



NOTICE OF DECISION

TAX LOT: 2S1 29DC 00100
Parcel 2 of Partition Plat 2017-019
CASE NO: SP 17-01 / SUB 17-03
DATE OF NOTICE: December 14, 2017

Applicant/Owner

Langer Family, LLC
15555 SW Tualatin Sherwood Road
Sherwood, OR 97140

Owner's Representative

John Christiansen, PE
AKS Engineering and Forestry

NOTICE

Because you testified in writing or in person at the Planning Commission Public Hearing on this matter, you are receiving notice that on December 12, 2017, the Sherwood City Planning Commission approved the **Parkway Village South Site Plan and Subdivision**. The applicant proposes a Site Plan Review and a five lot subdivision, with lots ranging from ± 0.50 acres to ± 8.24 acres in the Light Industrial Planned Unit Development (LI-PUD) zone. Lot 1 is reserved for future use and is not included in the concurrent Site Plan Review application. The remaining four lots will consist of the following: $\pm 92,899$ square feet indoor entertainment and recreation fun center; $\pm 32,408$ square feet of retail space across four buildings; and ± 392 square feet drive-through coffee kiosk. The decision was made after consideration of the staff report, application materials, and public testimony.

INFORMATION:

To obtain copies of file materials, go to <https://www.sherwoodoregon.gov/planning/project/parkway-village-south> or contact Joy Chang, Associate Planner, at 503-625-4214 or by e-mail at changj@sherwoodoregon.gov.

APPEAL

Pursuant to Sherwood Zoning and Community Development Code Section 16.72.010.B.3.d, an appeal of the Planning Commission decision may be made to the City Council. Pursuant to Section 16.76, any person who appeared before the local government, orally or in writing, on this matter may file a notice of intent to appeal to the City of Sherwood Planning Director not later than 14 days from the date of this notice. **An appeal of this decision must be filed no later than 5:00 PM on December 28, 2017.**

I, Joy Chang, for the Planning Department, City of Sherwood, State of Oregon, in Washington County, declare that the Notice of Decision SP 17-01/SUB 17-03 Parkway Village South was placed in a U.S. Postal receptacle, or transmitted via electronic mail, on December 14, 2017.


Joy Chang, Associate Planner
City of Sherwood Planning Department

Parkway Village South Site Plan and Subdivision
Case File: SP 17-01 / SUB 17-03

Notice of Decision

Pre-App. Meeting:	January 4, 2017
App. Submitted:	July 19, 2017
App. Complete:	August 18, 2017
Revised 120-Day Deadline:	January 15, 2018
First Hearing Date:	November 28, 2017
Continued Hearing Date:	December 12, 2017

On November 28, 2017, the Planning Commission opened the public hearing and due to a lack of quorum continued the hearing to December 12, 2017. At that same meeting, the applicant granted a one-month extension to the 120-day land use final action deadline extending the date to January 15, 2018. At the December 12, 2017 Planning Commission meeting, the Commission opened the public hearing and took public testimony on the subject application. Staff presented the staff report and after receiving testimonies from the applicant and the public, the Commission closed the record and considered the application before them. No additional written testimony was received.

At the hearing, the Planning Commission discussed the applicable criteria. Questions were raised relating to on-site landscaping maintenance, delivery/loading for Lots 2, 4-5, traffic impacts on the intersection of SW Century Drive/Tualatin Sherwood Road, and clarification on phasing of the development. The Commission praised the applicant in their willingness to modify the designed based on feedback received at the required neighborhood meeting. Additional comments highlighted the project design that include architectural details that creates a pedestrian friendly environment.

The Planning Commission approved the application and based their decision on the findings of fact and conditions contained in this notice including the testimony received, staff report and Exhibits A-K.



Jean Simson, Planning Commission Chair

Proposal: The applicant proposes a Site Plan Review and a five lot subdivision, with lots ranging from ± 0.50 acres to ± 8.24 acres in the Light Industrial Planned Unit Development (LI-PUD) zone. Lot 1 is reserved for future use and is not included in the concurrent Site Plan Review application. The remaining four lots will consist of the following: $\pm 92,899$ square feet indoor entertainment and recreation fun center; $\pm 32,408$ square feet of retail space across four buildings; and ± 392 square feet drive-through coffee kiosk.

I. BACKGROUND

- A. **Applicant/Owner:** Langer Family, LLC
15555 SW Tualatin Sherwood Road
Sherwood, OR 97140
- Owner's Representative:** John Christiansen, PE
AKS Engineering and Forestry
503-563-6151
- B. **Assessor's Information:** Tax Map 2S1 29DC, Tax Lot 100
Parcel 2 of Partition Plat 2017-019
- C. **Location:** Southeast corner of SW Langer Farms Parkway and SW Century Drive
- D. **Parcel Size:** The site is approximately 15.67 acres in size.
- E. **Existing Development and Site Characteristics:** The site is currently vacant and gently slopes upwards from east to west. An existing stockpile of dirt, located on the northern portion of the site, was previously granted through a grading permit from the city's Building Department. The site is also adjacent to a regional stormwater quality facility to the southeast which was committed to serving this tax lot. There is an existing drainageway, and associated wetlands and vegetated corridor designation, located within an unbuildable tract to the southeast that was established as part of the Langer Farms subdivision plat. The site will take access from SW Langer Farms Parkway and SW Century Drive, both designated as collector streets in the City of Sherwood Transportation System Plan (TSP).
- F. **Site History:** The site has been owned and farmed by the Langer family since the late 1800's. This particular piece of property is within Phase 6 of the Sherwood Village PUD that was approved by the Sherwood City Council in 1995. All future development is subject to the conditions of the approved Planned Unit Development and SUB 12-02. Because of the approval of the subdivision in 2012, the use of the property is vested for a period of 10 years (ORS 92.040). In this instance, the PUD approval for all of phases 6, 7, and 8 of PUD 95-1 allowed for uses that were permitted within the General Commercial Zone in 1995. This was memorialized by the Council approval of Resolution 2007-081 in 2007. The City also approved a Similar Use Interpretation establishing that the proposed Fun Center is a permitted use on the subject property under the 1995 Sherwood Zoning and Community Development Code (SZCDC) in April 2017.
- G. **Zoning Classification and Comprehensive Plan Designation:** The property is zoned Light Industrial Planned Unit Development (LI-PUD). A Fun Center is not currently permitted in this zone, but as stated above, this use was permitted when the original PUD was approved, and the use was vested for a period of 10 years once the subdivision was approved in 2012.
- H. **Adjacent Zoning and Land Use:** The overall site is bound on the north by SW Century Drive, to the west by SW Langer Farms Parkway, to the east by a Light Industrial use development, to the southeast by a natural resource area and regional stormwater facility, and to the south by a self-storage facility. The property is surrounded by other properties located to the south and east by other light industrially zoned properties, to the north by an industrially zoned parcel that was developed with the Parkway Village Shopping Center, and to the west by properties that are zoned residential.

- I. **Review Type:** According to Section 16.72.010.A.4.c, Site Plans greater than 40,000 square feet of floor area, parking or seating capacity requires a Type IV review; the hearing authority is the Planning Commission and the appeal authority is the City Council. This application is over the 40,000 square foot threshold requiring the Type IV review. Subdivision applications creating between 4-10 lots are considered a Type II staff level decision per Section 16.72.010.A.2.i and the appeal authority is the Planning Commission.
- J. **Public Notice and Hearing:** Notice of the application was mailed to property owners within 1,000 feet, posted on the property and distributed in five locations throughout the City on October 4, 2017 and on November 7, 2017 in accordance with § 16.72.020 of the SZCDC. The notice was published in the *Times* (a newspaper of general circulation) on October 5, 2017, October 19, 2017, November 9, 2017 and November 23, 2017 in accordance with §16.72.020 of the SZCDC.
- K. **Review Criteria:** Sherwood Zoning and Community Development Code: §16.31 (Industrial Land Use Districts), §16.40 (Planned Unit Development), §16.70 (General Provisions), §16.58.010 (Clear Vision), §16.90 (Site Planning), §16.92 (Landscaping), §16.94 (Off-Street Parking and Loading), §16.96 (On-Site Circulation), §16.98 (On-site Storage), All of Division VI - §16.104-16.118 (Public Improvements), §16.120 (Subdivision), §16.128 (Land Division Design Standards), §16.142 (Parks, Trees, and Open Space), §16.146 (Noise), §16.48 (Vibrations), §16.150 (Air Quality), §16.52 (Odors), §16.154 (Heat and Glare), and §16.156 (Energy Conservation). Other Criteria: 1995 PUD Design Guidelines and 2010 Development Agreement.

II. PUBLIC COMMENTS

Public notice was mailed, posted on the property, and posted in five locations throughout the City on October 4, 2017 and on November 7, 2017. Staff received one comment from the community expressing concerns on land use from industrial to commercial – decreasing the potential of bringing in new industrial high valued jobs. Concerns were also expressed on increase commuter traffic from other suburban areas. See **Exhibit G**. These concerns will be addressed as part of this report. Additional comments are welcome up to the close of the public hearing.

III. AGENCY COMMENTS

Staff sent e-notice to affected agencies on September 6, 2017. The following is a summary of the comments received. Copies of full comments are included in the record unless otherwise noted.

Sherwood Engineering Department: The Sherwood Engineering Department has provided comments that are included in this report and attached as **Exhibit B**.

Clean Water Services (CWS): A CWS Pre-Screening Site Assessment dated March 30, 2016 states that the proposed project will not significantly impact the existing or potentially sensitive area(s) found near the site. Jackie Humphries, CWS, provided comments dated September 28, 2017, that indicated a storm water connection permit authorization would be required prior to plat approval and recordation. This will be discussed and conditioned further within this report. Her comments are attached as **Exhibit C**.

Tualatin Valley Fire and Rescue (TVF&R): Tom Mooney, Deputy Fire Marshall, provided comments in a letter dated September 13, 2017 attached as **Exhibit D**.

Pride Disposal: Kristen Tabscott provided comments in a letter dated September 14, 2017. She states that the applicant's consultant has emailed her stating that some modifications to the enclosures are being made. This will be discussed and conditioned further in Section 16.98.020 Solid Waste and Recycling Storage. Her comments are attached as **Exhibit E**.

Oregon Department of Transportation (ODOT): Marah Danielson and Avi Tayar provided comments in a letter dated October 19, 2017. ODOT reviewed the traffic impact analysis prepared by Kittelson and Associates dated July 18, 2017 and the supplemental analysis prepared by Kittelson and Associates dated October 10, 2017. Based on their analysis the mitigation should be proposed at the intersection of OR 99W/Edy Rd and OR 99W/Tualatin Sherwood Rd. Alternatively, since Washington County has funded projects to improve both intersections in the near term, the applicant could be required to contribute towards the projects. ODOT comments are attached as **Exhibit F**. This is further discussed and conditioned in Section 16.106.080 Traffic Impact Analysis.

Washington County Land Use and Transportation: Formal comments were not submitted from the County on this proposal. However, the City Engineering Department and the County have coordinated and discussed this proposal. The County has agreed to allow for a fee-in-lieu of construction for transportation mitigation requirements pertaining to Tualatin Sherwood Road / Hwy 99W intersection.

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

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

D. Required Findings

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

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

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

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

FINDING: As discussed in detail in the Public Infrastructure section, water, sanitary sewer, and storm sewer are either available or can be extended to serve the site. The subject site has access to SW Century Drive to the north and SW Langer Parkway to the west, both developed as collector status roads. The nearest park is Langer Park, off of SW Century Blvd. in a residential neighborhood. Solid waste services, communication and public safety are all available to this development. All new utilities for the site will be required to be underground. Sherwood Broadband utilities are required to be installed. This criterion can be met as discussed and conditioned in the Public Infrastructure Section below.

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

FINDING: Any required covenants or restrictions imposed by the City will be required to be satisfied as an ongoing condition of the original land use decision and subsequent land use approvals on this parcel of land. The City does not monitor or enforce private covenants and restrictions. As identified within the applicant's narrative, covenants, conditions and restrictions (CC&Rs) for the project, as well as shared access easements, will be recorded with the final plat, providing for ownership, management, and maintenance of on-site features, as necessary. Ongoing maintenance of the structures, landscaping, etc. will be provided by the property owner, lessee, or other appropriate party. This criterion is met.

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

FINDING: As documented in the CWS Pre-Screening Site Assessment (Exhibit F of the applicant's application submittal) the proposed project will not significantly impact the existing or potentially sensitive areas found near the site. As identified within the applicant's narrative, the site does not contain any identified significant natural features, sensitive lands, or protected scenic view. An existing drainageway, with associated wetlands and a vegetated corridor, runs east of the site. It is located off site and protected by an open space tract created with a previous phase of the PUD. The preliminary plans show that trees are preserved to the maximum extent feasible and consistent with applicable city standards. The applicable criteria are met.

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

FINDING: This project is expected to generate more than 400 ADT. Kittelson & Associates have prepared a detailed traffic impact analysis that was submitted as part of the application packet. Engineering staff reviewed the TIA and determined revisions were necessary to the analysis - the appropriate category for trip generation need to be modified. Additionally, ODOT comments requested that the analysis be updated to include the OR 99W/Edy Rd intersection. A revised TIA has since been submitted addressing both concerns and will be further discussed in Section 16.106 Transportation Facilities. This criterion is met.

- 6. The proposed commercial, multi-family, institutional or mixed-use development is oriented to the pedestrian and bicycle, and to existing and planned transit facilities. Urban design standards include the following:**
 - a. Primary, front entrances are located and oriented to the street, and have significant articulation and treatment, via facades, porticos, arcades, porches, portal, forecourt, or stoop to identify the entrance for pedestrians. Additional**

entrance/exit points for buildings, such as a postern, are allowed from secondary streets or parking areas.

STAFF ANALYSIS: As identified within the applicant's narrative, the site has been designed around the SW Langer Farms Parkway frontage to create an inviting and pedestrian-friendly orientation that draws people in from the street. The project frontage achieves this using several urban design principles. First, this project creates an attractive and inviting streetscape, achieved by locating pedestrian-scale buildings as close as possible to the sidewalk and pedestrian corridors. The project uses window glazing, building materials, and design to avoid presenting blank walls to pedestrians, bicyclist, and drivers. Active spaces work when site materials such as paving, walls, and plantings are strategically placed and cohesively designed to address the street and pedestrian. A dynamic streetscape is created through well-designed and thoughtful outdoor spaces utilizing storefronts, plazas, fountains, and professionally designed landscaping. Vehicle parking is separated from the sidewalk, and located behind the buildings. In addition to screening and separation provided by the buildings themselves, the parking areas are screened with landscaping.

The project also provides multiple direct and convenient pedestrian connections between the boundary streets and the buildings. An approximately 4,000-square-foot plaza and water feature – a shared design element with the commercial area to the north – is planned to be located at the corner of SW Langer Farms Parkway and SW Century Drive, a critical entry point and visual focal point for the project. The plaza will open to pedestrians entering through an attractive trellis from the 12-foot-wide multi-use pathway that runs along the east side of SW Langer Farms Parkway. The design feature reinforces the corner of the site, emphasizes the intersection of streets, articulates a gateway into the project, provides a means of wayfinding, and ultimately delivers a dynamic public space where pedestrians' paths intersect. This corner is designed to be a node of social and economic activity, which is achieved through a distinctive yet familiar architectural treatment. Additional plaza areas are planned abutting the retail buildings. These areas will have pedestrian connections to the sidewalk, and will accommodate the outdoor seating that will generate the activity that draws in pedestrians walking by the site.

A breezeway is planned to connect from SW Century Drive south through the parking area to the main entrance of the Fun Center. The 10-foot-wide covered walkway is separated from the parking and vehicle use areas by curbs, trees on both sides, and the stone and timber frame of the structure. The Fun Center is a large building, and its main entrance provides the focal point once one is within the site. The building itself has been oriented so that its narrower, more pedestrian-scale side, faces the SW Langer Farms Parkway sidewalk. The pitched roof, building materials, and other design cues recall the smaller retail buildings that also front SW Langer Farms Parkway. This design, scales and focuses the entries to the pedestrian while making the development look cohesive.

Finding: The outdoor spaces, landscaping, pedestrian connections and building design provide a harmonious and inviting environment that is human in-scale. The site design facilitates wayfinding as site entrances, internal walkways, and building entries are well defined and oriented to pedestrians. Based on the above analysis, this criterion is met.

b. Buildings are located adjacent to and flush to the street, subject to landscape corridor and setback standards of the underlying zone.

STAFF ANALYSIS: As sated above, the smaller retail buildings that are pedestrian in-scale are located along SW Langer Farms Parkway and SW Century Drive. A landscaped visual corridor is required along both SW Century Drive and SW Langer Farms Parkway per Section 16.142.040.

Buildings are located as close to the street as possible, with at least one building flush to each right-of-way, outside of the Public Utility Easements and required view corridors.

Finding: This criterion is met.

- c. **The architecture of buildings are oriented to the pedestrian and designed for the long term and be adaptable to other uses. Aluminum, vinyl, and T-111 siding are prohibited. Street facing elevations have windows, transparent fenestration, and divisions to break up the mass of any window. Roll up and sliding doors are acceptable. Awnings that provide a minimum 3 feet of shelter from rain are required unless other architectural elements are provided for similar protection, such as an arcade.**

STAFF ANALYSIS: As stated in the applicant’s narrative in response to item “a” above, the site creates an interesting and enjoyable pedestrian experience along the boundary streets, SW Langer Farms Parkway and SW Century Drive. Large storefront windows are planned to face the street. Each street-facing elevation presents multiple bays created through fenestration and design including the use of multiple types of stone, brick, lap siding, shingles, columns, and wood canopy supports. Building design articulates a clear and distinct base, middle, and top to break up the vertical massing and develops a pedestrian scale. The use of ledgerstone creates a solid base, and banding in addition to changes in color and/or material emphasize horizontal breaks and vertical coherence in the building plane. Additionally, street facing elevations have varying heights, dormers, upper floor windows, and roof-types. Awning and canopies provide shelter from weather. No aluminum vinyl, or T-111 siding will be utilized.

This type of classic, northwest design lends itself to multiple uses. The commercial buildings are designed as flex space so they are adaptable for use by various retail tenants. The robust northwest appropriate materials - including stone, timber, brick, hardiplank shingles and siding, and metal roofing – will weather well and last long-term in the Pacific Northwest climate.

Finding: Based on the above analysis, this criterion is met.

