~~ under current ~~—~~ Federal regulation and Division VIII of this Code; and

c. The ~~Review Authority determines that the~~ higher density development ~~would~~ will better preserve natural resources as compared to one (1) unit per acre ~~design~~.

3. Southeast Sherwood Master Planned Unit Development

a. Property in the VLDR zone that is developed through the Planned Unit Development process under Chapter 16.40 and is based on, and generally conforms to the concepts, goals and objectives of the SE Sherwood Master Plan may develop to a maximum density of 4.0 dwelling units per net buildable acre.

Recommended Development Code Language

April 2, 2013

- b. Development under Section 16.12.010.A.3 must generally follow the development pattern shown as Alternative B/C in the SE Sherwood Master Plan (2006) and address the following factors:
 - (1) Varied lot sizes are allowed with a minimum lot area of 10,000 square feet if it can be shown that adequate buffering exists adjacent to developed properties with screening, landscaping, roadways or open space.
 - (2) The open space areas as required by Chapter 16.40 (Planned Unit Development), where feasible, should include parks and pathways that are located within the general vicinity of Alternative B/C in the SE Sherwood Master Plan.
 - (3) There is a pedestrian friendly transportation system that links the site with nearby residential developments, schools, parks, commercial areas and other destinations.
 - (4) The unique environmental opportunities and constraints identified in the SE Sherwood Master Plan.
 - (5) The view corridors identified in the SE Sherwood Master Plan.
 - (6) Housing design types that are compatible with both surrounding and existing development.
- c. A density transfer under Chapter 16.40.050 C. 2. is not permitted for development under this Section 16.12.010.A.3.
- d. The Planning Commission will consider the specific housing design types identified and the preservation of the identified view corridors at the time of final development review to ensure compatibility with the existing and surrounding development.



Home of the Tualatin River National Wildlife Refuge

MEMORANDUM

City of Sherwood
22560 SW Pine St.
Sherwood, OR 97140
Tel 503-625-5522
Fax 503-625-5524
www.sherwoodoregon.gov

Mayor
Bill Middleton

Council President
Linda Henderson

Councilors
Dave Grant
Robyn Folsom
Bill Butterfield
Matt Langer
Krisanna Clark

City Manager
Joseph Gall, ICMA-CM

Assistant City Manager
Tom Pessemier, P.E.

To: Planning Commission
From: Michelle Miller, AICP Associate Planner
RE: Very Low Density Planned Unit Development Text Amendment (PA 12-04)
Date: February 19, 2013

At the hearing on January 8 2013, the Planning Commission heard a proposal for a text amendment amending the Very Low Density Residential (VLDR) zone. The amended language would allow higher densities for properties that are developed as planned unit developments. The Planning Commission heard from staff, the applicant, and the public. The applicant, a property owner within the VLDR area proposed to reduce the minimum lot size from 10,000 to 8,000 square feet and increase density from two units to a maximum four units per net buildable acre when developed under planned unit development standards.

The Planning Commission held a hearing on January 8, 2013 and heard from the applicant, staff and citizens. The Commission then closed the record and began deliberating. During deliberations, the Planning Commission wished to continue the hearing to February 12, 2013 in order to modify the proposed language and incorporate more elements of the SE Sherwood Master Plan into the proposed VLDR Text Amendment. Staff has attached the proposed new Code language to this memo along with an additional citizen comment received to date.

The applicant was unable to participate at the scheduled hearing on February 12, 2013 and requested a continuance. At the Planning Commission hearing on February 12, 2013, the Planning Commission granted the continuance and left the record open until the hearing on February 26, 2013.

To highlight the changes, a third alternative density calculation is added, the "Southeast Sherwood Master Planned Unit Development" which allows for a maximum housing density of four units per acre. Applications will be reviewed in the same manner as typical Planned Unit Developments, so applications will include a review by the Planning Commission and City Council. Once approved by the City Council, Final Development Plans are approved by the Planning Commission.



2009 Top Ten Selection



2007 18th Best Place to Live



Along with achieving the density envisioned in that planning effort, the applicant must follow the density pattern identified in the SE Sherwood Master Plan and include the following elements:

- Varying lot size no smaller than 8,500 sq. ft. so long as there is buffering with existing development
- PUD requirements of open space (15%) that follow the Master Plan
- Pedestrian friendly connections
- Consideration of the environmental opportunities and constraints
- Consideration of the view corridors during final development approval
- Consideration of the housing design type based on compatibility with existing development during final development approval

Attachments:

Exhibit K, John and Judith Carter comments

Exhibit L, Proposed VLDR Text Amendment-SE Sherwood Master Planned Unit Development



MEMORANDUM

City of Sherwood
 22560 SW Pine St.
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Mayor
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 Bill Butterfield
 Matt Langer
 Krisanna Clark

City Manager Pro Tem
 Tom Pessier

DATE: April 2, 2013
 TO: Planning Commission
 FROM: Michelle Miller, AICP, Senior Planner
 SUBJECT: VLDR Lot Size Minimum Comparison

At the February 26, 2013 hearing on the VLDR text amendment, the Planning Commission requested further information concerning the ability of a subdivision development with a zoning designation of 10,000 square foot minimum lot size to achieve the density of four units per acre. I reviewed the Denali PUD (PUD 11-01) application from 2011 to see if the applicant's proposal was achievable with these calculations in mind.



2009 Top Ten Selection



2007 18th Best Place to Live

Generally, Sherwood planning staff calculates density based on the definition section of the Sherwood Zoning and Development Code. The SZDC § 16.10 defines **density** as "(t)he intensity of residential land uses per acre, stated as the number of dwelling units per net buildable acre. Net acre means an area measuring 43,560 square feet **after** excluding present and future rights-of-way, environmentally **constrained areas, public parks and other public uses.**" The definition of **environmentally constrained areas** is also found in § 16.10: "Any portion of land located within the floodway, 100 year floodplain, wetlands and/or vegetated corridor as defined by Clean Water Services."

This proposal includes several areas of public right of way, constrained areas as well as public use areas, which may be typical to this area along with the amount of right of way that would be needed for these sites. The Denali PUD Table below identifies the five tracts located on



Name of Tract	Size of Tract	Purpose of Tract
Tract A	17,932 sq. ft.	Public use, not buildable and row for SW Ironwood
Tract B	2360 sq. ft.	Water quality bio-swale-environmentally constrained-CWS
Tract C	5148 sq. ft.	Steep slope and vegetated buffer-environmentally constrained-CWS
Tract D	15,864 sq. ft.	Open Space-public space
Tract E	8365 sq. ft.	Sanitary sewer easement-public use and not buildable

site and the rationale for subtracting those tracts from the calculation.

