



# NOTICE OF DECISION

**TAX LOT:** 2S129DC001100; 1200; 1300;  
1400; 1500

**ADDRESS:** 21650 SW Langer Farms Parkway

**CASE NO:** LU 2022-012 SP / MM / CUP / PLA

**DATE OF NOTICE:** July 13, 2022

**Applicant**

Langer Family, LLC  
28185 SW Heater Rd.  
Sherwood, OR 97140

**Owner (TL 1100, 1200, 1400, 1500)**

Langer Parkway South, LLC  
28185 SW Heater Rd.  
Sherwood, OR 97140

**Owner (TL 1300)**

Langer Entertainment, LLC  
28185 SW Heater Rd.  
Sherwood, OR 97140

## NOTICE


Because you are the applicant or because you testified on the subject application, you are receiving notice that on July 12, 2022, the Sherwood Planning Commission approved land use application 2022-012 SP / MM / CUP / PLA MM Chestnut Inn and Parkway Village South Self Storage. The approval is for a new 100-room hotel and 690-unit self-storage building and associated site improvements.

**INFORMATION:** The full Planning Commission findings report, conditions of approval, and land use exhibits can be viewed at: <https://www.sherwoodoregon.gov/planning/project/lu-2022-012-sp-mm-cup-pla-chestnut-inn-and-parkway-village-south-self-storage> or can be obtained by contacting Joy Chang, Senior Planner, at 503-625-4214 or [changj@sherwoodoregon.gov](mailto:changj@sherwoodoregon.gov)

## APPEAL

Pursuant to Sherwood Zoning and Community Development Code Section 16.72.010.B.3.d, the Sherwood City Council is the Appeal Authority for Type IV land use decisions. Any person who testified before the Planning Commission at the public hearing or who submitted written comments prior to the close of the record may appeal the Planning Commission's decision, no later than 14 days from the date of this notice. Details on appeal procedures are located in SZCDC § 16.76. **An appeal of this decision must be filed no later than 5:00 PM on July 27, 2022.**

I, Eric Rutledge, for the Planning Department, City of Sherwood, State of Oregon, in Washington County, declare that the Notice of Decision LU 2022-012 SP / MM / CUP / PLA was placed in a U.S. Postal receptacle, or transmitted via electronic mail, on July 13, 2022 before 5pm.

  
Eric Rutledge, Associate Planner

**CITY OF SHERWOOD**  
**JULY 12, 2022**  
**PLANNING COMMISSION FINDINGS**



Home of the Troutman River, National Wild and Scenic River

**CHESTNUT INN AND PARKWAY VILLAGE SOUTH SELF-STORAGE  
SITE PLAN, MAJOR MODIFICATION TO SITE PLAN,  
CONDITION USE PERMIT, AND PROPERTY LOT LINE ADJUSTMENT  
LU 22022-012 SP, MM, CUP, LLA**

Pre-App Meeting: January 6, 2022  
App. Submitted: April 18, 2022  
App. Complete: May 20, 2022  
1<sup>st</sup> Hearing Date: June 28, 2022  
2<sup>nd</sup> Hearing Date: July 12, 2022  
120-Day Deadline: September 17, 2022

**HEARING SUMMARY:**

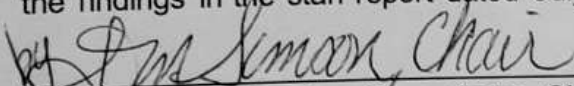
The City of Sherwood Planning Commission (Commission) held the initial evidentiary hearing on the subject application on June 28, 2022. The Commission heard presentations by City staff and the applicant, followed by testimony from the general public. The Commission directed staff to revise the staff report to provide clear findings of compliance on the proposed parking supply and a new Condition of Approval (H3) related to acquiring permits for on-site signage.

Written public testimony was received during the June 28 hearing and is included Exhibits C11 – C12 to this report. Prior to the conclusion of the hearing, a member of the public requested the record to be left open to provide additional testimony. The record was left open for a period of two weeks as follows:

- 7 days for anyone to submit additional testimony ending at 5:00 PM on Tuesday, July 5<sup>th</sup>, 2022.
- 7 days for anyone to rebut information received within the first 7 day period ending at 5:00 PM on July 12<sup>th</sup>, 2022.

Exhibits C1 – C6 were received during the initial open record period and Exhibits C7 – C10 were received during the rebuttal period. The applicant waived their 7 days to submit a final response.

On July 12, 2022 the Commission held the continued hearing. Staff provided a brief presentation followed by questions by the Commission of staff. After considering all of the information in the record, the Commission unanimously approved the application based on the findings in the staff report dated July 12, 2022.

  
\_\_\_\_\_  
Jean Simson, Planning Commission Chair

07/13/2022  
\_\_\_\_\_  
Date

## I. BACKGROUND

- A. Applicant: Langer Family, LLC  
28185 SW Heather Road  
Sherwood, OR 97140
- Owners: Langer Parkway South, LLC  
28185 SW Heater Rad  
Sherwood OR 97140
- Owner's Representative: Langer Entertainment, LLC (TL 1300)  
28185 SW Heater Road  
Sherwood OR 97140  
Chris Goodell, AICP, LEED AP  
AKS Engineering and Forestry  
503-563-6151 [chrisg@aks-eng.com](mailto:chrisg@aks-eng.com)
- B. Location: Southeast corner of the intersection of SW Langer Farms Parkway and SW Century Drive.
- C. Assessor's Information: Tax Map 2S1 29DC, Tax Lots 1100, 1200, 1300, 1400, and 1500
- D. Parcel Sizes: The total site is approximately 15.67 acres in size and is parceled to the following: Tax Lot 1100 is ±3.61 acres; Tax Lot 1200 is ±1.24 acres; Tax Lot 1300 is ±7.48 acres; Tax Lot 1400 is ±2.50 acres; and Tax Lot 1500 is ±0.84 acres.
- E. 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. The associated Major Modification to an Approved Site Plan request is also a Type IV review. The proposed Condition Use Permit requires a Type III review. Finally, the Property Lot Line Adjustment is a Type I review. The proposed developments will all be processed concurrently through the Type IV review.
- F. Public Notice: 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 June 8, 2022, in accordance with § 16.72.020 of the SZCDC. The notice was published in the Times (a newspaper of general circulation) on June 9, 2022 and June 23, 2022, in accordance with §16.72.020 of the SZCDC.
- G. Review Criteria: Sherwood Zoning and Community Development Code (SZCDC): Chapter 16.31 Industrial Land Use Districts; Chapter 16.40 Planned Unit Development; Chapter 16.58 Vision Clearance and Fence Standards; Chapter 16.72 Procedures for Processing Development Permits; Chapter 16.82 Conditional Uses; Chapter 16.90 Site Planning; Chapter 16.92 Landscaping; Chapter 16.94 Off-Street Parking and Loading; Chapter 16.96 On-Site Circulation; Chapter 16.98 On-Site Storage; Chapter 16.106 Transportation Facilities; Chapter 16.108 Improvement

Plan Review; Chapter 16.110 Sanitary Sewers; Chapter 16.112 Water Supply; Chapter 16.114 Storm Water; Chapter 16.116 Fire Protection; Chapter 16.118 Public and Private Utilities; Chapter 16.124 Property Line Adjustments and Lot Consolidations; Chapter 16.142 Parks, Trees, and Open Spaces; Chapter 16.146 Noise; Chapter 16.148 Vibrations; Chapter 16.150 Air Quality; Chapter 16.152 Odors; Chapter 16.154 Heat and Glare; Chapter 16.156 Energy Conservation.

- H. History and Background: The site has been owned and farmed by the Langer family since the late 1800's. This 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 Parkway Village South Site Plan and Subdivision (SP 17-01/SUB 17-03) was approved on December 14, 2017, subject to conditions of approval. The Final Site Plan was subsequently approved on May 31, 2018. In March 2019, the Parkway Village South Subdivision (a replat of Parcel 2 of Partition Plat 2017-019) was recorded, resulting in five lots. The property is currently configured as Lots 1 and 2 of Parkway Village South subdivision plat (Document No. 2019-034798). Following the approvals above, a Minor Modification to the Parkway Village South Site Plan (SP 17-01/SUB 17-03) was submitted to modify two of the approved commercial areas. The Minor Modification (MMSP 18-08) is the most recent casefile on the subject property that was approved on April 1, 2019.

- I. Existing Conditions: Tax Lot 1100 and Tax Lot 1200 are undeveloped and vacant. To the west of these tax lots is the remaining Parkway Village South campus, approved for future retail buildings along SW Langer Farms Parkway and Century Drive, along with shared parking, landscaping, and circulation (Tax Lot 1400 and 1500). Adjacent and south of these tax lots is the existing Langer's Entertainment Center (Tax Lot 1300). The entire site is adjacent to a regional stormwater quality facility to the southeast which was committed to serving these tax lots. 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. Access is proposed from the existing driveways serving the property along SW Langer Farms Parkway and SW Century Drive, both designated as collector streets in the City of Sherwood Transportation System Plan (TSP).
- J. Surrounding Land Uses: 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.

- K. Current Zoning: The property is zoned Light Industrial Planned Unit Development (LI-PUD). As noted above, through the PUD 95-1 approval, the site allows for uses that were permitted within the General Commercial Zone in 1995. The 1995 Code, General Commercial Zone allows for Commercial Storage and Mini-Warehousing. Mini-warehousing or self-storage 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.

Under the 1995 Code within the General Commercial Zone, Hotels or Motels were allowed within the zone with a Conditional Use Permit. Hotel/Motel use under the current code is also allowed with a Condition Use Permit.

## II. AFFECTED AGENCY AND PUBLIC COMMENTS

- A. Notice to affected agencies on June 2, 2022. The following is a summary of the comments received. Copies of full comments are included in the record unless otherwise noted.
1. City of Sherwood Engineering Department provided land use comments included as Exhibit B1. The comments address traffic and transportation, public utilities, and other engineering requirements. The comments and recommended Conditions of Approval are incorporated throughout the report under each applicable code section.
  2. Clean Water Services provided a memorandum dated June 16, 2022 (Exhibit B2). The memorandum provides Conditions of Approvals related to CWS regulations for stormwater, erosion control, and sensitive habitat areas. The applicant has also submitted a CWS Sensitive Area Pre-Screen Assessment (Exhibit A – Sub Exhibit E) that indicates a CWS SPL is not required.
  3. Tualatin Valley Fire and Rescue (TVF&R) – TVF&R provided a Service Provider Letter (SPL) dated March 30, 2022 (Exhibit A – Sub Exhibit M). Issuance of the SPL indicates compliance with TVF&R standards.
  4. Washington County, Land Use & Transportation - Formal comments were not submitted from the County on this proposal. However, during the completeness check, the County provided comments dated May 6, 2022, stating that the County Traffic Engineer reviewed the study and determined that the proposed development shows less trips than originally approved, and the intersection of SW Langer and Tualatin-Sherwood Road will be improved with five lanes (Exhibit B3).
- B. Public Comments - Public notice was mailed, posted on the property, and posted in five locations throughout the City on June 8, 2022.
1. No public comments were received at the time of writing this staff report. Public testimony was received on the application during the initial hearing on June 28. Additional testimony has been received from the public and the applicant during the open record. The testimony has been considered by staff in the final recommendation and is included as exhibits to this report.

## III. APPLICABLE CODE PROVISIONS

*Note – three asterisks (\*\*\*) Indicates code has been omitted because it is not applicable*

## Chapter 16.72 PROCEDURES FOR PROCESSING DEVELOPMENT PERMITS

### 16.72.010 – Generally

#### A. Classifications

Except for Final Development Plans for Planned Unit Developments, which are reviewed per Section 16.40.030, all quasi-judicial development permit applications and legislative land use actions shall be classified as one of the following:

1. Type I

The following quasi-judicial actions shall be subject to a Type I review process:

b. Property line adjustments;

3. Type III

The following quasi-judicial actions shall be subject to a Type III review process:

c. Conditional Uses

4. Type IV

The following quasi-judicial actions shall be subject to a Type IV review process:

c. Site Plans — Greater than 40,000 square feet of floor area, parking or seating capacity.

**ANALYSIS:** The proposed modification represents a 10% or more increase to the existing floor area and Major Modification approval pursuant to SZCDC § 16.90.030. The original Site Plan approval (SP 17-01/SUB 17-03) was processed as a Type IV application, and therefore, the major modification is subject to the Type IV procedures. Furthermore, the self-storage building (Lot 1) and the hotel (Lot 2) are both new proposals that are greater than 40,000 square feet of floor area and requires Site Reviews. All subsequent land use reviews (Conditional Use and Property Lot Line Adjustment) will be completed concurrently.

**FINDING:** The application is subject to the Type IV land use review procedures and this criterion is met.

\*\*\*

#### 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

**A. The table below identifies the land uses that are permitted outright (P), permitted conditionally (C) and not permitted (N) in the industrial zoning districts. The specific land use categories are described and defined in Chapter 16.88.**

**B. Uses listed in other sections of this Code, but not within this specific table are prohibited.**

- C. Any use not otherwise listed that can be shown to be consistent or associated with the uses permitted outright or conditionally in the industrial zones or contribute to the achievement of the objectives of the industrial zones may be permitted outright or conditionally, utilizing the provisions of Chapter 16.88.
- D. Additional limitations for specific uses are identified in the footnotes of this table.

Uses	LI
Hospitality and Lodging	
• Hotel/Motel	CU <sup>12</sup>
Office and professional support services	
• Business and professional offices <sup>3</sup>	P
Industrial	
• Mini-warehousing or self-storage	N

<sup>3</sup> Limited in size to five thousand (5,000) square feet in a single outlet and no more than twenty thousand (20,000) square feet in multiple outlets in the same development project.

<sup>12</sup> See special standard criteria for hospitality and lodging uses within the Light Industrial Land Use District SZCDC 16.31.040.

**Applicant’s Response:** This application involves review of a self-storage facility with flexible tenant spaces and a hotel. As discussed in the background information above, the land uses that are permitted on site are memorialized in the Amended and Restated Development Agreement dated 2010 (included as Exhibit H) and the Vesting Determination Documentation (Exhibit N). Self-storage is not permitted in the LI zone under the current development code; however, “mini-warehousing” was a permitted use on the site when the parent property was created by subdivision (SUB 12-02). Establishing “mini-warehousing” or “self-storage” is therefore a permitted use until August 28, 2022, pursuant to ORS 92.040. For further details, please see the Pre-Application Conference Documentation (Exhibit I).

Additionally, the flexible tenant spaces within the self-storage facility are planned to contain ±2,500 square feet of area for private or business tenants. These spaces are generally permitted in the LI zone as ‘professional support services,’ shown in the table above. The tenant spaces do not exceed the limits on business and professional offices noted in the table above: 5,000 square feet in a single outlet or 20,000 square feet of the total building size.

Finally, a hotel is a conditional use within the LI zoning district, subject to special criteria of Sherwood Zoning and Community Development Code (SZCDC) 16.31.040. Please see the responses to SZCDC 16.31.040 within this document. As such, the envisioned uses are permitted conditionally or outright, as shown above. The criteria above are met.

