



# NOTICE OF DECISION

**TAX LOT:** Tax Lot 2S1 33BC 001700  
**CASE NO:** LU 2022-020 PUD/SUB  
**DATE OF NOTICE:** March 5, 2024

## Applicant/Owner

J.T. Roth Construction  
12600 SW 72<sup>nd</sup> #200  
Portland OR 97223

## Owner's Representative

Jennifer Arnold, Emerio Design  
1500 Valley River Drive, Suite 100  
Eugene, OR 97401

## NOTICE

Notice is hereby given to anyone who testified verbally or in writing at the Planning Commission that on February 27, 2024, the Sherwood City Planning Commission approved the Moser Pass Planned Unit Development Final Development Plan and Subdivision Plat.

The applicant requested Final Development Plan and Subdivision Plat approval from the Planning Commission. On March 7, 2023, City Council adopted Ordinance 2023-001 approving a Planned Unit Development and 30-lot Subdivision (LU 2022-020 PUD/SUB) on a 12.36-acres parcel. Pursuant to the Development Code, Section 16.40.30 the Planning Commission reviews Final Development Plans for PUDs for compliance with the preliminary approval. Furthermore, if the PUD involves the subdivision of land, a final plat must be prepared and submitted for final approval, pursuant to Chapter 16.120. The decision was made after consideration of the staff report, application materials, and public testimony.

## INFORMATION:

To obtain copies of file materials, go to

<https://www.sherwoodoregon.gov/planning/project/lu-2022-020-subpud-moser-pass> or contact Joy Chang, Senior Planner, at 503-625-4214 or by e-mail at [changj@sherwoodoregon.gov](mailto:changj@sherwoodoregon.gov).

## APPEAL

Pursuant to Sherwood Zoning and Community Development Code Section 16.72.010.B.3.d, an appeal of the Planning Commission decision may be made to the City Council. Pursuant to Section 16.76, any person who appeared before the local government, orally or in writing, on this matter may file a notice of intent to appeal to the City of Sherwood Planning Director not later than 14 days from the date of this notice. **An appeal of this decision must be filed no later than 5:00 PM on March 19, 2024.**

I, Joy L. Chang, for the Planning Department, City of Sherwood, State of Oregon, in Washington County, declare that the Notice of Decision on Case File No. LU 2022-020 Moser Pass SUB/PUD was placed in a U.S. Postal receptacle, or transmitted via electronic mail, on March 5, 2024.

  
Joy L. Chang, Senior Planner  
City of Sherwood Planning Department

# NOTICE OF DECISION

## Moser Pass

March 5, 2024

Case File: LU 2022-020 PUD/SUB  
Final Development Plan

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Application Submitted: September 27, 2023  
Application Complete: January 3, 2024  
120-Day Deadline: May 5, 2024  
Public Hearing: February 27, 2024

On February 27, 2024, the first public hearing was conducted. At that meeting, the Planning Commission opened the public hearing and took public testimony on the subject application. Staff presented the staff report and added a new testimony, Exhibit E. The new testimony had the same concerns as a community member reflected on Exhibit D, relating to safety improvements at the intersection of SW Upper Roy and SW Murdock Rd. These concerns were addressed in the staff report and included as part of the original/preliminary approved application. After receiving testimony from the applicant, the Commission closed the record and considered the application before them.

At the hearing discussion was focused on Tract E (the community park) and its amenities. Furthermore, Tract C (open space tract) was discussed in relation to reforestation and the proposed trail system.

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

  
Jean Simson, Planning Commission Chair

**Proposal:** On March 7, 2023, City Council adopted Ordinance 2023-001 approving a Planned Unit Development (PUD) and Subdivision to be known as Moser Pass PUD (Case File LU 2022-020 SUB/PUD). The applicant now proposes a Final Development Plan and Final Subdivision Plat for the PUD. Like the approved project, the Final Development/Subdivision Plat proposes a 30-lot residential subdivision and PUD with a community park on a 12.36-acre property. The property is zoned Very Low Density Residential (VLDR) and is in the Southeast Sherwood Master Plan area. The applicant is proposing a minimum lot size of 10,000 SF and overall density of approximately 3.06-units per acre.

Pursuant to the Development Code, Section 16.40.30 the Planning Commission reviews Final Development Plans for PUDs for compliance with the preliminary approval. Furthermore, if the PUD involves the subdivision of land, a final plat must be prepared and submitted for final approval, pursuant to Chapter 16.120.

The applicant's materials for Final Development Approval include a narrative, detailed final development plan, landscape plans, preliminary plat, proposed and Annexation to Denali Subdivision CC&Rs. During this phase of the project, the Planning Commission reviews the specific conditions of approval ordered at the preliminary phase of the project to ensure that it meets the intention of the preliminary approval.

## I. BACKGROUND

**A. Applicant/Owner:**

J.T. Roth Construction  
12600 SW 72<sup>nd</sup> #200  
Portland OR 97223

**Applicant's Representative:**

Jennifer Arnold, Emerio Design  
1500 Valley River Drive, Suite 100  
Eugene, OR 97401  
503-746-8812 or jarnold@emeriodesign.com

**B. Location:** 22900 SW Murdock Road (Tax Lot 2S133BC001700), northeast corner of SW Murdock Rd. and SW Upper Roy St.

**C. Parcel Size:** The site is comprised of 12.36 acres.

**D. Existing Development and Site Characteristics:** The subject site contains a single-family residence and several outbuildings. Vegetation cover at the rear of the property includes a mixture of trees, shrubs, and grass. A 0.17-acre wetland is located near the north property line and is proposed for removal and mitigation within the Tualatin River basin.

**E. Site History:** The subject site is identified as the "Moser" property and is located at the north end of the SE Sherwood Master Plan study area. The property has been occupied by a single-family residence and several outbuildings for many years. A mature forest was located behind the home towards the middle and eastern edges of the property until it was removed by the previous owner between 2006 and 2007. The site is located north of the former Ken Foster Farm site and is not known to have soil contaminants.

The site was issued a tree removal permit (AD 2022-067) and a grading permit to prepare the site for development. The site was used for parking for the Sherwood Street of Dreams event that took place on the adjacent Denali Summit development in July 2022. The grading permit allowed the site to be used for parking and required protection of the on-site wetland. The tree removal permit allowed removal of 20 of the existing 70 on-site trees.

The City Council approved a 30-lot Planned Unit Development and Subdivision (LU 2022-020 SUB/PUD) on March 7, 2023 under Ordinance 2023-001.

- F. Zoning Classification and Comprehensive Plan Designation:** Very Low Density Residential Planned Unit Development (VLDR-PUD) for residential use and single family homes.
- G. Adjacent Zoning and Land Use:** The surrounding properties to the north and south are zoned VLDR and the properties to west and across SW Murdock Road are zoned Low Density Residential Planned Unit Development (LDR-PUD). The land use is residential.
- H. Review Type:** According to § 16.40.030, upon approval of the PUD overlay zoning district and preliminary development plan by the Council, the applicant is required to prepare a detailed Final Development Plan as per this Chapter, for review and approval by the Commission. The Final Development Plan shall comply with all conditions of approval as per Section 16.40.020. In addition, if the PUD involves the subdivision of land, a final plat must be prepared and submitted for final approval, pursuant to Chapter 16.120.
- I. Neighborhood Meeting:** A neighborhood meeting is not required for Final Development Plan Applications.
- J. Public Notice:** Notice of this land use application was posted at the site on February 7, 2024 and in five public locations throughout the City on February 7, 2024. Notice was also mailed to property owners within 1,000 feet of the site and any other party who expressed an interest in receiving mailed notice on February 7, 2024, in accordance with Section 16.72.020 of the Sherwood Zoning and Community Development Code (SZCDC). Notice was also published in the Times newspaper on February 8 and February 22, 2024.
- K. Review Criteria:** SZCDC§16.40 Planned Unit Development and §16.120 Subdivisions

## II. PUBLIC COMMENTS

Public notice was mailed, posted on the property, and posted in five locations throughout the City on February 7, 2024. Staff did receive two email correspondence, Jesse Delia dated February 14, 2024 and Charlie Leineweber dated February 22, 2024. They are requesting the applicant and/or the city to install a crosswalk or a 4-way stop sign at the intersection of SW Upper Road St. and Murdock Road. As part of the preliminary approval for the Moser Pass SUB/PUD, intersection improvements at SW Murdock Rd/SW Upper Roy St. are required to be constructed consisting of a crosswalk and rapid flashing beacon (Condition C6), meeting their request. Additional comments from the community are welcome up to the close of the public hearing.

