



Home of the Tualatin River National Wildlife Refuge

MEMORANDUM

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To: Chair Jean Simson, City of Sherwood Planning Commission

From: Eric Rutledge, Associate Planner

RE: February 22, 2022 Planning Commission Meeting

Date: February 22, 2022

Background

On February 22, 2022 the Planning Commission will consider three applications in various stages of the land use process. This memo is intended to clarify the information received for the record since release of the Planning Commission packet dated February 15, 2022 and provide a final staff recommendation for each application based on the information received.

LU 2021-009 Cedar Creek Plaza Multifamily

The record for this application is open and public testimony will be accepted during the hearing. Since release of the Planning Commission packet on February 15, 2022, the following information was submitted into the record:

- Exhibit AH Testimony from HHPR and Schwabe Williamson & Wyatt
- Exhibit AI Testimony from Tonkon Torp
- Exhibit AJ Testimony from Hathaway Larson

Staff Recommendation: The staff recommendation is for denial of the application based on the findings below.

Findings: The testimony from Tonkon Torp (Exhibit AI) to the land use record demonstrates that Lot 3 of Cedar Creek Plaza (16784 SW Edy Rd.) was sold to Lake Bowman MHP, LLC on July 27, 2021. The application form for Lot 3 does not include a signature or consent from Lake Bowman MHP, the current owner of the property. Therefore the application does not comply with the requirements of SZCDC § 16.70.030, 16.70.040, and 16.12.030.

SZCDC 16.70.030 Application Requirements – this section requires that *“original signatures from all owners or their legal representative must be on the application form.”* A signature from the current owner of the property is not on the application form.

SZCDC 16.70.040 Application Submittal – States that *“An application for land use will not be accepted by the City without... the signature of the applicant and authorization from the property owner of record.”* Authorization from the current property owner of record is not part of the current application submittal.

SZCDC 16.12.030 Residential Land Use Development Standards – the proposed 84-units requires a minimum of 131,000 SF of lot area. The applicant has not demonstrated the right to utilize Lot 3 in the application and can only rely on Lots 2 and 7 to meet minimum lot area requirements. The total size of Lots 2 and 7 is 114,127 SF, which is under the required 131,000 SF.

Planning Commission Alternatives: The Planning Commission can deny the application and adopt the findings of denial in this memo, approve the application based on the findings in the revised staff report dated January 14, 2022, or approve or deny the application with additional findings and conditions.

LU 2021-012 Sherwood Commerce Center

The record for this application is closed and public testimony will not be accepted prior to the deliberations. Since release of the Planning Commission packet on February 15, 2022, the following information was submitted into the record:

- Exhibit RR Testimony from Schnitzer Properties

Staff Recommendation: The staff recommendation is to approve the application based on findings and conditions of approval in the staff report dated January 12, 2022, with revised conditions as described in Exhibits BB, CC, and DD.

Planning Commission Alternatives: The Planning Commission can approve the application as described above, approve the application with revisions findings / conditions, or deny the applications with revised findings of denial.

LU 2021-015 Oregon St. Business Park

The record for this application is open and public testimony will be accepted during the hearing. Since release of the Planning Commission packet on February 15, 2022, the following information was submitted into the record:

- Exhibit II Testimony from AKS Engineering & Forestry

The testimony is from the applicant and requests a 4-month continuance to modify their site plan.

Staff Recommendation: The staff recommendation is to grant a continuance of the application to a date certain of June 28, 2022. The new hearing date will allow time for two Planning Commission hearings and one City Council appeal hearing before the new 120-day deadline of September 5, 2022.

Planning Commission Alternatives: The Planning Commission can continue the hearing to a date certain, deny the application based on the findings in the staff report dated January 4, 2022, or approve the application with revised findings and conditions of approval. For an approval, the revised findings need to address all of the code standards and criteria identified in the staff report as being non-compliant.