**ANALYSIS:** A final development plan for the PUD was approved for the overall site in 1995. As stated before, the PUD approval for all of phases 6, 7, and 8 of PUD 95-1 allowed for uses that were permitted outright within the General Commercial Zone in 1995. Mini-warehousing was a permitted outright use within the General Commercial Zone in 1995. This was memorialized by the Council approval of Resolution 2007-081 in 2007. . Under the current code, a hotel use within the LI zone requires a Condition Use Permit approval subject to special criteria under 16.31.040. Therefore both uses are permitted on the site. 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, Conditional Use and all other applicable sections of the SZCDC.

**FINDING:** Based on the applicant’s response and 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).

**Applicant's Response:** As discussed in this written document and shown on the Preliminary Plans (Exhibit A), the application demonstrates consistency with the applicable requirements of the SZCDC. Further, the Preliminary Property Line Adjustment Plan (Exhibit A), illustrates that the lot dimensions meet the standards of the LI-PUD zoning district. This application does not involve variances or adjustments.

**FINDING:** Staff concurs with the applicant's response. Therefore, this criterion is met.

#### 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 <sup>11</sup>	20 feet
Side yard setback <sup>10</sup>	None
Rear yard setback <sup>11</sup>	None
Corner lot street side <sup>11</sup>	20 feet
Height <sup>11</sup>	50 feet
<sup>10</sup> 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.	
<sup>11</sup> 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:** As shown on the Preliminary Property Line Adjustment Plan (Exhibit A), this application involves a lot line adjustment between Tax Lots 1100, 1200, 1300, and 1500 of Washington County Assessor's Map 2S129DC. The general purpose is to reconfigure the common boundary between the hotel and storage facility (between Lot 1 and Lot 2 of Parkway Village South subdivision plat), and center the common boundary (between Lot 1, Lot 2, Lot 3,



and Lot 5) along the shared drive aisle. After the lot line adjustment, the reconfigured properties will be at least 10,000 square feet with widths greater than 100 feet.

Further illustrated in Exhibit A, the planned self-storage building is set back greater than 20 feet along the front lot line of SW Century Drive. The planned hotel is set back greater than 20 feet along the front lot line (parallel to the common drive aisle). As shown, the planned buildings comply with the applicable setbacks above. Additionally, the project site is not located within 100 feet of a residential zoning district. As such, according to footnote 11 (above) the height limitations of residential zoning districts are not applicable. The Preliminary Architectural Materials (Exhibit D) show the heights of the planned buildings do not exceed 50 feet. Therefore, the standards above are met.

**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 20-feet or more from the street meeting the visual corridor requirement for collector streets.

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

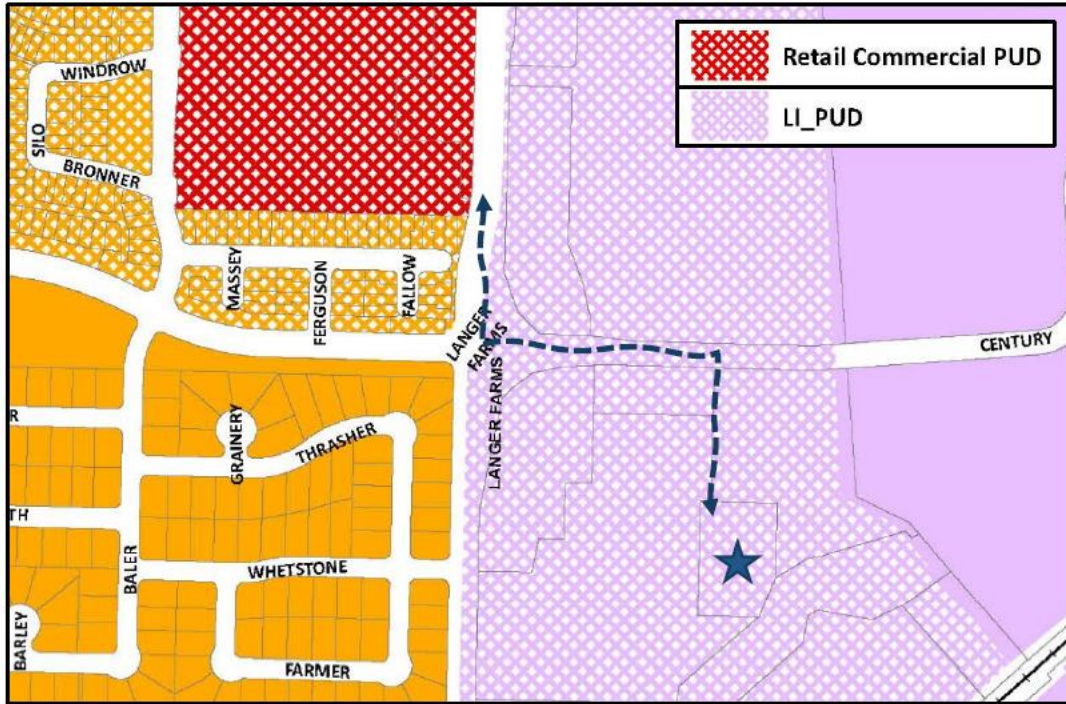
#### **16.31.040 Special Standards Hospitality and Lodging Uses Within the Light Industrial Zone**

##### **A. Siting**

- 1. Hotels/motels within the Light Industrial zone must be sited within 1/4 mile from the General Commercial and/or Retail Commercial zone.**

**Applicant's Response:** As shown on the Preliminary Plans (Exhibit A), the hotel is planned to be located on Tax Lot 1200 (Lot 2 of Parkway Village South subdivision plat). Figure 1, below, illustrates a direct route from the site (depicted with a star symbol) is less than 1/4-mile (approximately 0.19 miles) from land zoned Retail Commercial on the City of Sherwood Zoning Map. The criterion is met.

Figure 1: Surrounding City of Sherwood Zoning



**ANALYSIS:** Staff concurs with the applicant’s response above. Furthermore, the parcel to the north of the site is a commercial center with assorted retailers, including a Walmart Supercenter. The site complies with the intent of the provision.

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

**B. Development and Design**

1. The development of hotels/motels in the Light Industrial zone shall use the urban design standards in SZCDC Section 16.90.20.D.6.a—c. As an alternative to the standards in Section 16.90.20.D.6.a—c the commercial design review matrix may be applied (Section 16.90.020.D.6.d). A development must propose a minimum of sixty (60) percent of the total possible points to be eligible for exemption from the standards in Section 16.90.020.D.6.a—c.
2. A hotel/motel shall provide a minimum of 200 square feet of interior floor area for conference and/or meeting rooms, exclusive of dining, breakfast and lobby areas.

**ANALYSIS:** The urban design standards in SZCDC Section 16.90.D.6 will be discussed in later in this report. The applicant’s narrative nor exhibits addressed the hotel minimum requirement of 200 square feet of interior floor area for conference and/or meeting rooms, exclusive of dining, breakfast and lobby areas. However, in addressing the Conditional Use criteria and in compliance with the Comprehensive Plan, the applicant’s narrative did state that “The new hospitality amenity is also intended to provide a business suite/conference rooms which will draw unique professionals to the area and encourage conventions and events.” Therefore, the following condition is required to meet the criteria.

**CONDITION OF APPROVAL B1:** Prior to Final Site Plan Approval, the hotel shall provide a minimum of 200 square feet of interior floor area for conference and/or meeting rooms, exclusive of dining, breakfast and lobby areas.

**FINDINGS:** Based on the above analysis and condition of approval, this criterion is 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:** As discussed previously in the application background information, the subject site includes a portion of Phase 6 of the Parkway Village South PUD (Tax Lots 1100 and 1200 of Washington County Assessor's Map 2S 1 29DC). The PUD designation was assigned as part of the Langer Family PUD application (PUD 95-01), referred to in this narrative as the "PUD," that was approved (without a preliminary plat) by the City of Sherwood on April 26, 1995.

In January 2008, the City approved an application (PUD 07-01) covering the land uses that are permitted within the PUD. The 2008 City decision is memorialized in a development agreement – the Amended and Restated Development Agreement, dated 2010 (included as Exhibit H). Consistent with the PUD (95-01), the Langer Farm's Subdivision (SUB 12-02) was approved, and the plat recorded in March 2013 (Document No. 2013025409). In June 2017, Partition Plat 2017-019 (a replat of Lot 4 of Langer Farms) was recorded, resulting in 2 parcels. Thereafter in December 2017, the Parkway Village South Site Plan and Subdivision (SP 17-01/SUB 17-03) were approved. In March 2019, the Parkway Village South subdivision plat (a replat of Parcel 2 of Partition Plat 2017-019) was recorded, resulting in 5 lots. The property is currently configured as Lots 1 and 2 of Parkway Village South subdivision plat (recorded as Document No. 2019-034798).

#### 2010 Amended and Restated Development Agreement

Consistent with the PUD approval and the 2010 Development Agreement (included as Exhibit H), this Site Plan Review application provides specific details for land uses, buildings, landscaping, site circulation, and access. The project complies with the PUD Development Agreement and 1995 PUD Design Guidelines as stated below:

#### 1995 PUD Design Guidelines

The PUD 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 document entitled "Sherwood Village Retail/Commercial Design Guidelines." The document (Exhibit O) is comprised of four headings: 1. Retail Building Construction, 2. Landscaping, 3. Signage, and 4. Lighting.

**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 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, Conditional Use, and all other applicable sections of the SZCDC.

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

### 1995 Design Guidelines

#### 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. Further, while neither the planned self-storage facility nor the hotel are considered 'retail buildings,' this application nonetheless demonstrates consistency with the design guidelines.

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.*

As shown on the Preliminary Architectural Materials (Exhibit D), colored 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 concrete masonry unit (CMU), and metal roofing. While not all the materials are wood, they are materials that reflect the vernacular styles 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.

Further, 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 and third story pitched roofs contain board and batten siding, shingles, wood eaves and trimmed square windows. 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 have been developed with these standards, it is clear that latitude and flexibility has been provided to prior approvals. Staff believes that the applicant has complied with the intent of the guidelines to the extent that 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:** Site landscaping is planned to include a mixture of shrubs, trees, and groundcover designed to complement the property, buildings, and hardscapes. The Preliminary Landscape Plan (Exhibit A) illustrates that bark dust is not planned to be substituted in place of grass, except perhaps in conjunction with plantings. Several types of vegetative groundcover are listed on the Preliminary Landscape Plan. Vehicle maneuvering areas and driveways will be paved and dust minimized. Walls and plantings are intended to be used to screen trash enclosures. The landscaping guidelines, above, 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.

## **3. SIGNAGE**

- A. Sign-Post Standards**
  - 1. Main thoroughfares will have upgraded sign post standards.**
  - 2. Retail and commercial development areas will use the approved City of Sherwood sign posts painted to match the main throughfare posts and the pedestrian light posts.**
- B. Entry Monuments**
  - 1. All entry monuments and common area signage will be designed by JKS Architects.**
  - 2. Sherwood Village monument signage will be at the following location:**
    - a. The intersection of 12th Street and Sherwood Boulevard**
    - b. The opposite end of 12th Street**
    - c. The intersection of Langer Drive and Tualatin- Sherwood Highway.**
- C. Building Signage**
  - 1. All freestanding building signage will be of similar construction to the monument signage: wood or concrete, painted white, with a shingled roof, and approved by the Design Review Committee.**
  - 2. Shall follow City of Sherwood signage restrictions.**

**Applicant's Response:** This application does not include plans for signage or entry monumentation at this time. As such, the criteria are not applicable to this Site Plan Review application.

**ANALYSIS:** Staff concurs with the applicant's response above. Furthermore, signages are typically processed during the Building Permitting stage and are not part of the land use review. Therefore, this 1995 design standard is not applicable to the proposal. However, for clarity, staff recommends the following Condition of Approval:

**CONDITION OF APPROVAL (H3):** Prior to Final Occupancy, sign permits shall be obtained.

**FINDINGS:** Based on the above discussion and condition of approval, the criteria is met.

#### 4. LIGHTING

- A. In addition to the City of Sherwood approved intersection streetlights, all residential areas, 12th Street, and common areas will use a 6200MC-100HPS/12-DB-BK, RTANA-9'6"-4" w/lamp Trimble House pedestrian light fixture in pre-painted forest green, spaced at approximately 150 lineal feet apart, placing them on alternating sides of the street.

**Applicant's Response:** As shown on the Existing Conditions Plan (Exhibit A), frontage improvements, including street lighting, along SW Century Drive have been implemented in accordance with City standards. Therefore, the criterion is not applicable to this Site Plan Review application.

**FINDING:** Staff concurs with the applicant's response above and this criterion is not applicable to this Site Plan Review application.

#### 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:** Clear vision areas are required at the driveway intersection with SW Century Drive on the northern property boundary. Vision clearance requirements have been met, as demonstrated by the attached Preliminary Dimensioned Civil Site Plan and Preliminary Landscape Plan (Exhibit A). Plantings between 2½ and 7 feet in height, walls, fences, and other prohibited items have not been planned within clear vision areas. These criteria are met.

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

**FINDING:** Based on the applicant's response and 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.**

**ANALYSIS:** Although not a requirement, the applicant requested and attended a pre-application conference (PAC 2021-015) with City staff on January 6, 2022 to discuss developing the property with a new 100-room hotel and 75,000 square foot storage building on Lots 1 and 2 of the Parkway Village South Subdivision.

### **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.**

**Applicant Response:** This application involves a Type III Conditional Use Permit, Type IV Site Plan Review, and a Type IV Major Modification to Approved Site Plan. A Neighborhood Meeting was held on March 21, 2022. Notice was provided to owners of property within 1,000 feet of the properties subject to Type III and IV review. One member of the public showed up to participate in the meeting. Please see Exhibit F for further documentation demonstrating consistency with the provisions of this section. Therefore, the criteria are met.

**ANALYSIS:** Based on the applicant's revised Exhibit F, the applicant has stated that two members of the public had registered to attend the meeting, and only one joined the meeting. No questions were received from the public.

**FINDING:** The applicant held a neighborhood meeting on March 21, 2022 and provided the materials along with this application that demonstrate that they complied with the requirements for neighborhood meetings. This criterion is met.

## **CONDITIONAL USE**

### **Chapter 16.82 – CONDITIONAL USES**

#### **16.82.020 – Permit Approval**

##### **A. Hearing Authority Action**

1. The Hearings Authority shall conduct a public hearing pursuant to Chapter 16.72 and take action to approve, approve with conditions, or deny the application. Conditions may be imposed by the Hearings Authority if necessary to fulfill the requirements of the adopted Comprehensive Plan, Transportation System Plan, or the Code. The decision shall include appropriate findings of fact as required by this Section, and an effective date.

2. Conditional uses may be approved at the hearing for a larger development (i.e. business campus or industrial park), to include future tenants of such development, if the range of uses allowed as conditional uses are considered, and specifically approved, at the time of original application.

**Applicant's Response:** The process above is understood. The planned hotel is a hospitality land use conditionally allowed in the LI-PUD zoning district, and the Conditional Use Permit will be reviewed as part of the consolidated application through the Type IV review process. The hotel is intended to be located on Tax Lot 1200 (Lot 2 of Parkway Village South subdivision plat), a portion of the greater Parkway Village South campus.

**ANALYSIS:** Staff concurs with the applicant's response above. A Conditional Use Permit is required for a hotel in the Light-Industrial zone.