The total site area is 3.71 acres or 161,607.6 square feet. In the case of Denali, there are approximately 1.99 net buildable acres remaining because of environmentally constrained lands, right of way, as well as the open space area. Calculating net density under the SE Sherwood Master Plan unit Development density of four units per acre provides for nearly eight units (1.99 net acres x 4 units). Staff reached this calculation by subtracting all of the tracts and the right of way from the gross area as the definition requires. This would achieve eight lots.

It is difficult to anticipate the percentage of land that would be excluded because of right of way or environmental constraints for the density calculation without shadow platting the entire area. In the case of Denali PUD over 46 % of the site was not considered buildable.

Another example would be if there is a 5-acre site that wanted to develop under the SE Sherwood Master Planned Unit Development. The general rule of thumb subtracts 25 % of the five-acre site or 1.25 acres for right of way or other easements, leaving 3.75 acres developable acreage. With a PUD, 15% of the net developable site is required for open space, which in this case subtracts an additional .56 acres from the total, leaving the remainder left for single-family lots. In this scenario, you may reach thirteen lots with a 10,000-lot size minimum. However, the maximum density in this case, would be 15 units (3.75 x 4). As this example shows, the maximum density cannot be met with a 10,000 lot minimum.



ORDINANCE 2013-003

TO AMEND SECTION 16.12 OF THE ZONING AND COMMUNITY DEVELOPMENT CODE RELATING TO PROPERTY ZONED VERY LOW DENSITY RESIDENTIAL

WHEREAS, the City received an application for a text amendment to the Sherwood Zoning and Development Code amending the provisions of Chapter § 16.12 Residential Land Uses; and

WHEREAS, the applicant proposed to increase the density and minimum lot size allowed for single family homes in the very low density residential zone (VLDR) if developed under the planned unit development standards; and

WHEREAS, after testimony from the public, staff and the applicant, the Planning Commission, recommended modifying the proposed language to increase the minimum density allowed to four units per acre, with a minimum lot size of 10,000 square feet if developed under the Planned Unit Development standards; and

WHEREAS, the proposed amendments were reviewed for compliance and consistency with the Comprehensive Plan, regional and state regulations and found to be fully compliant; and

WHEREAS, the proposed amendments were subject to full and proper notice and review and public hearings were held before the Planning Commission on January 8, 2013, February 26, 2013 and April 9, 2013; and

WHEREAS, the Planning Commission voted to forward a recommendation to the City Council for the proposed Development Code modifications to Chapter 16.12; and

WHEREAS, the analysis and findings to support the Planning Commission recommendation are identified in the attached Exhibit 1; and

WHEREAS, the City Council held a public hearing on May 21, 2013 and determined that the proposed changes to the Development Code met the applicable Comprehensive Plan criteria and continued to be consistent with regional and state standards.

NOW, THEREFORE, THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

Section 1. Findings. After full and due consideration of the application, the Planning Commission recommendation, the record, findings, and evidence presented at the public hearing, the Council adopts the findings of fact contained in the Planning Commission recommendation attached as Exhibit 1 finding that the text of the SZCDC shall be amended as documented in Exhibit 1-A.

Section 2. Approval. The proposed amendments for Plan Text Amendment (PA) 12-04 identified in Exhibits 1-A are hereby **APPROVED**.

Section 3 - Manager Authorized. The Planning Department is hereby directed to take such action as may be necessary to document this amendment, including notice of adoption to DLCD and necessary updates to Chapter 16 of the Municipal Code in accordance with City ordinances and regulations.

Section 4 - Applicability. The amendments to the City of Sherwood Zoning and Community Development Code by Sections 1 to 3 of this Ordinance apply to all land use applications submitted after the effective date of this Ordinance.

Section 5 - Effective Date. This ordinance shall become effective the 30th day after its enactment by the City Council and approval of the Mayor.

Duly passed by the City Council this 21th day of May 2013.

Bill Middleton, Mayor

Attest:

Sylvia Murphy, CMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Clark	_____	_____
Langer	_____	_____
Butterfield	_____	_____
Folsom	_____	_____
Henderson	_____	_____
Grant	_____	_____
Middleton	_____	_____

PA 12-04 Very Low Density Residential Text Amendment

Recommendation:

The Planning Commission held hearings on January 8, 2013, and February 26, 2013 on proposed amendments to the Sherwood Zoning and Development Code pertaining to § 16.12.020 Very Low Density Residential zone. The Planning Commission heard and received written testimony from the applicant, staff and property owners within the area.

After receiving direction from the Commission at the first hearing on January 8, 2013, staff presented amendments to the initial applicant's text amendments that incorporated basic elements from the SE Sherwood Master Plan with a minimum lot size of 8,500 square feet and a maximum residential density of four units per acre if developed as a plan unit development. The applicant was in favor of these amendments and the Commission heard testimony on those amendments on February 26, 2013. At that hearing, Lisa and Roger Walker presented alternative language to staff's amendments that increased the minimum lot size to 10,000 square feet but kept the density at four units per net acre. The Commission found their amendments concerning minimum lot size persuasive. (Exhibit M) During their deliberations on the amendments, the Planning Commission weighed three alternatives for Council to consider.

Alternative 1 - The Planning Commission discussed the merits of conducting a new or revised SE Sherwood Master planning effort for the area and requested Council's guidance on this policy decision. They noted that many of the same challenges that brought the area to the forefront of a planning effort in 2006 still existed and that the area remained relatively undeveloped. The Commission continued to be concerned about how this area might develop in piecemeal fashion and recognized the SE Sherwood Master Plan attempted to ensure that this area developed in a more comprehensive manner. They recognized that the SE Sherwood Master Plan was not formerly adopted via ordinance by Council or incorporated into the Comprehensive Plan, which would generally be the conclusion of an approved master planning effort.

The Commissioners who had participated in the SE Master Plan noted that the actual plan did not reach a formal consensus from the participants. However, of the three alternatives developed through the master planning process, one alternative layout was the most agreeable to all parties and one concept layout matched most closely with the idea and vision of the participants for the area. The 2006 Planning Commission opted to agree to a resolution that recognized the planning efforts of the SE Sherwood Master Plan and encourage future development that reflected the objectives identified in the plan. In the end, the Commissioners noted that the grant funds for the master planning process in 2006 had been exhausted as well as the time allotted for the planning process for the group to continue developing a plan that they could wholeheartedly endorse.

The Commission discussed either starting the process anew with the new landowners and other property owners within the zone that would include new information on the site constraints and environmental contamination or in the alternative, to take the existing information found within the 2006 plan and revise the outcomes reached with the earlier plan. The Commission wanted Council to evaluate whether there was merit in developing an updated SE Sherwood Master Plan to reflect the changes within that zoning designation. This option would require Council to deny the requested text amendment. It would also include the recommendation that Council direct staff to budget funds and time to update the SE Sherwood Master Plan.