- d. **As an alternative to the standards in Section 16.90.020.D.6.a—c, the following Commercial Design Review Matrix may be applied to any commercial, multi-family, institutional or mixed use development (this matrix may not be utilized for developments within the Old Town Overlay). A development must propose a minimum of 60 percent of the total possible points to be eligible for exemption from the standards in Section 16.90.020.D.6.a—c. In addition, a development proposing between 15,001 and 40,000 square feet of floor area, parking or seating capacity and proposing a minimum of 80 percent of the total possible points from the matrix below may be reviewed as a Type II administrative review, per the standards of Section 16.72.010.A.2.**

COMMERCIAL DESIGN REVIEW MATRIX

Design Criteria	Possible Points				
	0	1	2	3	4
Building Design (21 Total Points Possible; Minimum 12 Points Required)					
These standards may be applied to individual buildings or developments with multiple buildings.					
Materials ¹	Concrete, artificial materials (artificial or "spray" stucco, etc.)	Cultured stone, brick, stone, decorative patterned masonry, wood	A mixture of at least two (2) materials (i.e. to break up vertical facade)	A mixture of at least three (3) materials (i.e. to break up vertical facade)	A mixture of at least three (3) of the following materials: brick, stone, cultured stone, decorative patterned masonry, wood

Roof Form ²	Flat (no cornice) or single-pitch (no variation)	Distinctive from existing adjacent structures (not applicable to expansion of same building) or either variation in pitch or flat roof with cornice treatment	Distinctive from existing adjacent structures (not applicable to expansion of same building) and either variation in pitch or flat roof with cornice treatment	—	—
Glazing ³	0—20% glazing on street-facing side(s)	>20% glazing on at least one street-facing side (inactive, display or façade windows)	>20% glazing on all street-facing sides (inactive, display or façade windows)	>20% glazing on at least one street-facing side (active glazing—actual windows)	>20% glazing on all street-facing sides (active glazing—actual windows)
Fenestration on street-facing elevation(s)	One distinct "bay" with no vertical building elements	Multiple "bays" with one or more "bay" exceeding 30 feet in width	Vertical building elements with no "bay" exceeding 30 feet in width	Vertical building elements with no "bay" exceeding 20 feet in width	—
Entrance Articulation	No weather protection provided	Weather protection provided via awning, porch, etc.	—	Weather protection provided via awning, porch, etc. and pedestrian amenities such as benches, tables and chairs, etc. provided near the entrance but not covered	Weather protection provided via awning, porch, etc. and pedestrian amenities such as benches, tables and chairs, etc. provided near the entrance and covered
Structure Size ⁴ to discourage "big box" style development	Greater than 80,000 square feet	60,000—79,999 square feet	40,000—59,999 square feet	20,000—39,999 square feet	Less than 20,000 square feet

Staff Analysis for Building Design:

Materials - The buildings will incorporate a mix of several materials, including wood, brick, and cultured stone = **4 pts.**

Roof Form – The buildings incorporate several roof forms, including gabled, shed, and flat roofs with a variety of pitches, heights, parapets, and cornice treatments = **2 pts.**

Glazing – Street-facing sizes will have less than 20% glazing = **0 pts.**

Fenestration – Street-facing facades utilize the arrangement of windows and/or doors to create multiple distinct bays, many with vertical elements. Certain bays exceed 30 feet in width = **1 pt.**

Entrance Articulation – The buildings will provide weather protection using awnings and porches. Additionally, pedestrian amenities, such as benches, are provided throughout the site, and it's anticipated that tenants will provide outdoor seating and tables near their entrances = **4 pts.**

Structural Size– When multiple buildings are planned, the average building size is used. The total building area, across all six buildings is ± 125,699 square feet. The average is ± 20,949 square feet = **3 pts**

Total points for Building Design 14/21.

Building Location and Orientation (6 Total Points Possible; Minimum 3 Points Required)

Location ⁵	Building(s) not flush to any right-of-way (including required PUE adjacent to ROW, setbacks or visual corridor) (i.e.	Building(s) located flush to right-of-way on at least one side (with the exception of required setbacks,	Buildings flush to all possible right-of-way (with the exception of required setbacks, easements or visual corridors) (i.e. "built to the corner")	—	—
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	parking or drive aisle intervening)	easements or visual corridors)			
Orientation	Single-building site primary entrance oriented to parking lot	—	Single-building site primary entrance oriented to the pedestrian (i.e. entrance is adjacent to public sidewalk or adjacent to plaza area connected to public sidewalk and does not cross a parking area)	—	—
	Multiple building site primary entrance to anchor tenant or primary entrance to development oriented to parking lot	—	Multiple building site primary entrance to anchor tenant or primary entrance to development oriented to the pedestrian	—	—
Secondary Public Entrance ⁶			Secondary public pedestrian entrance provided adjacent to public sidewalk or adjacent to plaza area connected to public sidewalk		

Staff Analysis for Building Location and Orientation:

Location – The site fronts two separate rights-of-way. Both SW Century Drive and SW Langer Farms Parkway both require landscaped visual corridor per 16.142.040 = **2 pts.**

Orientation – The site contains six buildings. The site provides five sidewalk connections to SW Langer Farms Parkway and four sidewalk connections to SW Century Drive. A breezeway – oriented entirely to pedestrians – provides a direct connection from the street to the Fun Center = **2 pts.**

Secondary Public Entrance – As stated above, the primary entrance is oriented to the pedestrian, so these points are automatic = **2 pts.**

Total points for Building Location and Orientation 6/6.

Parking and Loading Areas (13 Total Points Possible; Minimum 7 Points Required)

Location of Parking	Greater than 50 percent of required parking is located between any building and a public street	25—50 percent of required parking is located between any building and a public street	Less than 25 percent of required parking is located between any building and a public street	No parking is located between any building and a public street	—
Loading Areas	Visible from public street and not screened	Visible from public street and screened	Not visible from public street	—	—
Vegetation	At least one "landscaped" island every 13—15 parking spaces in a row	At least one "landscaped" island every 10—12 parking spaces in a row	At least one "landscaped" island every 8—9 parking spaces in a row	At least one "landscaped" island every 6—7 parking spaces in a row	—
Number of Parking Spaces ⁷	>120%	101—120%	100%	<100% (i.e. joint use or multiple reduction) (1 bonus)	—
Parking Surface	Impervious	Some pervious paving (10—25%)	Partially pervious paving (26—50%)	Mostly pervious paving (>50%)	—

Staff Analysis for Parking and Loading Areas

Location – All parking is separated from the street by the planned buildings. No parking is located between a building and the public street = **3 pts.**

Loading – The loading area is set back from the street ± 150 feet and will be screened by building and landscaping = **2 pts.**

Vegetation – The preliminary landscape plans show ± 37,502 square feet of parking lot landscaping (± 12.3% of the parking lot). The largest row of parking without a landscaped island is 10 spaces, and several rows contain only 6-7 spaces = **2 pts.**

Number of Parking spaces – The minimum required parking spaces is 406 and the site plan shows 487 parking spaces; which is ± 120% = **1 pt.**

Parking Surface – No pervious parking spaces are planned = **0 pts.**

Total points for Parking and Loading 8/13.

Landscaping (24 Total Point Possible, Minimum 14 Points Required)

Tree Retention ⁸	Less than 50% of existing trees on-site retained	51—60% of existing trees on-site retained	61—70% of existing trees on-site retained	71—80% of existing trees on-site retained	81—100% of existing trees on-site retained
Mitigation Trees ⁹	Trees mitigated off-site or fee-in-lieu	25—50% of trees mitigated on-site	51—75% of trees mitigated on-site	76—100% of trees mitigated on-site	—
Landscaping Trees ¹⁰	Less than one tree for every 500 square feet of landscaping	1 tree for every 500 square feet of landscaping	2 trees for every 500 square feet of landscaping	3 trees for every 500 square feet of landscaping	4 trees for every 500 square feet of landscaping
Landscaped Areas	Greater than 35% of landscaped areas are less than 100 square feet in size	Less than 25% of landscaped areas are less than 100 square feet in size	No landscaped areas are less than 100 square feet in size	—	—
Landscaping Trees greater than 3-inch Caliper	<25%	25—50%	>50%	—	—
Amount of Grass ^{11,12}	>75% of landscaped areas	50—75% of landscaped areas	25—49% of landscaped areas	<25% of landscaped areas	—
Total Amount of Site Landscaping ¹³	<10% of gross site	10—15% of gross site	16—20% of gross site	21—25% of gross site	>25% of gross site
Automatic Irrigation	No	Partial	Yes	—	—

Staff Analysis for Landscaping

Tree Retention – The preliminary Tree Preservation and Removal Table shows 21 existing trees on site and 3 trees (±14%) to be preserved = **0 pts.**

Mitigation Trees – The Preliminary Tree Preservation and Removal Table show 18 existing trees are planned to be removed and 14 trees (±78%) will be mitigated on-site = **3 pts.**

Landscaping Trees – The Landscaping Plan shows 267 trees will be provided, minus 14 mitigation trees. The resulting 253 net trees and 83,338 square feet of landscaping establishes a ratio of ±1.52 trees per 500 square feet of landscaping = **2 pts.**

Landscaped Areas – All landscaped islands are at least 100 square feet in area = **2 pts.**

Landscaping Trees greater than 3-inch Caliper – Conifers such as Douglas Fir or Cedar are generally not measured by caliper inch until they reach 6-inches in width. 8-10-foot conifers are generally considered equivalent to a 3-inch caliper or larger tree. The Landscaping Plan shows 79 of 267 (±30%) site trees as 3-inch caliper or larger = **1 pt.**

Amount of Grass – The Landscaping Plan shows ±14,923 square feet (±18% of landscaped area) as lawn= **3 pt.**

Total Amount of Site Landscaping – The Landscaping Plan shows ±83,338 square feet of landscaped area, ±16% of the total site = **2 pts.**

Automatic Irrigation – Irrigation to be provided by a full automatic underground system = **2 pts.**

Total points for Landscaping 15/24.

Miscellaneous (10 Total Points Possible; Minimum 5 Points Required)

Equipment Screening (roof)	Equipment not screened	Equipment partially screened	Equipment fully screened	Equipment fully screened by materials matching building architecture/finish	—
Fences and Walls ¹⁴	Standard fencing and wall materials (i.e. wood fences, CMU walls etc.)	—	Fencing and wall materials match building materials	—	—
On-Site Pedestrian Amenities Not Adjacent to Building Entrances	No	Yes; 1 per building	Yes; more than 1 per building	—	—
Open Space Provided for Public Use	No	Yes; <500 square feet	Yes; 500—1,000 square feet	Yes; >1,000 square feet	—
Green Building Certification				LEED, Earth Advantage, etc. (Bonus)	

Staff Analysis for Miscellaneous

Equipment Screening (roof) – All roof equipment will be fully screened by parapets matching the design and/or finish of the building = **3 pts.**

Fences and Walls – Walls and any fencing will match building materials. Walls for the bicycle gazebo and along the entry trellis at the plaza are planned to be cultured stone matching the cultured stone on the buildings. Trash enclosures are planned to be CMU, but will have gray natural finished concrete caps matching the gray natural finished concrete caps that top the cultured stone base of several building facades = **2 pts.**

On-Site Pedestrian Amenities – Pedestrian amenities including plazas, benches, outdoor seating areas, and a water feature are planned near all buildings = **2 pts.**

Open Space provided for public use – The site plan shows plazas larger than 1,000 square feet that will be open space for public use = **3 pts.**

Green Building Certification – LEED, Earth Advantage, etc. will not be utilized = **0 bonus pts.**

Total points for Miscellaneous 10/10.

FINDING: Based on the analysis contained in the staff analysis to the Commercial Design Review Matrix, the project earned 53 (71%) of the available 74 points, as summarized below:

- Total points for Building Design = 14/21 points
- Total points for Building Location and Orientation = 6/6 points
- Total points for Parking and Loading = 8/13 points
- Total points for Landscaping 15/24

Total points for Miscellaneous = 10/10 points

This exceeds the minimum 45 points (60%) required for exemption from the standards in Section 16.90.020.D.6.a-c. These criteria are met.

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

FINDING: The applicant is proposing commercial development on a site zoned Light Industrial Planned Unit Development (LI-PUD). As stated before, commercial uses were permitted when the original PUD was approved, and the use was vested for a period of 10 years once the subdivision was approved in 2012. Consequently, these industrial design guidelines are not applicable.

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

FINDING: All four primary driveways for the development have driveway widths over 24-feet in width. The primary ingress and egress to SW Langer Farms Parkway is aligned with SW Whitestone Way. A secondary access to SW Langer Farms Parkway is considered a service entry access point. The planned primary driveways to SW Century Drive align with existing driveways on the north side of the street. This criterion is met.

V. SUBDIVISION REVIEW REQUIRED FINDINGS (16.120 Subdivisions and 16.128 Land Division Design Standards)

16.120.040- Approval Criteria: Preliminary Plat

No preliminary plat shall be approved unless:

- A. **Streets and roads conform to plats approved for adjoining properties as to widths, alignments, grades, and other standards, unless the City determines that the public interest is served by modifying streets or road patterns.**

FINDING: The proposed project abuts SW Langer Farms Parkway and SW Century Drive, both collector streets. These streets are fully improved except for the sidewalk along the south side of SW Century Drive. The preliminary plans show construction of a new 9.5-foot-wide curb tight sidewalk with tree wells along the SW Century Drive frontage matching the improvements on the north side of SW Century Drive. With these planned improvements, adequate pedestrian and bicycle facilities will be provided on both sides of SW Langer Farms Parkway and SW Century Drive. No new public streets are proposed nor necessary. This criterion is met.

- B. **Streets and roads held for private use are clearly indicated on the plat and all reservations or restrictions relating to such private roads and streets are set forth thereon.**

FINDING: This criterion is not applicable as the applicant has not proposed any private roads or streets.

C. The plat complies with applicable zoning district standards and design standards in Division II, and all provisions of Divisions IV, VI, VIII and IX. The subdivision complies with Chapter 16.128 (Land Division Design Standards).

FINDING: Where applicable, this standard is met and discussed in Divisions IV (Planning Procedures), VI (Public Infrastructure) and VIII (Environmental Resources) of this report. Section IX (Historic Resources) is not addressed as it is not applicable.

D. Adequate water, sanitary sewer, and other public facilities exist to support the use of land proposed in the plat.

FINDING: As discussed in Division VI (Public Infrastructure) of this report there are adequate services to support the proposed subdivision. The applicant's exhibits demonstrate that adequate water, sanitary sewer, and other public facilities capacities exist, and facilities will be installed to support the site; and that the proposed public improvements will adequately serve each proposed lot. This standard is met.

E. Development of additional, contiguous property under the same ownership can be accomplished in accordance with this Code.

FINDING: Per the applicant's narrative, Lot 1 is reserved for future use and is not included in the concurrent Site Plan Review application. Lot 1 has more than 300 feet of frontage along SW Century Drive, which contains necessary public facilities and could provide adequate access. This criterion is met.

F. Adjoining land can either be developed independently or is provided access that will allow development in accordance with this Code.

FINDING: The site is bordered by SW Langer Farms Parkway to the west, SW Century Drive to the north, developed industrial land to the east, and developed industrial land to the south. The developable land contiguous to the subject property is already largely developed and this project does not prevent the future use of adjoining land. This criterion is met.

G. Tree and woodland inventories have been submitted and approved as per Section 16.142.060.

FINDING: The applicant provided a Preliminary Tree Preservation and Removal Plan (Sheet P05, Exhibit A) that provides an inventory of the existing trees on site. Based on the analysis identified in Section 16.142 Landscaping, these standards are met.

H. The plat clearly shows the proposed lot numbers, setbacks, dedications and easements.

FINDING: Proposed lot numbers, setbacks, dimensions, and easements are shown on Sheet P03 in Exhibit A. This standard is met.

- I. **A minimum of five percent (5%) open space has been provided per § 16.44.B.8 (Townhome- Standards) or §16.142.020 (Parks, Open Spaces and Trees-Single-Family Residential Subdivisions), if applicable.**

FINDING: Neither of these sections applies to the proposed Light Industrial PUD zone subdivision. This standard does not apply.

Chapter 16.128 - LAND DIVISION DESIGN STANDARDS

16.128.010 - Blocks

A. Connectivity

1. Block Size

The length, width, and shape of blocks shall be designed to provide adequate building sites for the uses proposed, and for convenient access, circulation, traffic control and safety.

2. Block Length

Block length standards shall be in accordance with Section 16.108.040. Generally, blocks shall not exceed five-hundred thirty (530) feet in length, except blocks adjacent to principal arterial, which shall not exceed one thousand eight hundred (1,800) feet. The extension of streets and the formation of blocks shall conform to the Local Street Network map contained in the Transportation System Plan.

FINDING: The proposed development does not create new streets and blocks are neither planned nor necessary. The proposal does not affect the ability of surrounding areas to comply with block length requirements. These standards are met.

3. Pedestrian and Bicycle Connectivity. Paved bike and pedestrian accessways shall be provided on public easements or right-of-way consistent with Figure 7.401. Figure 7.401 — Block Connectivity

FINDING: Per the applicant's narrative, SW Langer Farms Parkway and SW Century Drive are collector streets that abut the subject property on two sides. Both streets are fully improved, except for the sidewalk along the south side of SW Century Drive. The preliminary plans show construction of a new 9.5-foot-wide curb tight sidewalk with tree wells along the SW Century Drive frontage matching the improvements on the north side of SW Century Drive. With these planned improvements, adequate pedestrian and bicycle facilities will be provided on both sides of SW Langer Farms Parkway and SW Century Drive. This criterion is met.

B. Utilities Easements for sewers, drainage, water mains, electric lines, or other utilities shall be dedicated or provided for by deed. Easements shall be a minimum of ten (10) feet in width and centered on rear or side lot lines; except for tie-back easements, which shall be six (6) feet wide by twenty (20) feet long on side lot lines at the change of direction.

FINDING: Per the applicant's narrative, the required PUEs were previously dedicated on the original subdivision plat. Installation of the utilities necessary to serve the site will occur with construction of the project as shown on the Preliminary Composite Utility Plan. This criterion is met.

C. Drainages

Where a subdivision is traversed by a watercourse, drainage way, channel or street, drainage easements or rights-of-way shall be provided conforming substantially to the alignment and size of the drainage.

FINDING: The required easements are shown on the Preliminary Plat. This criterion is met.

16.128.020 - Pedestrian and Bicycle Ways

Pedestrian or bicycle ways may be required to connect cul-de-sacs, divide through an unusually long or oddly shaped block, or to otherwise provide adequate circulation.

FINDING: The site does not include a cul-de-sac nor an irregularly shaped block. An on-site private system of pedestrian walkways extends throughout the project and connects to buildings, outdoor spaces, parking, and the public boundary streets. No additional pedestrian or bicycle ways are necessary or required. This criterion is met.

16.128.030 - Lots

A. Size and Shape

Lot size, width, shape, and orientation shall be appropriate for the location and topography of the subdivision or partition, and shall comply with applicable zoning district requirements, with the following exception:

1. Lots in areas not served by public sewer or water supply shall conform to any special County Health Department standards.

FINDING: The Preliminary Subdivision Plat, Sheet P03 of Exhibit A, shows five lots that will comply with the applicable requirements. All lots can be served by public sewer and water facilities within SW Langer Farms Parkway and SW Century Drive. This criterion is met.

B. Access

All lots in a subdivision shall abut a public street, except as allowed for infill development under Chapter 16.68.

STAFF ANALYSIS: Four of the proposed lots (Lots 1, 3-5) abut a public street. Lot 2 has access to a public street (SW Century Drive) through an access easement across Lot 3. Per the applicant's narrative, the easement is an interest in real property that will be recorded in the public records. The easement will be appurtenant to Lot 2 because it is accessory to Lot 2, and the use and enjoyment of Lot 2 is dependent upon the continued existence of the access rights provided by the easement. In this way, the easement is effectively part of Lot 2. Consequently, Lot 2 through its easement, effectively abuts a public street consistent with the standard.