##### **B. Final Site Plan**

Upon approval of a conditional use by the Hearing Authority, the applicant shall prepare a final site plan for review and approval pursuant to Section 16.90. The final site plan shall include any revisions or other features or conditions required by the Hearing Authority at the time of the approval of the conditional use.

**ANALYSIS:** A Type I Final Site Plan approval is required.

**FINDING:** This standard is met as conditioned below.

**CONDITION OF APPROVAL E1:** Prior to Issuance of any Building Permits, the applicant shall obtain Final Site Plan approval.

##### **C. Use Criteria**

No conditional use shall be granted unless each of the following is found:

1. All public facilities and services to the proposed use, including but not limited to sanitary sewers, water, transportation facilities, and services, storm drains, electrical distribution, park and open space and public safety are adequate; or that the construction of



**improvements needed to provide adequate services and facilities is guaranteed by binding agreement between the applicant and the City.**

**Applicant's Response:** As shown on the Preliminary Composite Utility Plan (Exhibit A), adequate public facilities and services are available and can be provided to the hotel as shown. Additionally, frontage improvements along SW Century Drive have been completed. The LI zoning district does not require the provision of open space or parkland. As illustrated on the Preliminary Landscape Plan, the site is designed to include attractive landscaped areas, outdoor amenities, and inviting leisure areas for guests. Further, a binding agreement between the applicant and the City can be executed, if required, to guarantee construction of needed improvements. The criterion is met.

**ANALYSIS:** Staff concurs with the applicant's response above. The City of Sherwood Engineering Comments (Exhibit B1) describe the public improvements required to serve the development site. The application complies or is conditioned to comply with all public facility standards.

Regarding public services, the property is located within the service districts of the Sherwood Police Department, Tualatin Valley Fire and Rescue, and Pride Waste Disposal. The application has been routed to these service districts and capacity issues were indicated. The site is in an industrial zone and public parks and open space are not proposed or required.

**FINDING:** As described in this section and the SZCDC Division VI Public Infrastructure, this criterion is met.

**2. Proposed use conforms to other standards of the applicable zone and is compatible with abutting land uses in regard to noise generation and public safety.**

**Applicant's Response:** As shown on the Surrounding Land Uses sheet of the Preliminary Plans (Exhibit A), the site is surrounded by LI-zoned land and similar uses. To the east is an industrial campus that supports a variety of warehouses and facilities and to the north, a commercial center with assorted retailers, including a Walmart Supercenter. To the west is the remaining Parkway Village South campus, approved for future retail buildings along SW Langer Farms Parkway & Century Drive, along with shared parking, landscaping, and circulation.

The hotel is planned to be located adjacent to the existing Langer's Entertainment Center to provide proximal opportunities for dining and leisure. As shown on the Preliminary Plans (Exhibit A), a sky bridge is envisioned to connect the hotel with (future) Phase II of the Langer's Entertainment Center and serve as a direct and safe pedestrian route. To the south of the site is an existing regional stormwater facility and vegetated corridor, maintained by the City of Sherwood. This adjacent public tract contributes an additional natural buffer to the site, further alleviating potential impacts from the hotel. Therefore, the envisioned uses are compatible with the abutting land uses and are not foreseen to create adverse impacts in regard to noise generation and public safety. The criterion is met.

**ANALYSIS:** Staff concurs with the applicant's response above. The proposed hotel conforms with applicable standards of the LI zone as reflected in Sections 16.31, 16.90, and other applicable sections of the SZCDC. The existing and future land uses in all directions are Retail Commercial or Light Industrial. No adverse impacts related to noise and public safety are anticipated to result from the proposed hotel development.

**FINDING:** This criterion is met.

3. **The granting of the proposal will provide for a facility or use that meets the overall needs of the community and achievement of the goals and/or policies of the Comprehensive Plan, the adopted City of Sherwood Transportation System Plan and this Code.**

**Applicant's Response:** The following pertinent goals and policies from the City of Sherwood 2040 Comprehensive Plan (adopted by Ordinance No. 2021-012) demonstrate siting a hotel amenity in the Parkway Village South campus will be a benefit to the community. The responses to the Comprehensive Plan are solely applicable to the Conditional Use Permit regarding the hotel (and not other application types within this consolidated narrative document).

**City of Sherwood 2040 Comprehensive Plan**

**Thriving and Diversified Economy - In 2040, the Sherwood economy has grown to include a variety of businesses big and small that offer stable employment opportunities, higher-wage jobs, and balance the tax base to protect and maintain Sherwood's quality of life. Sherwood provides great destinations and experiences for both residents and visitors.**

**Goal 1 - Accelerate the growth of local businesses and attract new businesses that balance the City's tax base, provide stable, high-wage jobs and capitalize on Sherwood's location and enhance the high-quality of life.**

\*\*\*

**POLICY 1.2 Encourage development of employment to increase the city's tax base through a faster growth rate of jobs.**

**Applicant's Response:** A new hotel land use will create employment opportunities for the community and support the local economy through job creation. Hotels require a plethora of positions to facilitate a successful business, including but not limited to managerial positions, sales and marketing, guest services, room attendants, receptionists, restaurant and bar related services, cleaning and maintenance, convention and event specialists, etc. As shown on the Preliminary Plans (Exhibit A), the hotel is planned to include approximately 100 guest rooms, as well as a business suite/conference rooms. Therefore, it is anticipated that the planned hospitality amenity will generate a variety of supporting high-wage jobs; Policy 1.2, above, is satisfied.

**POLICY 1.3 Pursue development of higher employment densities in areas with planned or existing public facilities, utilities, and transportation infrastructure.**

**Applicant's Response:** As shown on the Preliminary Plans (Exhibit A), the Parkway Village South campus is associated with existing improvements, as well as the approved future buildings. Public facilities, including water, sanitary sewer, franchise utilities, etc. are available to serve the site. Further, frontage improvements along SW Langer Farms Parkway and SW Century Drive have been completed for the PUD. The transportation network adjacent to the site is at its ultimate buildout and includes sidewalks, street trees, and lighting. As stated above, the hotel amenity will require and attract a diverse assortment of jobs and positions in a well-served area. This project is a 'piece' of the greater Parkway Village South campus 'puzzle' and will lead to the eventual full buildout of the site, supporting Policy 1.3, above.

**POLICY 1.4 Support business growth in Sherwood to diversify and expand commercial and industrial development in order to provide employment opportunities and expand the tax base.**

**Applicant's Response:** As stated above, the hotel amenity will require and attract a diverse assortment of jobs and positions to facilitate the business. The new employees and hotel guests will frequent the local area, spending money at restaurants, bars, retail stores, and entertainment opportunities. This activity will support Sherwood's local economy and likely aid in the expansion of local businesses. Further, the commercial site development will generate significant system development charges (SDCs) within the City, providing additional capacity for community growth. As such, Policy 1.4, above is met.

**POLICY 1.5 Retain and encourage growth of existing and new businesses in Sherwood. Allow and encourage development of commercial and industrial areas.**

**Applicant's Response:** As shown on the Surrounding Land Uses sheet of the Preliminary Plans (Exhibit A), the subject site is uniquely vacant in comparison to the surrounding area. A plethora of commercial establishments, including Langer's Entertainment Center, Walmart, Menchie's Frozen Yogurt, MOD Pizza, Killer Burger, Red Robin, Spaghetti Factory, Target, medical and dental facilities, gyms, etc., are within a quarter mile of the planned hotel location. The new hospitality amenity is also intended to provide a business suite/conference rooms which will draw unique professionals to the area and encourage conventions and events. Therefore, the hotel will bring life to a currently unused property and support the surrounding commercial and industrial area. Policy 1.5 is met.

\*\*\*

**POLICY 1.7 Attract businesses identified as Target Industries in Sherwood's most recent Economic Opportunities Analysis.**

**POLICY 1.8 Support growth of businesses that create destinations and experiences for residents of Sherwood and visitors.**

**Applicant's Response:** As discussed in Sherwood's most recent Economic Opportunities Analysis (dated September 2021), the target industries identified as having potential for growth in Sherwood include:

*Services for visitors: Emphasis on experiences and destinations in and near Sherwood, especially related to agriculture and wineries, will drive demand for services for visitors including family-friendly events, farmers markets, specialty retail, wine tasting rooms, restaurants, or hotels.*

Hotels are specifically identified above as a target service for visitors. As shown on the Preliminary Architectural Materials (Exhibit D), the hotel is planned to incorporate a sky bridge to connect to the future Langer's Entertainment Center addition. Langer's Entertainment Center is a family-friendly fun establishment, providing opportunities for dining, drinking, bowling, playing arcade games, exploring an adventure ropes course, and even more! As discussed throughout this written document, guests and employees attracted by the hotel will likely frequent other commercial opportunities nearby. Locating the hotel on this property will create an emphasis on a 'destination experience' in this area of Sherwood. Therefore, this application supports both Policy 1.7 and Policy 1.8 by facilitating an industry identified by the City of Sherwood as desirable.

**ANALYSIS:** Staff concurs with the applicant's responses above. The granting of the proposal will provide for a facility or use that meets the overall needs of the community and achievement of the goals and/or policies of the Comprehensive Plan, the adopted City of Sherwood Transportation System Plan and this Code.

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

4. **Surrounding property will not be adversely affected by the use, or that the adverse effects of the use on the surrounding uses, the neighborhood, or the City as a whole are sufficiently mitigated by the conditions proposed.**

**Applicant's Response:** As discussed, the envisioned hotel is compatible with the abutting land uses and is not foreseen to create adverse impacts in regard to noise generation and public safety. Similarly, it is not anticipated that additional conditions will be necessary to mitigate impacts of a hotel in the LI zone. The LI zone encompasses uses permitted outright, such as warehousing and distribution, manufacturing, motor vehicle repair, truck rental, gas stations, etc. that are likely to be more impactful and intensive uses than a hotel. As shown on the Preliminary Plans (Exhibit A), the hotel campus is designed with inviting landscaping and leisure areas and is planned to be surrounded by shared parking and circulation facilities. Along the east property boundary, landscaped areas and a driveway provide a natural buffer near the existing industrial warehouse on the adjacent property (Tax Lot 150 of Washington County Assessor's Map 2S129D). To the west, the hotel is planned to connect to the Langer's Entertainment Center via a skybridge. Therefore, hotel accommodation in this area will be compatible with the surrounding area and the criterion is met.

**ANALYSIS:** Staff concurs with the applicant's response above.

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

5. **The impacts of the proposed use of the site can be accommodated considering size, shape, location, topography and natural features.**

**Applicant's Response:** As shown on the Existing Conditions Plan (Exhibit A), the property gently slopes upward to the south and contains few existing natural resources. Additionally, the site is adjacent to an existing regional stormwater facility to the south, which is heavily vegetated with trees and plants. The Preliminary Dimensioned Civil Site Plan (Exhibit A) demonstrates that a combination of landscaping and fencing will be incorporated to create an inviting space for hotel guests, as well as mitigating potential impacts to neighboring LI-zoned sites (to the north, east, and west). Therefore, due to the surrounding zoning and existing industrial activities, impacts from the hotel use are not anticipated.

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

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

6. **The use as proposed does not pose likely significant adverse impacts to sensitive wildlife species or the natural environment.**

**Applicant's Response:** This application is not anticipated to pose significant adverse impacts to sensitive wildlife species or the natural environment. As shown on the Existing Conditions Plan (Exhibit A), the site is vacant of structures and contains minimal existing vegetation. As discussed in this document, the property to the south contains a regional stormwater facility with

associated vegetated corridor. Please see the Clean Water Services documentation within Exhibit J, stating a site assessment and service provider letter are not required for the project. Therefore, the criterion above is met.

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

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

\*\*\*

**D. Additional Conditions**

**In permitting a conditional use or modification of an existing conditional use, additional conditions may be applied to protect the best interests of the surrounding properties and neighborhoods, the City as a whole, and the intent of this Chapter. These conditions may include but are not limited to the following:**

- 1. Mitigation of air, land, or water degradation, noise, glare, heat, vibration, or other conditions which may be injurious to public health, safety or welfare in accordance with environmental performance standards.**
- 2. Provisions for improvement of public facilities including sanitary sewers, storm drainage, water lines, fire hydrants, street improvements, including curb and sidewalks, and other above and underground utilities.**
- 3. Increased required lot sizes, yard dimensions, street widths, and off-street parking and loading facilities.**
- 4. Requirements for the location, number, type, size or area of vehicular access points, signs, lighting, landscaping, fencing or screening, building height and coverage, and building security.**
- 5. Submittal of final site plans, land dedications or money-in-lieu of parks or other improvements, and suitable security guaranteeing conditional use requirements.**
- 6. Limiting the number, size, location, height and lighting of signs.**
- 7. Requirements for the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas and drainage areas.**
- 8. Requirements for design features which minimize potentially harmful environmental impacts such as noise, vibration, air pollution, glare, odor and dust.**

**ANALYSIS:** As discussed in the findings for the conditional use approval criteria, the proposed use of the site as a hotel is appropriate for the property. No additional conditions are recommended related to the conditional use permit.

**FINDING:** No additional conditions are recommended, and this standard is met.

**E. Time Limits**

**Unless approved under Section 16.82.020.A.2 for a larger development to include future tenants of such development, authorization of a conditional use shall be void after two (2) years or such lesser time as the approval may specify unless substantial construction, in the City's determination, has taken place. The Hearing Authority may extend authorization for an additional period, not to exceed one (1) year, upon a written request from**

**the applicant showing adequate cause for such extension, and payment of an extension application fee as per Section 16.74.010.**

**F. Revocation**

**Any departure from approved plans not authorized by the Hearing Authority shall be cause for revocation of applicable building and occupancy permits. Furthermore, if, in the City's determination, a condition or conditions of CUP approval are not or cannot be satisfied, the CUP approval, or building and occupancy permits, shall be revoked.**

**ANALYSIS:** The Conditional Use Permit is subject to the time limits and revocation standards described above.

**FINDING:** These standards are met.

**B. DIVISION V. – COMMUNITY DESIGN**

**Chapter 16.90 Site Planning - SITE PLAN REVIEW REQUIRED FINDINGS**

The proposed development includes a new self-storage building with flexible tenant spaces, located on Tax Lot 1100 (Lot 1 of Parkway Village South Subdivisions Plat), that requires a Site Plan Review. Furthermore, the proposed hotel on Tax Lot 1200 (Lot 2 of Parkway Village South subdivision plat) is a Major Modification to an Approved Site Plan for Casefile SP 17-01. The original approval consisted of a daycare facility. As such, this chapter is applicable to these two lots.

**16.90.020.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 SW Century Drive, 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. 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.**

**ANALYSIS:** 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. An Amended and Restated Declaration of Easements and Restrictions for Parkway Village South, the original project site, for Lots 2-5 was recorded under Recording No. 2019-039827. The declaration of easements provides for ownership, management, and maintenance of on-site features, as necessary. On-going maintenance of the structures, landscaping, etc. will be provided by the property owner, lessee, or other appropriate party. Further amendments to this document will be required since Lot 1 will now be developed with mini-storage units and flexible tenant spaces.