### III. AGENCY/DEPARTMENTAL COMMENTS

Staff sent e-notice to affected agencies on January 29, 2024. All original documents are contained in the planning file and are a part of the official record on this case. The following information briefly summarizes those comments:

**Sherwood Engineering Department:** Staff has reviewed the proposal and states the following:

- The storm sewer location adjacent to SW Murdock Rod is in the process of being determined, if the street trees are not allowed in the landscape strip due to the storm sewer location, the required Street Trees will be placed outside the storm sewer location.
- The size of Storm Water Facility, Tract B, may get smaller in size. If Tract B is reduced in size, the abutting lots will increase their square footages that meets the minimum lot size of the zone.
- Engineering plans may need to change resulting in a change in easements that impact the final plat. Change in easement would not change lot configuration nor lot sizes.

No new conditions were recommended on behalf of the Engineering Department. **(Exhibit C).**

### IV. REQUIRED FINDINGS

#### 16.40.020 - Preliminary Development Plan

##### A. Generally

**A PUD Preliminary Development Plan shall be submitted for the review and approval in accordance with Chapter 16.72. PUDs shall be considered: a.) on sites that are unusually constrained or limited in development potential, as compared to other land with the same underlying zoning designation, because of: natural features such as floodplains, wetlands, and extreme topography, or man-made features, such as parcel configuration and surrounding development; b.) on parcels of land within the Urban Renewal District where flexibility and creativity in design may result in greater public benefit than strict adherence to the code; or c.) in other areas deemed appropriated by Council during the adoption of a concept plan required by a Metro UGB expansion.**

**STAFF ANALYSIS:** The applicant received approval of the PUD on March 7, 2023 under Ordinance 2023-001.

#### 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.**

## **B. Final Subdivision Plat**

**If the PUD involves the subdivision of land, a final plat must be prepared and submitted for final approval, pursuant to Chapter 16.120.**

**STAFF ANALYSIS:** Site designs may change a little between approval at the entitlement stage and construction level documents. Some flexibility is built into the system to accommodate these kinds of small changes. Planning regularly reviews building permits to assure they are consistent with the approved entitlements. The review of a Final PUD should find that the approved project, and the project as proposed are substantially in conformance with each other. The same is true for the Final Subdivision Plat review, which is similar to the PUD Final Development Plan. More specifically this means that any of the proposed changes between the approved version of the project and the final version should continue to satisfy the original criteria used to support the project.

The submittal materials show that changes from the Preliminary Development Plans to the Final Development Plans are minor. Through additional surveys, the proposed square footage and lot dimensions of the lots are more accurate. The Very Low Density – PUD development standards are still satisfied as shown below.

The applicant has prepared and submitted a final plat for final approval, pursuant to Chapter 16.120. As stated above, the plat is consistent with the preliminary plans (e.g. number of lots, open space tracts, right-of-way dedication, etc.). Per City Engineering (Exhibit C), public improvements plans may require minor changes that would impact the final plat (easements and the sizing of Tract B). Potential changes to the plat, based on the review of public improvement plans, will not alter the project in a way that jeopardizes any of the criteria used for the original approval.

One change of note is the labeling of the Open Space Tracts. The preliminary plans showed a pedestrian path as “Tract E”. The pedestrian path still exists as a pedestrian easement instead of an open space tract. The new community park is now considered Tract E and the proposal does not have a Tract F. Some Conditions of Approvals are impacted by the relabeling.

Regarding the requirement that the project comply with conditions of approval, conditions are divided into thresholds, or ‘triggers.’ These include triggers such as ‘prior to building permit’ or ‘prior to occupancy of a structure.’ It is important to walk through which conditions apply at this stage, and which conditions are required to be satisfied prior to this approval. The “General Conditions” are intended to be informational, such as listing expiration dates and such. These generally act more like notifications to the applicant. Other milestones

are triggered by specific events. Most of these events come *after* a Final Plan is approved. Therefore, they cannot apply at this stage. For example, the applicant cannot proceed with any site disturbance until the Final Development Plan and the Final Engineering Public Improvement Plans are approved. Therefore, only conditions listed in the Conditions of Approval for LU 2022-020 SUB/PUD subsection B (Prior to Final Subdivision Plat / Final Development Plan Approval) are required to be satisfied to comply with the requirements of the code section listed above (16.40.030).

**FINDING:** Based on the discussion above and below, the applicant meets this criterion.

Based on the Notice of Decision, the applicant must demonstrate compliance with the following general and specific PUD Detailed Final Development Plan and Subdivision Plat requirements:

**B. PRIOR TO FINAL SUBDIVISION PLAT / FINAL DEVELOPMENT PLAN APPROVAL**

1. Prior to Final Plat and Final Development Plan approval, provide a revised plat that demonstrates how the minimum lot depth and minimum lot width at front property line standards are met.

**ANALYSIS:** The minimum lot depth for the VLDR-PUD is 80-feet and minimum lot width at front property line is 25-feet. Per the submitted Plat, Applicant's Exhibit 4, all proposed lots (Lots 1-30) meet the minimum lot depth and lot width.

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

2. Prior to Final Plat approval, the applicant shall obtain Final Development Plan approval from the Planning Commission.

**ANALYSIS:** This application is for a Final Development Plan approval. The Planning Commission is scheduled to hold a public hearing February 27, 2024 and if approved, the condition will be satisfied.

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

3. Prior to Final Plat Approval, show a clear vision area on the corners of each street intersection in accordance with SZCDC § 16.58.010 Clear Vision Areas.

**ANALYSIS:** The applicant provided a Clean Vision Sheet, Applicant's Exhibit E, showing the clear vision areas meeting the standards of Section 16.58.010.

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

4. Prior to Final Development Plan approval, the existing access easement shall be extinguished on the subject property, or the plans shall be revised to maintain existing access within the easement.

**ANALYSIS:** The applicant is maintaining the existing access easement to the abutting neighbor. The applicant provided a “Supplemental Declaration for Denali Annexing Moser Pass at Denali” into the existing CC&Rs for Denali Subdivision that states the following on Page 3 of the document.

3. *Vehicular Access Easement.* A vehicular access easement accessing a neighboring property to the east crosses Tract B, Tract C and portions of Lots 7-10 as shown on the plat. The Denali Homeowners Association shall maintain that portion of the easement on Tract C and the owners of Lots 7-10 shall maintain the easement crossing their individual properties. The owners of Lots 7-10 are prohibited from interfering with the easement and shall not install permanent structures, retaining walls, fencing or landscaping over the easement area.

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

5. Prior to Final Development Plan approval, provide a final Landscape Plan (including open space improvements) and Forest Restoration Plan.

**ANALYSIS:** The applicant provided a final Landscape Plan stamped by Clement M. Walsh, a licensed landscape architect, that included open space improvements (Applicant’s Exhibit 2). A Forest Restoration Plan (AKA Moser Pass at Denali Vegetated Corridor Master Plan) was also submitted (Applicant’s Exhibit C) with a certification from Nicolas Tompulis, Associate Consulting Arborist from Bartlett Tree Experts stating he approved the Forest Restoration plan (Applicant’s Exhibit 2).

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

6. Prior to Final Plat Approval, the applicant shall provide draft CC&Rs that demonstrate how the open space plantings, including the restored forest area, will be maintained by the developer or future HOA.

**ANALYSIS:** The applicant provided a “Supplemental Declaration for Denali Annexing Moser Pass at Denali” into the existing CC&Rs for Denali Subdivision that states that the open space tracts will be maintained by the Denali Homeowners Association. Specifically, page 3 of the document states the following:

1. *Common Area.* The Common Area of Moser Pass at Denali shall consist of Tracts A, C, D and E. Tracts C, D and E shall be available for public use. Tract A is a road frontage visual corridor. Tracts C and D are open space. Tract E is a park. Except for the restroom facility on Tract E, the Common Area Tracts of Moser Pass at Denali shall be maintained by the Denali Homeowners Association as provided in the Declaration. If the Association fails to maintain the Common Area, the City of



*Sherwood may use code enforcement to ensure proper maintenance. Tract B is not Common Area, but a water quality facility which will be conveyed to the City of Sherwood. There shall be no entrance to Tract B except by authorized maintenance personnel. The restroom facility on Tract E shall be purchased, installed, maintained, repaired and replaced by the City of Sherwood. The City of Sherwood shall be responsible for setting the hours, operation, cleaning and maintenance schedule of the restroom. Tracts A, C, D and E shall be conveyed to the Denali Homeowners Association.*

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

7. Prior to final plat approval, submit draft deeds for City review dedicating Open Space Tracts Tracts C, D, E, and F to the future HOA. The deeds shall be recorded with the final plat.