Per SZCDC 16.10.020, a Lot is defined as *A parcel of land of at least sufficient size to meet the minimum zoning requirements of this Code, and with frontage on a public street, or easement approved by the City...* Additionally, the city approved a prior subdivision (Langer Farms Subdivision, SUB 12-02) under the same standards and establishes a precedence for allowing subdividing commercial/industrial lots to provide their frontage and access requirements through the provision of an easement over another lot.

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

C. Double Frontage

Double frontage and reversed frontage lots are prohibited except where essential to provide separation of residential development from railroads, traffic arteries, adjacent nonresidential uses, or to overcome specific topographical or orientation problems. A five (5) foot wide or greater easement for planting and screening may be required.

FINDING: Double frontage lots are not proposed, therefore this criterion is not applicable.

D. Side Lot Lines Side lot lines shall, as far as practicable, run at right angles to the street upon which the lots face, except that on curved streets side lot lines shall be radial to the curve of the street.

FINDING: The preliminary plat shows that side lot lines run at right angles to the abutting street frontage as far as practicable. This criterion is met.

E. Grading

Grading of building sites shall conform to the following standards, except when topography of physical conditions warrants special exceptions:

1. Cut slopes shall not exceed one (1) and one-half (1 1/2) feet horizontally to one (1) foot vertically.
2. Fill slopes shall not exceed two (2) feet horizontally to one (1) foot vertically.

STAFF ANALYSIS: The preliminary grading, erosion and sediment control plan shows the project will comply with the applicable grading standards. Furthermore, at time of building permitting, grading of the building sites will be further reviewed and finalized by the city Building Official. The city Engineering Department requires a grading permit for all areas graded as part of the public improvements. The Engineering permit, for grading of the public improvements, is reviewed, approved and released as part of the public improvement plan. The proposed development will disturb in excess of 5 acres.

FINDING: These standards have not been met but can be met as conditioned below.

RECOMMENDED CONDITION: E6. Prior to Sherwood Engineering Department approval of any phase of the public improvement plans and issuance of a Compliance Agreement, the developer shall obtain a DEQ NPDES 1200CN permit.

VI. APPLICABLE CODE PROVISIONS

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

16.31.010 - Purpose

B. Light Industrial (LI) - The LI zoning district provides for the manufacturing, processing, assembling, packaging and treatment of products which have been previously prepared from raw materials. Industrial establishments shall not have objectionable external features and shall feature well-landscaped sites and attractive architectural design, as determined by the Commission.

16.31.020- Uses

Applicant’s Response: The PUD designation was assigned as part of the Langer Family Planned Unit Development application approved by the City of Sherwood on April 26, 1995. The subject property is included as part of Phase 8 of the PUD. The City approved an application, in January 2008 (PUD 07-01), covering the land uses that are permitted within the PUD. The 2008 City decision was memorialized in the 2010 Development Agreement, which was vested in the subject property when the City approved the Langer Farms subdivision.

The 2010 Development Agreement provided that the uses permitted in the 1995 SZCDC are permitted on the subject property, including, “Uses permitted outright in the GC zone Section 2.109.02...” Section 2.1099.02(B) of the 1995 SZCDC lists “General retail trade” as a permitted use. In April 2017, the City of Sherwood approved a Similar Use Interpretation establishing that the planned Fun Center is a permitted use on the subject property under the 1995 SZCDC. The planned uses are permitted in the zone.

STAFF ANALYSIS: Staff concurs with the applicant’s history of the approvals including the assertion that a final development plan for the PUD was approved for the overall site in 1995. The applicant is in error where the narrative identified that the site is part of Phase 8; the site is actually part of Phase 6 of the PUD (the applicant has identified this as a typographical error). The purpose of this specific review is to ensure that the proposed development is consistent with the PUD approval, and the applicable review criteria for Site Plan, Subdivision, and all other applicable sections of the Sherwood Zoning and Community Development Code.

FINDING: Based on the applicant’s response and staff analysis, this criterion is met.

16.31.030 Development Standards

A. Generally

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

B. Development Standards

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

Development Standards	Light Industrial
Lot area - Industrial Uses:	10,000 SF
Lot area – Commercial Uses (subject to Section 16.31.050):	10,000 SF
Lot width at front property line:	100 feet
Lot width at building line:	100 feet
Front yard setback ¹¹	20 feet
Side yard setback ¹⁰	None
Rear yard setback ¹¹	None

Development Standards	Light Industrial
Corner lot street side ¹¹	20 feet
Height ¹¹	50 feet
¹⁰ When a yard is abutting a residential zone or public park, there shall be a minimum setback of forty (40) feet provided for properties zoned Employment Industrial and Light Industrial Zones, and a minimum setback of fifty (50) feet provided for properties zoned General Industrial. ¹¹ Structures located within one-hundred (100) feet of a residential zone shall be limited to the height requirements of that residential zone. (Ord. No. 2016-008, § 2, 6-21-2016)	

Applicant’s Response: The Preliminary Plat shows that five planned lots will meet the dimensional standards for the LI zone listed in the table above. The subdivision will comply with the applicable dimensional standards for lots in the LI zone.

The project will establish commercial uses consistent with the 2010 Development Agreement and 1995 SZCDC. The standard setbacks for the LI zone conflict with provisions of the Design Standards for commercial projects, and generally require buildings to be flush with the right-of-way or as close to the front property line as practicable. In approving SP 12-05/CUP 12-02, the City established a precedent that the Design Standards should supersede because they contribute to a more visually-appealing and pedestrian-friendly built environment. The buildings along SW Langer Farms Parkway and SW Century Drive are planned to be set back from the right-of-way at least 10 feet to comply with the requirements for landscaped visual corridors.

The maximum height of structures in the LI zone is 50 feet, subject to footnote 11, which limits the portions of buildings within 100 feet of a residential zone to the height requirements of that residential zone. The land across SW Langer Farms Parkway is zoned High Density Residential with a maximum height of 40 feet (60 feet or more for certain chimneys, aeriels, and towers). The Fun Center is the only building with a planned height of more than 40 feet. The plat of Langer Farms shows a Langer Farms Parkway half street width of 41 feet (west) and 39 feet (east) along the Fun Center frontage. The Site Plan shows the 39-foot half street and a ± 24-foot Fun Center building setback, which would put the building more than 100 feet from a residential zone. Therefore, the buildings meet the applicable dimensional standards.

STAFF ANALYSIS: Staff concurs with the applicant’s response above. Based on established commercial uses consistent with the 2010 Development Agreement and 1995 SZCDC, along with the precedent established in SP 12-05 / CUP 12-02, proposed development can be built to commercial standards where typical buildings setbacks are at zero (flushed with the street – when not abutting residential zones). The proposed buildings are set 10 feet or more from the street meeting the visual corridor requirement for collector streets.

FINDING: Based on the applicant’s response and staff analysis above, these standards are met.

16.40 PLANNED UNIT DEVELOPMENT (PUD)

16.40.030 - Final Development Plan

A. Generally

Upon approval of the PUD overlay zoning district and preliminary development plan by the Council, the applicant shall prepare a detailed Final Development Plan as per this

Chapter, for review and approval of the Commission. The Final Development Plan shall comply with all conditions of approval as per Section 16.40.020. In addition, the applicant shall prepare and submit a detailed site plan for any non-single-family structure or use not addressed under Section 16.40.020(B)(6), for review and approval, pursuant to the provisions of Chapter 16.90. The site plan shall be processed concurrently with the Final Development Plan.

Applicant's Response: The subject property is a ± 15.67 acre parcel approved by the City of Sherwood in 2016 (MLP 16-02), and finalized by Partition Plat 2017-019 which was recorded in June 2017. Site Plan Review applies to planned Lots 2 through 5. Planned Lot 1 is reserved for future use and is not included in the Site Plan Review application. The subject property is zoned LI-PUD.

The PUD designation was initially assigned as part of the Langer Family PUD. Preliminary and Final Development Plans were approved by the City in 1995. The subject property is included as part of Phase 8 of the PUD. Phases 1, 2, 3, and 5 are located off site to the west and have already been developed in accordance with the City approval. Phases 4, 6, and 7 are located to the north of this property and are not included in this application.

Consistent with the PUD approval and the 2010 Development Agreement (included as Exhibit I), this Site Plan Review application provides specific details for land uses, buildings, landscaping, site circulation, and access. The project complies with the PUD conditions and Development Agreement as stated below.

Finding: Staff concurs with the applicant's history of the approvals including the assertion that a final development plan for the PUD was approved for the overall site in 1995. The purpose of this specific review is to ensure that the proposed development is consistent with the PUD approval, and the applicable review criteria for Site Plan, Subdivision, and all other applicable sections of the Sherwood Zoning and Community Development Code. The applicant identified the site as Phase 8, this is a typographical error and the site is actually Phase 6. Phase 8 is located to the south of the site and is not included as part of this application.

The proposed development of Phase 6 complies with the applicable PUD conditions and Development Agreement as discussed below:

2010 Development Agreement

A. PUD USES

1. **Applicable Code. ZCDC 16.32.020.H, provides that "Approved PUDs may elect to establish uses which are permitted or conditionally permitted under the base zone text at the time of final approval of the PUD." The Langer PUD was approved and Phases 4, 6, 7 and 8 were assigned the Light Industrial ("LI") base zone designation on August 3, 1995.**
2. **Permitted and Conditional Uses. Accordingly, Langer elects to establish uses on the LI-designated phases of the PUD that were permitted or conditionally permitted under the LI base zone text applicable on August 3, 1995, including: "Uses permitted outright in the GC zone Section 2.109.02, except for adult entertainment businesses, which are prohibited." A copy of the uses permitted**

in the LI and GC zones on August 3, 1995 is set forth in Attachment A, attached hereto and incorporated herein by reference.

3. **Election of Uses and Acceptance.** The City acknowledges and accepts Langer's decision to elect to develop Phases 4, 6, 7 and 8 under ZCDC 16.32.020.H, including the ability to develop those phases for General Retail Trade under Section 2.109.02 of the 1995 ZCDC. Accordingly, the current provisions of ZCDC 16.32.030.K, which restrict retail uses in the LI zone to a maximum of 60,000 square feet, will not apply to site plan review of the PUD.

Applicant's Response: This project includes improvements and uses permitted under the 2010 Development Agreement and applicable sections of the 1995 SZCDC, as described in the response to Section 16.31.020. Section 2.109.02(B) of the 1995 SZCDC lists "General retail trade" as a permitted use. The City of Sherwood approved a Similar Use Interpretation in April 2017 establishing that the planned Fun Center is a permitted use on the subject property under the 1995 SZCDC.

FINDING: The applicant's response is accurate and consistent with the PUD.

B. ADAMS DRIVE SOUTH EXTENSION

Applicant's Response: The southerly extension of SW Adams Drive, now SW Langer Farms Parkway, was completed in the fall of 2011.

FINDING: Staff concurs. This condition has been previously met.

C. ADAMS DRIVE NORTH EXTENSION

Applicant's Response: The northerly extension of SW Adams Drive, now SW Langer Farms Parkway, was completed in 2014.

FINDING: Staff concurs. This condition has been previously met.

D. RAIL CROSSING

Applicant's Response: The railroad crossing at the southerly end of SW Adams Drive, now SW Langer Farms Parkway, was completed in the fall of 2011/

FINDING: Staff concurs. This condition has been previously met.

E. CENTURY DRIVE

Applicant's Response: The SW Century Drive extension was completed in 2014.

FINDING: Staff concurs. This condition has been previously met.

F. STORMWATER FACILITY

1. **Langer Commitments.** Prior to issuance of final occupancy permits for all structures located in Phase 6 or Phase 7, Langer will design and substantially construct a stormwater facility ("Stormwater Facility") on Phase 8 (including any necessary portions of Phase 6), to accommodate existing stormwater detention and treatment for the PUD, any additional detention and treatment associated with development of Phases 6, 7 and 8, and any detention and treatment associated with the South Extension and the Century Drive Connection. In conjunction with this construction, Langer retains the right to terminate use of the existing stormwater facilities currently located on Phase 7 and Phase 8 ("Existing Facilities"), provided the stormwater detention and treatment functions of the Existing Facilities are incorporated into the Stormwater Facility. Langer retains the right to expand the Stormwater Facility to serve other public rights-of-way and uses outside the PUD in Langer's sole discretion, provided such expansion otherwise complies with City standards, including without limitation, awarding credits for SDC's.
2. **City Commitments.** The City agrees to work with Langer, to the extent allowed by law, to issue any land use approvals related to termination of the Existing Facilities through an administrative process and to facilitate any related process for the vacation of any prior public dedications associated with the Existing Facilities.

Applicant's Response: The regional stormwater facility was completed in 2013.

FINDING: Staff concurs. This condition has been previously met.

1995 Design Guidelines

Applicant's Response: The approval established design guidelines for the PUD in 1995. Based on previous discussions with City staff and review of past decisions, the design standards entail a two page undated documents entitled "Sherwood Village Retail/Commercial Design Guidelines." The guidelines have four headings: 1. Retail Building Construction, 2. Landscaping, 3. Signage, and 4. Lighting. Only 1. Retail Building Construction and 2. Landscaping are applicable to this Site Plan Review.

1. RETAIL BUILDING CONSTRUCTION

A. Exterior materials and treatment (trim, etc.)

- 1) **Predominantly wood exterior.**
- 2) **Exterior windows and doors will have minimum 1 inch x 3 inch surrounds painted white.**
- 3) **Paint: Light tone palettes (white, off-white, grey, beige, tan), or similar as per Design Review Committee's approval.**

B. Shapes of openings

- 1) **Arched openings and bays encouraged.**

C. Storefronts

- 1) **Storefronts should have trimmed openings similar to above A.2.).**

D. Roofs

- 1) **Pitched roof forms are encouraged**
- 2) **Large amounts of flat roof are discouraged.**

Applicant's Response: The criteria listed above are "guidelines" and not mandatory "standards." Therefore, the Applicant only needs to show general conformance with the applicable guidelines rather than strict adherence to them. City approvals of previous phases of the Langer PUD have provided wide latitude and flexibility in the application of these design guidelines. Specifically, City approval of the Target shopping center (Phase 5) in the early

2000s and the Parkway Village (Phase 7) in 2012 were evaluated against the intent of these guidelines.

Page 10 of the Staff Report for the Parkway Village approval (SP 12-05/CUP 12-02) includes the finding:

The applicant is correct in that the guidelines are not intended to be prescriptive, and to the extent that the other phases of the Langer PUD has been developed with these standards, it is clear that a lot of latitude and flexibility has been provided to prior approvals. Arguably, the presence of the gabled roofs, addition of exposed wood, stone, and glass will provide a development that is much closer to achieving the guidelines than prior decisions.

Page 28 of the July 10, 2001 Revised Staff Report for the Target shopping center approval provides the following finding related to the guideline to provide a “predominantly wood exterior”:

Does not comply in the strict sense. The applicant states that wood exteriors are not typically used for such large buildings due to difficulty of maintenance and concern for fire safety. Therefore, the exterior is proposed, instead, to consist primarily of smooth face block that is accented with trim of darker split face block. The only glass is on the entry doors and windows at the NW corner of the store. The door and window surrounds are an industry standard size and the applicant states that the trim will be natural aluminum, which will be light-toned similar to white to provide similar contrast. Exterior building colors are proposed as a light tone palette (white, off-white, gray, beige or tan in accordance with the Design Guidelines.

Color elevations submitted with this application show building exteriors that incorporate board and batten, lap siding, wood columns, wood decking and canopies, and shingles. Other materials used include brick veneer, stone veneer, split-face CMU, and metal roofing. While not all the materials are wood, they are natural materials which reflect that vernacular and style of the region and create a similar visual appeal. Robust Northwest appropriate materials will weather well, and last long-term in the damp Pacific Northwest climate.

Brick and ledgerstone create a solid and timeless look, and the incorporation of siding with horizontal lap evokes a classic storefront look consistent with the guidelines. All windows will include trim of a color compatible with the external building materials. The second story pitched roofs contain board and batten siding, shingles, wood eaves and trimmed square windows with grids. The project provides building exteriors that incorporate wood, light window surrounds, light or natural earth-tone colors, bays, storefronts, and pitched roofs. The ultimate result is a welcoming residential or village feel that meets the intent of the guidelines.

FINDING: The applicant is correct in that the guidelines are not intended to be prescriptive, and to the extent that the other phases of the Langer PUD has been developed with these standards, it is clear that a lot of latitude and flexibility has been provided to prior approvals. Arguably, the presence of the gabled roofs, addition of exposed wood, stone, and glass will provide a development that is much closer to achieving the guidelines than prior decisions. Staff believes that the applicant has complied with the intent of the guidelines to the extent that it is practical.

2. LANDSCAPING

- A. Barkdust is not to be substituted as grass in front yards.**
- B. All driveways and vehicular storage areas shall be paved with asphalt, gravel or other dust minimizing material.**
- C. Trash and service areas must be screened from public view.**

Applicant's Response: Project landscaping includes a mixture of shrubs, trees and groundcover designed to complement the site, buildings and hardscapes. The preliminary Landscape Plan shows that barkdust is not planned, except perhaps in conjunction with plantings. Several types of vegetative groundcover are listed on the preliminary Landscape Plan in Exhibit B.

All driveways and vehicle use areas will be paved and dust will be minimized. Walls and plantings will be utilized to screen trash enclosures. The guidelines are met.

FINDING: The applicant's landscape plans support this statement, and staff is confident that the proposal satisfies the intent of the landscape design guidelines.

16.58.010 Clear Vision Areas

- A. A clear vision area shall be maintained on the corners of all property at the intersection of two (2) streets, intersection of a street with a railroad, or intersection of a street with an alley or private driveway.**
- B. A clear vision area shall consist of a triangular area, two (2) sides of which are lot lines measured from the corner intersection of the street lot lines for a distance specified in this regulation; or, where the lot lines have rounded corners, the lot lines extended in a straight line to a point of intersection, and so measured, and the third side of which is a line across the corner of the lot joining the non-intersecting ends of the other two (2) sides.**
- C. A clear vision area shall contain no planting, sight obscuring fence, wall, structure, or temporary or permanent obstruction exceeding two and one-half (2½) feet in height, measured from the top of the curb, or where no curb exists, from the established street center line grade, except that trees exceeding this height may be located in this area, provided all branches and foliage are removed to the height of seven (7) feet above the ground on the sidewalk side and ten (10) feet on the street side.**

The following requirements shall govern clear vision areas:

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

Applicant's Response: Two driveways provide ingress and egress to SW Century Drive and two driveways provide ingress and egress to SW Langer Farms Parkway. The preliminary plans show there will not be any obstructions within the 20-foot clear vision triangles abutting the four driveway/street intersections.

