



Home of the Tualatin River National Wildlife Refuge

MEMORANDUM

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To: Chair Simson and Planning Commission
From: Eric Rutledge, Associate Planner
RE: Revised Agency Comments and Modified Conditions of Approval for the LU 2020-019 CUP, SP, VAR staff reported dated December 1, 2020
Date: December 8, 2020

Memo Background:

The purpose of this memo is to provide updated agency comments (City of Sherwood Engineering; Washington County Land Use & Transportation) and revised conditions of approval for LU 2020-019. The proposed changes were requested by the applicant after the release of the staff report. Staff has reviewed the proposed changes and finds application continues to meet City standards as revised.

Summary of Proposed Changes

Condition	Summary
C12, C14, C21	The Trammell Crow development to the north has already been conditioned to provide utilities within SW Cipole Drive to their southern property line. The revised conditions related to this issue clarify that the subject applicant is not required to provide utilities through the Trammell Crow site to the north.
C20	Clarifies requirements for storm water within SW Orr Drive
D1	The County has clarified that frontage improvements for the portion of right-of-way acquired from Tax Lot 851 will only be required if the property is acquired by February 1, 2021.
B4, E2	Additional proposed changes are related to the timing of the outdoor storage fence and requirements for the PGE easement agreement.

Staff Recommendation

Staff recommends approving the revised conditions and findings as described in Attachment 1.

Attachments

1. Revised Conditions of Approval Table
2. Revised City of Sherwood Engineering Comments dated December 8, 2020 (see Exhibit Q of the Notice of Decision)
3. Revised Washington County Land Use & Transportation Comment dated November 13, 2020 (see Exhibit R of the Notice of Decision)

Condition of Approval	Staff Report Condition	Proposed Condition	Reason for Change
B4	Prior to Final Site Plan approval, revise the plans to show a minimum 6 ft. tall site obscuring fence around the long-term outdoor storage area.	Prior to Final Site Plan approval, revise the plans to show a minimum 6 ft. tall sight obscuring fence around the long-term storage area. The fence shall be installed prior to the area being used for permanent outdoor storage. (now B4)	The applicant has clarified that the outdoor storage area to the west of the kolk pond is in the long-term plans but will not be established immediately with site development. The revised condition requires the fence to be installed prior to the storage area being used for permanent storage.
C12	Prior to Approval of the Engineering Public Improvement Plans, the proposed development shall design to extend an appropriately sized public sanitary sewer from the existing public sanitary sewer located within SW Cipole Place to SW Orr Drive. Extension of the public sanitary sewer within SW Orr Dive shall only be what is necessary to serve the subject site, meeting the approval of the Sherwood Engineering Department.	<p>Prior to Approval of Public Improvement Plans, public sanitary line shall be extended as needed, either east or west within SW Orr Drive to provide for private service laterals to the site. The applicant has provided design data that shows that extension of the public sanitary sewer line to the west end of SW Orr Drive is not required as the depth of cover and adverse grads preclude service connection to developable lots located west of the subject site. (now C12)</p> <p>AND</p> <p>Prior to Approval of the Engineering Public Improvement Plans, the proposed development shall extend an appropriately sized public sanitary sewer from the existing public sanitary sewer located north of the site, into SW Orr Drive. Extension of the public sanitary sewer within SW Orr Dive shall only be what is necessary to serve the subject site, meeting the approval of the Sherwood Engineering Department. (now C29)</p>	The public sanitary sewer between SW Cipole Place south to SW Orr Drive is required to be constructed by the Trammell Crow development to the north under (Condition of Approval E13 in LU 2020-001). The modified condition corrects the overlap in required improvements.