**ANALYSIS:** The applicant has submitted a draft deed dedicating Open Space Tracts (Tracts C, D, and E) to the future HOA (Applicant's Exhibit B). The preliminary plans showed Tract E as a pedestrian path. The pedestrian path was removed as an open space "Tract" and is now reflected as a pedestrian easement on the plat. The new community park is now considered Tract E and the proposal does not have a Tract F. The final deed will be recorded with the plat.

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

8. Prior to final plat approval, submit draft CC&Rs to the City that describe how Open Space Tracts Tracts C, D, E, and F will be maintained by the future HOA. The final CC&Rs shall be recorded with the final plat.

**ANALYSIS:** The applicant provided a "Supplemental Declaration for Denali Annexing Moser Pass at Denali" into the existing CC&Rs for Denali Subdivision that states that the open space tracts will be maintained by the Denali Homeowners Association. Specifically, page 3 of the document previously shown above. The final CC&Rs will be recorded with the plat. As previously noted, the preliminary plans showed Tract E as a pedestrian path. The pedestrian path was removed as an open space "Tract" and is now reflected as a pedestrian easement on the plat. The new community park is now considered Tract E and the proposal does not have a Tract F.

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

9. Prior to final plat approval, the plat and CC&Rs shall clearly state that the open space Tracts Tracts C, D, E, and F are available for public use.

**ANALYSIS:** The applicant provided a “Supplemental Declaration for Denali Annexing Moser Pass at Denali” into the existing CC&Rs for Denali Subdivision that states that the open space tracts are available for public use. Specifically, page 3 of the document states the following:

1. *Common Area. The Common Area of Moser Pass at Denali shall consist of Tracts A, C, D and E. Tracts C, D and E shall be available for public use. Tract A is a road frontage visual corridor. Tracts C and D are open space. Tract E is a park. Except for the restroom facility on Tract E, the Common Area Tracts of Moser Pass at Denali shall be maintained by the Denali Homeowners Association as provided in the Declaration. If the Association fails to maintain the Common Area, the City of Sherwood may use code enforcement to ensure proper maintenance. Tract B is not Common Area, but a water quality facility which will be conveyed to the City of Sherwood. There shall be no entrance to Tract B except by authorized maintenance personnel. The restroom facility on Tract E shall be purchased, installed, maintained, repaired and replaced by the City of Sherwood. The City of Sherwood shall be responsible for setting the hours, operation, cleaning and maintenance schedule of the restroom. Tracts A, C, D and E shall be conveyed to the Denali Homeowners Association.*

As previously noted, the preliminary plans showed Tract E as a pedestrian path. The pedestrian path was removed as an open space “Tract” and is now reflected as a pedestrian easement on the plat. The new community park is now considered Tract E and the proposal does not have a Tract F.

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

10. Prior to Final Plat Approval, submit draft CC&Rs demonstrating how visual corridor Tract A will be owned and maintained by the future HOA.

**ANALYSIS:** The applicant provided a “Supplemental Declaration for Denali Annexing Moser Pass at Denali” into the existing CC&Rs for Denali Subdivision that states that the Tract A, visual corridor, will be maintained by the Denali Homeowners Association. Specifically, page 3 of the document states the following:

1. *Common Area. The Common Area of Moser Pass at Denali shall consist of Tracts A, C, D and E. Tracts C, D and E shall be available for public use. Tract A is a road frontage visual corridor. Tracts C and D are open space. Tract E is a park. Except for the restroom facility on Tract E, the Common Area Tracts of Moser Pass at Denali shall be maintained by the Denali Homeowners Association as provided in the Declaration. If the Association fails to maintain the Common Area, the City of Sherwood may use code enforcement to ensure proper maintenance. Tract B is not Common Area, but a water quality facility which will be conveyed to the City of Sherwood. There shall be no entrance to Tract B except by authorized maintenance personnel. The restroom facility on Tract E shall be purchased, installed, maintained, repaired and replaced by the City of Sherwood. The City of Sherwood shall be*

*responsible for setting the hours, operation, cleaning and maintenance schedule of the restroom. Tracts A, C, D and E shall be conveyed to the Denali Homeowners Association.*

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

11. Prior to Final Plat Approval, any septic system within the subject property shall be abandoned/removed in accordance with all applicable regulations.

**ANALYSIS:** The applicant provided documentation of the septic tank decommission/abandonment dated August 31, 2023 (Applicant's Exhibit F).

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

12. Prior to Final Plat Approval, any well within the subject property shall be abandoned/removed in accordance with all applicable regulations.

**ANALYSIS:** The applicant provided well decommissioning documentation (Applicant's Exhibit 3) certifying the well has been abandoned October 9, 2023.

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

13. Prior to Final Development Plan Approval, a new park identified as Tract F shall be provided in the location of Lots 30 – 32. The design of the park and amenities described below shall be owned and maintained by the HOA unless indicated otherwise. The park and amenity design shall receive approval by the Planning Commission as part of the Final Development Plan

- a. Park shall include trees and landscaping

**ANALYSIS:** Sheet L101 of the Applicant's Exhibit 2 includes trees and landscaping as part of the community park.

- b. Park shall include lighting

**ANALYSIS:** A Lighting Plan has been submitted showing lighting for the community park (Applicant's Exhibit C).

- c. Park shall include a minimum flat area of 20,000 SF that is ADA accessible from the public street. Required amenities can be located in flat area.

**ANALYSIS:** The community park, Tract E, is 32,746 square feet exceeding the minimum area of 20,000 square feet. The proposed park is adjacent to a public street and can be made ADA accessible. The proposed park does include park amenities as shown on the Applicant's Exhibit D.

- d. Park shall include a sports court / facility based on an identified need or community desire in the 2021 Parks Master Plan.

**ANALYSIS:** The proposed park does include a basketball court as shown on the Applicant's Exhibit D.

- e. Park shall include a gazebo or other covered structure with tables and seating (minimum 600 SF)

**ANALYSIS:** The proposed park does include a covered gazebo with a structure area of 600 square feet as shown on the Applicant's Exhibit D.

- f. Park shall include minimum of two benches outside the covered structure

**ANALYSIS:** The proposed park does include two park benches, outside the covered structure, along the pedestrian path as shown on the Applicant's Exhibit D.

- g. Park shall include a new restroom to match the existing restroom at Cannery Square, or a similar design approved by the Planning Commission. The developer shall be responsible for the installation of underground electrical and plumbing and construction of a concrete pad in the final location of the restroom. The City shall be responsible for purchasing, installing, and long-term maintenance of the restroom. The City shall be responsible for setting the hours of operation, cleaning, and maintenance schedule of the restroom.

**ANALYSIS:** The proposed park does include a new restroom matching the existing restroom at the Cannery Square as shown on the Applicant's Exhibit D. Coordination with City of Sherwood Public Works Department will be on-going.

- h. Parallel on-street parking shall be provided along the south side of Upper Roy street adjacent to the park

**ANALYSIS:** Parallel on-street parking will be provided along the south side of SW Curry Ridge Drive (formally proposed Upper Road St.) adjacent to the park as reflected on the Applicant's Exhibit D.

- i. Park area can be reduced on a per square foot basis for any off-street parking and drive aisles provided that meet the dimensional requirements of SZCDC 16.94.020(B)

**ANALYSIS:** Per Applicant's Exhibit D, off-street parking is not proposed for the community park. This Condition of Approval is not being considered.

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

14. Prior to Final Plat Approval, submit draft CC&Rs that demonstrate how Tract F will be owned and maintained by the future HOA. The CC&Rs shall be recorded with the final plat.