Per Section 16.142.040, a 10-foot-wide landscaped visual corridor is required along both SW Century Drive and SW Langer Farms Parkway. The preliminary Landscape Plan shows that landscaping within the clear vision triangles is planned to be low ground cover shrubs, and pedestrian hardscape. Landscaping in these areas can be maintained to prevent any conflicts with clear vision requirements. Therefore, the applicable clear vision requirements are met.

STAFF ANALYSIS: Staff concurs with the applicant's statement above.

FINDING: Based on the applicant's response and staff analysis above, these standards are met.

Chapter 16.70 General Provisions

16.70.010 Pre-Application Conference

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

STAFF ANALYSIS: Although not a requirement, the applicant requested and attended a pre-application conference (PAC 16-08) with City staff on January 4, 2017 to discuss developing the property with several retail buildings including a daycare, fitness and fun center on individual lots within the Langer PUD lot 4.

16.70.020 Neighborhood Meeting

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

STAFF ANALYSIS: The applicant held a neighborhood meeting on May 15, 2017 at Sherwood Middle School to discuss the overall development of the PUD site including a partition, a subdivision, and potential development of the site. Six attendees signed the attendance roster, and the applicant has provided a summary of the meeting and the items raised by the public. Concerns included the following:

- Need for activities for kids/families
- Parking
- Planned Landscaping
- Location of buildings, building height, setbacks
- Planned exterior lighting, problems with existing street lights
- Questions about the planned fun center
- Questions about potential retail uses / businesses
- Concerns about traffic and congestion
- Concerns about safety, crime, litter, drugs
- Concerns about headlights from buses and cars hitting nearby homes
- Concerns about increased noise from new buildings
- Concerns regarding vehicles currently speeding on SW Langer Farms Parkway
- Desire to have more stop signs installed in area
- Pedestrian improvements including crosswalks and sidewalks

To the extent that the development code addresses any of the concerns, staff has taken them into consideration in this decision.

FINDING: The applicant held a neighborhood meeting on May 15, 2017 and provided the materials along with this application that demonstrate that they complied with the requirements for neighborhood meetings. This criterion is met.

B. Division V. Community Design

16.92-LANDSCAPING

16.92.010-Landscaping Plan Required

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

FINDING: The proposed landscaping plans show planting areas on the site in areas which are not paved. The proposal includes the submission of a very detailed landscape plan. This standard is met.

16.92.020 Landscaping Materials

A. Type of Landscaping

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

1. Ground Cover Plants

- a. All of the landscape that is not planted with trees and shrubs must be planted in ground cover plants, which may include grasses. Mulch is not a substitute for ground cover, but is allowed in addition to the ground cover plants.
- b. Ground cover plants other than grasses must be at least the four-inch pot size and spaced at distances appropriate for the plant species. Ground cover plants must be planted at a density that will cover the entire area within three (3) years from the time of planting.

2. Shrubs

- a. All shrubs must be of sufficient size and number to be at full growth within three (3) years of planting.
- b. Shrubs must be at least the one-gallon container size at the time of planting.

3. Trees

- a. Trees at the time of planting must be fully branched and must be a minimum of two (2) caliper inches and at least six (6) feet in height.
- b. Existing trees may be used to meet the standards of this chapter, as described in Section 16.92.020.C.2.

STAFF ANALYSIS: The landscaping plans (Sheets L1- L5, Exhibit A) show that all areas not devoted to other uses are landscaped. The plans illustrate a diverse mix of ground cover, shrubs, and trees.

FINDING: These standards are met.

B. Plant Material Selection and Preparation

- 1. Required landscaping materials shall be established and maintained in a healthy condition and of a size sufficient to meet the intent of the approved landscaping plan. Specifications shall be submitted showing that adequate preparation of the topsoil and subsoil will be undertaken.**
- 2. Landscape materials should be selected and sited to produce a hardy and drought-resistant landscape area. Selection of the plants should include consideration of soil type, and depth, the amount of maintenance required, spacing, exposure to sun and wind, the slope and contours of the site, and compatibility with existing native vegetation preserved on the site.**

STAFF ANALYSIS: The proposed landscaping plan discusses plant spacing and calls out a fully automatic underground irrigation system. The plans have been prepared by Christopher Freshley, a licensed landscape architect in the state of Oregon. The plans demonstrate that it is feasible based on his prescribed spacing and irrigation method for the proposed landscape materials to be established and maintained in a healthy condition and sufficient size. It is typical that the specifications and details for top soil or subsoil preparation is completed with the construction documents for the project as this information is not needed to demonstrate that the plan can be feasibly implemented.

FINDING: This standard is not met, but can be met as conditioned below.

RECOMMENDED CONDITION: F4. Prior to Issuance of a Building Permit, the applicant shall submit construction documents that provide additional information on the proposed plantings and maintenance of the plants to ensure that the landscaping will be appropriately maintained. The construction plans shall include specifications for the adequate preparation of the soils.

C. Existing Vegetation

- 1. All developments subject to site plan review per Section 16.90.020 and required to submit landscaping plans per this section shall preserve existing trees, woodlands and vegetation on the site to the maximum extent possible, as determined by the Review Authority, in addition to complying with the provisions of Section 16.142.(Parks, Trees and Open Space) and Chapter 16.144 (Wetland, Habitat, and Natural Resources).**
- 2. Existing vegetation, except those plants on the Nuisance Plants list as identified in the "Suggested Plant Lists for Required Landscaping Manual" may be used to meet the landscape standards, if protected and maintained during the construction phase of the development.**
 - a. If existing trees are used, each tree six (6) inches or less in diameter counts as one (1) medium tree.**
 - b. Each tree that is more than six (6) inches and up to nine (9) inches in diameter counts as two (2) medium trees.**
 - c. Each additional three (3) inch diameter increment above nine (9) inches counts as an additional medium tree.**

STAFF ANALYSIS: The applicant provided a Preliminary Tree Protection and Removal Plan and Table (Exhibit A, Sheets P05 and P06) that provides an inventory of the existing trees on site. A total of 21 trees exist onsite. Of the 21 trees, 3 will be retained and 18 will be removed. The applicant states that the trees planned for removal conflict with required parking, internal circulation, infrastructure, and future construction. The preliminary Landscape Plan reflects the applicable requirements in Section 16.142, which will be discussed later in this report.

FINDING: These criteria have been met.

D. Non-Vegetative Features

1. Landscaped areas as required by this Chapter may include architectural features interspersed with planted areas, such as sculptures, benches, masonry or stone walls, fences, rock groupings, bark dust, semi-pervious decorative paving, and graveled areas.
2. Impervious paving shall not be counted toward the minimum landscaping requirements unless adjacent to at least one (1) landscape strip and serves as a pedestrian pathway.
3. Artificial plants are prohibited in any required landscaped area.

FINDING: The proposed plans show landscaped areas that include trees, shrubs, grasses, and low growing ground cover. It is likely that there is mulch or barkdust in addition to the proposed landscaping. The site includes a mix of landscaped areas, and hardscape plazas that are intended to include benches, fences, walls, and decorative paving. This criterion is satisfied.

16.92.030 Site Area Landscaping and Perimeter Screening Standards

A. Perimeter Screening and Buffering

1. Perimeter Screening Separating Residential Zones:

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

FINDING: The site is not directly adjacent to residential zones. The nearest residential zones are west of SW Langer Farms Road. Therefore, these criteria do not apply.

2. Perimeter Landscaping Buffer

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

FINDING: The boundary streets (SW Langer Parkway and SW Century Drive) of the project site are both collector streets. As such, a 10-foot-wide landscaped visual corridor is required along both street frontages. The preliminary landscape Plans (L1-L5) shows eastern and southern boundaries of the site. This criterion is met.

3. Perimeter Landscape Buffer Reduction

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

FINDING: The boundary streets (SW Langer Parkway and SW Century Drive) of the project site are both collector street. As such, a 10-foot-wide landscaped visual corridor is required along both street frontages. The preliminary landscape Plans (L1-L5) shows eastern and southern boundaries of the site. This criterion is met.

16.92.030 Site Area Landscaping and Perimeter Screening Standards

B. Parking Area Landscaping

3. Required Landscaping

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

FINDING: The preliminary plans identify 487 parking spaces, which requires 21,915 square feet of landscaping. The preliminary plans show 35,782 square feet of interior landscaping and 1,720 square feet of perimeter landscaping. This criterion is met.

4. Amount and Type of Required Parking Area Landscaping

a. Number of Trees required based on Canopy Factor

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

(1) Any combination of the following is required:

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

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

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

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

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

b. Shrubs:

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

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

c. Ground cover plants:

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

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

FINDING: With 487 parking spaces the following minimums are required: 122 large trees; 974 shrubs; and ground cover plants for the remainder in the parking area. The preliminary landscape plans identify 136 large trees, 2,309 shrubs, and ground cover for the remainder of the parking area landscaping. The criteria are met.

5. Individual Landscape Islands Requirements

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

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

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

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

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

- (2) Multi or mixed-uses, institutional and commercial uses: one (1) island for every ten (10) contiguous parking spaces.**
- (3) Industrial uses: one (1) island for every twelve (12) contiguous parking spaces.**

Finding: The preliminary landscape plan shows individual landscaped areas (islands) being at least 90 square feet in area with a minimum width of five feet. Each island will contain at least one tree and will be curbed to protect the landscaping. The landscape islands are evenly spaced with no more than 6-10 parking spaces between them. The criteria are met.

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

FINDING: There are no bio-swales proposed. This criterion is not applicable.

f. Exception to Landscape Requirement

Linear raised or marked sidewalks and walkways within the parking areas connecting the parking spaces to the on-site buildings may be included in the calculation of required site landscaping provide that it:

- (1) Trees are spaced a maximum of thirty (30) feet on at least one (1) side of the sidewalk.**
- (2) The minimum unobstructed sidewalk width is at least six (6) feet wide.**
- (3) The sidewalk is separated from the parking areas by curbs, bollards, or other means on both sides.**

FINDING: Per the applicant's narrative, a breezeway is planned to connect from SW Century Drive south through the parking area to the Fun Center. The preliminary landscape plan shows trees spaced less than 30 feet on both sides of the 10-foot-wide sidewalk. The sidewalk separated from the parking and vehicle use areas by curbs and the stone and timber frame of the breezeway structure. The criteria are met.

6. Landscaping at Points of Access

When a private access-way intersects a public right-of-way or when a property abuts the intersection of two (2) or more public rights-of-way, landscaping shall be planted and maintained so that minimum sight distances shall be preserved pursuant to Section 16.58.010.

FINDING: The proposed plantings near the planned access points have been designed not to obstruct minimum sight distances. This criterion is met.

7. Exceptions

- a. For properties with an environmentally sensitive area and/or trees or woodlands that merit protection per Chapters 16.142 (Parks, Trees and Open Space) and 16.144 (Wetland, Habitat and Natural Areas) the landscaping standards may be reduced, modified or "shifted" on-site where necessary in order to retain existing vegetation that would otherwise be removed to meet the above referenced landscaping requirements.**

- b. The maximum reduction in required landscaping buffer permitted through this exception process shall be no more than fifty (50) percent. The resulting landscaping buffer after reduction may not be less than five (5) feet in width unless otherwise permitted by the underlying zone. Exceptions to the required landscaping may only be permitted when reviewed as part of a land use action application and do not require a separate variance permit.**

FINDING: The applicant is not requesting any reduction to the site landscaping requirements. This standard is not applicable.

16.92.030 Site Area Landscaping and Perimeter Screening Standards

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

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

FINDING: The preliminary landscape plans shows that all mechanical equipment, outdoor storage, and service and delivery areas will be sited and/or sufficiently screened to restrict their visibility from SW Century Drive and SW Langer Farms Parkway. This criterion is met.

D. Visual Corridors

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

FINDING: Per Section 16.142.040. a landscaped visual corridor is required along SW Century Drive and SW Langer Farms Parkway (both collector streets). Per the applicant's narrative, the preliminary landscape plans show multiple layers of trees, combined with shrubs and groundcover, providing a continuous visual and/or acoustical buffer between the collector street and the planned buildings and vehicle use area. Section 16.142.040 is further discussed in this report. This criterion is met.

16.92.040 Installation and Maintenance Standards

A. Installation

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

B. Maintenance and Mitigation of Landscaped Areas

- 1. Maintenance of existing non-invasive native vegetation is encouraged within a development and required for portions of the property not being developed.**
- 2. All landscaping shall be maintained in a manner consistent with the intent of the approved landscaping plan.**
- 3. Any required landscaping trees removed must be replanted consistent with the approved landscaping plan and comply with § 16.142, (Parks, Trees and Open Space).**

C. Irrigation

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

1. **Option 1:** A permanent built-in irrigation system with an automatic controller installed.
2. **Option 2:** An irrigation system designed and certified by a licensed landscape architect or other qualified professional as part of the landscape plan, which provides sufficient water to ensure that the plants become established. The system does not have to be permanent if the plants chosen can survive independently once established.
3. **Option 3:** Irrigation by hand. If the applicant chooses this option, an inspection will be required one (1) year after final inspection to ensure that the landscaping has become established.

FINDING: The preliminary landscape plans noted that irrigation will be provided by a fully automatic underground system and plans will be submitted at time of building permit. These standards have not been met but can be met as conditioned below.

RECOMMENDED CONDITION: B1. Prior to Final Site Plan approval, submit a final landscape plan that addresses the installation and maintenance standards of Section 16.92.040 to the Planning Department for review and approval.

16.94 Off-Street Parking and Loading

16.94.010 General Requirements

A. Off-Street Parking Required

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

FINDING: The applicant has submitted a Site Plan (Exhibit A, Sheet SPL 1.1) that accommodate off-street parking as required by the Zoning and Community Development Code. This standard is met.

16.94.010 General Requirements

B. Deferral of Improvements

Off-street parking and loading spaces shall be completed prior to the issuance of occupancy permits, unless the City determines that weather conditions, lack of available surfacing materials, or other circumstances beyond the control of the applicant make completion impossible. In such circumstances, security equal to one hundred twenty five (125) percent of the cost of the parking and loading area is provided the City. "Security" may consist of a performance bond payable to the City, cash, certified check, or other assurance of completion approved by the City. If the installation of the parking or loading area is not completed within one (1) year, the security may be used by the City to complete the installation.

FINDING: The applicant is not seeking to defer any required improvements. This standard is not applicable.

16.94.010 General Requirements

C. Options for Reducing the Required Parking Spaces

- 1. Two (2) or more uses or, structures on multiple parcels of land may utilize jointly the same parking and loading spaces when the peak hours of operation do not substantially overlap, provided that satisfactory evidence is presented to the City, in the form of deeds, leases, or contracts, clearly establishing the joint use.**
 - a. Within commercial, institutional and public, or industrial zones, shared parking may be provided on lots that are within five hundred (500) feet of the property line of the use to be served.**
 - b. Shared parking is allowed if the application can show that the combined peak use is available by a parking study that demonstrates:**
 - (1) There is a sufficient number of parking spaces to accommodate the requirements of the individual businesses; or**
 - (2) That the peak hours of operation of such establishments do not overlap, and**
 - (3) That an exclusive permanent easement over a delineated area has been granted for parking space use.**
- 2. Mixed use projects are developments where a variety of uses occupies a development project or complex. For example, an eating establishment, professional office building and movie theater are all components of a mixed use site. It does not include a secondary use within a primary use such as an administrative office associated with a retail establishment. In mixed-use projects, the required minimum vehicle parking shall be determined using the following formula:**
 - a. Primary use: i.e. that with the largest proportion of total floor area within the development at one hundred (100) percent of the minimum vehicle parking required for that use.**
 - b. Secondary Use: i.e. that with the second largest percentage of total floor area within the development, at ninety (90) percent of the vehicle parking required for that use.**
 - c. Subsequent use or uses, at eighty (80) percent of the vehicle parking required for that use.**

FINDING: The Site Plan, Sheet SP 1.1 of Exhibit A, shows that required off-street parking for the planned commercial project can be accommodated entirely on site. The applicant is not seeking reducing required parking space requirements. Therefore, this standard is not applicable.

16.94.010 General Requirements

D. Prohibited Uses

Required parking, loading and maneuvering areas shall not be used for long-term storage or sale of vehicles or other materials, and shall not be rented, leased or assigned to any person or organization not using or occupying the building or use served.

FINDING: No long term storage, sale of vehicles or other materials, or rented or leased parking spaces is proposed. This standard is met.

16.94.010 General Requirements

E. Location

- 1. Residential off-street parking spaces:**

- a. Shall be located on the same lot or development as the residential use.
- b. Shall not include garages or enclosed buildings with the exception of a parking structure in multifamily developments where three (3) or more spaces are not individually enclosed. (Example: Underground or multi-level parking structures).
- 2. For other uses, required off-street parking spaces may include adjacent on-street parking spaces, nearby public parking and shared parking located within five hundred (500) feet of the use. The distance from the parking, area to the use shall be measured from the nearest parking space to a building entrance, following a sidewalk or other pedestrian route. The right to use private off-site parking must be evidenced by a recorded deed, lease, easement, or similar written notarized letter or instrument.
- 3. Vehicle parking is allowed only on improved parking shoulders that meet City standards for public streets, within garages, carports and other structures, or on driveways or parking lots that have been developed in conformance with this code. Specific locations and types of spaces (car pool, compact, etc.) for parking shall be indicated on submitted plans and located to the side or rear of buildings where feasible.
 - a. All new development with forty (40) employees or more shall include preferential spaces for carpool/vanpool designation. Carpool and vanpool parking spaces shall be located closer to the main employee entrance than all other parking spaces with the exception of ADA parking spaces. Carpool/vanpool spaces shall be clearly marked as reserved for carpool/vanpool only.
 - b. Existing development may redevelop portions of designated parking areas for multi-modal facilities (transit shelters, park and ride, and bicycle parking), subject to meeting all other applicable standards, including minimum space standards.

FINDING: The Site Plan, Sheet SP 1.1 of Exhibit A, shows that required off-street parking for the planned commercial project can be accommodated entirely on site. Per the applicant's narrative, there is area available for future businesses with 40 or more employees to provide carpool/vanpool parking. Therefore, the applicable criterion can be met.

16.94.010 General Requirements

F. Marking

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

Findings: The Site Plan, Sheet SP 1.1 of Exhibit A, identifies clearly marked and painted areas consisting of parking, loading, and maneuvering spaces. The planned markings clearly show the direction of flow, and maintain safety for vehicles and pedestrians. This criterion is met.

16.94.010 General Requirements

G. Surface and Drainage

- 1. **All parking and loading areas shall be improved with a permanent hard surface such as asphalt, concrete or a durable pervious surface. Use of pervious paving material is encouraged and preferred where appropriate considering soils, location, anticipated vehicle usage and other pertinent factors.**
- 2. **Parking and loading areas shall include storm water drainage facilities approved by the City Engineer or Building Official.**

STAFF ANALYSIS: The parking lot will be improved with an asphalt surface. As discussed in the Public Infrastructure section below, the City Engineering Department has stated that the nearest public storm water systems available to the site area is an 18-inch line within Century Drive and a 36-inch main line running north to south along the eastern edge of the site. The existing regional storm water treatment facility was designed and constructed to incorporate the impervious surface area runoff from the proposed site development. For the purposes of this site development, the existing regional storm water treatment facility will provide the treatment capacity and, if necessary, detention capacity for the site's storm water discharge.