Alternative 2 - The Commission discussed the historical problems with the designation of the subject area to be zoned very low density residential (VLDR). The existing zoning was up to one single-family home per acre with 40,000 square foot lot minimums. If developed as a Planned Unit Development, the density could be up to

two units per acre and the minimum lot size was 10,000 square feet. The Commission considered whether VLDR continued to be an appropriate zoning designation for this costly, environmentally constrained area. Due to the constraints, the Commission concluded that it would likely continue to be difficult to develop under large lot zoning in an urbanized manner despite its location within the City limits.

The Commission noted that the surrounding property owners that resided in the area also had an expectation that the area would maintain its existing character of larger lot single-family homes. The Commission felt that these issues would continue to be unresolved under current circumstances. This option would require Council to deny the requested text amendment and wait for the contaminated soil issue to be resolved and consensus be reached.

Alternative 3: In this alternative, the Planning Commission recommended that Council consider the alternative amendment originally developed by staff and revised by Lisa and Roger Walker. (Exhibit O, Proposed Amendments) The amendments call for 10,000 square foot lot size minimum along with four units per net buildable acre if developed as a planned unit development. They noted it was the best compromise and used elements of the SE Sherwood Master Plan to achieve a greater density. It also most closely resembled the existing developments of Sherwood View Estates reflecting the same minimum lot size as well as a similar density of 3.6 units per acre within the Sherwood View Estates development. This option would require Council to adopt the proposed text amendment as revised.

Proposal: The applicant proposes to amend the § 16.12 Residential Uses section of the Sherwood Zoning and Development Code, (SZDC), specifically the § 16.12.020 Very Low Density Residential Zone. The proposed changes are attached as Exhibit M.

I. BACKGROUND

- A. Applicant: John Satterberg/Community Financial
P.O. Box 1969
Lake Oswego, OR 97035
- B. Applicant's Representative: Kirsten Van Loo, Emerio Design
- C. Location: The proposed amendment is to the text of the development code and specifically applies to the properties zoned Very Low Density Residential (VLDR).
- C. Review Type: The proposed text amendment requires 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. Any appeal of the City Council decision would go directly to the Oregon Land Use Board of Appeals.
- D. Public Notice and Hearing: Notice of the January 8, 2013 Planning Commission hearing on the proposed amendment was published in *The Gazette* on January 1, 2013 and *The Times* on December 20, 2012. Staff posted notice in five public locations around town and on the web site on December 19, 2012. Regular updates were provided in the City newsletter.

While this does not apply citywide, it may affect the value of property located within the very low density residential zone; therefore Measure 56 notice was sent on December 19, 2012 informing property owners within that zoning designation. DLCD notice was provided on December 4, 2012.

- E. Review Criteria:
The required findings for the Plan Amendment are identified in Section 16.80.030 of the Sherwood Zoning and Community Development Code (SZCDC). Applicable Statewide Planning Goals: Goal 1

Citizen Involvement, Goal 2 Land Use Planning, Goal 5 Natural Resources, Scenic and Historic Areas and Open Space, and Goal 12 Transportation.

F. Background:

The area east of SW Murdock Road is zoned very low density residential, (VLDR). The VLDR zoning district provides for low density, larger lot single-family housing and other related uses in natural resource and environmentally sensitive areas warranting preservation, but otherwise deemed suitable for limited development, with a density of 0.7 to 1 dwelling unit per acre.

If developed through the Planned Unit Development (PUD) process, and if all floodplain, wetlands, and other natural resource areas are dedicated or remain in common open space, the permitted density of 1.4 to two (2) dwelling units per acre may be allowed.

There are two existing planned unit developments within this VLDR zoning designation: Fair Oaks, and Sherwood View Estates. The remaining properties, approximately fifty-five acres, consists of 11 parcels zoned VLDR and nine single-family homes. The area includes a 2.25-acre wetland located in the southeast corner of the site with standing water most of the year. Areas are included in Metro's natural resource Goal 5 inventory including Class A wildlife habitat, with groves of woodland habitat and mature trees.

Several challenges exist for site design including the Tonquin Scablands, a rocky terrain sculpted from ancient glacial flooding. There are two high points: one point in the center of the area and one in the southern portion of the site with sloping terrain in between. This results in challenges to the street and pedestrian circulation network and added costs to develop and design.

Another challenge to the area is due to the presence of soil contamination identified by the Department of Environmental Quality (DEQ). The VLDR site area was part of the "Ken Foster Farm" site, originally about 40 acres and was used for farming. Portions of the larger Ken Foster Farm site had been used for discarding animal hides and carcasses that were remnants from the local tannery operation in the city. As part of the Department of Environmental Quality (DEQ) investigation of the Tannery site located on SW Oregon Street, it was discovered that the soil on the Ken Foster Farm site was also contaminated. The property to the northeast of the undeveloped area, Ironwood Subdivision, was in development when the issue arose which required significant soil removal and oversight from the Department of Environmental Quality (DEQ).

DEQ entered the Ken Foster Farm site into the Environmental Cleanup Site Information Database in 2000, and completed a Preliminary Assessment (PA) in 2004, funded by cooperative grant funds from the Environmental Protection Agency (EPA) Region 10. (DEQ Technical Memorandum) The results of the soil sampling completed for this site listed concentrations of antimony, chromium, lead and mercury above expected background concentrations. In addition, sediment samples from the wetland areas on the site were found to contain elevated concentrations of chromium copper, mercury and zinc.

They found that the human health risk based upon the soil results from the EPA Impervious Area results and data from property-owner site investigations on two of the properties within the former farm acreage was relatively low, according to the report. Since valid soil sample tests of the subject site indicate that hexavalent chromium was not present in soils, and that the prevalent form of chromium in soils is trivalent chromium. The other concentrations do not present an unacceptable human health risk on an individual contaminant basis. The DEQ concluded that the chance of significant exposure to residents living around these areas is low under current conditions.

In 2005, the City received a grant to develop the Southeast Sherwood Master Plan (Exhibit D), a master plan for the area to serve as a guide to coordinating the potential separate land use actions and infrastructure investments of property owners, developers, and the City in order to create a cohesive, livable neighborhood that could develop over time. The SE Sherwood Master Plan was prepared with the input of property owners, developers, neighbors and City representatives. Three open houses were held in order to develop a preferred alternative for development of this area. The purpose was to identify a more efficient way to develop the area and to try to get property owners in the area to work collaboratively when considering developments. The plan did not result in amendments to the Comprehensive Plan or Zoning map but was accepted by the Planning Commission via Resolution 2006-01(Exhibit E).

The recommended master plan was a hybrid of several alternatives that were developed through the open house workshops. Through the planning phase, the developers emphasized the need for providing sufficient density to pay for the necessary infrastructure while the citizens emphasized a preference for larger lots to preserve the wildlife habitat. This resulted in the development of a hybrid plan that provided for a mix of lot sizes with a range of increased density in the center of the plan area to 15,000 square foot lot sizes abutting the southern portion of the site. The gross density, under the preferred option would be 2.2 units per gross acre and a net density of 4.43 units per net acre.