**ANALYSIS:** The applicant provided a “Supplemental Declaration for Denali Annexing Moser Pass at Denali” into the existing CC&Rs for Denali Subdivision that states that the Tract E, community park, will be owned and maintained by the Denali Homeowners Association. Specifically, page 3 of the document states the following:

- 1. Common Area. The Common Area of Moser Pass at Denali shall consist of Tracts A, C, D and E. Tracts C, D and E shall be available for public use. Tract A is a road frontage visual corridor. Tracts C and D are open space. Tract E is a park. Except for the restroom facility on Tract E, the Common Area Tracts of Moser Pass at Denali shall be maintained by the Denali Homeowners Association as provided in the Declaration. If the Association fails to maintain the Common Area, the City of Sherwood may use code enforcement to ensure proper maintenance. Tract B is not Common Area, but a water quality facility which will be conveyed to the City of Sherwood. There shall be no entrance to Tract B except by authorized maintenance personnel. The restroom facility on Tract E shall be purchased, installed, maintained, repaired and replaced by the City of Sherwood. The City of Sherwood shall be responsible for setting the hours, operation, cleaning and maintenance schedule of the restroom. Tracts A, C, D and E shall be conveyed to the Denali Homeowners Association.*

As previously noted, the preliminary plans showed Tract E as a pedestrian path. The pedestrian path was removed as an open space “Tract” and is now reflected as a pedestrian easement on the plat. The new community park in now considered Tract E and the proposal does not have a Tract F.

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

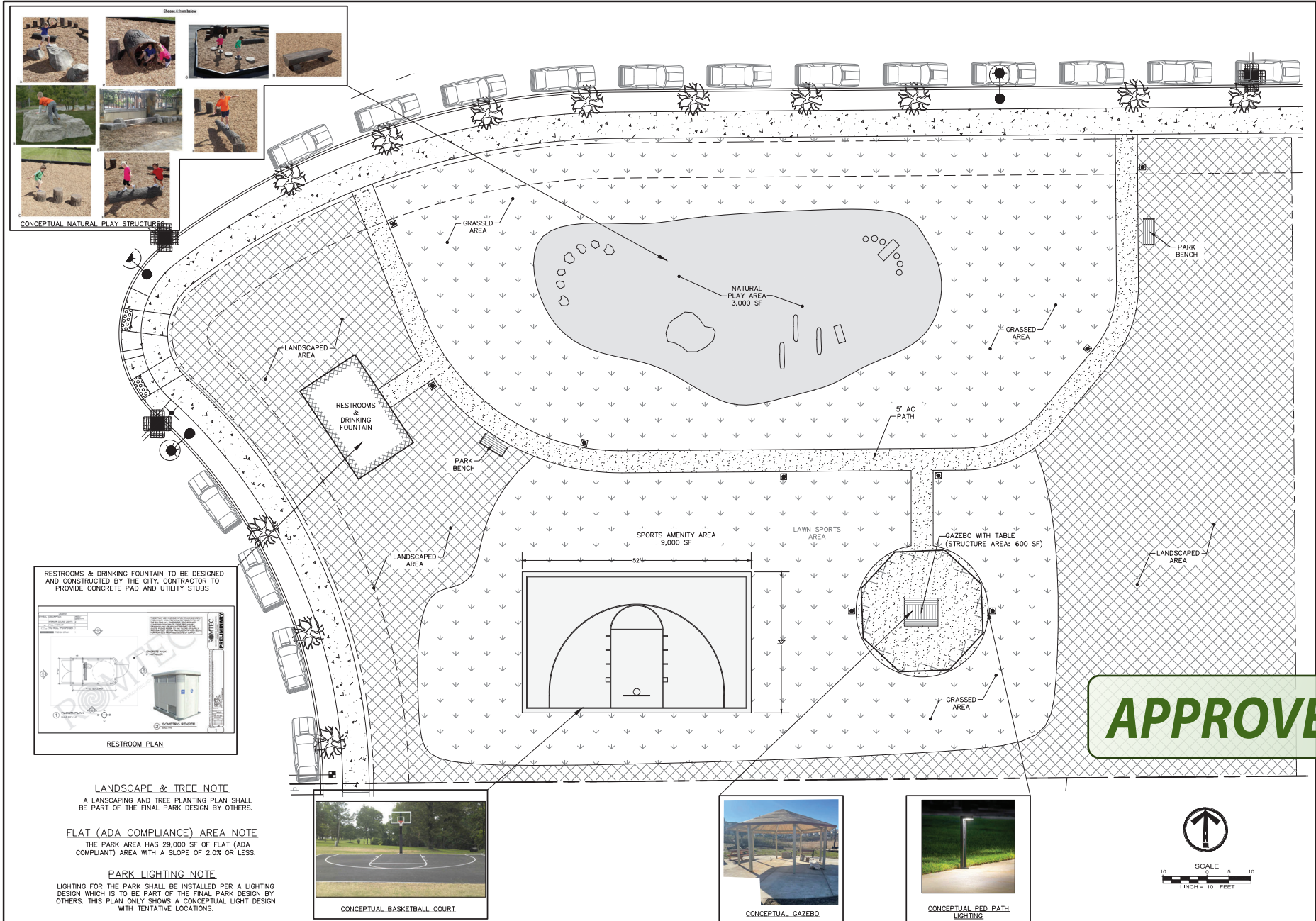
## V. RECOMMENDATION

Based on a review of the applicable code provisions, agency comments, and staff review, staff finds that the Final Development plan meets the applicable review criteria. Therefore, Staff recommends that the Planning Commission **APPROVE** the Moser Pass PUD Final Development Plan and Final Subdivision Plat (**Case File LU 2022-020 SUB/PUD**).

## VI. EXHIBITS

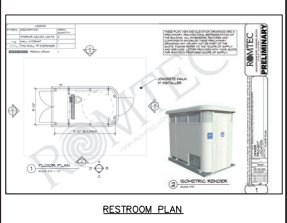
- A. Applicant’s materials submitted on September 27, 2023 and January 3, 2024 (See Case File)
- B. On-going Conditions of Approval
- C. City of Sherwood Engineering email correspondence of February 12, 2024
- D. Jesse Delia email correspondence dated February 14, 2024
- E. Charlie Leineweber email correspondence dated February 22, 2024

# Part of Exhibit A, Parks Plan



CONCEPTUAL NATURAL PLAY STRUCTURES

RESTROOMS & DRINKING FOUNTAIN TO BE DESIGNED AND CONSTRUCTED BY THE CITY CONTRACTOR TO PROVIDE CONCRETE PAD AND UTILITY STUBS



**LANDSCAPE & TREE NOTE**

A LANDSCAPING AND TREE PLANTING PLAN SHALL BE PART OF THE FINAL PARK DESIGN BY OTHERS.

**FLAT (ADA COMPLIANCE) AREA NOTE**

THE PARK AREA HAS 29,000 SF OF FLAT (ADA COMPLIANT) AREA WITH A SLOPE OF 2.0% OR LESS.

**PARK LIGHTING NOTE**

LIGHTING FOR THE PARK SHALL BE INSTALLED PER A LIGHTING DESIGN WHICH IS TO BE PART OF THE FINAL PARK DESIGN BY OTHERS. THIS PLAN ONLY SHOWS A CONCEPTUAL LIGHT DESIGN WITH TENTATIVE LOCATIONS.