**CONDITION OF APPROVAL B2:** Prior to Final Site Plan Approval, the Amended and Restated Declaration of Easements and Restrictions for Parkway Village South, shall be amended to include Lot 1.

**FINDING:** Based on the discussion and condition of approval above, 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.**

**Applicant's Response:** As shown on the Existing Conditions Plan (Exhibit A), the subject site contains few existing natural resources, trees, and vegetation. The topography of the site is relatively flat and slopes upward to the south; without environmentally sensitive areas. The Preliminary Landscape Plan (Exhibit A) illustrates existing vegetation is retained where possible. The Langer Farms subdivision plat includes Tract A (south of the site), a regional stormwater facility, drainage channel, and vegetated corridor owned and maintained by the City of Sherwood. Further, the CWS Service Provider Letter (Exhibit E) demonstrates natural resources are not impacted by this project.

Additionally, the site plan modification component will not impact significant natural features. As shown on the Preliminary Plans (Exhibit A), the extent of the modification involves a change of use for a vacant portion of the property (Tax Lot 1200), that contains few natural features, no trees, and minimal existing vegetation. As such, the criterion above is met as applicable.

**ANALYSIS:** Staff concurs with the applicant's response above.

**FINDING:** Based on the discussion above, 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.**

**Applicant's Response:** Transportation documentation, prepared by Kittelson & Associates, Inc., is included within Exhibit L. The documentation demonstrates the change of use (from a daycare to a hotel) and the new trips generated from the storage facility, will not have a significant impact

on the surrounding transportation system. The modified site plan, and the self-storage and flexible tenant spaces (which no uses/trips were identified previously) results in fewer daily trips than those previously analyzed and approved by the City. Please see Exhibit L for further information. The criterion is met.

**ANALYSIS:** City Engineering has reviewed the applicant's transportation documentation and agrees that the modified site plan with the hotel and self-storage units will result in fewer daily trips than those previously analyzed and approved by the City.

**FINDING:** Based on the discussion above, 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.**

**Applicant's Response:** As shown on the Existing Conditions Plan (Exhibit A), Tax Lot 1200 (Lot 2 of Parkway Village South subdivision plat) does not front right-of-way. The property is accessed by means of the existing driveway to SW Century Drive and an existing access easement to SW Whetstone Way/SW Langer Farms Parkway. As shown on the Preliminary Plans (Exhibit A), the primary, front entrance to the hotel is located on the west side of the site, oriented toward the central drive aisle. The Preliminary Architectural Materials (Exhibit D) illustrates significant architectural design elements are present on the front building façade. The vehicle/pedestrian entranceway is located at the primary entrance, including covered areas, stoops, and benches for pedestrians, as well as a covered, looped drop-off/loading area for vehicles. The criterion is met, as applicable.

**ANALYSIS:** Staff concurs with the applicant's response above. The proposed mini-storage is an industrial use and will reviewed under Section 16.90.020(D)(7).

**Finding:** Based on the above discussion, 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.**

**Applicant's Response:** As discussed previously, the hotel is planned to be sited on Tax Lot 1200 (Lot 2 of Parkway Village South subdivision plat), a property within an existing industrial/commercial center and without and street frontage. The property is accessed by means of the existing driveway to SW Century Drive and an existing access easement to SW Whetstone Way/SW Langer Farms Parkway. As such, the hotel building is located adjacent to and flush with the main, central driveway aisle. Further, the circulation aisle that winds north around the rear of the hotel is intended to be surfaced with grasscrete and landscaping to minimize stormwater runoff and create an inviting and upscale pedestrian route to the rear of the hotel. There are removable bollards located to restrict vehicle movement and provide emergency access for vehicle apparatus, as shown on the Preliminary Plans (Exhibit A). Therefore, the standard is satisfied as closely as practicable.

**ANALYSIS:** Staff concurs with the applicant's response above.



**Finding:** Based on the above discussion, 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.**

**Applicant's Response:** As shown on the Preliminary Architectural Materials (Exhibit D) prepared by Schmidt Architects, the west elevation (front facing façade) of the building is oriented toward the central driveway aisle. As illustrated, the façade of the building is broken up using complex massing, recessing, and projecting elements. The building elevations include large windows and awnings that provide relief from the elements. The hotel is oriented toward the pedestrian, accommodating an extensive entranceway for pedestrian and vehicle loading/unloading, a covered area, and interconnected sidewalks leading to adjacent leisure areas, bicycle and vehicle parking areas, and adjacent sites. Further, the hotel is planned to connect to the adjacent Langer's Entertainment Center by way of a convenient pedestrian skybridge, providing a direct, safe route for patrons and further shelter from weather.

Prohibited materials, including aluminum, vinyl, and T1-11 siding, are not planned to be used. As illustrated on the Architectural Materials Board within Exhibit D, the hotel is designed to incorporate an assortment of materials, including metal roofing, split face concrete masonry, lap siding, wood framing and detailing, ledgerstone, and Hardie-panel fiber cement board and batten. The color palette is intended to complement the existing Langer's Entertainment Center, using burgundy roofing; portabella, mountain brown, and torque white siding; and trim elements including cedar wood framing and hawthorne wood stain. For further details, please see the Preliminary Architectural Materials (Exhibit D), demonstrating the hotel design meets the intent of the criterion above.

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

**FINDING:** Based on the above discussion, 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.**

**FINDING:** As discussed above, the application meets the intent of the standards of Section 16.90.020.D.6.a-c. Therefore, the alternative commercial design review matrix is not applicable.

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.).**

The proposed storage facility, proposed on Lot 1, is subject to the industrial design standards listed below.

**a. Portions of the proposed industrial development within 200 feet of an arterial or collector street and visible to the arterial or collector (i.e. not behind another building) must meet any four of the following six design criteria:**

**(1) A minimum 15% window glazing for all frontages facing an arterial or collector.**

**FINDING:** The applicant is not utilizing this design criteria.

**(2) A minimum of two (2) building materials used to break up vertical facade street facing frontages (no T-111 or aluminum siding).**

**Applicant's Response:** As illustrated on the storage facility material key within the Preliminary Architectural Materials (Exhibit D), an assortment of building materials (concrete masonry, ribbed metal siding, galvanized metal roofing, etc.) are used to incorporate complex massing in the new building's design. The facility is designed to complement the existing Langer's Entertainment Center, future hotel, and surrounding Parkway Village South campus improvements. The building materials incorporate an assortment of colors including terracotta, slate gray, weathered copper, cedar red, dark bronze, and umber brown. T-1-11 and aluminum siding, prohibited materials listed above, are not included in the building façade design. The criterion is met.

**ANALYSIS:** Staff concur with the applicant's response above.

**(3) Maximum thirty-five (35) foot setback for all parts of the building from the property line separating the site from all arterial or collector streets (required visual corridor falls within this maximum setback area).**

**ANALYSIS:** Based on the preliminary dimensioned civil site plan, Sheet P06 of Exhibit A, the storage facility is setback 20-feet from SW Century Drive, meeting the maximum 35-foot setback standard.

**(4) Parking is located to the side or rear of the building when viewed from the arterial or collector.**

**ANALYSIS:** Based on the preliminary dimensioned civil site plan, Sheet P06 of Exhibit A, the parking for the storage facility is located to the side or rear of the building when viewed from the SW Century Drive (a Collector street).

**(5) Loading areas are located to the side or rear of the building when viewed from the arterial or collector. If a loading area is visible from an arterial or collector, it must be screened with vegetation or a screen made of materials matching the building materials.**

**ANALYSIS:** Based on the preliminary dimensioned civil site plan, Sheet P06 of Exhibit A, the four loading areas for the storage facility are located at the rear of the storage facility and are not visible from SW Century Drive.

- (6) All roof-mounted equipment is screened with materials complimentary to the building design materials.**

**ANALYSIS:** Per the applicant's narrative, roof-mounted equipment is not planned on the proposed storage building. The Preliminary Architectural Materials, Sheet A-4 of Exhibit A, do not show any roof-mounted equipment.

**FINDING:** Based on the analysis above, the applicant has met four of the six industrial design criteria. Therefore, these criteria are met.

- b. As an alternative to Section 16.90.020.D.7.a, an applicant may opt to have a design review hearing before the Planning Commission to demonstrate how the proposed development meets or exceeds the applicable industrial design objectives below (this design review hearing will be processed as a Type IV review) ...**

**FINDING:** The proposed development will not be utilizing the provisions under Section 16.90.020.D.7.b, alternative industrial design review and therefore 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:** The two driveways servicing the storage facility have a driveway width over 24-feet in width. Both driveways to SW Century Drive align with existing driveways on the north side of the street (Walmart Center). The Transportation System Plan does not identify additional streets extension on this site. This criterion is met.

## **MAJOR MODIFICATIONS TO APPROVED SITE PLANS**

### **16.90.030 - Site Plan Modifications and Revocation**

#### **A. Modifications to Approved Site Plans**

##### **1. Major Modifications to Approved Site Plans**

- a. Defined. A major modification review is required if one or more of the changes listed below are proposed:**
- (1) A change in land use (i.e. residential to commercial, commercial to industrial, etc.);**
  - (2) An increase in density by more than ten (10) percent, provided the resulting density does not exceed that allowed by the land use district;**
  - (3) A change in setbacks or lot coverage by more than ten (10) percent, provided the resulting setback or lot coverage does not exceed that allowed by the land use district;**
  - (4) A change in the type and/or location of access-ways, drives or parking areas negatively affecting off-site traffic or increasing Average Daily Trips (ADT) by more than 100;**

- (5) An increase in the floor area or height proposed for non-residential use by more than ten (10) percent;
- (6) A reduction of more than ten (10) percent of the area reserved for common open space; or
- (7) Change to a condition of approval that was specifically applied to this approval (i.e. not a "standard condition"), or a change similar to items identified in Section 16.90.030.A.1.a.(1)-(2) as determined by the Review Authority.

**Analysis:** The project requires a Major Modification to an Approved Site Plan since a change of use is proposed from the original approval of a daycare, under Casefile SP 17-01, to the proposed hotel. The proposed hotel represents an increase in floor area and height by more than 10%. Therefore, this application meets the criteria for a Major Modification, and, pursuant to 16.90.020, the following standards are addressed.

**b. Approval Criteria. An applicant may request a major modification as follows:**

- (1) Upon the review authority determining that the proposed modification is a major modification, the applicant must submit an application form, filing fee and narrative, and a site plan using the same plan format as in the original approval. The review authority may require other relevant information, as necessary, to evaluate the request.

**Applicant's Response:** This application submittal contains the narrative, filing fee, and additional items listed above. The City of Sherwood application forms and checklist are included as Exhibit B. The Preliminary Plans (Exhibit A) and Preliminary Architectural Materials (Exhibit D) contain the information necessary for the review authority to determine compliance with the major site plan modification criteria. As demonstrated on the Parkway Village South Overall Site Plan (Exhibit A), the site plan is formatted the same way as the original approval and details the area for modification, as well as existing and approved buildings, parking, landscaping, and circulation areas. Please see the accompanying materials; the submittal requirements are met.

**ANALYSIS:** Staff concurs with the applicant's response above.

**FINDING:** The criterion is met based on the discussion above.

- (2) The application is subject to the same review procedure (Type II, III or IV), decision making body, and approval criteria used for the initial project approval, except that adding a Conditional Use to an approved Type II project is reviewed using a Type III procedure.

**FINDING:** The original land use decision was processed as a Type IV review. This proposal is also going through the Type IV review. This criterion is met.

- (3) The scope of review is limited to the modification request and does not open the entire site up for additional review unless impacted by the proposed modification. For example, a request to modify a parking lot requires site design review only for the proposed parking lot and any changes to associated access, circulation, pathways, lighting, trees, and landscaping.

**Applicant's Response:** It is understood that the scope of the review is limited to the modified elements of the approved site plan. This application involves a change of use (from an approved daycare to a planned hotel) and the modification includes an increase in floor area and height by more than 10 percent. As shown on the Preliminary Plans (Exhibit A), Tax Lot 1200 is vacant of structures, but is associated with common constructed improvements relative to the Parkway

Village South campus. The nature of this site plan modification requires review of parking, landscaping, circulation, lighting, etc. for Tax Lot 1200 in relation to the improvements constructed and approved (but not yet constructed). The Overall Parkway Village South Site Plan (Exhibit A) notates the existing site improvements that are planned to remain unchanged. The modified elements are addressed in the respective code sections of this narrative. The criterion is understood.

**ANALYSIS:** Staff concurs with the applicant's response above.

**FINDING:** The criterion is met based on the discussion above.

**(4) Notice must be provided in accordance with Chapter 16.72.020.**

**FINDING:** Notification requirements have been satisfied as identified in Chapter 16.72.020. As stated previously, 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 June 8, 2022, in accordance with § 16.72.020 of the SZCDC. The notice was published in the Times (a newspaper of general circulation) on June 9, 2022 and June 23, 2022, in accordance with §16.72.020 of the SZCDC.

**(5) The decision maker approves, denies, or approves with conditions an application for major modification based on written findings of the criteria.**

**FINDING:** As reflected throughout this report, the proposed change from a daycare facility to a hotel can meet the required criteria outright or can be satisfied with conditions of approval. Therefore, this criterion is met.

**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:** Per the applicant's narrative, the Preliminary Landscape Plan, (Sheets P13 and P14 of Exhibit A) was prepared by a licensed landscape architect. 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.

**MAJOR MODIFICATION FINDINGS:** Based on the applicant's Exhibit R and the table below, the modified overall landscape area exceed the minimum required. This standard is met.

## Total Landscape Area Calculations

### Landscape Areas in Modified Project Area

Parking Lot Interior	±1,684 sf
Parking Lot Perimeter	±582 sf
Site Buffer	±56 sf
Other Site Landscaping	±2,437 sf
Total:	±4,760 sf

Landscape quantities based on MMSP 18-08 Minor Modification Landscape Plans. See provided exhibits for additional information.

Total Landscape Area Provided in MMSP 18-08 Minor Mod Plans	±81,854 sf	
Landscape Area in Modified Project Area for LU 2022-012	±4,760 sf	
Unmodified Landscape Area	±77,094 sf	
Total Landscaping Provided with Project LU 2022-012	±63,883 sf	
<b>Total Landscaping After LU 2022-012</b> (Unmodified + New)	<b>±140,977 sf</b>	
Approximate Total Site Area (Full Parkway Village South Lots 1-5)	±682,585 sf	(15.67 acres)

Percent of Total Site Area Provided as Landscaping	21%
Parkway Village South will provide a total of ±140,977 sf of landscaping area.	

## 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

- 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.
- 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

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

#### 3. Trees

- 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.
- Existing trees may be used to meet the standards of this chapter, as described in Section 16.92.020.C.2.

**ANALYSIS:** The preliminary landscaping plans (Sheets P13 and P14, 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.**

**Applicant's Response:** Appropriate plant material has been selected to meet the applicable standards for the specific space and purpose. Irrigation will be provided by a fully automatic underground system. Plants will cover the landscaping islands without overgrowth. Construction plans and specifications will be prepared to the required standards and show adequate plant health and topsoil preparation. Planting notes and further details are provided on the landscaping plans. These criteria are met or will be met at the time of construction plan submittal.