The Planning Commission approved the SE Sherwood Master Plan in concept in 2006. Although not formally adopted and incorporated into the Comprehensive Plan nor adopted by the City Council, it does provide guidance for development and the intention of the community and surrounding property owners for the area. The applicant's proposal applies some of the recommendations for development as adopted by resolution to the SZDC regarding the density requirements and proposes a minimum lot size to achieve the resulting net density if developed through a planned unit development process.

The applicant, the property owner of tax lot 2S133CB01000, just north of the Sherwood View Estates had previously applied for a Planned Unit Development in 2011 for an eight-lot subdivision (Denali PUD 2011-01). The City Council approved via Ordinance 2012-004, a six-lot subdivision and Planned Unit Development known as Denali Planned Unit Development including application of a Planned Unit Development Overlay on the Comprehensive Plan and Zone Map.

The applicant has not submitted a final development plan for the planned unit development and elected to pursue a text amendment in order to achieve the greater density that would have been allowed under the SE Sherwood Master Plan.

II. AFFECTED AGENCY, PUBLIC NOTICE, AND PUBLIC COMMENTS

Agencies:

The City sent a request for comments to the standard agency notification list on December 5, 2012. The City received one comment as discussed below. The City has received either no response or no comment on the proposal from the other agencies.

Engineering Department: After review of the proposal, the proposed amendment will not have a significant impact on the infrastructure and services are available to accommodate this increased density.

Public:

Kurt Kristensen 22520 SW Fair Oaks Ct. Sherwood, OR 97140 submitted comments via email that are attached as **Exhibit C**.

Mr. Kristensen is opposed to the text amendment as written as it does not incorporate the entire SE Sherwood Master Plan and some of the elements of the plan may not be implemented if the Planning Commission recommends adoption of the text amendment as proposed by the applicant. He requests that the Planning Commission recommend to Council the SE Sherwood Master Plan so it can be implemented in its entirety. Mr. Kristensen is also concerned about the environmental impacts that the entire site area presents.

Response: Not all of the recommendations within SE Sherwood Master Plan are incorporated with this proposed text amendment. The text amendment standards will apply only to properties developed as a planned unit development. This gives the Planning Commission and City Council another level of review where they could impose the unique conditions that would not be available to them if developed as a standard subdivision or partition such as the open space areas and pedestrian connections that are part of the SE Sherwood Master Plan. They could incorporate the elements of the SE Sherwood Master Plan within each proposed development so long as the standards are not contrary to the Code.

The density standards and minimum lot size developed under the SE Sherwood Master Plan were not compatible with existing VLDR PUD standards and therefore the applicant submitted this proposal. The particular text amendment provisions are not contrary to the SE Sherwood Master Plan as a whole. The Commission could chose to move the plan forward to Council later and this text amendment does not prohibit this.

No other comments have been received as of the date of this staff report.

III. REQUIRED FINDINGS FOR A PLAN TEXT AMENDMENT

The applicable Plan Text Amendment review criteria are 16.80.030.1 and 3.

16.80.030.1 - Text Amendment Review

An amendment to the text of the Comprehensive Plan shall be based upon the need for such an amendment as identified by the Council or the Commission. Such an amendment shall be consistent with the intent of the Comprehensive Plan, and with all other provisions of the Plan and Code, and with any applicable State or City statutes and regulations.

Need Identified:

The applicant identified the need for the proposed text amendment in response to the Planning Commission Resolution 2006-01. The Planning Commission resolution accepted the SE Sherwood Master Plan report and approved the process to implement the plan. The Resolution advised that the Planning Commission would consider development proposals from an applicant that is consistent with the principals and goals listed in the master plan. Alternative B/C from the master plan became the recommended layout with a net density of 4.43 units per buildable acre. Although not formally adopted and incorporated into the Comprehensive Plan nor adopted by the City Council, the plan provides guidance for development and the intention of the community and surrounding property owners for the area. Had it been formally adopted by the Council, it would have then required amendments to the SZDC regarding the density requirements in this particular zone as the density shown in the plan is much higher than the existing special density allowance currently allowed in the VLDR.

The Planning Commission did not forward a recommendation to the Council to adopt the specific changes to the density, minimum lot size and changes to the minimum parcel size to develop a planned unit development that the applicant is now proposing. Nor were any of the Code amendments outlined in the plan adopted by the Council. The Commission resolved that they would review applications applying the standards developed through the master planning process.

One could advance the idea that because the Planning Commission adopted via resolution the master plan that the Commission would subsequently find the need to adopt text amendments that would

support the outcomes and the density achieved in the plan that was approved through the master planning process.

FINDING: The Planning Commission must review the proposed changes to the Code that the applicant has brought forward to determine if it does indeed achieve the result of the master plan and whether they satisfy the need within the zoning designation for these amendments.

Comprehensive Plan:

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.

The property is located within the City limits and within the urban growth boundary. Most of the area has not been partitioned and the density is well below the 1 dwelling unit per acre minimum. Several of the properties do not currently have urban facilities such as adequate roadways, water, sanitary sewer and pedestrian connections. Development could improve the level of services occurring in this area and would provide improved connection and infrastructure within our City boundaries. Additionally, the properties will have direct access to SW Murdock Road, an arterial.

The applicant proposes a maximum density of four units per acre and a minimum lot size of 8,000 square feet if developed as a planned unit development. Planned unit developments are only allowed in this zone, if it can be demonstrated that the natural areas can be preserved. Each applicant within this zone will have to comply with this standard when applying for a PUD. This is consistent with the policy.

FINDING: Based on the above discussion, the proposed text amendment is consistent with the growth management policy objective.

Chapter 4. Land Use

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.

Very Low Density Residential Minimum Site Standards:

1 DU/Acre, 1 acre minimum lot size

This designation is intended to provide for single-family homes on larger lots and in PUD's in the following general areas:

Where natural features such as topography, soil conditions or natural hazards make development to higher densities undesirable. This zone is appropriate for the Tonquin Scabland Natural Area.

Along the fringe of expanding urban development where the transition from rural to urban densities is occurring.

Where a full range of urban services may not be available but where a minimum of urban sewer and water service is available or can be provided in conjunction with urban development.

The applicant identified several changes to the Planned Unit Development (PUD) standards within the VLDR zone. The minimum lot size is still considered a large lot for an urbanized area as it will remain the largest minimum lot size in the City if developed as a PUD. The zone is located on the fringe of the urbanized area and compatible with the surrounding properties already developed as planned unit developments under the VLDR standards to the north and south of the subject area as the larger lots will still contain single family dwelling units.

FINDING: Based on the above discussion, the proposed amendments are consistent with the land use policy objective.

Consistency with Statewide Planning Goals

Goal 1- "Citizen Involvement"

The purpose statement of Goal 1 is "to develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process."