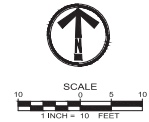
CONCEPTUAL BASKETBALL COURT



CONCEPTUAL GAZEBO



CONCEPTUAL RED PATH LIGHTING



MOSER PASS AT DENALI  
TAX MAP 2S133BC  
TAX LOT 1700  
SHERWOOD, OREGON

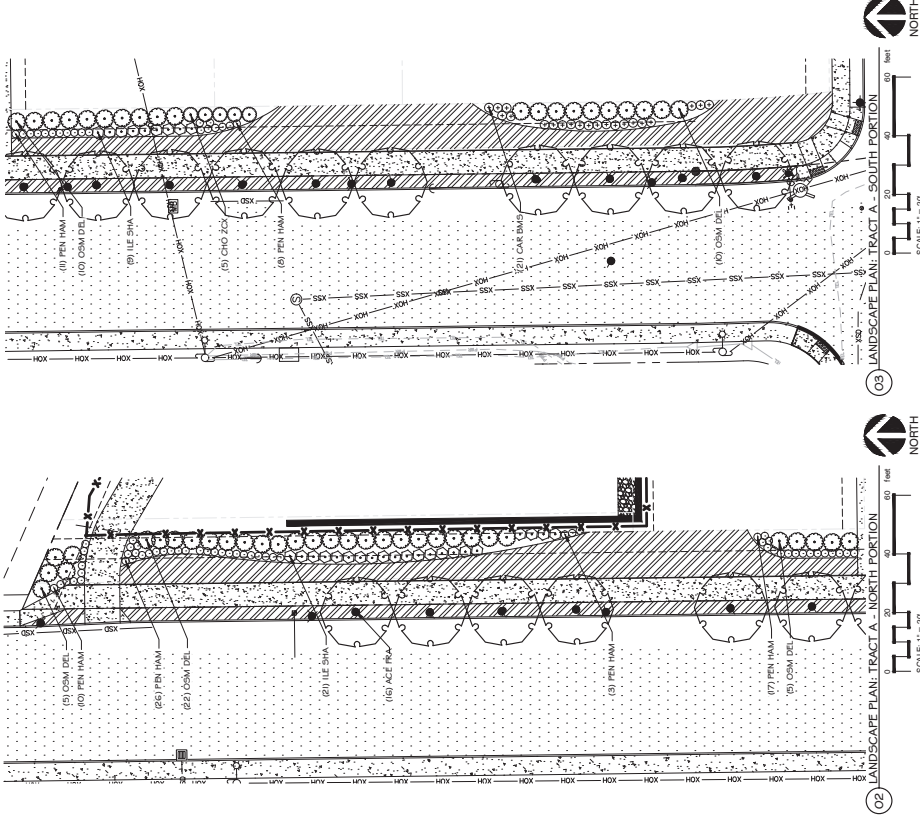
**PARK EXHIBIT**

NO.	DATE	DESCRIPTION



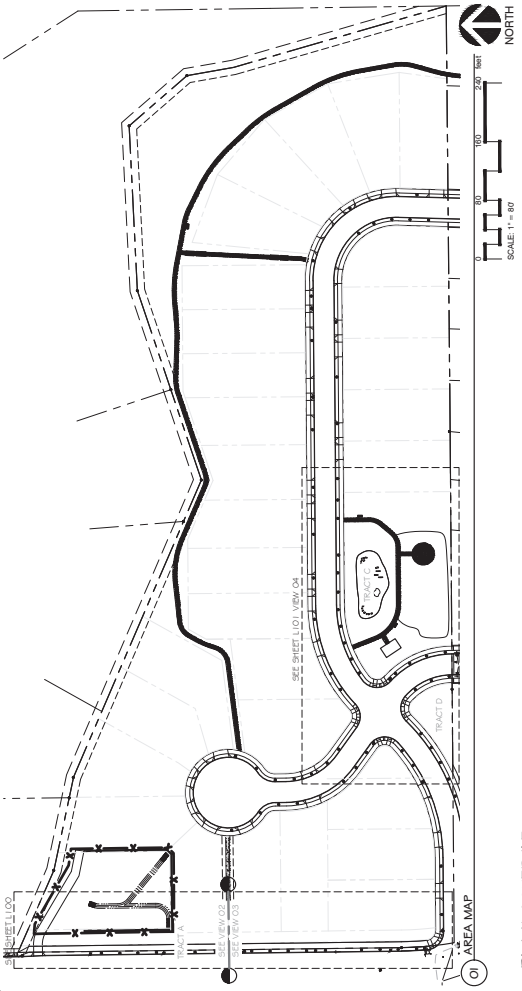
SHEET  
**1**  
OF  
**1**

PLP-10200-106 Moser Subdivision, Sherwood (10/17/2023) 10200-106 Parc 2-27-23, Layout: Parc, Proj. Date: 11/1/2023 2:22 PM, by: Bob Hawkins



# Part of Exhibit A, Landscape Plans

**APPROVED**



**TURF AND MULCH SCHEDULE**

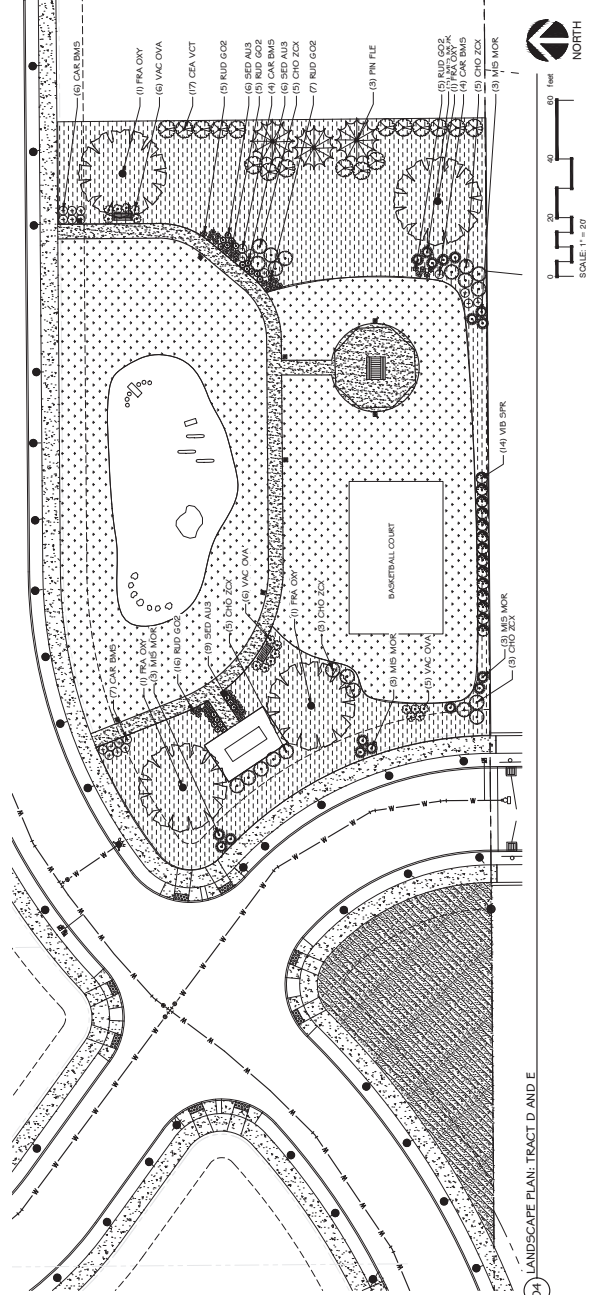
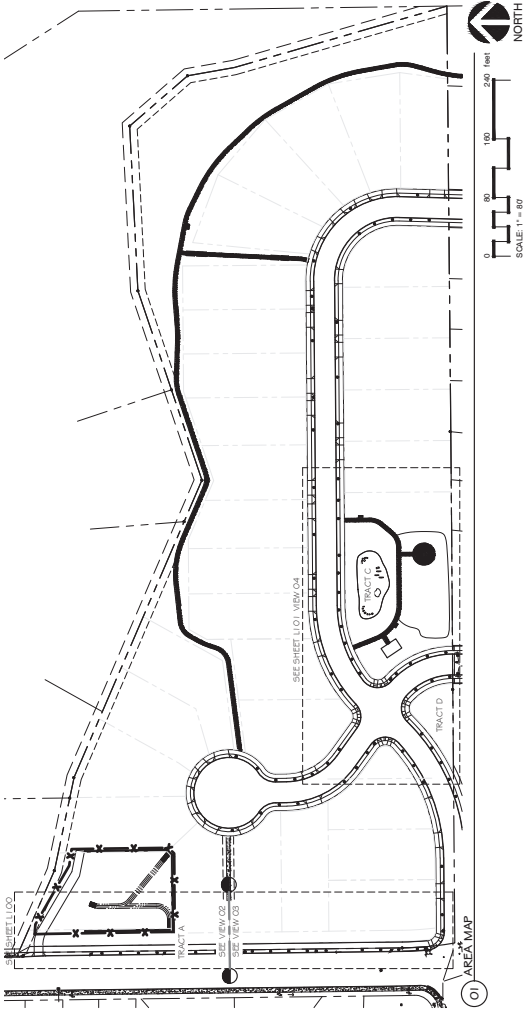
SYMBOL	CODE	BOTANICAL COMMON NAME	SIZE	CANOPY	QTY
	ACE PRA	Acer palmatum 'Engelmann' / Red Summit Maple City of Sherwood Canopy Spread: 25'	2' Cal.	29'	16
	PRA OXY	Fraxinus oxycarpa / Raywood Ash	2' Cal.	30'	4
	PN FILE	Pinus flexilis / Vandyke's Pinyon	6" - 8" Ht.	15'	3
	CAB BMS	Caryopteris x danthoniella 'Blue Mist' / Buck Mist Bluebush	2 gal.	39' o.c.	42
	CEA VCT	Ceanothus 'Victoria' / Victoria Wink Lilac	5 gal.	72' o.c.	17
	CHO ZXZ	Chamaecyparis x danthoniella 'Achother' / Aho's Pencil Mexican Orange	5 gal.	67' o.c.	26
	ILE SHA	Ilex glabra 'Shamrock' / Shamrock Inkberry Holly	2 gal.	48' o.c.	30
	OSM DEL	Osmanthus delavayi / Delavay's Osmanthus	5 gal.	72' o.c.	52
	VAC OVA	Vaccinium ovatum / Evergreen Huckleberry	2 gal.	39' o.c.	17
	VB SPR	Viburnum tinus 'Spring Bouquet' / Spring Bouquet Laurastem	2 gal.	48' o.c.	14
	MS MOR	Monotropa sinensis Morning Light / Morning Light Salvia Grass	1 gal.	48' o.c.	17
	PN HAM	Pennisetum alopecuroides 'Hammer' / Hammer Fountain Grass	1 gal.	30' o.c.	75
	RUD GOZ	Rubus occidentalis 'Goddard' / Goddard Red-flower	1 gal.	24' o.c.	38
	SED AUS	Sedum 'Autumn Joy' / Autumn Joy Sedum	1 gal.	24' o.c.	21