**ANALYSIS:** The proposed landscaping plan discusses plant spacing for the proposed landscape materials to be established and maintained in a healthy condition and sufficient size so long as a fully automatic underground irrigation system is proposed. It is typical that the specifications and details for top soil or subsoil preparation are completed with the construction documents for the project as 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.

**CONDITION OF APPROVAL E2:** 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 and show a fully automatic underground irrigation system.

#### **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.

**ANALYSIS:** The applicant provided a Preliminary Tree Protection and Removal Plan and Table (Exhibit A, Sheet P04) that provides an inventory of the existing trees on site. A total of four trees exist on Lots 1 and 2. Of the four trees, one will be retained and three will be removed. Two of the trees that will be removed are in poor condition and the third tree is dead. 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. Per the applicant's narrative, non-vegetative features are not planned to satisfy landscape requirements. 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. 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.**

**Applicant's Response:** The abutting and adjacent properties to the west provide shared, off-street parking, loading, and vehicular use areas, to be used in conjunction with the subject site. Appropriate landscaping was previously provided in these areas. Additionally, perimeter landscaping buffering (much greater than 10 feet wide) is provided along the east and south property boundaries. This criterion is met, as applicable.



**ANALYSIS:** Staff concurs with the applicant’s response above. The site is also bound by SW Century Drive, a collector street. As such, a 10-foot-wide landscaped visual corridor is required along SW Century Drive street frontage. The preliminary Landscape Plan (Sheet P13) shows the northern, eastern, and southern boundaries of the site meeting the required minimum 10-foot wide perimeter landscaping buffer.

**FINDING:** Based on the discussion above, 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 118 parking spaces for Lots 1 and 2, which requires 5,310 square feet of landscaping. The preliminary landscape plans show approximately 6,067 square feet of interior parking area landscaping exceeding the requirement. Furthermore, the site provides approximately 63,883 square feet of total landscaped area. This criterion is met.

**MAJOR MODIFICATION FINDINGS:** Based on the applicant’s Exhibit R and the table below, the modified parking landscape area exceed the minimum required. This standard is met.

<b>Parking Landscape Area Calculations</b>	
<b>Landscape Areas in Modified Project Area</b>	
Parking Lot Interior	±1,684 sf
Parking Lot Perimeter	±582 sf
<b>Total:</b>	<b>±2,266 sf</b>
Parking Landscape quantities based on MMSP 18-08 Minor Modification Landscape Plans. See provided exhibits for additional information.	
Total Parking Landscape Area Provided in MMSP 18-08 Minor Mod Plans	±35,307 sf
Parking Landscape Area in Modified Project Area for LU 2022-012	±2,266 sf
Unmodified Parking Landscape Area	±33,041 sf
<b>Total Parking Landscaping Provided with Project LU 2022-012</b>	<b>±6,067 sf</b>
<b>Total Parking Landscaping After LU 2022-012</b> (Unmodified + New)	<b>±39,108 sf</b>
Number of Parking Stalls Provided in MMSP 18-08 Minor Mod Plans	444
Number of Parking Stalls in Modified Project Area for LU 2022-012	41
Number of Unmodified Parking Stalls	403
<b>Total Number of Parking Stalls Provided with Project LU 2022-012</b>	<b>118</b>
<b>Total Number of Parking Stalls After LU 2022-012</b> (Unmodified + New)	<b>521</b>
<b>Required Parking Lot Landscaping (45 sf per stall)</b>	<b>±23,445 sf</b>
<b>Parway Village South will provide a total of ±39,108 sf of parking lot landscaping exceeding the ±23,445 sf required.</b>	

**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 118 parking spaces the following minimums are required: 29.5 large trees; 236 shrubs; and ground cover plants for the remainder in the parking area. The preliminary landscape plan, Sheet P13, identify 56 large trees with a total of 95 trees for the site. The preliminary landscape plan also shows 1,006 shrubs, and ground cover for the remainder of the parking area landscaping. The proposed trees, shrubs, and ground cover plants exceed the minimum requirements. The criteria are met.

**MAJOR MODIFICATION FINDINGS:** Based on the applicant's Exhibit R and the table below, the modified large tree calculations exceed the minimum required. This standard is met.

<b>Large Tree Calculations</b>	
Number of Large Trees Provided in MMSP 18-08 Minor Mod Plans	132
Number of Large Trees in Modified Project Area for LU 2022-012	33
Unmodified Number of Large Trees	99
Total Number of Large Trees Provided with Project LU 2022-012	56
<b>Total Number of Large Trees After LU 2022-012</b> (Unmodified + New)	<b>155</b>
<b>Total Number of Parking Stalls After LU 2022-012</b>	<b>521</b> (Stalls Calculated In Section Above)
<b>Required Number of Large Trees (1 tree per 4 parking stalls)</b>	<b>130</b>
<b>Parkway Village South will provide a total of 155 large trees exceeding the 130 required.</b>	

**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 (Sheet P3) 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 10-12 parking spaces between them except for the eastern parking spaces located between proposed Lots 1 and 2, adjacent to the open space tract. The parking area consists of 16 parking spaces without a landscape island. The criteria can be met with the condition of approval below.

**CONDITION OF APPROVAL B3:** Prior to Final Site Plan Approval, submit a revised construction and landscape plans showing the individual landscape islands meeting the requirements of Section 16.92.030.B.5.

- 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, exceptions to the landscaping requirements are not anticipated as part of this application. These criteria do not apply.

**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 show 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. 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 (a collector street). A 15-foot visual corridor is illustrated on the Preliminary Landscape Plan (Sheet P13). 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:** Per the applicant's narrative, the landscaping has been planned to be permanently irrigated with an automatic controller. However, the preliminary landscape plans did not address irrigation. These standards have not been met but can be met as conditioned below.

**CONDITION OF APPROVAL B4:** 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 for Lots 1 and 2 (Sheet P06 of Exhibit A) 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.

**Applicant's Response:** This application includes two adjacent properties (within 500 feet of each other), zoned Light Industrial Planned Unit Development, and involves shared parking between two uses whose peak hours of operation do not substantially overlap. The following information serves as satisfactory evidence to demonstrate that shared parking is feasible on the property.

The storage facility serves as a space to store goods and materials. Patrons may pull their vehicles up to individual ground floor units/garage doors along the perimeter of the facility to access their storage materials for loading. Based on the nature of the enclosed self-storage building, patrons leasing a unit on an upper story will need to briefly leave their vehicle to enter the building. As shown on the Preliminary Plans (Exhibit A), a ±1,500-square-foot loading area is provided central to the rear of the facility, with oversized spaces to accommodate moving trucks, trailers, pickups, etc. This amounts to double the loading area required for an industrial building over 50,000 square feet (i.e. 750 square feet of loading area is required).

As discussed in the Transportation Documentation (Exhibit L) prepared by Kittelson & Associates, Inc., the ±690-unit self-storage facility is associated with 126 average daily trips. According to the Institute of Transportation Engineers' (ITE's) Trip Generation Manual (11th Edition), the ±690 units are expected to generate 13 weekday peak hour trips—where 6 trips are projected to be patrons entering the site and 7 trips are anticipated to be patrons exiting the site. This data indicates that the parking demand will be under 7 spaces during the peak hour of each day, with even lower demand during the other hours of operation.

In addition to generating a small number of trips, trips to self-storage facilities also tend to be short in duration. Users will briefly stop at the facility to pick up or drop off items then leave; even initial move-ins and move-outs are limited in duration due to individual unit size. This is in contrast to other commercial and industrial uses (e.g. retail shopping, restaurant dining, medical establishments) where trips from employees and patrons are commonly longer. As such, the covered ±1,500-square-foot loading area, will allow approximately four vehicles (at a time) to park and spend a few minutes loading/unloading near the main entrance of the facility.

Additionally, the flex-use facility is planned to accommodate a small leasing office and four tenant spaces, defined as professional support service areas. The office is ±960 square feet; the four flexible tenant spaces provide ±2,550 square feet of area each, totaling ±10,200 square feet. According to Table 1, above, industrial land uses require 1.6 vehicle parking spaces per 1,000 square feet of gross leasable area. Based on the total flexible tenant area (±10,200 square feet) and leasing office (±960 square feet), ±18 vehicle spaces are provided. There are 521 parking stalls provided to the entire Parkway Village South site; It is reasonably assumed that the additional parking needs for the self-storage units described above (i.e. seven stalls) will be met by utilizing parking stalls nearest the building.

**ANALYSIS:** Staff concurs with the applicant's response above. Furthermore, the graphs below show that off-street parking, due to the major modifications of the site, exceed the minimum off street parking required by providing an overall 24 parking stalls.

SITE DATA				Table 1: Parking Summary				
RES. CITY OF SHERWOOD MUNICIPAL CODE - SECTION 16.94.020 FOR PARKING RATIOS				Land Use	Parking Standard (stalls)	Parking Required (stalls)	Parking Provided (stalls)	
BUILDING	AREA	PARKING RATIO ( PER 1,000 SF. )		PARKING STALLS				
		MIN	MAX	MIN	5 PER	MAX		
FUN CENTER:		4.3	5.4	228	265	286		
FIRST FLOOR:	43,929 SF.							
SECOND FLOOR:	8,935 SF.							
RACING:	40,035 SF.	ASSUMED 40		40	40	40		
COMBINED FUN CENTER AND RACING:	92,899 SF.	4.3	5.4	268	305	326		
BUILDING A - RETAIL:	6,086 SF.	4.1	5.1	25	31	32		
BUILDING B - RETAIL:	10,445 SF.	4.1	5.1	43	53	54		
BUILDING C - RETAIL:	5,871 SF.	4.1	5.1	25	30	30		
PAD A:	10,000 SF.	4.1	5.1	41	50	51		
COFFEE KIOSK:	324 SF.	1 PER 101 SF.	4	4	4	1		
TOTAL BUILDING AREA:	125,699 SF.	PARKING TOTALS:		406	473	491		
BUILDING COVERAGE, OVERALL (116,764 SF.):	22.32%	OVERALL RATIO:		3.23	3.76	3.95		
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. )					
				<b>Total Parking Stalls</b>			±125	118

Land Use	Required Minimum	Provided
2017 Minimum Required – minus Pad A	406 - 41 = 365	403 (Lots 3-5)
Current Hotel & Storage	125	118 (Lots 1-2)
<b>Total</b>	<b>490 minimum required</b>	<b>521 provided</b>

**31 additional parking stalls  
7 shared  
Overage of 24**

\* 1,500 square feet loading/unloading space amounting to four oversized stalls is provided near the front of the industrial facility.

**FINDING:** Based on the above discussion, these criteria are met.

## 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.

**ANALYSIS:** The proposed developments require a total of 125 parking spaces. The Preliminary Site Plan, Sheet P06 of Exhibit A, shows that 118 off-street parking for the planned commercial and industrial project can be accommodated entirely on site. The remaining required seven parking spaces will be through shared parking from adjacent uses on Lots 3-5 of Langer Parkway South Subdivision. Per the preliminary Site Plan and applicant's Completeness Response, dated May 20, 2022, states that this application includes two adjacent properties (within 500 feet of each other), zoned Light Industrial Planned Unit Development, and involves shared parking between two uses whose peak hours of operation do not substantially overlap. The following information serves as satisfactory evidence to demonstrate that shared parking is feasible on the property. The applicant also states that the proposed hotel land use will likely accommodate greater than 40 employees. Therefore, a carpool/vanpool parking space is provided (southwest of the hotel).

**FINDINGS:** Based on the above analysis, 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 P06 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.**

**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 a public storm sewer main exists along the east and southeast side of the subject property. All neighboring properties either have storm sewer service or access to public storm sewer service. The proposed new buildings will obtain storm sewer via the existing on-site public storm sewer system.

Storm water quality treatment for the subject property was constructed as part of the original subdivision, therefore no storm water quality treatment is required upon verification that the new impervious area does not exceed the allowable amount of impervious area that the water quality facilities has the capability of treating.

Currently, there are no hydro-modification facilities existing on the site to accommodate the subject development. The subject development will need to provide on-site hydro-modification facilities in compliance with Clean Water Services (CWS) standards for any new/modified impervious area to be installed unless otherwise approved for a payment-in-lieu by the City of Sherwood and CWS.

**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.

- I. 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 <sup>1</sup>	Maximum Permitted Parking Zone B <sup>2</sup>
Hotel or Motel	1 per room	None	None
Industrial	1.6	None	None

<sup>1</sup> 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 (¼) mile walking

distance of bus transit stops, one-half (½) mile walking distance of light rail station platforms, or both, or that have a greater than twenty-minute peak hour transit service.

<sup>2</sup> 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 (¼) mile walking distance of bus transit stops, one-half (½) mile walking distance of light rail station platforms, or both.

**Applicant's Response:** Based on the ±100 room hotel and the parking ratio listed above, 100 parking spaces are required.

As discussed in the Pre-Application Conference Documentation (Exhibit I), parking requirements for self-storage/mini-warehousing are not provided in the development code. As such, the Planning Commission (Review Authority) may determine alternate off-street parking and loading requirements for a use not specifically listed in this Section.

The storage facility will generally only serve as a space to store goods and materials. Patrons may pull their vehicle up to individual ground floor units/garage doors along the perimeter of the facility to access their storage materials for loading. Based on the nature of the enclosed self-storage building, patrons leasing a unit on an upper story will need to briefly leave their vehicle to enter the building. As shown on the Preliminary Plans (Exhibit A), a ±1,500-square-foot loading area is provided central to the rear of the facility, with oversized spaces to accommodate moving trucks, trailers, pick-ups, etc. This amounts to double the loading area required for an industrial building over 50,000 square feet (i.e. 750 square feet of loading area is required). Further, the flex-use facility accommodates four tenant spaces, defined as professional support service areas. The four flexible tenant spaces provide ±2,550 square feet of area each, totaling ±10,200 square feet. According to Table 1, above, industrial land uses require 1.6 vehicle parking spaces per 1,000 square feet of gross leasable area. Based on the total flexible tenant area (±10,200 square feet), ±16 vehicle spaces are required.

The Preliminary Dimensioned Civil Site Plan (Exhibit A) shows 118 parking spaces are planned on-site, greater than the minimum parking requirements listed and described above. Maximum parking does not apply to hotel or storage uses. These criteria are met.

**Applicant's Response as of May 20, 2022 Completeness Review:** As discussed in the application narrative, parking requirements for self-storage/mini-warehousing are not provided in the Code. As such, the Planning Commission (Review Authority) may determine alternate off-street parking and loading requirements for a use not specifically listed in this section.

The Preliminary Dimensioned Civil Site Plan (Exhibit A) illustrates 118 parking spaces are planned on Lots 1 and 2, described in Table 1, below.

**Table 1: Parking Summary**

Land Use	Parking Standard (stalls)	Parking Required (stalls)	Parking Provided (stalls)
Hotel (±100 rooms)	1 per room	±100	100
Self-Storage (±690 units)	Not identified in Code	±7	0 <sup>1</sup>
Flexible Tenant Areas/Industrial Support Services (±10,200 square feet)	1.6 per 1,000 square feet	±16	16
Building lease office (±960 square feet)	1.6 per 1,000 square feet	±1.5	2
<b>Total Parking Stalls</b>		<b>±125</b>	<b>118</b>

<sup>1</sup> 1,500 square feet loading/unloading space amounting to four oversized stalls is provided near the front of the industrial facility.