FINDING: This standard can be met as conditioned in the Public Infrastructure section below.

16.94.010 General Requirements

H. Repairs

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

FINDING: The property owner will be responsible for proper maintenance of the parking and loading areas. Violations are subject to Code Enforcement action. This standard is met.

16.94.010 General Requirements

I. Parking and Loading Plan

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

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

FINDING: Preliminary plans submitted provided all the information listed above. This standard is met.

16.94.010 General Requirements

J. Parking Districts

The City may establish a parking district (i.e., permits or signage) in residential areas in order to protect residential areas from spillover parking generated by adjacent commercial, employment or mixed-use areas, or other uses that generate a high demand for parking. The district request shall be made to the City Manager, who will forward a recommendation to the City Council for a decision.

L. Structured parking and on-street parking are exempt from the parking space maximums in Section 16.94.020.A.

FINDING: No parking districts or structured parking are proposed. This standard is not applicable.

16.94.020 Off-Street Parking Standards

A. Generally

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

**Table 1: Minimum and Maximum Parking Standards
(Metro spaces are based on 1 per 1,000 sq. ft. of gross leasable area)**

	Minimum Parking Standard	Maximum Permitted Parking Zone A ¹	Maximum Permitted Parking Zone B ²
General retail or personal service	4.1 (244 sf)	5.1	6.2
Sports club/recreation facility	4.3 (233 sf)	5.4	6.5

¹ Parking Zone A reflects the maximum number of permitted vehicle parking spaces allowed for each listed land use. Parking Zone A areas include those parcels that are located within one-quarter ($\frac{1}{4}$) mile walking distance of bus transit stops, one-half ($\frac{1}{2}$) mile walking distance of light rail station platforms, or both, or that have a greater than twenty-minute peak hour transit service.

² Parking Zone B reflects the maximum number of permitted vehicle parking spaces allowed for each listed land use. Parking Zone B areas include those parcels that are located at a distance greater than one-quarter ($\frac{1}{4}$) mile walking distance of bus transit stops, one-half ($\frac{1}{2}$) mile walking distance of light rail station platforms, or both.

Applicant's Response: The table on the Site Plan shows that a minimum of 406 parking spaces are required based on the gross floor area of the buildings, the planned uses, and the ratios listed above. Due to the operational characteristics of the sub-use and the large area required to serve relatively few users at one time, the Applicant anticipates that the \pm 40,035 gross square feet of racing within the Fun Center can be adequately served by 40 parking spaces. The Site Plan shows 487 parking spaces are planned. This is less than the maximum 497 parking spaces permitted for Zone A. The criteria are met.

STAFF ANALYSIS: The table on the Site Plan, Sheet SP 1.1 of Exhibit A, show below identifies the above calculations. Staff concurs with the applicant's response.

SITE DATA

SEE: CITY OF SHERWOOD MUNICIPAL CODE - SECTION 16.94.020, FOR PARKING RATIOS.

BUILDING	AREA	PARKING RATIO (PER 1,000 SF.)		PARKING STALLS			BICYCLE PARKING (TABLE 4)
		MIN	MAX	MIN	5 PER	MAX	
FUN CENTER:	52,864 SF.	4.3	5.4	228	265	286	16
FIRST FLOOR:	43,929 SF.						
SECOND FLOOR:	8,935 SF.						
RACING:	40,035 SF.	ASSUMED 40		40	40	40	2
COMBINED FUN CENTER AND RACING:	92,899 SF.	4.3	5.4	268	305	326	18
BUILDING A - RETAIL:	6,086 SF.	4.1	5.1	25	31	32	2
BUILDING B - RETAIL:	10,445 SF.	4.1	5.1	43	53	54	3
BUILDING C - RETAIL:	5,811 SF.	4.1	5.1	25	30	30	2
PAD A:	10,000 SF.	4.1	5.1	41	50	51	3
COFFEE KIOSK:	392 SF.	1 PER 101 SF.	4	4	4	1	1
TOTAL BUILDING AREA:	125,699 SF.	PARKING TOTALS:		406	473	491	TOTAL: 29
BUILDING COVERAGE, OVERALL (116,764 SF.):	22.32%	OVERALL RATIO:		3.23	3.76	3.95	PROVIDED: 56

PARKING, FUN CENTER:	352 STALLS	3.8	PER 1,000 SF.	(92,899 SF.) - GROSS
PARKING, RETAIL:	135 STALLS	4.1	PER 1,000 SF.	(32,800 SF.)
PARKING, TOTAL:	487 STALLS	3.9	PER 1,000 SF.	(125,699 SF.)

FINDING: Based on applicant's response and staff analysis above, this standard is met.

16.94.020 Off-Street Parking Standards

B. Dimensional and General Configuration Standards

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

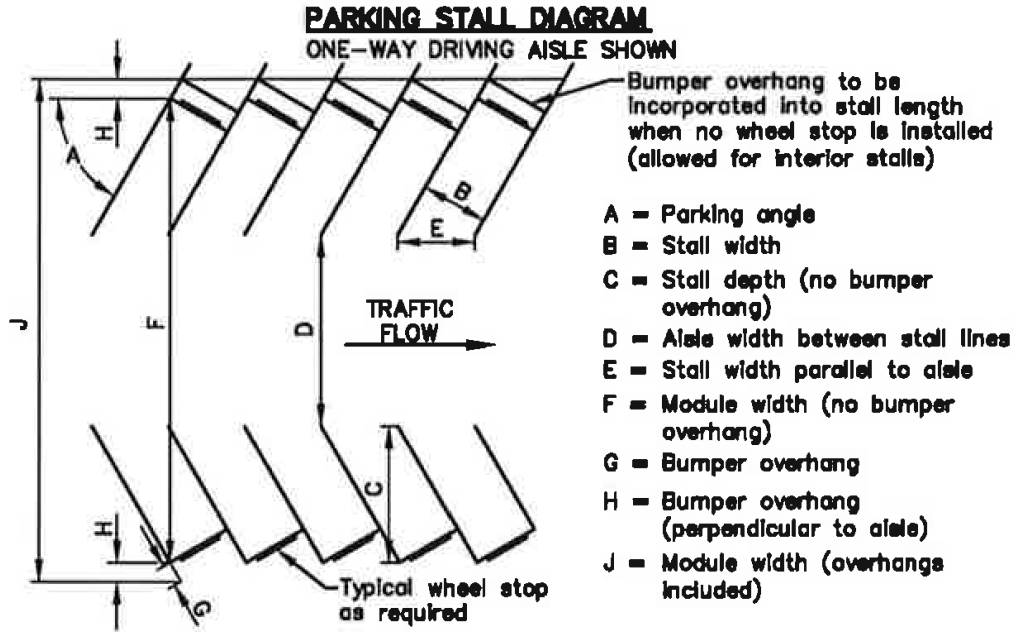
STAFF ANALYSIS: The applicant's narrative states that all parking spaces planned are 20-feet long and 9-feet wide. However, reviewing the proposed plans identified some parking spaces to be 8-feet in width and 18-feet in length. A revised site plan must be submitted identifying the compact car stalls and calculations meeting the maximum 25 percent requirement for compact car stalls.

FINDING: This standard is not met, but can be met as conditioned below.

RECOMMENDED CONDITION: B2. Prior to Site Plan approval, a revised site plan must be submitted identifying the compact car stalls and calculations meeting the maximum 25 percent compact car stall requirement.

2. Layout

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



**Table 3: Two-Way Driving Aisle
(Dimensions in Feet)**

A	B	C	D	E	F	G	H	J
45°	8.0	16.5	24.0	11.3	57.0	3.0	2.5	62.0
	9.0	18.5	24.0	12.7	61.0	3.0	2.5	66.0
60°	8.0	17.0	24.0	9.2	58.0	3.0	2.5	63.0
	9.0	19.5	24.0	10.4	63.0	3.0	2.5	68.0
75°	8.0	16.5	26.0	8.3	59.0	3.0	3.0	65.0
	9.0	19.0	24.0	9.3	62.0	3.0	3.0	68.0
90°	8.0	15.0	26.0	8.0	56.0	3.0	3.0	62.0
	9.0	17.0	24.0	9.0	58.0	3.0	3.0	64.0

FINDING: As proposed, all spaces meet the minimum standards identified above and will be accessed internally and served by on-site drive aisles. This standard is met.

3. Wheel Stops

- a. Parking spaces along the boundaries of a parking lot or adjacent to interior landscaped areas or sidewalks shall be provided with a wheel stop at least four (4) inches high, located three (3) feet back from the front of the parking stall as shown in the above diagram.
- b. Wheel stops adjacent to landscaping, bio-swales or water quality facilities shall be designed to allow storm water runoff.
- c. The paved portion of the parking stall length may be reduced by three (3) feet if replaced with three (3) feet of low lying landscape or hardscape in lieu of a wheel stop; however, a curb is still required. In other words, the traditional three-foot vehicle overhang from a wheel stop may be low-lying landscaping rather than an impervious surface.

Applicant’s Response: Wheel stops are not planned. Parking stalls are planned to have limited overhang onto sidewalks and landscaped areas, which have been widened sufficiently to accommodate any necessary overhang. The applicable criteria are met.

STAFF ANALYSIS: Staff concurs with the applicant’s response.

FINDING: Based on the applicant’s response and staff analysis, the applicable standards are met.

16.94.020 Off-Street Parking Standards

C. Bicycle Parking Facilities

1. General Provisions

- a. **Applicability.** Bicycle parking spaces shall be provided for new development, changes of use, and major renovations, defined as construction valued at twenty-five (25) percent or more of the assessed value of the existing structure.
- b. **Types of Spaces.** Bicycle parking facilities shall be provided in terms of short-term bicycle parking and long-term bicycle parking. Short-term bicycle parking is intended to encourage customers and other visitors to use bicycles by providing a convenient and readily accessible place to park bicycles. Long-term bicycle parking provides employees, students, residents, commuters, and others who generally stay at a site for at least several hours a weather-protected place to park bicycles.
- c. **Minimum Number of Spaces.** The required total minimum number of bicycle parking spaces for each use category is shown in Table 4, Minimum Required Bicycle Parking Spaces.
- d. **Minimum Number of Long-term Spaces.** If a development is required to provide eight (8) or more required bicycle parking spaces in Table 4, at least twenty-five (25) percent shall be provided as long-term bicycle with a minimum of one (1) long-term bicycle parking space.
- e. **Multiple Uses.** When there are two or more primary uses on a site, the required bicycle parking for the site is the sum of the required bicycle parking for the individual primary uses.

Table 4: Minimum Required Bicycle Parking Spaces	
Commercial Use Categories	Minimum Required Spaces
Retail sales/service office	2 or 1 per 20 auto spaces, whichever is greater
Commercial parking facilities, commercial, outdoor recreation, major event entertainment	4 or 1 per 20 auto spaces, whichever is greater

Applicant’s Response: The table on the Site Plan in Exhibit B shows that a minimum of 29 bicycle parking spaces are required, per Table 4, including 8 long-term spaces. The Site Plan shows 56 bicycle spaces are planned. The applicable criteria are met.

STAFF ANALYSIS: Staff concurs with the applicant’s response and as shown below and on the preliminary site plan, Sheet SP 1.1 of Exhibit A.

FINDING: Based on the applicant’s response and staff analysis, the applicable criteria are met.

SITE DATA

SEE: CITY OF SHERWOOD MUNICIPAL CODE - SECTION 16.94.020, FOR PARKING RATIOS.

BUILDING	AREA	PARKING RATIO (PER 1,000 SF.)		PARKING STALLS			BICYCLE PARKING (TABLE 4)
		MIN	MAX	MIN	5 PER	MAX	
FUN CENTER:	52,864 SF.	4.3	5.4	228	265	286	16
FIRST FLOOR:	43,929 SF.						
SECOND FLOOR:	8,935 SF.						
RACING:	40,035 SF.	ASSUMED 40		40	40	40	2
COMBINED FUN CENTER AND RACING:	92,899 SF.	4.3	5.4	268	305	326	18
BUILDING A - RETAIL:	6,086 SF.	4.1	5.1	25	31	32	2
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BUILDING C - RETAIL:	5,877 SF.	4.1	5.1	25	30	30	2
PAD A:	10,000 SF.	4.1	5.1	41	50	51	3
COFFEE KIOSK:	392 SF.	1 PER 101 SF.	4	4	4	1	1
TOTAL BUILDING AREA:	125,699 SF.	PARKING TOTALS:		406	473	491	TOTAL: 29
BUILDING COVERAGE, OVERALL (116,764 SF.):	22.32%	OVERALL RATIO:		3.23	3.76	3.95	PROVIDED: 56

PARKING, FUN CENTER:	352 STALLS	3.8	PER 1,000 SF.	(92,899 SF.) - GROSS
PARKING, RETAIL:	135 STALLS	4.1	PER 1,000 SF.	(32,800 SF.)
PARKING, TOTAL:	487 STALLS	3.9	PER 1,000 SF.	(125,699 SF.)

16.94.020 Off-Street Parking Standards

C. Bicycle Parking Facilities

2. Location and Design.

a. General Provisions

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

FINDING: The proposed bicycle parking spaces are located and designed to accommodate the design standards listed above. Sheet SA1.1 of Exhibit A identifies a conceptual design for the proposed bicycle racks. The applicable criteria are met.

b. Short-term Bicycle Parking

- (1) Provide lockers or racks that meet the standards of this section.

- (2) **Locate inside or outside the building within thirty (30) feet of the main entrance to the building or at least as close as the nearest vehicle parking space, whichever is closer.**

FINDING: The proposed bicycle parking spaces are reflected on Sheet SP 1.1 of Exhibit A and meet the distance/location standards. Sheet SA1.1 of Exhibit A identifies a conceptual design for the proposed bicycle racks. The applicable criteria are met.

c. Long-term Bicycle Parking

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

d. Covered Parking (Weather Protection)

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

FINDING: The proposed bike gazebo (long-term bicycle parking area) is reflected on Sheet SP 1.1 of Exhibit A, along with elevations on Sheet BR 1.2 of Exhibit A. Sheet SA1.1 of Exhibit A identifies a conceptual design for the proposed bicycle racks. Per the applicant's narrative, at least 8 long-term spaces can be provided. The covered bicycle parking standards are met.

16.94.030 - Off-Street Loading Standards

A. Minimum Standards

1. **A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading passengers shall be located on the site of any school, or other public meeting place, which is designed to accommodate more than twenty five (25) persons at one time.**
2. **The minimum loading area for non-residential uses shall not be less than ten (10) feet in width by twenty-five (25) feet in length and shall have an unobstructed height of fourteen (14) feet.**
3. **Multiple uses on the same parcel or adjacent parcels may utilize the same loading area if it is shown in the development application that the uses will not have substantially overlapping delivery times.**
4. **The following additional minimum loading space is required for buildings in excess of twenty thousand (20,000) square feet of gross floor area:**
 - a. **Twenty thousand (20,000) to fifty (50,000) sq. ft. - five hundred (500) sq. ft.**
 - b. **Fifty (50,000) sq. ft. or more - seven hundred fifty (750) sq. ft.**

FINDING: The preliminary site plan, Sheet SP 1.1 of Exhibit A, shows a large loading zone area behind the Fun Center building. In this location, adequate space is provided to meet the minimum 10-foot-wide by 25-foot-long loading zone, plus the additional 750 square feet of area required for

buildings in excess of 50,000 square feet. The applicant's narrative states that deliveries to the retail spaces are planned to be accommodated within the parking area, consistent with both standard practices in the retail industry and past City approval. The applicable criteria are met.

B. Separation of Areas

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

FINDING: The preliminary site plan, Sheet SP 1.1 of Exhibit A, shows a large loading zone area behind the Fun Center building. This area is separated from designated off-street parking spaces and deliveries to the retail spaces are planned to be accommodated within the parking area. The proposed parking area provides 81 additional parking spaces more than the minimum required - adequate surplus to accommodate loading for the small retail buildings. This criterion is met.

16.96 ONSITE CIRCULATION

16.92.010 – On-Site Pedestrian and Bicycle Circulation

A. Purpose

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

FINDING: The Site Plan (Exhibit A, Sheet SP 1.1) shows two existing pedestrian connections (one on SW Century Drive and another on SW Langer Farms Parkway) to the interior of the site. City of Sherwood Engineering Department also requires an additional pedestrian crossing on the south side of the intersection of SW Langer Farms Parkway and Whetstone Way. These three pedestrian connections will ensure safe and convenient access between the proposed commercial uses and residences. This standard is met.

C. Joint Access

Two (2) or more uses, structures, or parcels of land may utilize the same ingress and egress when the combined ingress and egress of all uses, structures, or parcels of land satisfied the other requirements of this Code, provided that satisfactory legal evidence is presented to the City in the form of deeds, easements, leases, or contracts to clearly establish the joint use.

Applicant's Response: The Preliminary Plat shows the configuration of the five planned lots. Lots range in size from ± 0.50 acres (Lot5) to ± 8.24 acres (Lot3). Lot 1 at ± 3.60 acres is reserved for future use, and is not included in the concurrent Site Plan Review application. Consequently, four of the planned lots will contain buildings and share access to the abutting public streets. The Applicant will prepare covenants, conditions and restrictions (CC&Rs) for the project as well as shared access easements. These agreements will be provided to the City following land use

approval and will allow for shared parking and access across the project site. The criteria can be met.

STAFF ANALYSIS: Staff concurs with the applicant's response.

FINDING: This standard is not met, but can be satisfied as conditioned below.

RECOMMENDED CONDITION: B3. Prior to Final Plat approval, submit a copy of the covenants, conditions and restrictions (CC&Rs) for the project including shared access easements.

16.96 ONSITE CIRCULATION

D. Connection to Streets

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

FINDING: Joint Access is address above and vehicular and pedestrian access will be provided to SW Langer Farms Parkway and SW Century Drive. Internal walkways will connect all buildings to the public sidewalk. This standard is met.

F. Access to Major Roadways

Points of ingress or egress to and from Highway 99W and arterials designated on the Transportation Plan Map, attached as Appendix C of the Community Development Plan, Part II, shall be limited as follows:

- 1. Single and two-family uses and manufactured homes on individual residential lots developed after the effective date of this Code shall not be granted permanent driveway ingress or egress from Highway 99W and arterial roadways. If alternative public access is not available at the time of development, provisions shall be made for temporary access which shall be discontinued upon the availability of alternative access.**
- 2. Other private ingress or egress from Highway 99W and arterial roadways shall be minimized. Where alternatives to Highway 99W or arterials exist or are proposed, any new or altered uses developed after the effective date of this Code shall be required to use the alternative ingress and egress.**
- 3. All site plans for new development submitted to the City for approval after the effective date of this Code shall show ingress and egress from existing or planned local or collector streets, consistent with the Transportation Plan Map and Section VI of the Community Development Plan.**

FINDING: Access will be provided via SW Langer Farms Parkway and SW Century Drive, both collector streets. Nearby arterial roadways are not accessible from the site. These standards are not applicable.