**Planting Plan General Notes:**

1. Contractor shall verify location of all lots utilities prior to landscape implementation.
2. Location of existing trees shall be verified in the field by the contractor prior to the start of work.
3. Project is to be completed by an automatic, underground system, which will provide irrigation to all plants. The system shall be designed to provide 1.5 inches of water per week for all other areas. The system shall be designed to provide 2.0 inches of water per week for all trees. The system shall be designed to provide 3.0 inches of water per week for all shrubs. The system shall be designed to provide 4.0 inches of water per week for all perennials. The system shall be designed to provide 5.0 inches of water per week for all ground covers. The system shall be designed to provide 6.0 inches of water per week for all annuals. The system shall be designed to provide 7.0 inches of water per week for all biennials. The system shall be designed to provide 8.0 inches of water per week for all herbaceous perennials. The system shall be designed to provide 9.0 inches of water per week for all woody perennials. The system shall be designed to provide 10.0 inches of water per week for all trees. The system shall be designed to provide 11.0 inches of water per week for all shrubs. The system shall be designed to provide 12.0 inches of water per week for all perennials. The system shall be designed to provide 13.0 inches of water per week for all ground covers. The system shall be designed to provide 14.0 inches of water per week for all annuals. The system shall be designed to provide 15.0 inches of water per week for all biennials. The system shall be designed to provide 16.0 inches of water per week for all herbaceous perennials. The system shall be designed to provide 17.0 inches of water per week for all woody perennials. The system shall be designed to provide 18.0 inches of water per week for all trees. The system shall be designed to provide 19.0 inches of water per week for all shrubs. The system shall be designed to provide 20.0 inches of water per week for all perennials. The system shall be designed to provide 21.0 inches of water per week for all ground covers. The system shall be designed to provide 22.0 inches of water per week for all annuals. The system shall be designed to provide 23.0 inches of water per week for all biennials. The system shall be designed to provide 24.0 inches of water per week for all herbaceous perennials. The system shall be designed to provide 25.0 inches of water per week for all woody perennials. The system shall be designed to provide 26.0 inches of water per week for all trees. The system shall be designed to provide 27.0 inches of water per week for all shrubs. The system shall be designed to provide 28.0 inches of water per week for all perennials. The system shall be designed to provide 29.0 inches of water per week for all ground covers. The system shall be designed to provide 30.0 inches of water per week for all annuals. The system shall be designed to provide 31.0 inches of water per week for all biennials. The system shall be designed to provide 32.0 inches of water per week for all herbaceous perennials. The system shall be designed to provide 33.0 inches of water per week for all woody perennials. The system shall be designed to provide 34.0 inches of water per week for all trees. The system shall be designed to provide 35.0 inches of water per week for all shrubs. The system shall be designed to provide 36.0 inches of water per week for all perennials. The system shall be designed to provide 37.0 inches of water per week for all ground covers. The system shall be designed to provide 38.0 inches of water per week for all annuals. The system shall be designed to provide 39.0 inches of water per week for all biennials. The system shall be designed to provide 40.0 inches of water per week for all herbaceous perennials. The system shall be designed to provide 41.0 inches of water per week for all woody perennials. The system shall be designed to provide 42.0 inches of water per week for all trees. The system shall be designed to provide 43.0 inches of water per week for all shrubs. The system shall be designed to provide 44.0 inches of water per week for all perennials. The system shall be designed to provide 45.0 inches of water per week for all ground covers. The system shall be designed to provide 46.0 inches of water per week for all annuals. The system shall be designed to provide 47.0 inches of water per week for all biennials. The system shall be designed to provide 48.0 inches of water per week for all herbaceous perennials. The system shall be designed to provide 49.0 inches of water per week for all woody perennials. The system shall be designed to provide 50.0 inches of water per week for all trees.
4. Contractor shall guarantee plants for a period of one year after final acceptance of project.
5. Landscape architect or owner's representative shall approve layout of all plants prior to installation.
6. Plant material shall meet standards set forth in the latest edition of the American Society of Horticulturalists (ASH) Plant Hardiness Zone map. All plants shall be supplied with sufficient root growth to hold the soil intact when removed from the container but shall not be root bound.
7. If any conflicts or discrepancies are observed between the landscape drawings, the contractor shall immediately notify the landscape architect or owner's representative in writing. The contractor shall not proceed with installation until the conflict is resolved.
8. All plant beds shall be mulched by installation with 1/4" light colored, mature fertilizer and 2" - 3" mulch.
9. Plant locations on the plan are diagrammatic and may be subject to adjustment in the field by the contractor to avoid conflict.
10. All plants are to be fully irrigated, well fertilized and true to form.

Contractor is to:  
a. Verify the location of all utilities in the field prior to landscape implementation.  
b. Verify the location of all existing trees in the field prior to landscape implementation.  
c. Verify the location of all existing structures in the field prior to landscape implementation.  
d. Verify the location of all existing hardscapes in the field prior to landscape implementation.  
e. Verify the location of all existing site furniture in the field prior to landscape implementation.  
f. Verify the location of all existing site lighting in the field prior to landscape implementation.  
g. Verify the location of all existing site signage in the field prior to landscape implementation.  
h. Verify the location of all existing site art in the field prior to landscape implementation.  
i. Verify the location of all existing site water features in the field prior to landscape implementation.  
j. Verify the location of all existing site sound features in the field prior to landscape implementation.  
k. Verify the location of all existing site views in the field prior to landscape implementation.  
l. Verify the location of all existing site sounds in the field prior to landscape implementation.  
m. Verify the location of all existing site smells in the field prior to landscape implementation.  
n. Verify the location of all existing site tastes in the field prior to landscape implementation.  
o. Verify the location of all existing site textures in the field prior to landscape implementation.  
p. Verify the location of all existing site colors in the field prior to landscape implementation.  
q. Verify the location of all existing site sounds in the field prior to landscape implementation.  
r. Verify the location of all existing site smells in the field prior to landscape implementation.  
s. Verify the location of all existing site tastes in the field prior to landscape implementation.  
t. Verify the location of all existing site textures in the field prior to landscape implementation.  
u. Verify the location of all existing site colors in the field prior to landscape implementation.