According to the calculations and analysis below, seven additional stalls may be required to be provided for the self-storage units. Pursuant to the Sherwood Municipal Code, Chapter 16.94 – Off-Street Parking and Loading, below, shared parking is allowed provided satisfactory evidence is provided to the City. The following responses demonstrate compliance with the applicable criteria.

**SHERWOOD MUNICIPAL CODE**

**Title 16 – Zoning and Community Development Code**

**Division II. – LAND USE AND DEVELOPMENT**

**Chapter 16.94 – OFF-STREET PARKING AND LOADING**

**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.

This application includes two adjacent properties (within 500 feet of each other), zoned Light Industrial Planned Unit Development, and involves shared parking between two uses whose peak hours of operation do not substantially overlap. The following information serves as satisfactory evidence to demonstrate that shared parking is feasible on the property.

The storage facility serves as a space to store goods and materials. Patrons may pull their vehicle up to individual ground floor units/garage doors along the perimeter of the facility to access their storage materials for loading. Based on the nature of the enclosed self-storage building, patrons

leasing a unit on an upper story will need to briefly leave their vehicle to enter the building. As shown on the Preliminary Plans (Exhibit A), a ±1,500-square-foot loading area is provided central to the rear of the facility, with oversized spaces to accommodate moving trucks, trailers, pickups, etc. This amounts to double the loading area required for an industrial building over 50,000 square feet (i.e. 750 square feet of loading area is required).

As discussed in the Transportation Documentation (Exhibit L) prepared by Kittelson & Associates, Inc., the ±690-unit self-storage facility is associated with 126 average daily trips. According to the Institute of Transportation Engineers' (ITE's) Trip Generation Manual (11th Edition), the ±690 units are expected to generate 13 weekday peak hour trips—where 6 trips are projected to be patrons entering the site and 7 trips are anticipated to be patrons exiting the site. This data indicates that the parking demand will be under 7 spaces during the peak hour of each day, with even lower demand during the other hours of operation.

In addition to generating a small number of trips, trips to self-storage facilities also tend to be short in duration. Users will briefly stop at the facility to pick up or drop off items then leave; even initial move-ins and move-outs are limited in duration due to individual unit size. This is in contrast to other commercial and industrial uses (e.g. retail shopping, restaurant dining, medical establishments) where trips from employees and patrons are commonly longer. As such, the covered ±1,500-square-foot loading area, will allow approximately four vehicles (at a time) to park and spend a few minutes loading/unloading near the main entrance of the facility.

Additionally, the flex-use facility is planned to accommodate a small leasing office and four tenant spaces, defined as professional support service areas. The office is ±960 square feet; the four flexible tenant spaces provide ±2,550 square feet of area each, totaling ±10,200 square feet. According to Table 1, above, industrial land uses require 1.6 vehicle parking spaces per 1,000 square feet of gross leasable area. Based on the total flexible tenant area (±10,200 square feet) and leasing office (±960 square feet), ±18 vehicle spaces are provided. There are 521 parking stalls provided to the entire Parkway Village South site; It is reasonably assumed that the additional parking needs for the self-storage units described above (i.e. seven stalls) will be met by utilizing parking stalls nearest the building

**ANALYSIS:** Staff concurs with the applicant's responses above. Furthermore, since self-storage is not specifically listed in Table 1 of Section 16.96.020, staff reviewed several storage spaces within the city boundary and off-street parking was provided in each facility, as noted below.

Name of Self Storage Facility	Number of Parking Stalls Provided
Sentinel Self Storage 1555 SW Tualatin-Sherwood Road	7
Sentinel Self Storage 21980 SW Langer Parkway (units behind Planning Case File No: LU 2022-004)	4
NW Self Storage 20865 SW Wildwood Place	4
NW Self Storage 20475 SW Cipole Road	4

A shared access and parking agreement is executed for Lots 2-5. Once the agreement is amended to include Lot 1, the required 7 parking spaces can be utilized on Lots 1-5.

	Minimum Parking	Required Parking	Provided Parking
Hotel or Motel ±100 Rooms	1 per room	±100	100
Self-Storage ±690 units	Not Identified in the SZCDC	Applicant's Analysis above ±7	0 <sup>1</sup>
Flexible Tenant Areas/Industrial Support Services ±10,200 SF	1.6 per 1,000	±16	16
Building lease office ±960 SF	1.6 per 1,000	±2	2
<b>Total Parking Stalls</b>		<b>±125</b>	<b>118</b>
<b>Parking Shared with Lots 3-5</b>			<b>7 stalls</b>

<sup>1</sup> Per the applicant's narrative, 1,500 square feet loading/unloading space amounting to four oversized stalls is provided near the front of the industrial facility.

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

**16.94.020 Off-Street Parking Standards**

**B. Dimensional and General Configuration Standards**

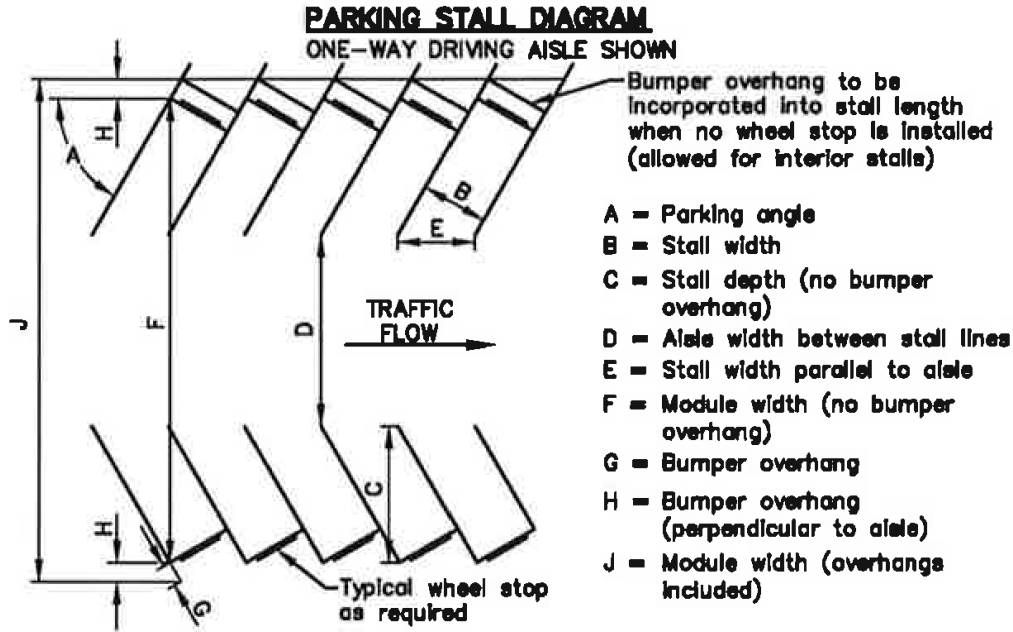
- 1. Dimensions for the purpose of this Chapter, a "parking space" means a stall nine (9) feet in width and twenty (20) feet in length. Up to twenty five (25) percent of required parking spaces may have a minimum dimension of eight (8) feet in width and eighteen (18) feet in length so long as they are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

**ANALYSIS:** The applicant's narrative states that at least 75 percent of parking spaces are planned to be full size spaces, per the required dimensions above (9 ft in width by 20 ft in length) and Table 3 below [90-degree parking (9 ft in width by 17 ft in length)]. Compact parking spaces are not planned.

**FINDING:** This standard is met based on the analysis above.

- 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 can be provided, as required, to limit vehicle overhang onto sidewalks and landscaped areas adjacent to parking areas. The applicable criteria can be met.

**ANALYSIS:** Staff concurs with the applicant’s response with the following Condition of Approval.

**CONDITION OF APPROVAL B5:** Prior to Final Site Plan Approval, a revised Site Plan shall be submitted showing wheel stops in parking areas adjacent to sidewalks and landscaped areas.

**FINDING:** Based on the applicant’s response and analysis, the applicable standards are met with the above Condition of Approval.

## 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
Commercial parking facilities, commercial, outdoor recreation, major event entertainment	4 or 1 per 20 auto spaces, whichever is greater
Self-service storage	None

**Applicant’s Response:** Per the ratio of “4 or 1 per 20 auto spaces, whichever is greater” in Table 4, six bicycle parking spaces are required for the planned hotel use. Due to the nature of the self-storage land use (which requires transportation of materials to and from leased units), bicycle spaces are not required for the storage facility. The Preliminary Dimensioned Civil Site Plan (Exhibit A) shows the planned bicycle parking location near the front of the hotel. Long-term spaces are neither planned nor required, as the industrial use is required to provide less than eight bicycle parking spaces. The applicable criteria are met.

**ANALYSIS:** The proposal requires 125 auto parking spaces and the bicycle requirement is one bicycle parking per 20 auto spaces. Therefore 6.25 or 7 (rounded up) bicycle parking spaces are required.



**FINDING:** Based on the applicant's response and analysis, the applicable criteria can be met as conditioned below on page 47 as Condition B6.

#### **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.**

**Applicant's response:** Planned bicycle parking has been located and designed to accommodate the design standards listed above. Per Table 4, six bicycle spaces are required for the planned land uses. The Preliminary Dimensioned Civil Site Plan (Exhibit A) illustrates the planned bicycle parking location. A Preliminary Lighting Plan (Exhibit A) demonstrates adequate lighting is provided to the site, including the bicycle parking area. However, lighting fixture locations have not yet been determined; upon submittal of a Final Site Plan Review application, concurrent with a building permit submittal, a photometric plan is anticipated to be submitted to demonstrate compliance with the bicycle parking lighting requirement. The applicable criteria are met.

**ANALYSIS:** As stated before, the proposal requires seven (7) bicycle parking spaces, not six.

**FINDING:** Based on the discussion above, the applicable criteria can be met with the Conditions of Approval below.

**CONDITION OF APPROVAL B6:** Prior to Final Site Plan Approval, submit a revised Site Plan showing seven (7) bicycle parking spaces and how these spaces meet the location and design standard of Section 16.94.020.C.

**CONDITION OF APPROVAL B7:** Prior to Final Site Plan Approval, submit a revised photometric plan demonstrating compliance with the bicycle parking lighting requirement of Section 16.94.020.C.

##### **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 P06 of Exhibit A and meet the distance/location standards. 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:** Per the applicant's narrative, long-term or covered spaces are not proposed. Long-term bicycle parking is also not required since the project requires seven bicycle parking spaces, less than the threshold of eight. These criteria are not applicable.

**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.

**Applicant's response:** The Preliminary Dimensioned Civil Site Plan (Exhibit A) illustrates loading areas (for both the storage facility and hotel) meet the minimum requirements above. The loading areas are at least 10 feet in width by 25 feet in length with an unobstructed height of at least 14 feet. Both structures are planned to be greater than 50,000 square feet of gross floor area (each). Therefore, the additional minimum loading space of at least 750 square feet is planned to be provided (to both buildings). These criteria are met.

**ANALYSIS:** Staff concurs with the applicant's response above.

**FINDING:** Based on the discussion above, 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.**

**Applicant's response:** Areas designated for the maneuvering of delivery vehicles and loading areas are planned to be separated from off-street parking areas. These areas are designed to prevent the encroachment of delivery vehicles onto off-street parking areas or public streets. However, the nature of the self-storage facility accommodates loading and unloading for customers/patrons (not delivery vehicles) in the designated loading area between the building and parking area. These criteria are met.

**ANALYSIS:** Staff concurs with the applicant's response above.

**FINDING:** Based on the discussion above, the applicable criteria are 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 P06) shows a direct pedestrian connection to SW Century Drive through interior private sidewalks. The private sidewalks extend from the ground floor entrances to the public sidewalk, creating a continuous system of pedestrian circulation. These pedestrian connections will ensure safe and convenient access between the proposed commercial and industrial uses and the public. 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.**

**ANALYSIS:** The Parkway Village South Subdivision consist of five tax lots. The proposed hotel is on Lot 2 and the mini-storage facility on Lots 1 of the Parkway Village South Subdivision. Joint access is proposed for all five tax lots. An Amended and Restated Declaration of Easements and Restrictions for Parkway Village South, the original project site, for Lots 2-5 was recorded under Recording No. 2019-039827. The declaration of easements provides for ownership, management, and maintenance of on-site features, as necessary. Easements (ingress, egress and parking) is also identified. Further amendments to this document will be required since Lot 1

will now be developed with mini-storage units and flexible tenant spaces. The updated agreements will allow for shared parking and access across the entire Parkway Village South Retail Center.

**FINDING:** This standard is not met but can be satisfied as previously conditioned on page 20, Condition B2.

## **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 addressed above, and vehicular and pedestrian access will be provided to SW Century Drive. Internal walkways will connect the proposed buildings to the public sidewalk. Furthermore, the hotel is planned to connect to the adjacent Langer's Entertainment Center by way of a convenient pedestrian skybridge, providing a direct, safe route for patrons. 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 Century Drive, a collector street. 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

2. Industrial: Improved hard surfaced driveways are required as follows:

Required		Minimum Width	
Parking Spaces	# Driveways	One-Way Pair	Two-Way
1 - 249	1	15 feet	24 feet
250 & 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 P06 of Exhibit A, shows commercial and industrial driveways meeting or exceeding the minimum 24-foot width requirement. Per the applicant’s narrative, based on anticipated vehicle usage, pervious surfaces are not planned. 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.

**Applicant’s Response:** The Preliminary Dimensioned Civil Site Plan (Exhibit A) illustrates an accessible connection extending from the building entrances to other buildings on the site and extending to the existing public sidewalk along SW Century Drive. Raised walkways with curbs are provided to separate vehicles and pedestrians. Walkways are planned to be constructed of a durable and hard surface, meet applicable Americans with Disabilities Act (ADA) standards, and

meet the applicable dimensional requirements. Driveway crossings will be marked, as applicable. These criteria, where applicable, are met.

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

**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.

#### **16.96.040 On-Site Vehicle Circulation**

\*\*\*

##### **C. 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.**
- 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:** On-site vehicular circulation and direct vehicular access are planned to be provided to SW Century Drive. Private sidewalks will connect ground floor entrances of each building to the existing public sidewalk along SW Century Drive. These criteria are met.

#### **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.**

**ANALYSIS:** The preliminary site plan (P06 of Exhibit A) shows one solid waste and recycling storage for the hotel. Per the applicant's narrative, an existing parking island southwest of the hotel is planned to be modified to locate a new trash and recycling enclosure. The enclosure is shown in a location with ease of access for hotel employees/ guests and is intended to be screened appropriately from view. The final location and orientation of the trash enclosures will be coordinated with Pride Disposal Company.

A solid waste and recycling storage is not proposed for the self-storage facility. Typically, patrons leasing a unit in the facility will need trash receptacles to discard unwanted items.

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

**CONDITION OF APPROVAL B8:** Prior to Final Site Plan approval, provide two solid waste and recycling storage receptacle plan meeting Pride Disposal requirement.

**CONDITION OF APPROVAL H2:** Prior to Final Occupancy, the solid waste and recycling storage receptacle must be constructed for each building meeting 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.**

**FINDINGS:** The preliminary Site Plan, Sheet P06 of Exhibit A, does not reflect any outdoor sales and merchandise displays. 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.