G. Service Drives

Service drives shall be provided pursuant to Section 16.94.030.

FINDING: Section 16.94.030 is addressed above. This criterion is met.

16.96.030 - Minimum Non-Residential Standards

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

A. Driveways

1. Commercial: Improved hard surface driveways are required as follows:

Required		Minimum Width	
Parking Spaces	# Driveways	One-Way Pair	Two-Way
1 - 49	1	15 feet	24 feet
50 & above	2	15 feet	24 feet

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

FINDING: The Site Plan, Sheet SP1.1 of Exhibit A, shows commercial driveways meeting or exceeding the minimum 24-foot width requirement. Per the applicant’s narrative, based on anticipated vehicle usage and soil conditions, there are no plans to utilize pervious surfaces. This standard is met.

B. Sidewalks and Curbs

- 1. A private pathway/sidewalk system extending throughout the development site shall be required to connect to existing development, to public rights-of-way with or without improvements, to parking and storage areas, and to connect all building entrances to one another. The system shall also connect to transit facilities within five hundred (500) feet of the site, future phases of development, and whenever possible to parks and open spaces.**
- 2. Curbs shall also be required at a standard approved by the Hearing Authority. Private pathways/sidewalks shall be connected to public rights-of-way along driveways but may be allowed other than along driveways if approved by the Hearing Authority.**
- 3. Private Pathway/Sidewalk Design. Private pathway surfaces shall be concrete, asphalt, brick/masonry pavers, or other pervious durable surface. Primary pathways connecting front entrances to the right of way shall be at least 6 feet wide and conform to ADA standards. Secondary pathways between buildings and within parking areas shall be a minimum of four (4) feet wide and/or conform to ADA standards. Where the system crosses a parking area, driveway or street, it shall be clearly marked with contrasting paving materials or raised crosswalk (hump). At a minimum all crosswalks shall include painted striping.**
- 4. Exceptions. Private pathways/sidewalks shall not be required where physical or topographic conditions make a connection impracticable, where buildings or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment; or pathways would violate provisions of leases, restrictions or other agreements.**

STAFF ANALYSIS: As proposed, the proposal includes a system of private sidewalks that connect to public sidewalks, outdoor spaces, to each of the buildings, between building entrances, and public boundary streets. The sidewalks are to be constructed of concrete, exceed four feet in width and are required to be ADA compliant. ADA compliant routes are provided to

each building entrance and the public sidewalk. Driveway crossings are marked on the plans, and the site is provided with curbs in all required locations.

FINDING: The applicant is providing clearly marked and identified pedestrian amenities that are protected by curbs, or in the case of drive aisle crossings, clearly marked crossings. As discussed above, this criterion is satisfied.

16.98 ONSITE STORAGE

16.98.020 Solid Waste and Recycling Storage

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

STAFF ANALYSIS: Five solid waste and recycling storage receptacles have been identified throughout the parking area of the project site. The enclosures will be screened with 6-foot tall masonry walls and surrounding landscaping. Kristen Tabscott, Pride Disposal comments (**Exhibit E**), states that these five enclosures meet the required 10-foot deep by 20-foot wide standard, allowing straight on access. She also stated that the applicant's engineer, John Christiansen via email, will be modifying the gates to be two 10-foot swinging gates on all enclosures and all enclosures will have the required 20-foot enclosure opening and 75-foot of straight on access. The following details were not identified on the site plan and will need to be met prior to Final Site Plan approval:

- The gates need to be hinged in front of the enclosure walls to allow for the full 20-foot width. This will also allow for the 120 degree opening angle that is required.
- No center post at the gate access point.
- The gates need cane bolts and holes put in place for the gates to be locked in the open and closed position. The holes for the gates to be held open need to be at the full 120 degree opening angle.
- There must be 25-feet of overhead clearance.

FINDING: This standard is not met, but can be satisfied as conditioned below.

RECOMMENDED CONDITION: B4. Prior to Final Plat and Site Plan approval, provide a revised solid waste and recycling storage receptacles plan meeting Pride Disposal requirement.

RECOMMENDED CONDITION: H3. Prior to Final Occupancy, solid waste and recycling storage receptacles must be constructed to Pride Disposal standard.

16.98.040 - Outdoor Sales and Merchandise Display

A. Sales Permitted

Outdoor sales and merchandise display activities, including sales and merchandise display that is located inside when the business is closed but otherwise located outside, shall be permitted when such activities are deemed by the Commission to be a customary and integral part of a permitted commercial or industrial use.

- 1. Permanent outdoor sales and merchandise display are in use year round or in excess of four (4) months per year and require the location to be reviewed through a site plan review. They will be reviewed as conditional uses in accordance with Chapter 16.82.**

Permanent outdoor and merchandise display are subject to the standards outlined in subsection B, below.

2. Temporary outdoor sales and merchandise display are seasonal and are not displayed year round and must meet the requirements of Chapter 16.86 (temporary uses). When the temporary use is not occurring the site shall return to its original state.
3. Food vendors including food carts, ice cream trucks, hotdog stands or similar uses are only permitted as a permanent outdoor sale use as described in A.1 above.

B. Standards

1. Outdoor sales and merchandise display areas shall be kept free of debris. Merchandise shall be stacked or arranged, or within a display structure. Display structures shall be secured and stable.
2. Outdoor sales and merchandise display shall not be located within required yard, building, or landscape setbacks, except where there is intervening right-of-way of a width equal to or greater than the required setback; and shall not interfere with on-site or off-site pedestrian or vehicular circulation.
3. Outdoor retail sales and merchandise display areas for vehicles, boats, manufactured homes, farm equipment, and other similar uses shall be improved with asphalt surfacing, crushed rock, or other dust-free materials.
4. Additional standards may apply to outdoor sales and merchandise display dependent on specific restrictions in the zone.

FINIDINGS: Per the applicant's narrative, outdoor sales and merchandise displays are not planned. Any future external material storage will comply with the applicable requirements. These conditions are not applicable.

C. Division VI – PUBLIC IMPROVEMENTS

Chapter 16.106 TRANSPORTATION FACILITIES

16.106.020 Required Improvements

A. Generally

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

B. Existing Streets

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

STAFF ANALYSIS: The subject property has street frontages along SW Langer Farms Parkway (to the west) and SW Century Drive (to the north) both classified as Collector streets. Both streets are fully improved except for the sidewalk along the south side of SW Century Drive. The preliminary plans show construction of a new 9.5-foot-wide curb tight sidewalk with tree wells along the SW Century Drive frontage matching the improvements on the north side of SW Century Drive. With these planned improvements adequate pedestrian and bicycle facilities will be provided on both sides of SW Langer Farms Parkway and SW Century Drive.

The preliminary plans indicate several types widths and extents of public and private utility easements necessary for site development with separate lots. Engineering Department proposes conditions that clearly identify these easements and the plat and all public and private easements necessary for site development shall be recorded with Washington County Recorder.

All street infrastructures shall be designed to meet the approval of the City of Sherwood Engineering Department prior to issuance of an Engineering Compliance Agreement.

FINDING: This standard is not met but can be met as conditioned below.

RECOMMENDED CONDITION: B5. Prior to Final Plat Approval, the plat and site development drawings shall show and identify the type, width and extent of each public and private utility easement necessary for site development meeting Sherwood Engineering Department standards.

RECOMMENDED CONDITION: H10. Prior to a Grant of Occupancy for any building constructed on site, the plat and all public and private easements necessary for site development shall be recorded with the Washington County Recorder with copies of the recorded documents provided to the City of Sherwood.

RECOMMENDED CONDITION: E1. Prior to Sherwood Engineering Department approval of the public improvement plans, all public transportation infrastructure shall meet City of Sherwood standards and be approved by the Sherwood Engineering Department.

Chapter 16.106 TRANSPORTATION FACILITIES

16.106.040 - Design

Standard cross sections showing street design and pavement dimensions are located in the City of Sherwood's Engineering Design Manual.

H. Buffering of Major Streets

Where a development abuts Highway 99W, or an existing or proposed principal arterial, arterial or collector street, or neighborhood route, adequate protection for residential properties must be provided, through and local traffic be separated, and traffic conflicts minimized. In addition, visual corridors pursuant to Section 16.142.040, and all applicable access provisions of Chapter 16.96, are to be met. Buffering may be achieved by: parallel access streets, lots of extra depth abutting the major street with frontage along another street, or other treatment suitable to meet the objectives of this Code.

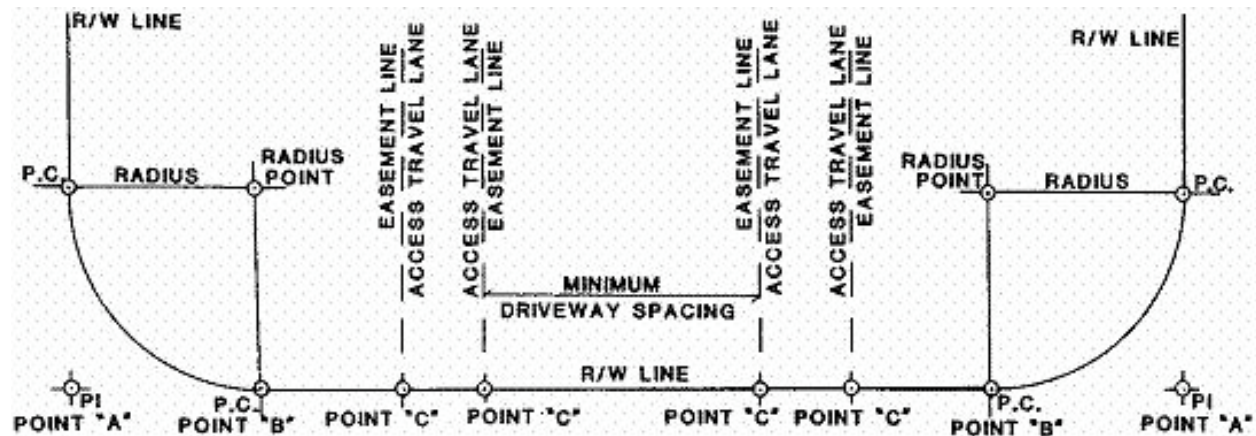
FINDING: The subject property has street frontages along SW Langer Farms Parkway (to the west) and SW Century Drive (to the north) both classified as Collector streets. Both streets are fully improved except for the sidewalk along the south side of SW Century Drive. The preliminary plans show construction of a new 9.5-foot-wide curb tight sidewalk with tree wells along the SW Century Drive frontage matching the improvements on the north side of SW Century Drive. The preliminary plans also show a 10-foot-wide landscaped visual corridor pursuant to Section 16.142.040. Applicable access provisions are addressed in the responses to Chapter 16.96. The applicable standards are met.

Chapter 16.106 TRANSPORTATION FACILITIES
16.106.040 - Design

M. Vehicular Access Management

All developments shall have legal access to a public road. Access onto public streets shall be permitted upon demonstration of compliance with the provisions of adopted street standards in the Engineering Design Manual.

1. Measurement: See the following access diagram where R/W = Right-of-Way; and P.I. = Point-of-Intersection where P.I. shall be located based upon a 90 degree angle of intersection between ultimate right-of-way lines.
 - a. Minimum right-of-way radius at intersections shall conform to City standards.
 - b. All minimum distances stated in the following sections shall be governed by sight distance requirements according to the Engineering Design Manual.
 - c. All minimum distances stated in the following sections shall be measured to the nearest easement line of the access or edge of travel lane of the access on both sides of the road.
 - d. All minimum distances between accesses shall be measured from existing or approved accesses on both sides of the road.
 - e. Minimum spacing between driveways shall be measured from Point "C" to Point "C" as shown below:



FINDING: The preliminary plans show driveways that conform to all applicable geometric requirements. The applicable standards are met.

2. Roadway Access

No use will be permitted to have direct access to a street or road except as specified below. Access spacing shall be measured from existing or approved accesses on either side of a street or road. The lowest functional classification street available to the legal lot, including alleys within a public easement, shall take precedence for new access points.

c. Collectors:

All commercial, industrial and institutional uses with one-hundred-fifty (150) feet or more of frontage will be permitted direct access to a Collector. Uses

with less than one-hundred-fifty (150) feet of frontage shall not be permitted direct access to Collectors unless no other alternative exists.

Where joint access is available it shall be used, provided that such use is consistent with Section 16.96.040, Joint Access. No use will be permitted direct access to a Collector within one- hundred (100) feet of any present Point "A." Minimum spacing between driveways (Point "C" to Point "C") shall be one-hundred (100) feet. In all instances, access points near an intersection with a Collector or Arterial shall be located beyond the influence of standing queues of the intersection in accordance with AASHTO standards. This requirement may result in access spacing greater than one hundred (100) feet.

FINDING: The site has more than 150 feet of street frontage on two collector streets. Joint accesses are planned, as discussed in the response to Section 16.96.040. The three driveways are shown on the preliminary plans and comply with the applicable spacing requirement. The applicable standards are met.

Chapter 16.106 TRANSPORTATION FACILITIES

16.106.060 - Sidewalks

A. Required Improvements

- 1. Except as otherwise provided, sidewalks shall be installed on both sides of a public street and in any special pedestrian way within new development.**
- 2. For Highway 99W, arterials, or in special industrial districts, the City Manager or designee may approve a development without sidewalks if alternative pedestrian routes are available.**
- 3. In the case of approved cul-de-sacs serving less than fifteen (15) dwelling units, sidewalks on one side only may be approved by the City Manager or designee.**

B. Design Standards

1. Arterial and Collector Streets

Arterial and collector streets shall have minimum eight (8) foot wide sidewalks/multi- use path, located as required by this Code.

2. Local Streets

Local streets shall have minimum five (5) foot wide sidewalks, located as required by this Code.

3. Handicapped Ramps

Sidewalk handicapped ramps shall be provided at all intersections.

C. Pedestrian and Bicycle Paths

Provide bike and pedestrian connections on public easements or right-of-way when full street connections are not possible, with spacing between connections of no more than 330 feet except where prevented by topography, barriers such as railroads or highways, or environmental constraints such as rivers and streams.

FINDING: The subject property has street frontages along SW Langer Farms Parkway (to the west) and SW Century Drive (to the north) both classified as Collector streets. Both streets are fully improved except for the sidewalk along the south side of SW Century Drive. The preliminary plans show construction of a new 9.5-foot-wide curb tight sidewalk with tree wells along the SW Century Drive frontage matching the improvements on the north side of SW Century Drive. With these planned improvements adequate pedestrian and bicycle facilities will be provided on both sides of SW Langer Farms Parkway and SW Century Drive.

Chapter 16.106 TRANSPORTATION FACILITIES

16.106.080 Traffic Impact Analysis (TIA)

C. Requirements

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

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

F. Approval Criteria

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

1. The analysis complies with the requirements of 16.106.080.C;
2. The analysis demonstrates that adequate transportation facilities exist to serve the proposed development or identifies mitigation measures that resolve identified traffic safety problems in a manner that is satisfactory to the City Engineer and, when County or State highway facilities are affected, to Washington County and ODOT;
3. For affected non-highway facilities, the TIA demonstrates that mobility and other applicable performance standards established in the adopted City TSP have been met; and
4. Proposed public improvements are designed and will be constructed to the street standards specified in Section 16.106.010 and the Engineering Design Manual, and to the access standards in Section 16.106.040.
5. Proposed public improvements and mitigation measures will provide safe connections across adjacent right-of-way (e.g., protected crossings) when pedestrian or bicycle facilities are present or planned on the far side of the right-of-way.

FINDING: Kittelson & Associates prepared a detailed traffic impact analysis that was included as part of the applicant's submittal (Exhibit A). Per the applicant's narrative, the scope of the traffic analysis was developed in consultation with the City of Sherwood and based on the estimated trip generation and assignment patterns specific intersections and the site accesses were analyzed. This standard is met.

Chapter 16.106 TRANSPORTATION FACILITIES

16.106.080 Traffic Impact Analysis (TIA)

G. Conditions of Approval

The City may deny, approve, or approve a development proposal with conditions needed to meet operations and safety standards and provide the necessary right-of-way and improvements to ensure consistency with the future planned transportation system. Improvements required as a condition of development approval, when not voluntarily provided by the applicant, shall be roughly proportional to the impact of the development on transportation facilities, pursuant to Section 16.106.090. Findings in the development approval shall indicate how the required improvements are directly related to and are roughly proportional to the impact of development.

STAFF ANALYSIS: Per City Engineering Department Comments dated November 14, 2017, Kittelson & Associates prepared a TIS dated July 18, 2017. As described in the TIS and plans, the proposed site development includes public street frontage improvements along Century Drive, excluding Lot 1. These public improvements consist of sidewalks, streetlights, planter strip and street trees, and site driveway accesses. A third site driveway access is proposed on Langer Farms Parkway.

The proposed driveway accesses spacing distance on Langer Farms Parkway measures out to approximately 290-feet, which exceeds the City Municipal Code standard for a collector street of 100-feet. However, since the main access drive also corresponds to with the intersection of Whetstone Way, the service entry access drive will need to meet the spacing standards based on queuing distance in accordance with AASHTO for a collector road with a speed limit of 25 mph. The TIS indicates an available queue length of 100-feet for a required queue length of 75-feet.

The TIS presented ITE Code 495 (Recreational Community Center) for the proposed development activities. Upon request, the applicant provided data from three facilities currently under operation within the region that are similar in services provided, size, and operation. These sites included: 1) John's Incredible Pizza Company; 2) Family Fun Center & Bullwinkles Restaurant; and 3) Park Lanes Family Entertainment Center.

The resulting analysis confirmed that the application of Recreational Community Center use listing was conservative and acceptable for the TIS analysis.

There was discussion of the applicable v/c ratio assigned to Hwy 99W intersections located within the Sherwood Town Center. The City Engineer has made a determination that the v/c ratio of 1.10 being applied based on Metro designations of developments within the Town Center impacting Hwy 99W intersections that also reside within the Town Center designation limits, does not apply to developments located outside the Town Center limits which impact intersections within the Town Center limits. The v/c ratio in this case will be $v/c = 0.99$.

The impacts of this determination can be mitigated through proportionate share cost payment to Washington County for the Tualatin-Sherwood Road project improvements.

Within the TIS analysis findings, mitigation recommendations included:

- 1) Maintaining sight distance standards as part of the landscaping requirements
- 2) Providing pedestrian connectivity between the proposed site development and existing commercial and residential developments.

Since the main site access driveway off Langer Farms Parkway is located at the existing intersection of Langer Farms Parkway and Whetstone Way, for the purposes of pedestrian

crossing safety, a Rectangular Rapid Flashing Beacon (RRFB) will be installed on the south side of this intersection on Langer Farms Parkway.

In a letter dated October 19th, 2017, ODOT requested inclusion of the Sherwood Boulevard (Edy Road) / Highway 99W intersection in the TIA analysis. The original scoping for intersection analysis did not extend this far to include this intersection, and hence impacts to the intersection were not included in the TIA analysis. However, in the trip assessment analysis (Figure 6 of the TIA analysis), it is shown that 56 AM and 69 PM peak hour additional trips would proceed west along Century Drive. In an email dated October 10, 2017 from Brian Dunn (Kittelton) discussing this item, he states that the assumption is made that most of those trips would end within local residential and shopping sites along Century Drive. Dunn concludes that since the number of end trips along Century Drive is so small, impacts to the Sherwood Boulevard (Edy Road) / Highway 99W intersection does not warrant further analysis as no impacts would be realized.