The proposed code changes do not include changes to the City's citizen involvement program, which complies with Goal 1; however, the process to develop the proposed changes was fully compliant with this Goal. The City provided notice to property owners zoned VLDR, published notice in the paper and posted notice around the City.

In 2005, over 120 people participated and provided input through the various open houses in the SE Sherwood Master Plan process to develop the recommended plan. There were multiple work sessions with the Planning Commission and two public hearings were held on March 28 and April 4, 2006 to provide the public an opportunity to be heard.

Goal 2- "Land Use Planning"

The purpose statement of Goal 2 is "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 ensure an adequate factual base for such decisions and actions".

The proposed code changes affect the land use process when utilizing the planned unit development standards. The City's land use planning process and policy framework, which are in compliance with Goal 2, will not change as result of this action.

FINDING: As discussed above in the analysis, the applicant identified a need for the proposed amendments to reflect the Planning Commission approval of the SE Sherwood Master Plan and the density, lot size and amendments when a planned unit development was sought. The amendments are consistent with the Comprehensive Plan and applicable City, regional and State regulations and policies.

16.80.030.2 – Transportation Planning Rule Consistency

A. Review of plan and text amendment applications for effect on transportation facilities. Proposals shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with OAR 660-12-0060 (the TPR). Review is required when a development application includes a proposed amendment to the Comprehensive Plan or changes to land use regulations.

The transportation analysis conducted during the SE Sherwood Master Plan process concluded that the street system could accommodate an increased density to the level proposed by the applicant. The analysis considered the trip generation increases for net densities ranging from 3.35 to 5.03 units per acre.

FINDING: The amendments will not result in a change of uses otherwise permitted and will not have a significant impact on the amount of traffic on the transportation system; therefore, this policy is not applicable to the proposed amendment.

IV. RECOMMENDATION

Based on the above findings of fact, and the conclusion of law based on the applicable criteria, the Planning Commission has provided three viable alternatives for the City Council to consider.

The Commission, recommends Alternative 3, however respects that ultimately this is a legislative decision to be made by Council.

V. EXHIBITS

- A. Proposed development code changes--with "track changes" submitted by the applicant
- B. Applicant's materials submitted on October 16, 2012
- C. Comments from Kurt Kristensen, submitted via email on December 26, 2012
- D. SE Sherwood Master Plan dated February 26, 2006
- E. Planning Commission Resolution 2006-01 dated, May 9, 2006
- F. Patrick Huske Comments
- G. Lisa and Roger Walker Comments
- H. Jean Simson Comments
- I. Mary and Richard Reid Comments
- J. Mr. and Mrs. Joseph Barclay Comments
- K. John and Judith Carter Comments
- L. Proposed VLDR Text Amendment-SE Sherwood Master Planned Unit Development
- M. Walker additional proposed language with written comments
- N. Kurt Kristensen additional testimony
- O. Final Proposed Amendments—with "track changes" after hearings

Please Note: Proposed Additions are underlined in blue

Proposed Deletions are crossed out in ~~red~~

Chapter 16.12 Residential Land Uses

16.12.010. - Purpose and Density Requirements

A. Very Low Density Residential (VLDR)

1. Standard Density

The VLDR zoning district provides for low density, larger lot single-family housing and other related uses in natural resource and environmentally sensitive areas that warranting preservation, but are otherwise deemed suitable for limited development. Standard density in the VLDR zone is, ~~with a density of~~ 0.7 to 1 dwelling unit per acre.

2. VLDR Planned Unit Development Density Standards

~~If~~Property in the VLDR zone that is developed through the Planned Unit Development (PUD) process, ~~as~~ under ~~per~~ Chapter 16.40, ~~and~~ if all floodplain, wetlands, and other natural resource areas are dedicated or remain in common open space, ~~the permitted~~ may develop to a density of 1.4 to ~~2.0~~ two (2) dwelling units per net buildable acre ~~may be allowed under the following conditions:~~

~~Minor land partitions shall be exempt from the minimum density requirement.~~

a. ~~The~~ Housing densities up to two (2) units per net buildable acre, and minimum lot sizes ~~of~~ is not less than 10,000 square feet; ~~may be allowed in the VLDR zone.~~

b. The following areas are dedicated to the public or preserved as common open space: floodplains, ~~as per~~ under Section 16.134.020 (Special Resource Zones); natural resources areas as shown on, ~~per~~ the ~~—~~ Natural Resources and Recreation Plan Map, attached as Appendix C, or ~~as specified in Chapter~~ ~~5~~ of the Community Development Plan; ~~and~~ wetlands defined and ~~regulated~~ ~~as per~~ under current ~~—~~ Federal regulation and Division VIII of this Code; and

c. The ~~Review Authority determines that the~~ higher density development ~~would~~ will better preserve natural resources as compared to one (1) unit per acre ~~design~~.

3. Southeast Sherwood Master Planned Unit Development

a. Property in the VLDR zone that is developed through the Planned Unit Development process under Chapter 16.40 and is based on, and generally conforms to the concepts, goals and objectives of the SE Sherwood Master Plan may develop to a maximum density of 4.0 dwelling units per net buildable acre.

Recommended Development Code Language

April 2, 2013

- b. Development under Section 16.12.010.A.3 must generally follow the development pattern shown as Alternative B/C in the SE Sherwood Master Plan (2006) and address the following factors:
 - (1) Varied lot sizes are allowed with a minimum lot area of 10,000 square feet if it can be shown that adequate buffering exists adjacent to developed properties with screening, landscaping, roadways or open space.
 - (2) The open space areas as required by Chapter 16.40 (Planned Unit Development), where feasible, should include parks and pathways that are located within the general vicinity of Alternative B/C in the SE Sherwood Master Plan.
 - (3) There is a pedestrian friendly transportation system that links the site with nearby residential developments, schools, parks, commercial areas and other destinations.
 - (4) The unique environmental opportunities and constraints identified in the SE Sherwood Master Plan.
 - (5) The view corridors identified in the SE Sherwood Master Plan.
 - (6) Housing design types that are compatible with both surrounding and existing development.
- c. A density transfer under Chapter 16.40.050 C. 2. is not permitted for development under this Section 16.12.010.A.3.
- d. The Planning Commission will consider the specific housing design types identified and the preservation of the identified view corridors at the time of final development review to ensure compatibility with the existing and surrounding development.