**ANALYSIS:** The subject property has frontage on SW Century Drive (City of Sherwood Collector). The existing street section is a 3-lane street with a curb-tight sidewalk with tree wells. This street section was previously approved as part of the required street improvements for the overall development. No street widening improvements along SW Century Drive will be required.

**FINDING:** Per the analysis above, this standard is met.

## **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 site has street frontage along SW Century Drive, classified as a Collector street. SW Century Drive is fully improved with curb tight sidewalk and tree wells. The preliminary plans also show a 15-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**

\*\*\*

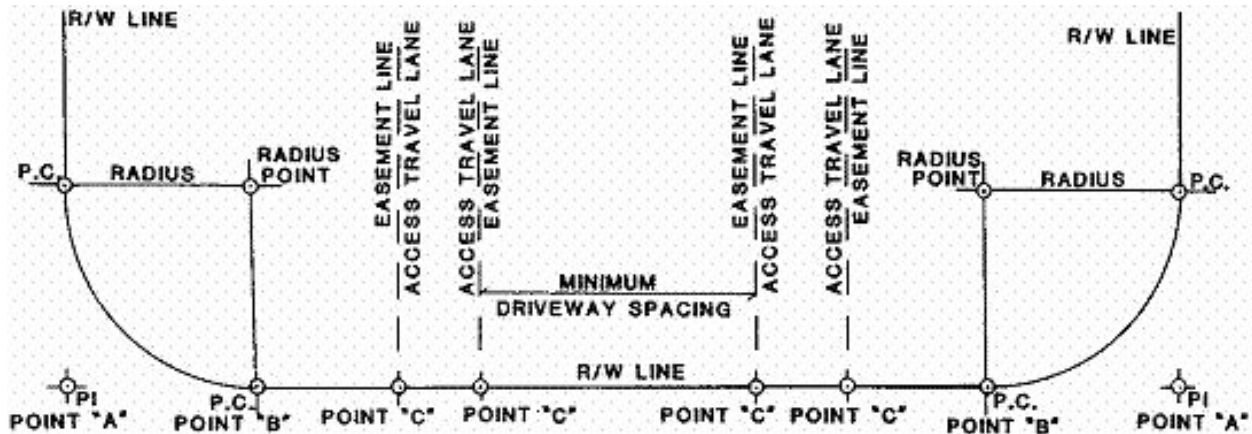
#### **M. Vehicular Access Management**

**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.

**ANALYSIS:** The site has more than 150 feet of street frontage on SW Century Drive, a collector street. Joint accesses are planned, as discussed in the response to Section 16.96.040. The site has two driveways, one main driveway (west of the site) and a second driveway (east of the site). The secondary access does not meet access spacing standards and the applicant has proposed the secondary driveway as emergency access only, per the applicant's Completion Response of

May 20, 2022. The emergency access will be gated with a Knox box. The two driveways are shown on the preliminary plans and comply with the applicable spacing requirement.

Per City Engineering Department Comments dated June 16, 2022 (Exhibit B1), when the secondary driveway (east of the site) was originally approved, it was approved under the condition that it would be for truck loading/unloading only, similar to the driveway directly across the street. The secondary driveway will either need to be for loading/emergency vehicle access only or a design modification request will need to be approved by the City Engineer.

**FINDING:** Based on the analysis above, this condition is met as conditioned below.

**CONDITION OF APPROVAL D1:** Prior to Approval of the Engineering Public Improvement Plans, the developer shall design for the eastern driveway to be for building loading/unloading access or emergency only, unless a Design Modification Request is approved by the City Engineer.

## **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 frontage along SW Century Drive, classified as Collector street. SW Century Drive is fully improved with curb tight sidewalk and tree wells. These criteria are met.

## **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.

**ANALYSIS:** Per City Engineering Department Comments dated June 16, 2022, a trip generation document dated April 4, 2022, by Kittelson and Associates was included with the land use application. This document provided a trip analysis of the proposed use applied for in this land use application compared to the original transportation study. The report shows that the trip count for this proposed development is less than that provided with the original report. No mitigation is required.

**FINDING:** Based on the above analysis, 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.

**ANALYSIS:** Per City Engineering Department Comments dated June 16, 2022, a trip generation document dated April 4, 2022, by Kittelson and Associates was included with the land use application. This document provided a trip analysis of the proposed use applied for in this land use application compared to the original transportation study. The report shows that the trip count for this proposed development is less than that provided with the original report. No mitigation is required.

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

#### 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.

**ANALYSIS:** Per City Engineering Department Comments dated June 16, 2022, currently a public sanitary sewer main exists along the east and southeast side of the subject property. All neighboring properties either have sanitary sewer service or access to public sanitary sewer service, therefore no public sanitary sewer main extension is required. The proposed new buildings will obtain sanitary sewer via the existing on-site public sanitary sewer system.

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

**CONDITION OF APPROVAL D2:** Prior to Approval of the Public Improvement Plans, the proposed development shall design to provide sanitary sewer service to each lot meeting the approval of the Sherwood Engineering Department.

**CONDITION OF APPROVAL D3:** Prior to Approval of the Public Improvement Plans, the proposed development shall design to provide a grease interceptor on the sanitary sewer service serving the proposed hotel meeting the approval of the Sherwood Engineering Department.

**CONDITION OF APPROVAL F1:** Prior to Issuance of a Plumbing Permit, the proposed development shall design the private sanitary sewer to be in compliance with the current Oregon Plumbing Specialty Code.

## **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.**

**ANALYSIS:** Per City Engineering Department Comments dated June 16, 2022, currently there is a public water main existing within SW Century Drive along the full frontage of the subject property frontage. No public water main extension is required. The proposed buildings will obtain domestic and fire water via an existing water line stubbed into the subject property.

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

**CONDITION OF APPROVAL F2:** Prior to Issuance of a Plumbing Permit, water flows calculations (domestic, irrigation and fire) shall be provided by the developer.

**CONDITION OF APPROVAL D4:** Prior to Approval of the Public Improvement Plans, the proposed development shall design to bring fire water and domestic water to each lot meeting the approval of the Sherwood Engineering Department.

**CONDITION OF APPROVAL D5:** Prior to Approval of the Public Improvement Plans, the proposed development shall design for backflow prevention on all domestic water and fire water services meeting the approval of the Sherwood Engineering Department.

**CONDITION OF APPROVAL F3:** Prior to Issuance of a Plumbing Permit, the proposed development shall design for private water lines to be in compliance with the current Oregon Plumbing Specialty Code.

**CONDITION OF APPROVAL G1:** Prior to Acceptance of Public Improvements, any public water facilities 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.**

**ANALYSIS:** Per City Engineering Department Comments dated June 16, 2022, currently a public storm sewer main exists along the east and southeast side of the subject property. All neighboring properties either have storm sewer service or access to public storm sewer service, therefore no public storm sewer main extension is required. The proposed new buildings will obtain storm sewer via the existing on-site public storm sewer system.

Storm water quality treatment for the subject property was constructed as part of the original subdivision, therefore no storm water quality treatment is required upon verification that the new impervious area does not exceed the allowable amount of impervious area that the water quality facilities has the capability of treating.

Currently there are no hydro-modification facilities existing on the site to accommodate the subject development.

The subject development will need to provide on-site hydro-modification facilities in compliance with Clean Water Services (CWS) standards for any new/modified impervious area to be installed unless otherwise approved for a payment-in-lieu by the City of Sherwood and CWS. Jackie Humphreys, Clean Water Service, provided comments dated June 16, 2022 (Exhibit B2) stating that a Clean Water Services (CWS) Storm Water Connection Permit Authorization must be obtained prior to any work on the site. Application for CWS Permit Authorization must be in accordance with the requirements of the Design and Construction Standards, Resolution and Order No. 19-5 as amended by R&O 19-22, or prior standards as meeting the implementation policy of R&O 18-28, and is to include:

- a. Detailed plans prepared in accordance with Chapter 2, Section 2.04.
- b. Detailed grading and erosion control plan. An Erosion Control Permit will be required. Area of Disturbance must be clearly identified on submitted construction plans. If site area and any offsite improvements required for this development exceed one-acre of disturbance, project will require a 1200-CN Erosion Control Permit.
- c. Detailed plans showing each lot within the development having direct access by gravity to public storm and sanitary sewer.
- d. Provisions for water quality in accordance with the requirements of the above named design standards. Water Quality is required for all new development and redevelopment areas per R&O 19-5, Section 4.04. Access shall be provided for maintenance of facility per R&O 19-5, Section 4.07.6.

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

**CONDITION OF APPROVAL D6:** Prior to Approval of the Public Improvement Plans, the proposed development shall verify that the existing regional water quality facilities has capacity to provide water quality treatment for the subject development. If not, then the subject development will need to provide additional water quality treatment such that all impervious area on the subject property has water quality treatment meeting the approval of the Sherwood Engineering Department.

**CONDITION OF APPROVAL D7:** Prior to Approval of the Public Improvement Plans, the proposed development shall design to provide hydro-modification in compliance with Clean Water Services' standards unless otherwise approved for a payment-in-lieu by the City of Sherwood and CWS.

**CONDITION OF APPROVAL G2:** Prior to Acceptance of Public Improvements, private water quality and/or hydro-modification facilities shall have a recorded Private Stormwater Facility Access and Maintenance Covenant. An Operation and Maintenance Plan for all private hydro-modification facilities is also required to be submitted to the Sherwood Engineering Department.

**CONDITION OF APPROVAL F4:** Prior to Issuance of a Plumbing Permit, the proposed development shall design for private storm water runoff within the subject property to be collected and conveyed in accordance with the current Oregon Plumbing Specialty Code.

**CONDITION OF APPROVAL D8:** Prior to Approval of the Engineering Public Improvement Plans, a Storm Water Connection Permit Authorization shall be obtained from Clean Water Services.

## **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.

**ANALYSIS:** Fire Protection services are provided by Tualatin Valley Fire and Rescue (TVF&R). TVF&R has issued a Service Provider Letter for the proposed development dated March 30, 2022 (Exhibit A – Sub Exhibit M). The applicant is conditioned to meet the requirements of the SPL.

**FINDING:** This standard is met as conditioned below.

**CONDITION OF APPROVAL A8:** The development shall comply with the TVF&R Service Provider Letter dated March 30, 2022 and all applicable TVF&R standards.

## **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.**

**ANALYSIS:** Per City Engineering Department Comments dated June 16, 2022, currently an 8-foot wide PUE exists along the subject property frontage of SW Century Drive.

Sherwood Broadband exists along the subject property frontage of SW Century Drive. Therefore, no Sherwood Broadband improvements are required. If access to Sherwood Broadband is desired for the subject property, then the developer will need to work with the Sherwood Broadband department to obtain service.

**FINDING:** Based on the analysis above, these standards are met.

## **D. Division VII – Land Divisions, Subdivisions, Partitions, Lot Line Adjustments and Modifications**

## **PROPERTY LINE ADJUSTMENTS**

### **Chapter 16.124 PROPERTY LINE ADJUSTMENTS AND LOT CONSOLIDATIONS**

#### **16.124.010 Approval Process**

- A. The City Manager or his or her designee may approve a property line adjustment by means of a Type I procedure as governed by Chapter 16.72, using approval criteria contained in this Chapter.**
- B. Time Limit on Approval**

**The property line adjustment decision shall be effective for one year from the date of approval.**

#### **C. Extension of Approval**

**If the adjustment is not recorded with the County within one year, the land use approval expires and must be resubmitted. The City Manager or his/her designee may, upon written request by the applicant, grant an extension up to one year upon a written finding that the facts have not changed to an extent sufficient to warrant re-filing of the property line adjustment and that no other development approval would be affected.**

**FINDING:** The proposed Type I property line adjustment is being processed concurrently with the Type IV Site Plan Review, Major Modification to an Approved Site Plan, and Conditional Use permit. This process is met with the recommended condition below.

**CONDITION OF APPROVAL E3:** Prior to Issuance of any Building Permit, the property line adjustment shall be recorded with the County within one year of the notice of decision unless an extension has been requested and granted.

#### **16.124.020 Approval Criteria**

- A. The City Manager or his/her designee shall approve or deny a request for a property line adjustment in writing based on findings that the following criteria are satisfied:**

##### **1. No new lots are created**

**FINDING:** As shown on the preliminary plans, Sheet P03, no new lots will be created with proposed the property line adjustments. Per the applicant's narrative, the purpose of the property line adjustment is to reconfigure the common boundary between the hotel and storage facility and center the common boundary along the shared driveway aisle. This criterion is met.

##### **2. The adjusted lots comply with the applicable zone requirements.**

##### **3. The adjusted lots continue to comply with other regulatory agency or department requirements.**

**ANALYSIS:** The adjusted lots comply with the applicable zoning requirements of the LI zoning district. All the adjusted lots range from  $\pm 0.72$  acres or 31,363 square feet to  $\pm 7.16$  acres, all lots meeting the minimum lot area of 10,000 square feet. All the adjusted lots have lot widths of over 100 feet. Adjusted Lots 1, 2, and 5 are currently vacant. The Preliminary Plans, Sheet P06, shows the proposed development on Lot 1 (self-storage) with a 20-foot setback meeting minimum frontage requirement. Lot 2 (hotel) building setback is greater than 20-feet along the front lot line (parallel to the common drive aisle) meeting the minimum setback standards. Development on Lot 5 is not part of this land use review. The planned



building complies with the applicable setback standards. Furthermore, the project site is not located within 100 feet of a residential zoning district. Therefore, footnote 11, the height limitations of residential zoning districts is not applicable. The Preliminary Architectural Materials (applicant’s materials, Exhibit D) show the heights of the planned buildings do not exceed 50 feet. Other regulatory agency or department applicable requirements are addressed throughout this report and have been satisfied.

**FINDING:** Based on the discussion above, these criteria are met.

**B. If the property line adjustment is processed with another development application, all applicable standards of the Code shall apply.**

**FINDING:** The property line adjustments will be reviewed in conjunction with the other applications associated with this project. The consolidated application and accompanying materials and findings within this staff report demonstrate the reconfigured lots comply with applicable requirements. The criteria are met, as applicable.

**16.124.030 Filing and Recording Requirements**

**A. Recording Requirements** If a property line adjustment is approved by the City, it does not become final until reviewed and approved by County in accordance with its property line adjustment recording requirements.

**B. Time Limit** The applicant shall submit the copy of the recorded property line adjustment survey map to the City within 30 days of recording and shall be completed prior to the issuance of any building permits on the re-configured lots.

**FINDING:** Per applicant’s narrative, the process described above is understood and can be met. This criterion is met.

**E. 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:** The site has street frontage along SW Century Drive, a collector street requiring a 10-foot-wide landscaped visual corridor. The preliminary landscape plans show a 15-foot-wide landscaped visual corridor exceeding the minimum requirement. 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 (Sheet P13 of Exhibit A) identify multiple layers of trees, combined with shrubs and groundcover, providing a continuous visual and/or acoustical buffer between the collector street, the planned building, and vehicle use area. A 15-foot-wide landscaped visual corridor is proposed abutting 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.

**FINDING:** The site has frontage along SW Century Drive that is fully improved with sidewalk and street trees. This standard is met.