FINDING: This standard is not met but can be met as conditioned below.

RECOMMENDED CONDITION: C1. Prior to issuance of a Compliance Agreement the Applicant shall be held responsible for the following:

- a) The Applicant's fee in-lieu-of construction financial contribution shall be based on the ratio of the development's trip generation increase to the Tualatin-Sherwood Road / Hwy 99W intersection compared to the non-developed level.
- b) The Applicant's financial contribution shall be limited to proportionate share funding of the physical capacity improvement needs for the Tualatin-Sherwood Road/Hwy 99W intersection, as defined by the Washington County MSTIP project scope.
- c) The Applicant shall not be responsible for financial contributions related to the remaining roadway improvements along the Tualatin-Sherwood Road corridor, or the infrastructure improvements related to the Willamette River Water Supply project, which is being made part of the Washington County MSTIP project.
- d) The Applicant shall be entitled to receive TDT credits for any required roadway improvements along Tualatin-Sherwood Road that are above their proportionate share mitigation costs.

RECOMMENDED CONDITION: H4. Prior to a Grant of Occupancy for any buildings constructed under this site development plan, a Rectangular Rapid Flashing Beacon (RRFB) pedestrian crossing system shall be installed on Langer Farms Parkway on the south side of the Langer Farms Parkway and Whetstone Way intersection, and be fully operational.

RECOMMENDED CONDITION: C2. Prior to issuance of a Compliance Agreement the Sherwood Engineering Department shall provide review and approval of the related public transportation improvement plans. The public transportation infrastructure plans shall meet City of Sherwood standards.

RECOMMENDED CONDITION: H5. Prior to a Grant of Occupancy for any building(s) constructed under this site development plan, frontage improvements along the entirety of Century Drive shall be installed. This includes the undeveloped Lot 1.

16.110 – SANITARY SEWERS

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

STAFF ANALYSIS: Per City Engineering Department Comments dated November 14, 2017, there are currently two public mainlines which border the project site. An 8-inch public main located within Langer Farms Parkway, and an 8-inch public main located within Century Drive. Both of these public mains have the capacity to provide service to the proposed site development.

The plans indicate that proposed Lots 1, 2 and 3 take sanitary sewer service off the conversion of a 6-inch private sanitary line which currently serves the Sentinel Self Storage Annex site into a public main. The plans indicate that this lateral will be reconstructed to an 8-inch sanitary main meeting City standards and dedicated to the City. The proposed sanitary line will reside within an existing 20-foot wide sanitary sewer and storm drainage easement, which is dedicated to the City of Sherwood per the “Langer Farms” plat.

Lot 4 which includes buildings “Retail A”, “Retail B” and “Retail C”, takes sanitary sewer service off an existing 8-inch sanitary service lateral from the Langer Farms Parkway public sanitary main. The on-site extension of this lateral is considered private utilities.

Lot 5 is dedicated to the Coffee Kiosk, and will take sanitary service off an existing 8-inch lateral from the Century Drive public sanitary main. The on-site extension of this lateral is considered private utilities.

FINDING: This standard is not met but can be met as conditioned below.

RECOMMENDED CONDITION: A8. Only the portion of a sanitary line that conveys sanitary flow from multiple lots will be accepted as a public line. Sanitary lines that only serve one lot shall remain as private sanitary sewer laterals.

RECOMMENDED CONDITION: A9. Extension of private sanitary sewer lines within the site shall provide service to all facilities constructed on-site.

RECOMMENDED CONDITION: A10. The proposed development shall supply public sanitary service to all parcels of the development meeting Sherwood Engineering standards.

RECOMMENDED CONDITION: A11. Private sanitary sewer laterals shall be installed in compliance with the current Oregon Plumbing Specialty Code.

RECOMMENDED CONDITION: C3. Prior to issuance of a Compliance Agreement, the Sherwood Engineering Department shall provide review and approval of the related public sanitary sewer improvements plans. The public sanitary sewer infrastructure plans shall meet City of Sherwood standards.

RECOMMENDED CONDITION: G1. Prior to Sherwood Engineering Department final acceptance of the constructed public improvements, any public sanitary sewer to be located on private property shall have a recorded public sanitary sewer easement encompassing the related public sanitary sewer improvements meeting Sherwood Engineering standards.

16.112– WATER SUPPLY

16.112.010 Required Improvements

Water lines and fire hydrants conforming to City and Fire District standards shall be installed to serve all building sites in a proposed development. All waterlines shall be

connected to existing water mains or shall construct new mains appropriately sized and located in accordance with the Water System Master Plan.

STAFF ANALYSIS: Per City Engineering Department Comments dated November 14, 2017, Public water mains exist within Langer Farms Parkway and Century Drive. The Langer Farms Parkway system is a 16-inch diameter water main, and the Century Drive system is a 12-inch diameter water main.

There is an existing 8-inch diameter service line off the Langer Farms Parkway system located at the intersection of Whetstone Way. The plans indicate that Lots 3 and 4 will take water service from this line, with separate 2-inch meter and 8-inch double check detector valve assemblies for each lot.

Lot 2 will take service off the Century Drive system with a 2-inch meter and 6-inch double check detector valve assembly.

Lot 5 will take service off the Century Drive system with a ¾-inch meter and backflow assembly. Private fire mains are shown looped within the proposed site development (Lots 2 through 5). Fire protection for the individual buildings on site shall meet requirements specified by Tualatin Valley Fire & Rescue.

FINDING: This standard is not met, but can be met as conditioned below.

RECOMMENDED CONDITION: H6. Prior to a Grant of Occupancy for any buildings, the proposed development shall supply domestic, irrigation and fire water to each parcel of the development as needed meeting Sherwood Engineering standards.

RECOMMENDED CONDITION: H7. Prior to a Grant of Occupancy for each building, domestic water service for each building shall have a backflow device or reduced pressure backflow assembly installed meeting the approval of the Sherwood Public Works Department.

RECOMMENDED CONDITION: F3. Prior to issuance of a Building Permit for each building, water flows calculations (domestic, irrigation and fire) for the building seeking a permit shall be provided by the developer to the Building Department. Approval of the water flows calculations by Sherwood Public Works is required prior to issuance of a Building Permit.

RECOMMENDED CONDITION: H8. Prior to a Grant of Occupancy for each building, if on-site fire protection is required, backflow protection meeting Sherwood Engineering Department standards shall be installed by developer, and inspected and approved by Public Works

RECOMMENDED CONDITION: A12. Private water service laterals shall be installed in compliance with the current Oregon Plumbing Specialty Code.

RECOMMENDED CONDITION: C5. Prior to issuance of a Compliance Agreement for any phase of development, the Sherwood Engineering Department shall provide review and approval of the related public water improvement plans. The public water infrastructure plans shall meet City of Sherwood standards.

RECOMMENDED CONDITION: D2. Prior to Sherwood Engineering Department final acceptance of the constructed public improvements, any public water line to be located on private property shall have a recorded public water line easement encompassing the related public water improvements meeting Sherwood Engineering standards.

16.114 – STORM WATER

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

STAFF ANALYSIS: Per City Engineering Department Comments dated November 14, 2017, the nearest public storm water systems available to the site are an 18-inch main line within Century Drive, and a 36-inch main line running north to south along the eastern edge of the site. The existing regional storm water treatment facility was designed and constructed to incorporate the impervious surface area runoff from the proposed site develop. Conditions for the regional storm water treatment facility were specified under Langer Farms Planned Unit Development improvements (Case File No. MLP 16-02). For the purposes of this site development, the regional storm water treatment facility will provide the treatment capacity and, if necessary, detention capacity for the site's storm water discharge.

Clean Water Services comments dated September 28, 2017 requires a CWS Storm Water Connection Permit Authorization prior to plat approval and recordation. Application for CWS Permit Authorization must be in accordance with the requirements of the Design and Construction Standards, Resolution and Order No. 17-5, (or current R&O in effect at time of Engineering plan submittal), and specific standards are identified within the September 28, 2017 CWS Comments.

FINDING: This standard is not met but can be met as conditioned below.

RECOMMENDED CONDITION: H9. Prior to a Grant of Occupancy, any private storm sewer services shall be installed in compliance with the current Oregon Plumbing Specialty Code.

RECOMMENDED CONDITION: C4. Prior to issuance of a Compliance Agreement for any phase of development, the Sherwood Engineering Department shall provide review and approval of the related public storm sewer improvement plans. The public storm sewer infrastructure plans shall meet City of Sherwood standards.

RECOMMENDED CONDITION: G3. Prior to Sherwood Engineering Department final acceptance of the constructed public improvements, any public storm sewer to be located on private property shall have a recorded public storm sewer easement encompassing the related public storm sewer improvements meeting Sherwood Engineering standards.

RECOMMENDED CONDITION: B8. Prior to final plat approval and recordation, a Clean Water Services Storm Water Connection Permit Authorization must be obtained.

16.116 FIRE PROTECTION

16.116.010 Required Improvements

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

STAFF ANALYSIS: Tom Mooney, Deputy Fire Marshall, provided a review letter dated September 13, 2017 (Exhibit D). A condition is proposed requiring compliance with the Fire Marshall's letter.

FINDING: This standard is not met but can be met as conditioned below.

RECOMMENDED CONDITION: B6. Prior to Site Plan approval, submit revised plans demonstrating compliance with the Fire Marshall's letter dated September 13, 2017.

16.118 PUBLIC AND PRIVATE UTILITIES

16.118.010 Purpose

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

16.118.020 Standard

- A. Installation of utilities shall be provided in public utility easements and shall be sized, constructed, located and installed consistent with this Code, Chapter 7 of the Community Development Code, and applicable utility company and City standards.**
- B. Public utility easements shall be a minimum of eight (8) feet in width unless a reduced width is specifically exempted by the City Engineer. An eight-foot wide public utility easement (PUE) shall be provided on private property along all public street frontages. This standard does not apply to developments within the Old Town Overlay.**

Applicant's Response: The required 8-foot PUE was previously dedicated on the original subdivision plat. Installation of the utilities necessary to serve this project will occur with construction of this project, as shown on the Preliminary Composite Utility Plan. No deficiencies have been identified. This standard is met.

STAFF ANALYSIS: Per City Engineering Department, the proposed plans identify several types, widths and extents of public and private utility easements necessary for site development with separate lots.

FINDING: These standards are not met but can be met as conditioned below.

RECOMMENDED CONDITION: B7. The plat and site development drawings shall show and identify the type, width and extent of each public and private utility easement necessary for site development.

RECOMMENDED CONDITION: H2. Prior to a Grant of Occupancy for any building constructed on site, that the plat and all public and private easements necessary for site development shall be recorded with the Washington County Recorder, with copies of the recorded documents provided to the City of Sherwood.

RECOMMENDED CONDITION: H12. Prior to a Grant of Occupancy for any buildings, Sherwood Boardband utilities (vaults and conduits) shall be installed along the subject property's frontage per requirements set forth in City Ordinance 2005-017 and City Resolution 2005-074.

**Division VIII. Environmental Resources
16.142 Parks, Trees and Open Space**

16.142.040 - Visual Corridors

A. Corridors Required

New developments located outside of the Old Town Overlay with frontage on Highway 99W, or arterial or collector streets designated on Figure 8-1 of the Transportation System Plan shall be required to establish a landscaped visual corridor according to the following standards:

	Category	Width
1.	Highway 99W	25 feet
2.	Arterial	15 feet
3.	Collector	10 feet

In residential developments where fences are typically desired adjoining the above described major street the corridor may be placed in the road right-of-way between the property line and the sidewalk. In all other developments, the visual corridor shall be on private property adjacent to the right-of-way.

FINDING: SW Langer Farms Parkway and SW Century Drive are both collector streets requiring 10-foot-wide landscaped visual corridor along their frontages. The preliminary landscape plans show 10-foot-wide landscaped visual corridor abutting both roadways. This standard is met.

B. Landscape Materials

The required visual corridor areas shall be planted as specified by the review authority to provide a continuous visual and/or acoustical buffer between major streets and developed uses. Except as provided for above, fences and walls shall not be substituted for landscaping within the visual corridor. Uniformly planted, drought resistant street trees and ground cover, as specified in Section 16.142.060, shall be planted in the corridor by the developer. The improvements shall be included in the compliance agreement. In no case shall trees be removed from the required visual corridor.

C. Establishment and Maintenance

Designated visual corridors shall be established as a portion of landscaping requirements pursuant to Chapter 16.92. To assure continuous maintenance of the visual corridors, the review authority may require that the development rights to the corridor areas be dedicated to the City or that restrictive covenants be recorded prior to the issuance of a building permit.

D. Required Yard

Visual corridors may be established in required yards, except that where the required visual corridor width exceeds the required yard width, the visual corridor requirement shall take precedence. In no case shall buildings be sited within the required visual corridor, with the exception of front porches on townhomes, as permitted in Section 16.44.010(E)(4)(c).

FINDING: The preliminary landscape plans (Sheets L1-L5 of Exhibit A) identify multiple layers of trees, combined with shrubs and groundcover, providing a continuous visual and/or acoustical buffer between the collector streets and the planning buildings and vehicle use area. A 10-foot-wide landscaped visual corridor is proposed abutting SW Langer Farms Parkway and SW Century Drive. The applicable standards are met.

16.142 Parks, Trees and Open Space

16.142.060: STREET TREES

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

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

- 1. Location:** Trees shall be planted within the planter strip along a newly created or improved streets. In the event that a planter strip is not required or available, the trees shall be planted on private property within the front yard setback area or within public street right-of-way between front property lines and street curb lines or as required by the City.
- 2. Size:** Trees shall have a minimum trunk diameter of two (2) caliper inches, which is measured six inches above the soil line, and a minimum height of six (6) feet when planted.
- 3. Types:** Developments shall include a variety of street trees. The trees planted shall be chosen from those listed in 16.142.080 of this Code.
- 4. Required Street Trees and Spacing:**
 - a.** The minimum spacing is based on the maximum canopy spread identified in the recommended street tree list in section 16.142.080 with the intent of providing a continuous canopy without openings between the trees. For example, if a tree has a canopy of forty (40) feet, the spacing between trees is forty (40) feet. If the tree is not on the list, the mature canopy width must be provided to the planning department by a certified arborist.
 - b.** All new developments shall provide adequate tree planting along all public streets. The number and spacing of trees shall be determined based on the type of tree and the spacing standards described in a. above and considering driveways, street light locations and utility connections. Unless exempt per c. below, trees shall not be spaced more than forty (40) feet apart in any development.
 - c.** A new development may exceed the forty-foot spacing requirement under section b. above, under the following circumstances:
 - (1)** Installing the tree would interfere with existing utility lines and no substitute tree is appropriate for the site; or
 - (2)** There is not adequate space in which to plant a street tree due to driveway or street light locations, vision clearance or utility connections, provided the driveways, street light or utilities could not be reasonably located elsewhere so as to accommodate adequate room for street trees; and
 - (3)** The street trees are spaced as close as possible given the site limitations in (1) and (2) above.
 - (4)** The location of street trees in an ODOT or Washington County right-of-way may require approval, respectively, by ODOT or Washington County and are subject to the relevant state or county standards.
 - (5)** For arterial and collector streets, the City may require planted medians in lieu of paved twelve-foot wide center turning lanes, planted with trees to the specifications of this subsection.

STAFF ANALYSIS: The site has frontages along SW Langer Farms Parkway and SW Century Drive. Both streets are fully improved except for the sidewalk and street trees along the south side of SW Century Drive. Street trees are absent along these areas; however, the preliminary plans (Sheets L1-L5) identify installation of new street trees in these areas.

FINDING: This standard is not met but can be met as conditioned below.

RECOMMENDED CONDITION: E5. Prior to Sherwood Engineering Department approval of the public improvement plans, provide street trees in graded tree wells in the public sidewalk consistent with the requirements of Section 16.142.060.

B. Removal and Replacement of Street Trees.

The removal of a street tree shall be limited and in most cases, necessitated by the tree. A person may remove a street tree as provided in this section. The person removing the tree is responsible for all costs of removal and replacement. Street trees less than five (5) inches DBH can be removed by right by the property owner or his or her assigns, provided that they are replaced. A street tree that is removed must be replaced within six (6) months of the removal date.

1. **Criteria for All Street Tree Removal for trees over five (5) inches DBH. No street tree shall be removed unless it can be found that the tree is:**
 - a. Dying, becoming severely diseased, or infested or diseased so as to threaten the health of other trees, or
 - b. Obstructing public ways or sight distance so as to cause a safety hazard, or
 - c. Interfering with or damaging public or private utilities, or
 - d. Defined as a nuisance per City nuisance abatement ordinances.
2. **Street trees between five (5) and ten (10) inches DBH may be removed if any of the criteria in 1. above are met and a tree removal permit is obtained.**
 - a. **The Tree Removal Permit Process is a Type I land use decision and shall be approved subject to the following criteria:**
 - (1) The person requesting removal shall submit a Tree Removal Permit application that identifies the location of the tree, the type of tree to be removed, the proposed replacement and how it qualifies for removal per Section 1. above.
 - (2) The person shall post a sign, provided by the City, adjacent to the tree for ten (10) calendar days prior to removal that provides notice of the removal application and the process to comment on the application.
 - (3) If an objection to the removal is submitted by the City or to the City during the ten (10) calendar day period, an additional evaluation of the tree will be conducted by an arborist to determine whether the tree meets the criteria for street tree removal in Section 1. above. The person requesting the Tree Removal Permit shall be responsible for providing the arborist report and associated costs.
 - (4) Upon completion of the additional evaluation substantiating that the tree warrants removal per Section 1. above or if no objections are received within the ten-day period, the tree removal permit shall be approved.
 - (5) If additional evaluation indicates the tree does not warrant removal, the Tree Removal Permit will be denied.
3. **Street trees over ten (10) inches DBH may be removed through a Type I review process subject to the following criteria.**
 - a. **The applicant shall provide a letter from a certified arborist identifying:**
 - (1) The tree's condition,

- (2) How it warrants removal using the criteria listed in Section 1. above, and identifying any reasonable actions that could be taken to allow the retention of the tree.
- b. The applicant shall provide a statement that describes whether and how the applicant sought assistance from the City, HOA or neighbors to address any issues or actions that would enable the tree to be retained.
- c. The person shall post a sign, provided by the City, adjacent to the tree for ten (10) calendar days prior to removal that provides notice of the removal application and the process to comment on the application.
- d. Review of the materials and comments from the public confirm that the tree meets the criteria for removal in Section 1. above.

STAFF ANALYSIS: The site has frontages along SW Langer Farms Parkway and SW Century Drive. The proposed development requires the creation of a southern driveway on Langer Farms Parkway. This will eliminate two existing street trees due to the proposed commercial driveway. To fully develop the site, the elimination of the two existing trees is necessary.

FINDING: Based on the above discussion, the applicable standards are met.