Sherwood Field House Monthly Report April 2013

April-13	Apr-13		YTD		Apr-12
Usage		People		People	People
	<u>Count</u>	<u>Served*</u>	<u>Count</u>	<u>Served*</u>	<u>Served*</u>
Leagues	3	294	26	4948	585
Rentals	51	1224	752	17206	1825
Other (Classes)					
[1] Day Use	8	21	79	449	110
Total Usage		1539		22603	2520
Income	Apr-13	YTD			
Rentals	\$3,215	\$45,612			
League fees (indoor)	\$7,665	\$59,243			
Card fees (indoor)	\$150	\$3,438			
Day Use	\$99	\$1,581			
Advertising					
Snacks	\$512	\$4,821			
Classes					
Total	\$11,641	\$114,695			
FY 11 12					
Income	Apr-12	YTD			
Rentals	\$4,145	\$41,378			
League fees (indoor)	\$5,275	\$72,529			
Card fees (indoor)	\$540	\$4,360			
Day Use	\$213	\$1,483			
Merchandise					
Snacks	\$604	\$4,828			
Classes		\$175			
Total	\$10,777	\$124,753			

*Estimated number of people served based on all rentals have a different # of people. Along with each team will carry a different # of people on their roster.



Things are starting to ramp up for the spring /summer.

Youth Baseball held approximately 20 games in the month of April most of those being practice games and just a few league games. Most league schedules will start in May.

The youth soccer club finished up their winter / spring season with three state cup games at Snyder Park.

The youth softball club played twenty six recreational games at the high school complex during the month.

Greater Portland Soccer District played nine games at Snyder Park on Sundays in April.

The youth Lacrosse club played forty games at Snyder Park and The High School during the month.

Sherwood youth track held their Ice Breaker Invite on April 20th with good weather on that day they had over six hundred kids show up at the High school for their track meet.

Respectfully Submitted

Lance Gilgan

May 1, 2013



Sherwood Public Library

April 2013

	<u>Current Yr</u>	<u>Past Yr</u>	<u>% Change</u>
Check out	33,666	33,388	0% (22.5% Self-check)
Check in	24,407	25,035	0%

- New Library cards 112
- Volunteer hours 191.25 hours (equivalent to 1.10 FTE) / 27 volunteers

Monthly Activities

- Thirty-one Baby, Preschool and Toddler Storytimes (672 children /466 adults = 1138 total)
- One Read-to-the-Dogs program
- Magazine Monday (free magazine giveaway)
- Tax forms available to public
- Library staff attends City of Sherwood website training for transition to new web presence
- 04/03 Pam North leads City Council work session on library statistics and activities; Mayor Middleton proclaims April 14-20 National Library Week at City Council meeting
- 04/04 Teen Library Advisory Board (4 attendees)
- 04/05 Library Staff Meeting
- 04/07 & 04/21 Writer's Workshops for Adults (12 and 8 in attendance)
- 04/10 Pajama Storytime (22 attendees)

- 04/13 Parrots 4 Show Program (68 attendees)
- 04/14-20 National Library Week Celebration
 - 04/15 Six Word Story Contest Winners announced
 - 04/16 6-7:30pm Music in the Stacks with Don Jansen, guitar
 - 04/17 Read-A-Thon
 - 04/18 Teen Scavenger Hunt (9 attendees)
 - 04/19 Two OMSI "Identity" Programs (11 & 4 attendees)
 - 04/20 "Art of the Story" Festival with Anne Penfound (17 attendees)
 - National Library Week Guessing Game for kids (162 participants)
- 04/16 OASIS Tutor Tour for 5 adults
- 04/22 Earth Day Craftshop (2 attendees)
- 04/22 Maid Marian Coronation
- 04/24-26 Library Staff attends the WLA/OLA Library Conference in Vancouver, WA
- 04/27 Annual Friends of the Sherwood Library Used Book Sale
- Volunteer recruitment & training continues / New volunteers started shifts
- Library staff attended various regional, City and WCCLS meetings: Policy Group, Youth Services, WLA/OLA Conference Committee, Circulation and WUG

CITY OF SHERWOOD POLICE DEPARTMENT

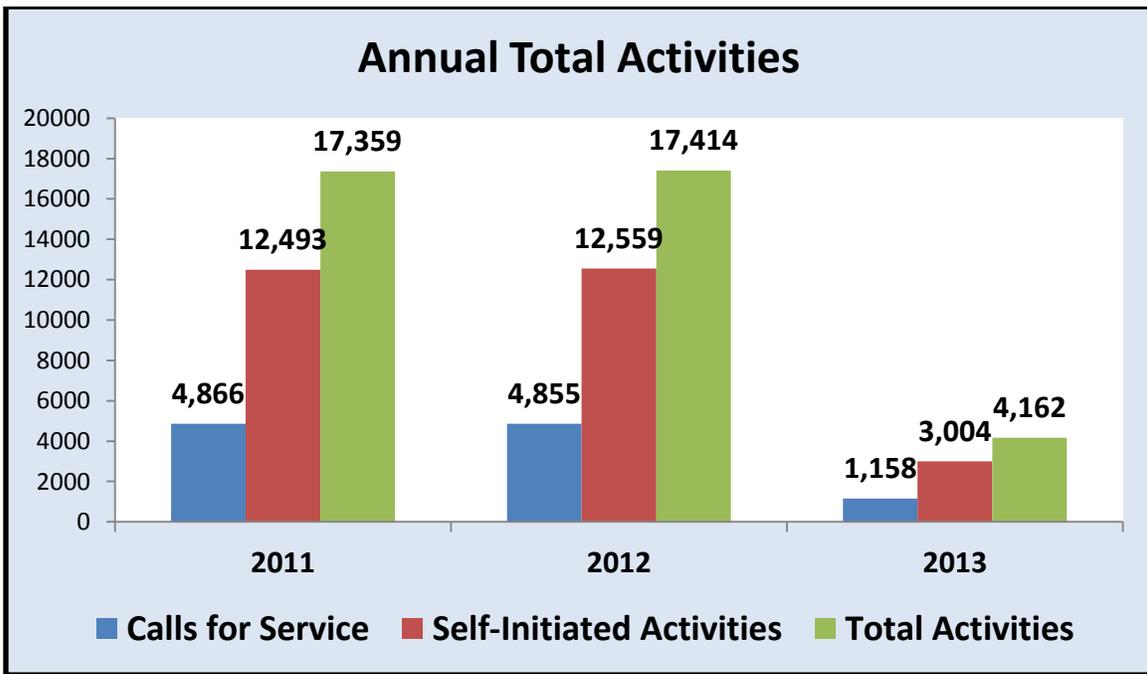
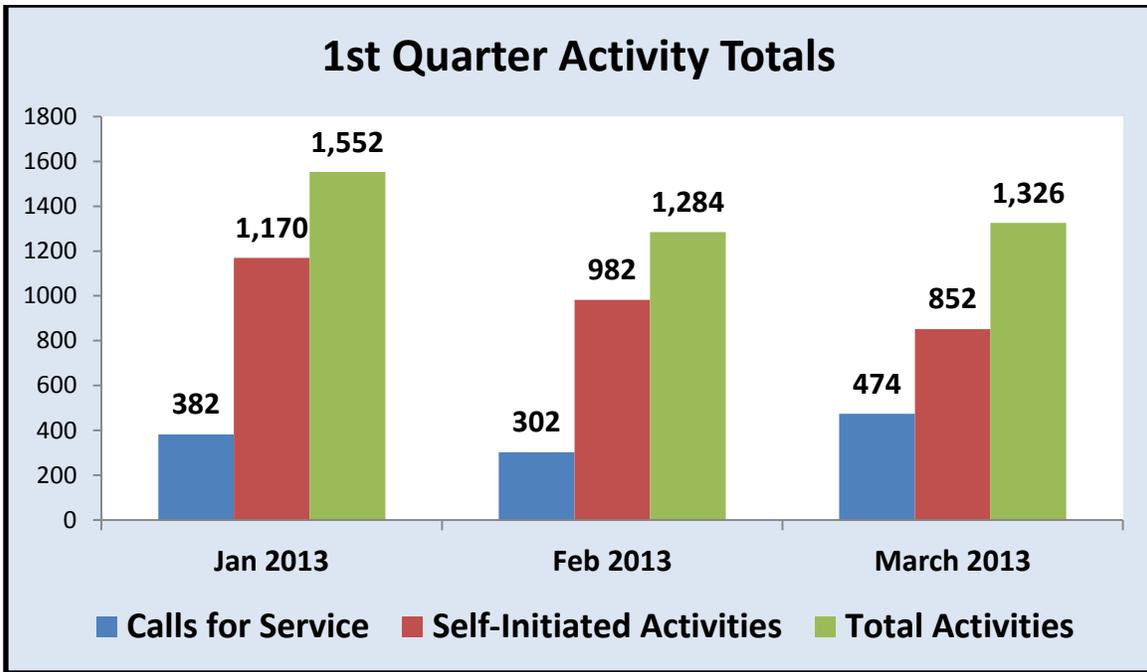
2013 UPDATE REPORT