**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.

**FINDING:** The site has frontage along SW Century Drive that is fully improved with sidewalk and street trees. Removal or replacement of street trees is not proposed. This standard is not applicable.

## **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.**

**Applicant's response:** As inventoried and described on the approved Tree Preservation and Removal Plans (Sheets C031 and C032 associated with the Parkway Village South As-Builts) included as Exhibit P; the existing trees on site were previously assessed (SP 17-03/SUB 17-01). The required inventory materials, prepared by an arborist, are attached as Exhibit P. As shown on the Preliminary Demolition and Tree Removal Plan (Exhibit A), the following trees are located on site:

- Tree Number 26006, an Oregon Ash tree located on Tax Lot 1100, was previously assessed as dead. This dead tree is planned to be removed, as shown in Exhibit A.
- Tree Number 26034, an Oregon Ash tree located on Tax Lot 1100, was previously assessed with declining health and poor structure ratings. This tree is planned to be removed, as shown in Exhibit A.
- Tree Number 26048, an American Chestnut tree located on Tax Lot 1100, was approved for removal (SP 17-03/SUB 17-01). This tree remains in poor condition and is planned for removal with the siting of the hotel.
- Tree Number 25975, a Douglas-fir tree located on Tax Lot 1100, was previously assessed in good condition, and planned for preservation. This tree is planned to be preserved, as shown in Exhibit A.

**ANALYSIS:** Staff concurs with the applicant's response above.

**FINDING:** These standards are met based on the discussion above.

**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  $\pi r^2$  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.

	<b>Commercial, Industrial, Institutional Public and Multi-family</b>		
<b>Canopy Requirement</b>	<b>40%</b>	<b>N/A</b>	<b>30%</b>
<b>Counted Toward the Canopy Requirement</b>			

	<b>Commercial, Industrial, Institutional Public and Multi-family</b>
<b>Street trees included in canopy requirement</b>	<b>No</b>
<b>Landscaping requirements included in canopy requirement</b>	<b>Yes</b>
<b>Existing trees onsite</b>	<b>Yes x2</b>
<b>Planting new trees onsite</b>	<b>Yes</b>
<b>Mature Canopy in Square Feet Equation <math>\pi r^2</math> or <math>(3.14159 * \text{radius}^2)</math> (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.</b>	
<b>Canopy Calculation Example: Pin Oak Mature canopy = 35' <math>(3.14159 * 17.5^2) = 962</math> square feet</b>	

**FINDINGS:** The applicant provided an Overall Landscape Plan (Sheet P13, Exhibit A) that shows expected tree canopy coverage of 75,080 square feet or 32.15% of the total site area. See tree canopy calculations below. The standards applicable for this commercial and industrial project are met.

TREE CANOPY CALCULATIONS				
COMMON NAME	SIZE	EXPECTED DIA. – SPREAD AREA	QTY.	CANOPY AREA
EDITH BOUGE MAGNOLIA	SMALL	15' – 177 S.F.	1	177 S.F.
GREEN VASE ZELKOVA	LARGE	38' – 1,134 S.F.	6	6,804 S.F.
HEART THROB DOGWOOD	SMALL	20' – 314 S.F.	7	2,198 S.F.
CHANTICLEER CALLERY PEAR	SMALL	15' – 177 S.F.	3	531 S.F.
LONDON PLANETREE	LARGE	40' – 1,257 S.F.	18	22,626 S.F.
MARSHALL SEEDLESS ASH	LARGE	40' – 1,257 S.F.	8	10,056 S.F.
DOUGLAS FIR	LARGE	30' – 707 S.F.	7	4,949 S.F.
EXISTING DOUGLAS FIR	LARGE	30' – (707 S.F. COUNTED TWICE) 1,414 S.F.	1	1,414 S.F.
MAGNIFICA HACKBERRY	LARGE	40' – 1,257 S.F.	13	16,341 S.F.
SCARLET OAK	LARGE	40' – 1,257 S.F.	4	5,028 S.F.
WESTERN RED CEDAR	SMALL	15' – 177 S.F.	19	3,363 S.F.
BOWHALL MAPLE	SMALL	15' – 177 S.F.	9	1,593 S.F.

TOTAL EXPECTED TREE CANOPY COVERAGE PROVIDED ±75,080 S.F.

TREE CANOPY REQUIRED: ±233,552 S.F. (NET SITE AREA) x 30% TREE CANOPY = ±70,066 S.F. AREA REQUIRED.

**MAJOR MODIFICATION FINDINGS:** Based on the applicant's Exhibit R and table below, the modified tree canopy exceed the minimum required. This standard is met.

## Tree Canopy Calculations

### Trees in Modified Project Area

Type of Tree	Quantity	Canopy Per Unit (sf)	Total Canopy	Size
HTD	3	±314	±942 sf	small
SO	8	±1,257	±10,056 sf	Large
VC	21	±177	±3,717 sf	Small
LP	21	±1,257	±26,397 sf	Large
MH	2	±1,257	±2,514 sf	Large
GVZ	2	±1,134	±2,268 sf	Large
Total			±45,894 sf	

Tree quantities based on MMSP 18-08 Minor Modification Landscape Plans. See provided exhibits for additional information.

Total Tree Canopy Provided in MMSP 18-08 Minor Mod Plans	±184,786 sf	
Tree Canopy in Modified Project Area for LU 2022-012	±45,894 sf	
Unmodified Tree Canopy Area	±138,892 sf	
Total Tree Canopy Provided with LU 2022-012	±75,080 sf	
<b>Total Tree Canopy After LU 2022-012</b> (Unmodified + New)	<b>±213,972 sf</b>	
Approximate Total Site Area (Full Parkway Village South Lots 1-5)	±682,585 sf	(±15.67 acres)

<b>Required Tree Canopy (30% Site Area)</b>	<b>±204,776 sf</b>
<b>Parkway Village South will provide a total of ±213,972 sf of canopy exceeding the ±204,776 sf required.</b>	

## 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.

**Applicant's Response:** As shown on the Preliminary Plans (Exhibit A), the tree planned for preservation is not near site disturbing activities. As shown on the Preliminary Landscape Plan, the existing tree is to remain located in a landscaped courtyard, over ±100 feet east of the rear parking area behind the hotel. Adequate tree protection will be provided onsite during construction. The criteria are met, as applicable.

**ANALYSIS:** Staff concurs with the applicant's response above.

**FINDING:** These standards are met based on the discussion above.

### **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 and light industrial area to the east. Commercial and Light Industrial 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 and industrial uses. Vibration levels would be expected similar to the commercial area to the north and light industrial area to the east. 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:** Air quality impacts would be expected similar to the commercial area to the north and industrial area to the east. Levels of emissions, beyond what is expected in an urban area, are not



anticipated. The proposed uses 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:** Odor impacts would be expected similar to the commercial area to the north and industrial area to the east. 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 and industrial uses. Residential uses are located across the SW Langer Farms Parkway right-of-way to the west. Per the applicant's narrative, exterior lighting is planned to be directed away from adjoining properties. 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 new buildings are oriented in a north-south direction, generally consistent with the orientation of the lot. The buildings are set back from the property boundaries and each other as needed, while still allowing truck and fire safety access circulation around the buildings. Therefore, the buildings are generally positioned to allow unobstructed sunlight access to their southern walls.

The site does not have a significant number of existing trees that may shade these future buildings or moderate winter winds. However, the Preliminary Landscape Plan shows that trees will be planted and, at maturity, will provide shade and a buffer to winter winds on the site. These criteria are met.

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

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

#### IV. STAFF RECOMMENDATION AND CONDITIONS OF APPROVAL

After review of the applicable code standards and approval criteria, the applicant's submittal, agency comments, and public testimony, staff finds that the proposed modification does not fully comply with the standards but can be conditioned to comply. **Therefore, staff recommends approval of application LU 2022-012 SP, MM, CUP, LLA, Chestnut Inn and Parkway Village South Self-Storage, subject to the following 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 May 20, 2022 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. The development shall comply with the TVF&R Service Provider Letter dated March 30, 2022 and all applicable TVF&R standards.
9. Prior to Building Permit application submittal, the applicant shall obtain address(es) for the site or parcels.

##### **B. Prior to Final Site Plan Approval:**

1. Prior to Final Site Plan Approval, the hotel shall provide a minimum of 200 square feet of interior floor area for conference and/or meeting rooms, exclusive of dining, breakfast and lobby areas.
2. Prior to Final Site Plan Approval, the Amended and Restated Declaration of Easements and Restrictions for Parkway Village South, shall be amended to include Lot 1.
3. Prior to Final Site Plan Approval, submit a revised construction and landscape plans showing the individual landscape islands meeting the requirements of Section 16.92.030.B.5.

4. 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.
5. Prior to Final Site Plan Approval, a revised Site Plan shall be submitted showing wheel stops in parking areas adjacent to sidewalks and landscaped areas.
6. Prior to Final Site Plan Approval, submit a revised Site Plan showing seven (7) bicycle parking spaces and how these spaces meet location and design standard of Section 16.94.020.C.
7. Prior to Final Site Plan Approval, submit a revised photometric plan demonstrating compliance with the bicycle parking lighting requirement of Section 16.94.020.C.
8. Prior to Final Site Plan approval, provide two solid waste and recycling storage receptacles meeting Pride Disposal requirement.

**C. Prior to Issuance of a Grading Permit:**

1. Prior to issuance of a grading permit, the developer shall obtain a DEQ NPDES 1200-C permit.

**D. Prior to Engineering Approval of the Public Improvement Plans:**

1. Prior to Approval of the Engineering Public Improvement Plans, the developer shall design for the eastern driveway to be for building loading/unloading access or emergency only, unless a Design Modification Request is approved by the City Engineer.
2. Prior to Approval of the Public Improvement Plans, the proposed development shall design to provide sanitary sewer service to each lot meeting the approval of the Sherwood Engineering Department.
3. Prior to Approval of the Public Improvement Plans, the proposed development shall design to provide a grease interceptor on the sanitary sewer service serving the proposed hotel meeting the approval of the Sherwood Engineering Department
4. Prior to Approval of the Public Improvement Plans, the proposed development shall design to bring fire water and domestic water to each lot meeting the approval of the Sherwood Engineering Department.
5. Prior to Approval of the Public Improvement Plans, the proposed development shall design for backflow prevention on all domestic water and fire water services meeting the approval of the Sherwood Engineering Department.
6. Prior to Approval of the Public Improvement Plans, the proposed development shall verify that the existing regional water quality facilities has capacity to provide water quality treatment for the subject development. If not, then the subject development will need to provide additional water quality treatment such that all impervious area on the subject property has water quality treatment meeting the approval of the Sherwood Engineering Department.
7. Prior to Approval of the Public Improvement Plans, the proposed development shall design to provide hydro-modification in compliance with Clean Water Services' standards unless otherwise approved for a payment-in-lieu by the City of Sherwood and CWS.
8. Prior to Approval of the Engineering Public Improvement Plans, a Storm Water Connection Permit Authorization shall be obtained from Clean Water Services.

9. Prior to Approval of the Engineering Public Improvement Plans, an Engineering Compliance Agreement shall be executed with the City of Sherwood.
10. Prior to Approval of the Engineering Public Improvement Plans, a City of Sherwood grading and erosion control permit shall be obtained.

**E. Prior to Issuance of Building Permits:**

1. Prior to Issuance of any Building Permits, the applicant shall obtain Final Site Plan approval.
2. 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 and show a fully automatic underground irrigation system.
3. Prior to Issuance of any Building Permit, the property line adjustment shall be recorded with the County within one year of the notice of decision unless an extension has been requested and granted.
4. Prior to Issuance of Building or Plumbing Permit, an Engineering Compliance Agreement shall be obtained from the City of Sherwood Engineering Department.

**F. Prior to Issuance of a Plumbing Permit:**

1. Prior to Issuance of a Plumbing Permit, the proposed development shall design the private sanitary sewer to be in compliance with the current Oregon Plumbing Specialty Code.
2. Prior to Issuance of a Plumbing Permit, water flows calculations (domestic, irrigation and fire) shall be provided by the developer.
3. Prior to Issuance of a Plumbing Permit, the proposed development shall design for private water lines to be in compliance with the current Oregon Plumbing Specialty Code.
4. Prior to Issuance of a Plumbing Permit, the proposed development shall design for private storm water runoff within the subject property to be collected and conveyed in accordance with the current Oregon Plumbing Specialty Code.
5. Prior to Issuance of Building or Plumbing Permit, an Engineering Compliance Agreement shall be obtained from the City of Sherwood Engineering Department.

**G. Prior to Acceptance of Public Improvements:**

1. Prior to Acceptance of Public Improvements, any public water facilities to be located on private property shall have a recorded public water line easement encompassing the related public water improvements meeting Sherwood Engineering standards
2. Prior to Acceptance of Public Improvements, private water quality and/or hydro-modification facilities shall have a recorded Private Stormwater Facility Access and Maintenance Covenant. An Operation and Maintenance Plan for all private hydro-modification facilities is also required to be submitted to the Sherwood Engineering Department.

**H. Prior to Receiving Occupancy**

1. Prior to Final 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 Occupancy, the solid waste and recycling storage receptacle must be constructed for each building meeting Pride Disposal standard.
3. Prior to Final Occupancy, sign permits shall be obtained.

## **V. EXHIBITS**

### **A. Applicant Submittal**

- Sub Exhibit A Preliminary Plans
- Sub Exhibit B Land Use Application Forms & Checklists
- Sub Exhibit C Preliminary Title Report
- Sub Exhibit D Preliminary Architectural Materials
- Sub Exhibit E CWS Service Provider Letter
- Sub Exhibit F Neighborhood Meeting Documentation
- Sub Exhibit G Public Notice Information
- Sub Exhibit H Amended and Restated Development Agreement (2010)
- Sub Exhibit I Pre-Application Conference Documentation
- Sub Exhibit J Washington County Assessor's Map
- Sub Exhibit K Preliminary Stormwater Report
- Sub Exhibit L Transportation Documentation
- Sub Exhibit M Tualatin Valley Fire & Rescue Service Provider Letter
- Sub Exhibit N Vesting Determination Documentation
- Sub Exhibit O 1995 PUD Design Guidelines
- Sub Exhibit P Tree Removal Plan from As-Built Plans
- Sub Exhibit Q Legal Descriptions and Reduced Copy of Property Line Adjustment Plan
- Sub Exhibit R Parkway Village South Modification Explanation

### **B. Agency Comments**

- Exhibit B1 – City of Sherwood Engineering Comments
- Exhibit B2 – Clean Water Services Memorandum
- Exhibit B3 – Washington County Land Use & Transportation

### **C. Public Testimony**

- Exhibit C1 – Susan Claus
- Exhibit C2 – Jim Claus
- Exhibit C3 – Susan Claus
- Exhibit C4 – Jim Claus
- Exhibit C5 – Jim Claus
- Exhibit C6 – Seth King (applicant representative)
- Exhibit C7 – Seth King (applicant representative)
- Exhibit C8 – Susan Claus
- Exhibit C9 – Jim Claus
- Exhibit C10 – Susan Claus
- Exhibit C11 – Susan Claus
- Exhibit C12 – Jim Claus