16.142 Parks, Trees and Open Space

16.142.070 Trees on Property Subject to Certain Land Use Applications

C. Inventory

- 1. To assist the City in making its determinations on the retention of trees and woodlands, land use applications including Type II - IV development shall include a tree and woodland inventory and report. The report shall be prepared by a qualified professional and must contain the following information:
 - a. Tree size (in DBH and canopy area)
 - b. Tree species
 - c. The condition of the tree with notes as applicable explaining the assessment
 - d. The location of the tree on the site
 - e. The location of the tree relative to the planned improvements
 - f. Assessment of whether the tree must be removed to accommodate the development
 - g. Recommendations on measures that must be taken to preserve trees during the construction that are not proposed to be removed.

STAFF ANALYSIS: The applicant provided a Preliminary Tree Protection and Removal Table (Sheet P06, Exhibit A) that provides an inventory of the existing trees on site. There are 21 onsite trees and 18 are proposed to be removed for development. Three on-site trees will be retained and preserved.

FINDING: These standards are met.

16.142.070 Trees on Property Subject to Certain Land Use Applications

D. Retention requirements

- 1. Trees may be considered for removal to accommodate the development including buildings, parking, walkways, grading etc., provided the development satisfies of D.2 or D.3, below.

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

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

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

	Residential (single family & two family developments)	Old Town & Infill developments	Commercial, Industrial, Institutional Public and Multi-family
Canopy Requirement	40%	N/A	30%
Counted Toward the Canopy Requirement			
Street trees included in canopy requirement	Yes	N/A	No
Landscaping requirements included in canopy requirement	N/A	N/A	Yes
Existing trees onsite	Yes x2	N/A	Yes x2
Planting new trees onsite	Yes	N/A	Yes
<p>Mature Canopy in Square Feet Equation πr^2 or $(3.14159 * \text{radius}^2)$ (This is the calculation to measure the square footage of a circle. The Mature Canopy is given in diameter. In gardening and horticulture reference books, therefore to get the radius you must divide the diameter in half.</p>			
<p>Canopy Calculation Example: Pin Oak Mature canopy = 35' $(3.14159 * 17.5^2) = 962$ square feet</p>			

FINDINGS: The applicant provided an Overall Landscape Plan (Sheet L1, Exhibit A) that shows expected tree canopy coverage of 191,110 square feet or 36.5% of the total site area. The standards applicable for this commercial project are met.

16.142.070 Trees on Property Subject to Certain Land Use Applications

G. Tree Protection During Development

The applicant shall prepare and submit a final Tree and Woodland Plan prior to issuance of any construction permits, illustrating how identified trees and woodlands will be retained, removed or protected as per the Notice of Decision. Such plan shall specify how trees and woodlands will be protected from damage or destruction by construction activities, including protective fencing, selective pruning and root treatments, excavation techniques, temporary drainage systems, and like methods. At a minimum, trees to be protected shall have the area within the drip line of the tree protected from grading, stockpiling, and all other construction related activity unless

specifically reviewed and recommended by a certified arborist or other qualified professional. Any work within the dripline of the tree shall be supervised by the project arborist or other qualified professional onsite during construction.

FINDING: The Preliminary Tree Protection and Removal Table (Sheet P06, Exhibit A) provides an inventory of the existing trees on site. As previously discussed, there are 21 onsite trees and 18 are proposed to be removed for development. Three on-site trees will be retained and preserved. Prior to construction, the applicant will submit a final tree preservation plan consistent with this section.

FINDING: These standards are not met but can be met as conditioned below.

RECOMMENDED CONDITION: D1. Prior to issuance of a grading permit, a final tree preservation plan consistent with the requirements of Section 16.142.070.G. will be submitted.

16.146. Noise

16.146.020 - Noise Sensitive Uses

When proposed commercial and industrial uses do not adjoin land exclusively in commercial or industrial zones, or when said uses adjoin special care, institutional, or parks and recreational facilities, or other uses that are, in the City's determination, sensitive to noise impacts, then:

- A. The applicant shall submit to the City a noise level study prepared by a professional acoustical engineer. Said study shall define noise levels at the boundaries of the site in all directions.**
- B. The applicant shall show that the use will not exceed the noise standards contained in OAR 340-35-035, based on accepted noise modeling procedures and worst case assumptions when all noise sources on the site are operating simultaneously.**
- C. If the use exceeds applicable noise standards as per subsection B of this Section, then the applicant shall submit a noise mitigation program prepared by a professional acoustical engineer that shows how and when the use will come into compliance with said standards.**

FINDING: The site adjoins land with commercial and industrial uses. Noise levels would be expected similar to the commercial area to the north. Commercial uses do not typically generate noise beyond that associated with traffic entering and leaving the site, along with other activities typical of what could be expected to occur in an urban area. The proposed use will be within required standards and there will be no adverse impact. This standard is met.

16.148 Vibrations

16.148.010 - Vibrations

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

FINDING: The site does include commercial uses and vibration levels would be expected similar to the commercial area to the north. Elevated levels of vibration, beyond what is expected in an urban area, are not anticipated. The proposed use will be within the required standards and there will be no adverse impact. This standard is met.

16.150 Air Quality

16.150.010 – Air Quality

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

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

FINDING: Per the applicant's narrative, air quality impacts would be expected similar to the commercial area to the north. Levels of emissions, beyond what is expected in an urban area, are not anticipated. The proposed use will be within required standards and there will be no adverse impacts. This standard is met.

16.152 Odors

16.152.010 - Odors

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

FINDING: Per the applicant's narrative, odor impacts would be expected similar to the commercial area to the north. Odorous or unusual emissions, beyond what is expected in an urban area, are not anticipated. The proposed use will be within required standards and there will be no adverse impact. This standard is met.

16.154 Heat and Glare

16.154.010 – Heat and Glare

Except for exterior lighting, all otherwise permitted commercial, industrial, and institutional uses shall conduct any operations producing excessive heat or glare entirely within enclosed buildings. Exterior lighting shall be directed away from adjoining properties, and the use shall not cause such glare or lights to shine off site in excess of one-half (0.5) foot candle when adjoining properties are zoned for residential uses.

FINDING: The site does include commercial uses and the western boundary of SW Langer Farms Parkway is zoned for residential uses. A Photometric Plan (Exhibit A, Sheet ELC 1.0) has been submitted showing compliance with this standard. This standard is met.

Chapter 16.156 Energy Conservation

16.156.020 Standards

- A. **Building Orientation** - The maximum number of buildings feasible shall receive sunlight sufficient for using solar energy systems for space, water or industrial process heating or cooling. Buildings and vegetation shall be sited with respect to each other and the topography of the site so that unobstructed sunlight reaches the south wall of the greatest possible number of buildings between the hours of 9:00 AM and 3:00 PM, Pacific Standard Time on December 21st.
- B. **Wind** - The cooling effects of prevailing summer breezes and shading vegetation shall be accounted for in site design. The extent solar access to adjacent sites is not impaired vegetation shall be used to moderate prevailing winter wind on the site.

Applicant's Response: The planned buildings will be oriented in several different directions in order to meet Community Design standards referenced above in the responses to Division V. Buildings B and C are oriented on a generally north-south axis parallel and flush to SW Langer Farms Parkway. Building C is located south of Building B, but they are separated by ±60 feet and the northern portion of Building C is a single story, which will allow solar access to the southern wall of Building B. The planned Fun Center, Building A, and the coffee kiosk are generally oriented along an east west axis which maximizes southern solar exposure. Buildings are generally positioned to allow unobstructed sunlight access to their southern wall.

Historically, the subject property was used for agricultural purposes, so few trees currently exist for shading future buildings or moderating winter winds. The majority of existing trees on the subject property are in poor health and/or have poor structure, per the Detailed Tree Inventory in the preliminary plans, and are designated for removal. However, the Landscape Plan shows 267 trees will be planted and, at maturity, will provide shade and a buffer to winter winds on the site. The criteria are met.

STAFF ANALYSIS: Staff concurs with the applicant's statement above.

FINDING: Based on the applicant's response, this criterion is met.

Based upon review of the applicant's submittal information, review of the code, agency comments and consideration of the applicant's submittal, staff finds that the proposed site plan does not fully comply with the standards but can be conditioned to comply. Therefore, staff recommends Approval of the **Parkway Village South (SP 17-01 / SUB 17-03)** with the following conditions of approval:

VI. CONDITIONS OF APPROVAL

A. General Conditions

1. Compliance with the Conditions of Approval is the responsibility of the developer or its successor in interest.
2. This land use approval shall substantially comply with the submitted preliminary site plans and narrative dated July 17, 2017 and prepared by AKS Engineering and Forestry, except as indicated in the following conditions of the Notice of Decision. Additional development or change of use may require a new development application and approval.
3. The developer/owner/applicant is responsible for all costs associated with private/public facility improvements.
4. This approval is valid for a period of two (2) years from the date of the decision notice. Extensions may be granted by the City as afforded by the Sherwood Zoning and Community Development Code.
5. The continual operation of the property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code and Municipal Code.
6. This approval does not negate the need to obtain permits, as appropriate from other local, state or federal agencies even if not specifically required by this decision.
7. Prior to commencement of the design, the developer shall attend a predesign meeting with the Sherwood Engineering Department.

8. Only the portion of a sanitary line that conveys sanitary flow from multiple lots will be accepted as a public line. Sanitary lines that only serve one lot shall remain as private sanitary sewer laterals.
9. Extension of private sanitary sewer lines within the site shall provide service to all facilities constructed on-site.
10. The proposed development shall supply public sanitary service to all parcels of the development meeting Sherwood Engineering standards.
11. Private sanitary sewer laterals shall be installed in compliance with the current Oregon Plumbing Specialty Code.
12. Private water service laterals shall be installed in compliance with the current Oregon Plumbing Specialty Code.
13. The developer shall adhere to the conditions of the Clean Water Services Provider Letter (CWS File Number 16-001228) dated March 30, 2016.
14. The proposed development shall supply domestic, irrigation and fire water to the development as needed meeting Sherwood Engineering standards.
15. Water meters located on site shall have a public water line easement meeting the approval of the Sherwood Public Works Department.
16. Water flows calculations (domestic, irrigation and fire) shall be provided by the developer.
17. If on-site fire protection is connected to the public water system, backflow protection meeting Sherwood Engineering Department standards shall be installed with a public water line easement as necessary.
18. All new utilities to be installed for the development of the subject property shall be underground.
19. The proposed development shall provide storm sewer improvements and service to the development as needed meeting Sherwood Engineering standards.

B. Prior to Final Plat or Final Site Plan Approval:

1. Prior to Final Site Plan approval, submit a final landscape plan that addresses the installation and maintenance standards of Section 16.92.040 to the Planning Department for review and approval.
2. Prior to Final Site Plan approval, a revised site plan must be submitted identifying the compact car stalls and calculations meeting the maximum 25 percent compact car stall requirement.
3. Prior to Final Plat approval, submit a copy of the covenants, conditions and restrictions (CC&Rs) for the project including shared access easements.
4. Prior to Final Site Plan approval, provide a revised solid waste and recycling storage receptacles plan meeting Pride Disposal requirement.
5. Prior to Final Plat Approval, the plat and site development drawings shall show and identify the type, width and extent of each public and private utility easement necessary for site development meeting Sherwood Engineering Department standards.
6. Prior to Final Site Plan approval, submit revised plans demonstrating compliance with the Fire Marshall's letter dated September 13, 2017.

7. Prior to Final Plat approval, the plat and site development drawings shall show and identify the type, width and extent of each public and private utility easement necessary for site development.
8. Prior to Final Plat approval and recordation, a Clean Water Services Storm Water Connection Permit Authorization must be obtained.

C. Prior to Issuance of City of Sherwood Engineering Compliance Agreement

1. Prior to issuance of a Compliance Agreement the Applicant shall be held responsible for the following:
 - a. The Applicant's fee in-lieu-of construction financial contribution shall be based on the ratio of the development's trip generation increase to the Tualatin-Sherwood Road / Hwy 99W intersection compared to the non-developed level.
 - b. The Applicant's financial contribution shall be limited to proportionate share funding of the physical capacity improvement needs for the Tualatin-Sherwood Road/Hwy 99W intersection, as defined by the Washington County MSTIP project scope.
 - c. The Applicant shall not be responsible for financial contributions related to the remaining roadway improvements along the Tualatin-Sherwood Road corridor, or the infrastructure improvements related to the Willamette River Water Supply project, which is being made part of the Washington County MSTIP project.
 - d. The Applicant shall be entitled to receive TDT credits for any required roadway improvements along Tualatin-Sherwood Road that are above their proportionate share mitigation costs.
2. Prior to issuance of a Compliance Agreement the Sherwood Engineering Department shall provide review and approval of the related public transportation improvement plans. The public transportation infrastructure plans shall meet City of Sherwood standards.
3. Prior to issuance of a Compliance Agreement, the Sherwood Engineering Department shall provide review and approval of the related public sanitary sewer improvements plans. The public sanitary sewer infrastructure plans shall meet City of Sherwood standards.
4. Prior to issuance of a Compliance Agreement for any phase of development, the Sherwood Engineering Department shall provide review and approval of the related public storm sewer improvement plans. The public storm sewer infrastructure plans shall meet City of Sherwood standards.
5. Prior to issuance of a Compliance Agreement for any phase of development, the Sherwood Engineering Department shall provide review and approval of the related public water improvement plans. The public water infrastructure plans shall meet City of Sherwood standards.

D. Prior to Issuance of a Grading Permit:

1. Prior to issuance of a grading permit, a final tree preservation plan consistent with the requirements of Section 16.142.070.G. will be submitted.

E. Prior to Engineering Approval of the Public Improvement Plans:

1. Prior to Sherwood Engineering Department approval of the public improvement plans, all public transportation infrastructure shall meet City of Sherwood standards and be approved by the Sherwood Engineering Department.

2. Prior to Sherwood Engineering Department approval of the public improvement plans, all public sanitary sewer infrastructure shall meet City of Sherwood standards and be approved by the Sherwood Engineering Department.
3. Prior to Sherwood Engineering Department approval of the public improvement plans, all public water infrastructure shall meet City of Sherwood standards and be approved by the Sherwood Engineering Department.
4. Prior to Sherwood Engineering Department approval of the public improvement plans, a Clean Water Services Storm Water Connection Permit Authorization must be obtained in accordance with the comments submitted by Clean Water Services dated September 28, 2017.
5. Prior to Sherwood Engineering Department approval of the public improvement plans, provide street trees in graded tree wells in the public sidewalk consistent with the requirements of Section 16.142.060.
6. Prior to Sherwood Engineering Department approval of any phase of the public improvement plans and issuance of a Compliance Agreement, the developer shall obtain a DEQ NPDES 1200CN permit.

F. Prior to Issuance of Building Permits:

1. Obtain Final Site Plan approval prior to issuance of any building permits in any phase of development.
2. Obtain Final Plat approval, prior to issuance of any building permits in any phase of development.
3. Prior to issuance of a Building Permit for each building, water flows calculations (domestic, irrigation and fire) for the building seeking a permit shall be provided by the developer to the Building Department. Approval of the water flows calculations by Sherwood Public Works is required prior to issuance of a Building Permit.
4. Prior to Issuance of a Building Permit, the applicant shall submit construction documents that provide additional information on the proposed plantings and maintenance of the plants to ensure that the landscaping will be appropriately maintained. The construction plans shall include specifications for the adequate preparation of the soils.
5. Prior to issuing any Building Permit, the developer shall execute an Engineering Compliance Agreement for the construction of the public improvements, unless otherwise approved by the City Engineer.

G. Prior to Acceptance of Public Improvements:

1. Prior to Sherwood Engineering Department final acceptance of the constructed public improvements, any public sanitary sewer to be located on private property shall have a recorded public sanitary sewer easement encompassing the related public sanitary sewer improvements meeting Sherwood Engineering standards.
2. Prior to Sherwood Engineering Department final acceptance of the constructed public improvements, any public water line to be located on private property shall have a recorded public water line easement encompassing the related public water improvements meeting Sherwood Engineering standards.
3. Prior to Sherwood Engineering Department final acceptance of the constructed public improvements, any public storm sewer to be located on private property shall have a

recorded public storm sewer easement encompassing the related public storm sewer improvements meeting Sherwood Engineering standards.

H. Prior to Receiving Occupancy

1. Prior to Occupancy, all site improvements, including but not limited to landscaping, parking and site lighting shall be installed per the approved final site plan and inspected and approved by the Planning Department.
2. Prior to Final of Occupancy for any building constructed on site, the plat and all public and private easements necessary for site development shall be recorded with the Washington County Recorder with copies of the recorded documents provided to the City of Sherwood.
3. Prior to Final Occupancy, solid waste and recycling storage receptacles must be constructed to Pride Disposal standard.
4. Prior to Final Occupancy for any buildings constructed under this site development plan, a Rectangular Rapid Flashing Beacon (RRFB) pedestrian crossing system shall be installed on Langer Farms Parkway on the south side of the Langer Farms Parkway and Whetstone Way intersection, and be fully operational.
5. Prior to Final Occupancy for any building(s) constructed under this site development plan, frontage improvements along the entirety of Century Drive shall be installed. This includes the undeveloped Lot 1.
6. Prior to Final Occupancy for any buildings, the proposed development shall supply domestic, irrigation and fire water to each parcel of the development as needed meeting Sherwood Engineering standards.
7. Prior to Final Occupancy for each building, domestic water service for each building shall have a backflow device or reduced pressure backflow assembly installed meeting the approval of the Sherwood Public Works Department.
8. Prior to Final Occupancy for each building, if on-site fire protection is required, backflow protection meeting Sherwood Engineering Department standards shall be installed by developer, and inspected and approved by Public Works.
9. Prior to Final Occupancy, any private storm sewer services shall be installed in compliance with the current Oregon Plumbing Specialty Code.
10. Prior to Final Occupancy for any building constructed on site, the plat and all public and private easements necessary for site development shall be recorded with the Washington County Recorder, with copies of the recorded documents provided to the City of Sherwood.
11. Prior to Final Occupancy for any building(s), final acceptance of the constructed public improvements shall be obtained from the City of Sherwood Engineering Department.
12. Prior to Final Occupancy for any buildings, Sherwood Broadband utilities (vaults and conduits) shall be installed along the subject property's frontage per requirements set forth in City Ordinance 2005-017 and City Resolution 2005-074.

VII. Exhibits

- A. Applicant's submittal with narrative and supporting documents dated July 17, 2017
- B. REVISED Engineering comments dated December 5, 2017

- C. Clean Water Services comments dated September 28, 2017
- D. Tualatin Valley Fire & Rescue comments dated September 13, 2017
- E. Pride Disposal comments dated September 14, 2017
- F. ODOT comments dated October 19, 2017
- G. Written Comments from Leann Bennett dated November 13, 2017
- H. 120-Day Extension
- I. Written Comments from Gramor Development dated December 11, 2017
- J. AKS email request dated November 22, 2017
- K. Internal Memo from City Engineer dated November 27, 2017

The site plan approval is valid for a period of two (2) years from the date of the decision, per Section 16.90.020.