<p>C14</p>	<p>Prior to Approval of the Engineering Public Improvement Plans, the proposed development shall design to:</p> <ul style="list-style-type: none">a) Construct a new 12-inch diameter public water line from the existing public water line located in SW Cipole Place, south to SW Orr Drive, meeting the approval of the City of Sherwood Engineering Department.b) Construct a new 12-inch diameter public water line from the existing public water line located in SW 124th Avenue, west along SW Orr Drive to the western property line, meeting the approval of the City of Sherwood Engineering Department.	<p>Prior to Approval of the Engineering Public Improvement Plans, the proposed development shall design to:</p> <ul style="list-style-type: none">a) Construct a new 16-inch diameter public water line from the existing public water line located north of the site within a utility easement, and extending it to an approved point within SW Orr Drive, then west along the SW Orr Drive alignment to the western property line of the subject site, meeting the approval of the City of Sherwood Engineering Department.b) Construct a new 12-inch diameter public water line from the existing public water line located in SW 124th Avenue at the north property line of the subject site, west along SW Orr Drive to the intersection with the new 16-inch water mainline, meeting the approval of the City of Sherwood Engineering Department. (now C14)	<p>The public water line between SW Cipole Place south to SW Orr Drive is required to be constructed by the Trammell Crow development to the north under (Condition of Approval E16 and E18 in LU 2020-001). The modified condition corrects the overlap in required improvements. The revised condition also corrects the size of the water line in SW Orr Drive from 12-inch to 16-inch.</p>
<p>E2</p>	<p>Prior to Issuance of Building Permits, the Encroachment Agreement between the applicant and PGE shall be recorded with Washington County.</p>	<p>The applicant shall adhere to the Encroachment Agreement between the applicant and PGE. (now E2)</p>	<p>The applicant has clarified that the PGE easement already on the deed for the site. The encroachment agreement is a private agreement that is supplemental to the easement that is signed by both parties. The signed agreement was included in the application package and the revised conditions simply requires the applicant to adhere to the agreement.</p>

<p>D1 (B)(4)(e)</p>	<p>Half-street improvement for a 5-lane Arterial along the site’s frontage of SW 124th Avenue to County standards if the County can acquire the right-of-way from Tax Lot 851 that fronts the applicant’s tax lot. The half-street shall include half-width pavement for a left-turn lane, dual through lanes, curb/gutter, a 12 foot multi-use path with a 5 foot planter strip and continuous street lighting. The planter strip that fronts the retaining wall shall be reduced to 3 feet.</p> <p><i>NOTE: The outside travel lane shall be a minimum of 15 feet. Street trees/shrubs shall meet City standards.</i></p>	<p>Half-street improvement for a 5-lane Arterial along the site’s frontage of SW 124th Avenue to County standards if the County can acquire the right-of-way from Tax Lot 851 that fronts the applicant’s tax lot by February 1, 2020. The half-street shall include half-width pavement for a left-turn lane, dual through lanes, curb/gutter, a 12 foot multi-use path with a 5 foot planter strip and continuous street lighting. The planter strip that fronts the retaining wall shall be reduced to 3 feet.</p> <p><i>NOTE: The outside travel lane shall be a minimum of 15 feet. Street trees/shrubs shall meet City standards. (now D1)</i></p>	<p>A portion of private property to the south of the development site contains a small piece of land that runs north between the development site and 124th Ave. The condition requires the applicant to provide frontage improvements along this portion of roadway if the County can acquire the land. The County is expected to acquire this portion of property in January. The revised condition provides an end date by which the County must acquire the property in order for improvements to be required. This will allow the applicant to understand their street improvement requirements in a timely manner and proceed with final design.</p>
<p>C20</p>	<p>Prior to Approval of the Engineering Public Improvement Plans, the proposed development shall design to provide storm sewer for SW Orr Drive meeting the approval of the Sherwood Engineering Department.</p>	<p>Prior to Approval of the Engineering Public Improvement Plans, the proposed development shall design to provide for storm water runoff collection, conveyance, treatment and hydromodification for SW Orr Drive meeting the requirements of CWS and approval of the Sherwood Engineering Department. (now C20)</p>	<p>This revision clarifies the requirements for storm sewer for SW Orr Drive.</p>
<p>C21</p>	<p>Prior to Approval of the Engineering Public Improvement Plans, the proposed development shall design to construct an appropriately sized public storm sewer from the eastern wetland SW Orr Drive accounting for the needs of the subject site meeting the approval of the Sherwood Engineering Department.</p>	<p><i>Condition removed and replaced with same as above (C20)</i></p>	<p>The public storm sewer line between the wetland on the Trammell Crow site and SW Orr Drive is required to be constructed by the Trammell Crow development to the north under (Condition of Approval E24 in LU 2020-001). The modified condition corrects the overlap in required improvements.</p>