1st Quarter: *January-February-March*



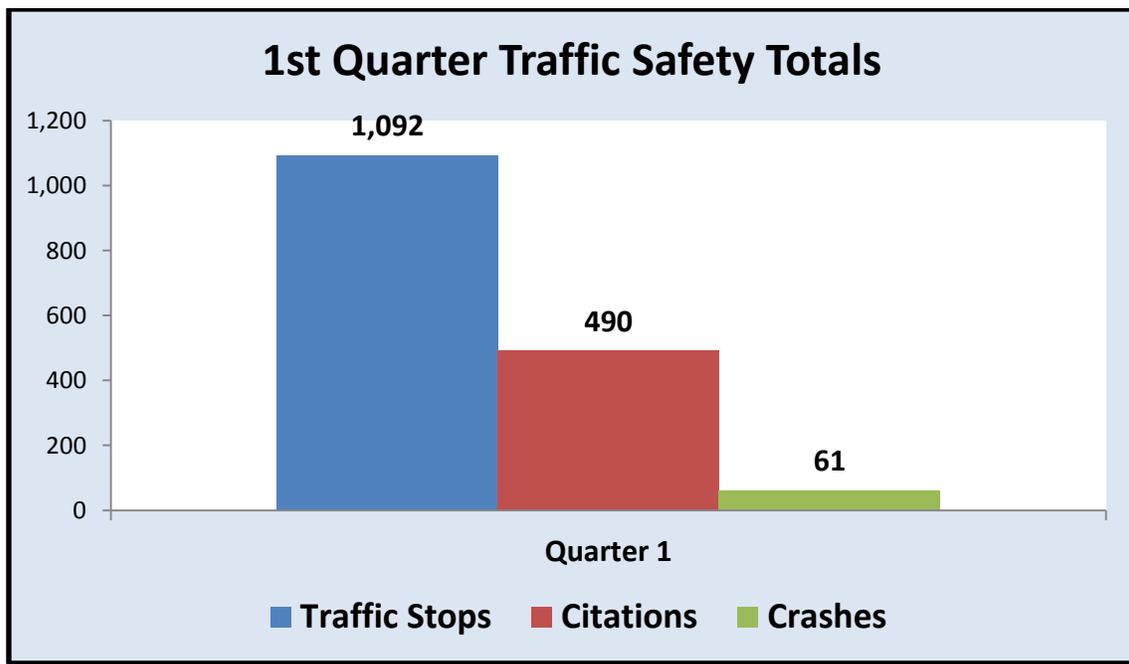
2013 Patrol Calls For Service & Activities