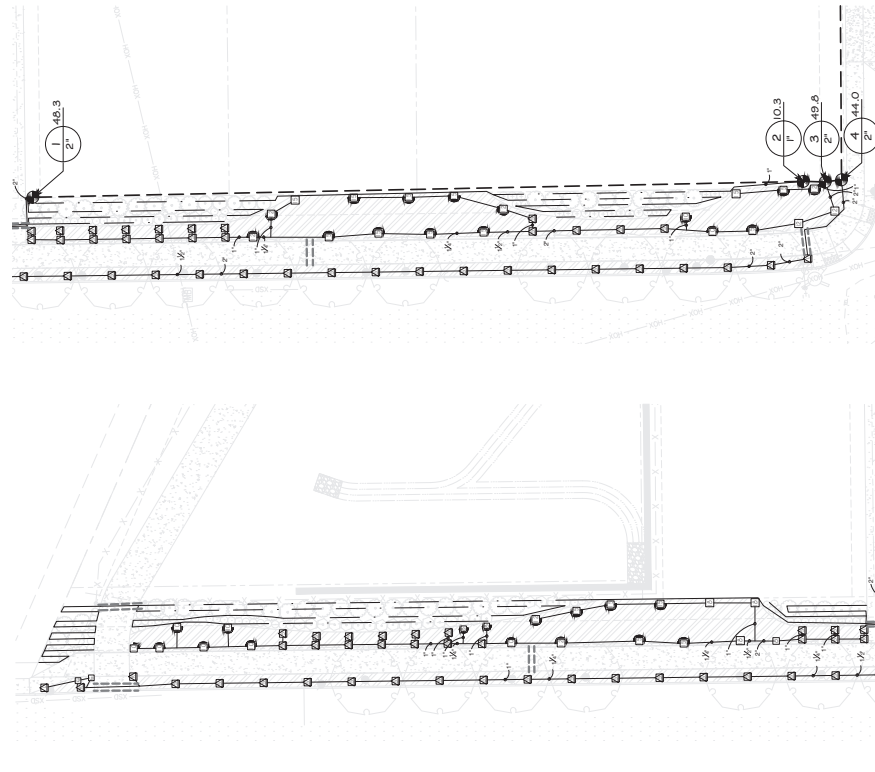
See Sheet L100 For Plant Schedule



**APPROVED**

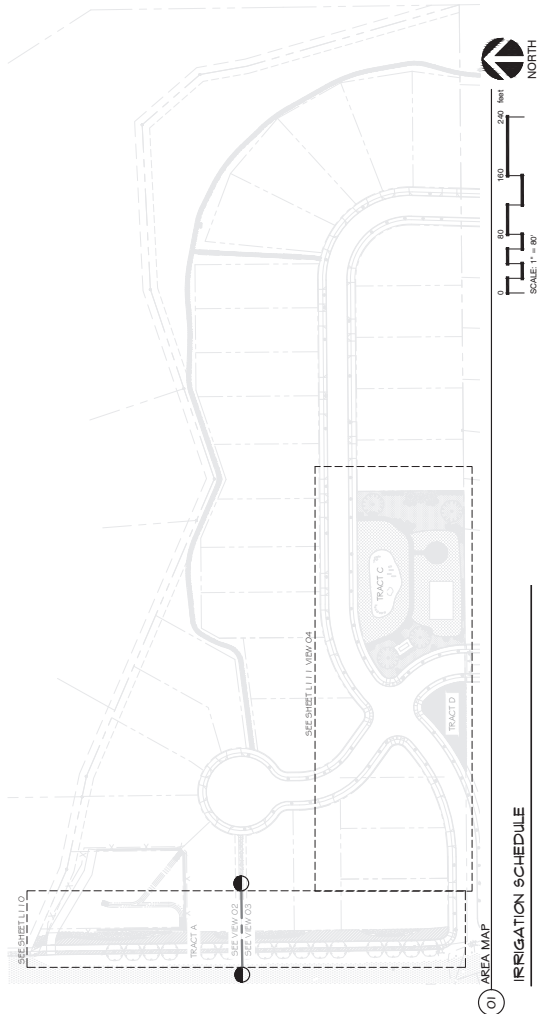






02 IRRIGATION PLAN: TRACT A - NORTH PORTION  
03 IRRIGATION PLAN: TRACT A - SOUTH PORTION

**APPROVED**



01 AREA MAP

**Irrigation Construction General Notes:**

- The contractor shall examine the site and delineate trees to remain with all conditions relevant to the site. Trees to be removed shall be clearly marked and removed prior to construction. All necessary permits and piping under walls, curbs, and paving.
- Contractor will avoid damage to existing irrigation and all damage will be repaired at contractor's expense.
- Irrigation installation shall be coordinated with the proposed planting plan and the existing site.
- All heads on drawings are diagrammatic. Actual field conditions may require adding, deleting, or moving heads. All heads shall be installed in the field. All heads shall be installed in the field. All heads shall be installed in the field.
- Contractor to notify owner's representative or landscape architect of any conditions that may affect the installation of the irrigation system.
- Contractor to notify owner's representative or landscape architect of any conditions that may affect the installation of the irrigation system.
- All mainlines to be a minimum of 10" below grade. Lateral lines are to be a minimum of 12" below grade. There shall be 18" of depth of existing trees. Then the contractor shall expose existing 2" FirePipes.
- Use group valve boxes for ease of maintenance and locate these boxes in grass/cover areas where possible.
- Size lateral pipe according to following:  
18-20 GPM 1.5"  
4-10 GPM 1.25"
- Install every heady minimum 3" from adjacent curb, pavement, and existing head edge. 6" from curb in parking lots unless directed otherwise by owner's representative or landscape architect.
- Install all mainlines with irrigation stakes spaced every 3 ft, unless otherwise directed by owner's representative or landscape architect.
- Control valves will be 1/4" gauge single stemmed 4" valves.
- Install 1/2" brass manual drain valves at low points or end of mainline. Valve to be installed with a valve marker and cover.
- A locator wire shall be installed along the top of mainlines. Tape to piping at 10' intervals with 1/2" spacing for location and locate these boxes in grass/cover areas where possible.
- Staking for mainlines and laterals must be placed prior to piping. Staking pipe will be scheduled 400 PVC. All staking will be placed in the trench, on top of rock free back, and backfilled with 3" crushed stone. All staking shall be placed in the trench, on top of rock free back, and backfilled with 3" crushed stone. All staking shall be placed in the trench, on top of rock free back, and backfilled with 3" crushed stone.
- Staking shall be placed in the trench, on top of rock free back, and backfilled with 3" crushed stone. All staking shall be placed in the trench, on top of rock free back, and backfilled with 3" crushed stone.
- Groundwater: If material and labor used in construction of the irrigation system shall be fully guaranteed for one year beginning at the time of acceptance by the client.
- Install pack cooler valves throughout the site at locations designated by owner.

SYMBOL	MANUFACTURER/MODEL	QTY
⊙	Run BCI 1804-SAM-PRS 12 Snap Series	78
⊙	Run BCI 1804-SAM-PRS 15 Series MPR	2
⊙	Run BCI 1804-SAM-PRS 15 Series MPR	9
⊙	Run BCI 1804-SAM-PRS 12 Series MPR	7
⊙	Run BCI 1804-SAM-PRS 15 Series MPR	14
⊙	Run BCI 1804-SAM-PRS ADJ	9
⊙	Run BCI R WNH 1804-SAM-R45	8
⊙	Run BCI R WNH 1804-SAM-R45	11
⊙	Run BCI R WNH 1804-SAM-R45	23
⊙	MANUFACTURER/MODEL	QTY
⊙	Run BCI 5004-PC 1.5	3
⊙	Run BCI 5004-PC 3.0	5
⊙	Run BCI 5004-PC-LA 1.0	1
⊙	Run BCI 5004-PC-LA 1.5	9
⊙	Run BCI 5004-PC-LA 2.0	4
⊙	MANUFACTURER/MODEL	QTY
⊙	Run BCI XDS 06-18 Drop Bag	7
⊙	Run BCI XDS 06-18	2,495 LL
⊙	MANUFACTURER/MODEL	QTY
⊙	Run BCI PQA Globe 1"	3
⊙	Run BCI PQA Globe 2"	5
⊙	Run BCI 38 3/8" 3/4"	1
⊙	Morse Necta 514 Series Gate Valve	1
⊙	Zurli 350-1 1/2 Backflow Preventer 1-1/2"	1
⊙	Run BCI ESP/MS with 12 ESP-SM3	1
⊙	Run BCI WBS-RPC	1
⊙	Point of Connection	1
⊙	Irrigation Lateral Line: PVC Class 200 SDR 21 1"	2,418 LL
⊙	Irrigation Lateral Line: PVC Class 200 SDR 21 1 1/4"	330,411 LL
⊙	Irrigation Lateral Line: PVC Class 200 SDR 21 1 1/2"	199,311 LL
⊙	Irrigation Lateral Line: PVC Class 200 SDR 21 1 1/2"	430,511 LL
⊙	Irrigation Mainline PVC Class 200 SDR 1.5"	717,511 LL
⊙	Pipe Sleeve: PVC Class 200 SDR 21"	152,811 LL