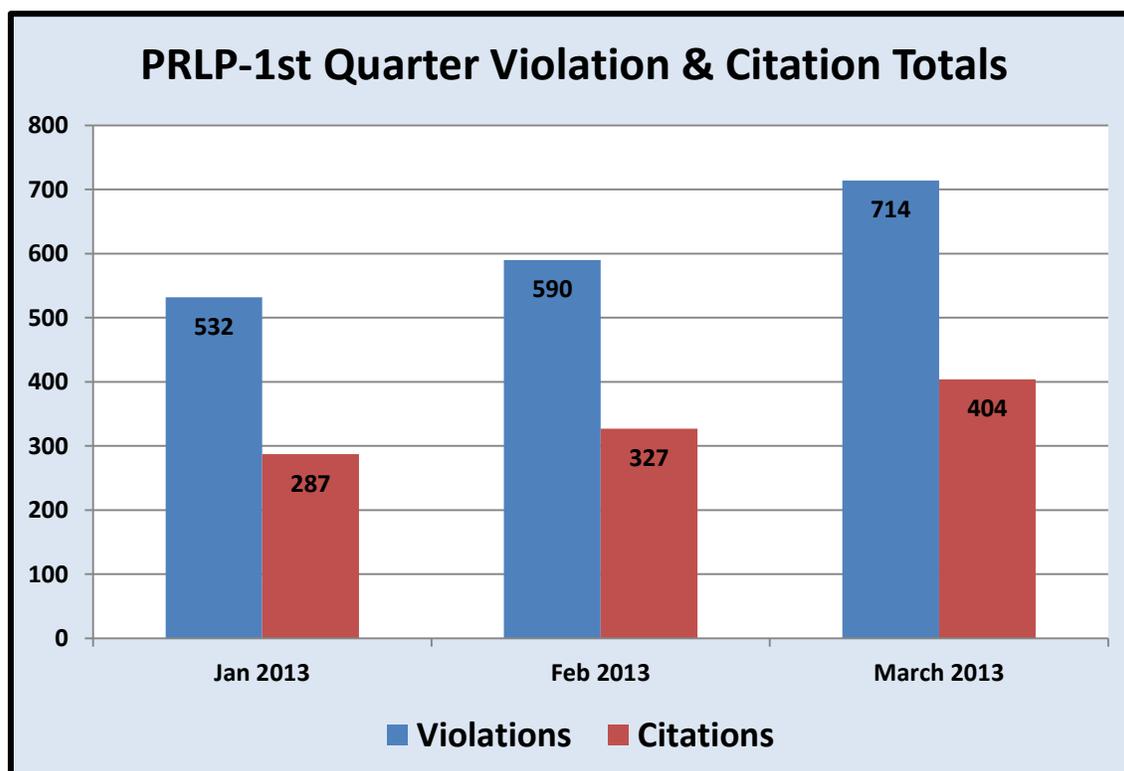
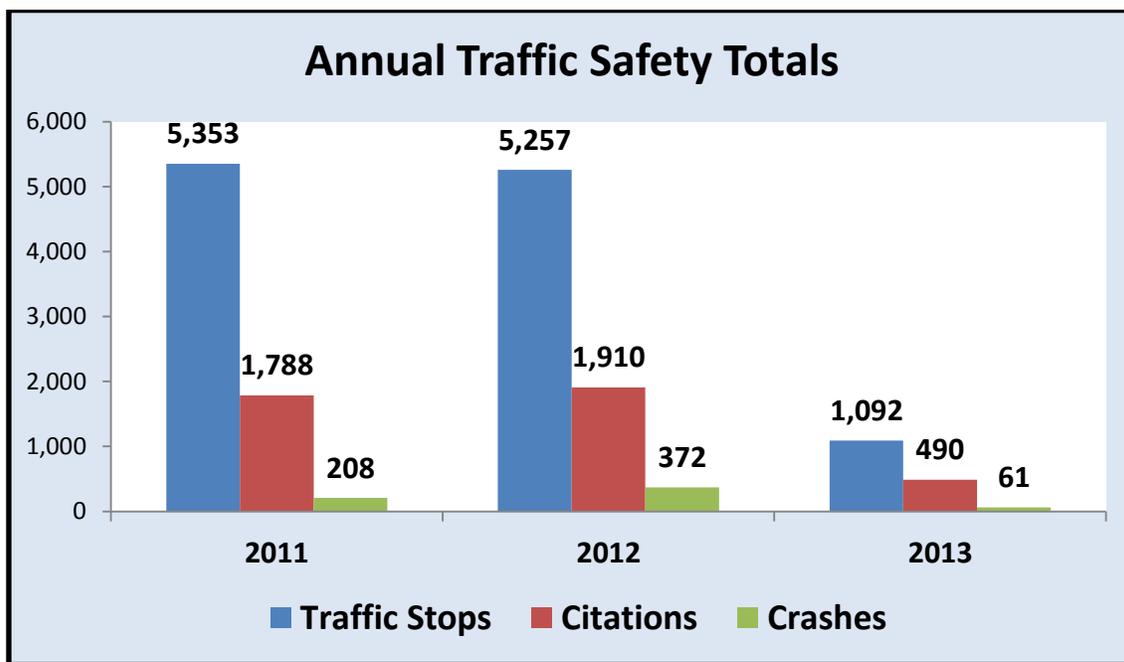
Activity Highlights	2012 Totals	Q1	Q2	Q3	Q4	2013 Totals
Premise checks for security	1,626	401				
Assistance provided to public	1,222	331				
Suspicious Vehicles	697	163				
Subject Stops/contacts	467	69				
Suspicious Circumstances	351	39				
Animal Complaints	173	53				
Alarms	215	53				
Juvenile Problems	381	64				
Thefts	305	58				
Suspicious Persons	213	37				
Welfare Checks-People	220	49				
Harassment	144	34				
Noise Complaints	164	33				
Incomplete 911 calls	148	20				
Warrant Service	110	30				
Fraud	108	21				
Domestic Disturbance	157	47				
Criminal Mischief	146	55				
Drug Complaints	91	15				
Burglaries	41	12				
Suicide Threats	19	6				
Suicide Attempts	9	0				
Mental Intervention	22	2				
Case Follow-Up	1,441	333				
Robberies	5	0				
Assaults	52	10				
Disturbances	144	35				
Assist Fire/Other PD	214	46				
Sex Offenses	20	5				
Missing Persons	18	4				
Arson	0	0				



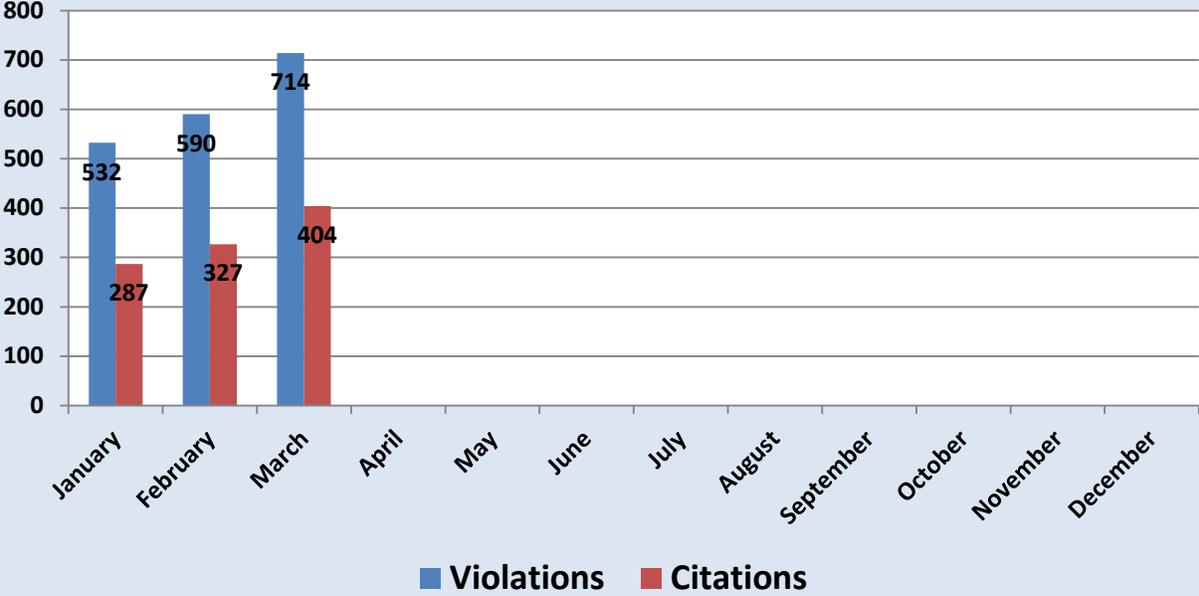
2013 Traffic Safety

Traffic Safety Call/Activity	2012 Totals	Q1	Q2	Q3	Q4	2013 Totals
Traffic Crashes	372	61				
Traffic Stops-Street	5,257	1092				
Citations-Street	1,910	490				
PRL Violations	9,507	1836				
PRL Citations	4,063	1018				
Extra Patrols	3,296	744				
Parking/City Ordinance Complaints	194	7				
Motorist Assists	254	52				
Hazards	196	30				
Att. to Locate Driver (DUI-Reckless)	315	68				
Driving Under the Influence	124	27				
Traffic Complaints from Community	112	27				





PRLP-2013 Violation & Citation Totals



1st Quarter K-9 Update