**FLOW TOTALS**

Run Piping:	17.3
Turf Irrigation:	54.0
Turf Spray:	182.0
Total:	248.3 GPM

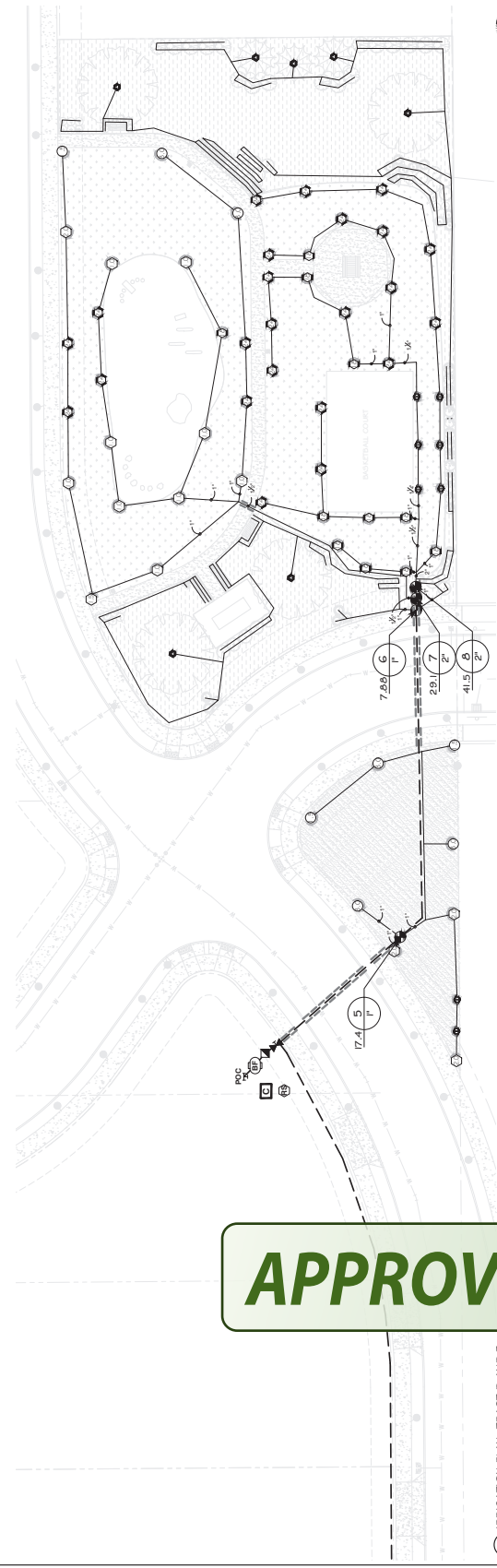
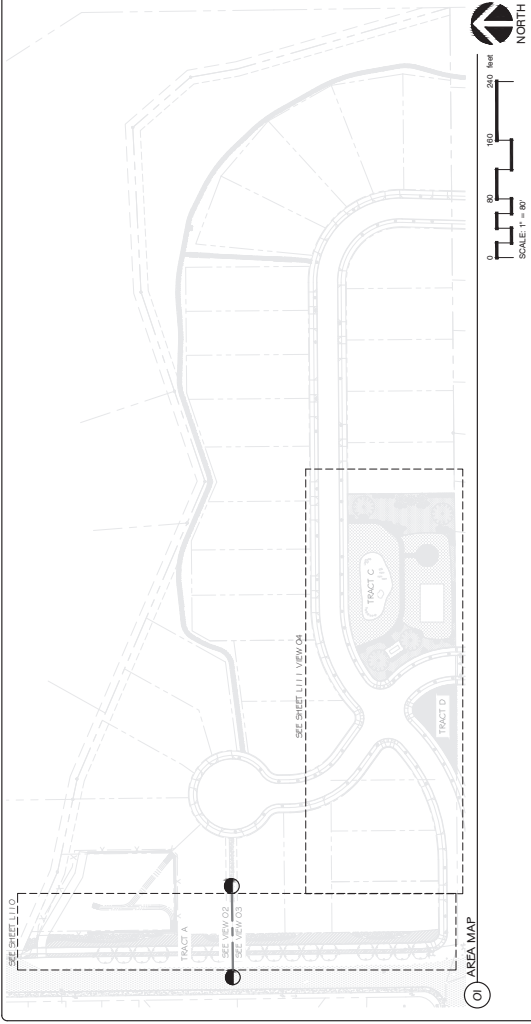
**FLOW AVAILABLE**

Turf Irrigation:	50 GPM
Turf Spray:	1 Valve
Diaphragm:	2 Valves
Turf Spray:	3 Valves
Total:	8 Valves

SYMBOL	MANUFACTURER/MODEL	QTY
⊙	Run BCI 1804-SAM-PRS 12 Snap Series	78
⊙	Run BCI 1804-SAM-PRS 15 Series MPR	2
⊙	Run BCI 1804-SAM-PRS 15 Series MPR	9
⊙	Run BCI 1804-SAM-PRS 12 Series MPR	7
⊙	Run BCI 1804-SAM-PRS 15 Series MPR	14
⊙	Run BCI 1804-SAM-PRS ADJ	9
⊙	Run BCI R WNH 1804-SAM-R45	8
⊙	Run BCI R WNH 1804-SAM-R45	11
⊙	Run BCI R WNH 1804-SAM-R45	23
⊙	MANUFACTURER/MODEL	QTY
⊙	Run BCI 5004-PC 1.5	3
⊙	Run BCI 5004-PC 3.0	5
⊙	Run BCI 5004-PC-LA 1.0	1
⊙	Run BCI 5004-PC-LA 1.5	9
⊙	Run BCI 5004-PC-LA 2.0	4
⊙	MANUFACTURER/MODEL	QTY
⊙	Run BCI XDS 06-18 Drop Bag	7
⊙	Run BCI XDS 06-18	2,495 LL
⊙	MANUFACTURER/MODEL	QTY
⊙	Run BCI PQA Globe 1"	3
⊙	Run BCI PQA Globe 2"	5
⊙	Run BCI 38 3/8" 3/4"	1
⊙	Morse Necta 514 Series Gate Valve	1
⊙	Zurli 350-1 1/2 Backflow Preventer 1-1/2"	1
⊙	Run BCI ESP/MS with 12 ESP-SM3	1
⊙	Run BCI WBS-RPC	1
⊙	Point of Connection	1
⊙	Irrigation Lateral Line: PVC Class 200 SDR 21 1"	2,418 LL
⊙	Irrigation Lateral Line: PVC Class 200 SDR 21 1 1/4"	330,411 LL
⊙	Irrigation Lateral Line: PVC Class 200 SDR 21 1 1/2"	199,311 LL
⊙	Irrigation Lateral Line: PVC Class 200 SDR 21 1 1/2"	430,511 LL
⊙	Irrigation Mainline PVC Class 200 SDR 1.5"	717,511 LL
⊙	Pipe Sleeve: PVC Class 200 SDR 21"	152,811 LL



See Sheet L110 For Irrigation Schedule  
And Irrigation Notes



**APPROVED**



Project Information

Project name: Moser Pass At Denali  
 Project address: Tax Map 25133BC  
 Tax Lot 1700  
 Sherwood, OR 97140

REGISTERED LANDSCAPE ARCHITECT  
 CLEMENT W. WALSH  
 OREGON  
 113302024

CLEMENT WALSH  
 LANDSCAPE ARCHITECT INC.  
 West Linn, OR 97146  
 1030 SW 20th Street  
 Clatsop, WA 97130

Project No: 2023-042  
 Drawn By: John Kuhnke  
 Checked By: Clement Walsh  
 Scale: 1/4" = 1'-0"  
 Date: 10/24/24  
 Sheet No: 3 of 2  
 Date: November 21, 2024

Sheet Size: Irrigation Plan: Tract D & E

L111

# MOSER PASS AT DENALI

LOCATED IN THE NW 1/4 OF SECTION 33,  
TOWNSHIP 2 SOUTH, RANGE 1 WEST, W.M.,  
CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON  
DATED: NOVEMBER 26, 2023

RECORDED AS DOCUMENT NO. \_\_\_\_\_ REVIEW COPY

SHEET 1 OF 5

PREPARED FOR

JT ROTH CONSTRUCTION  
12600 SW 72ND AVENUE, SUITE 200  
PORTLAND, OREGON 97223

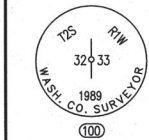
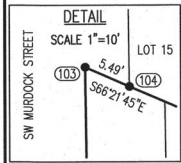
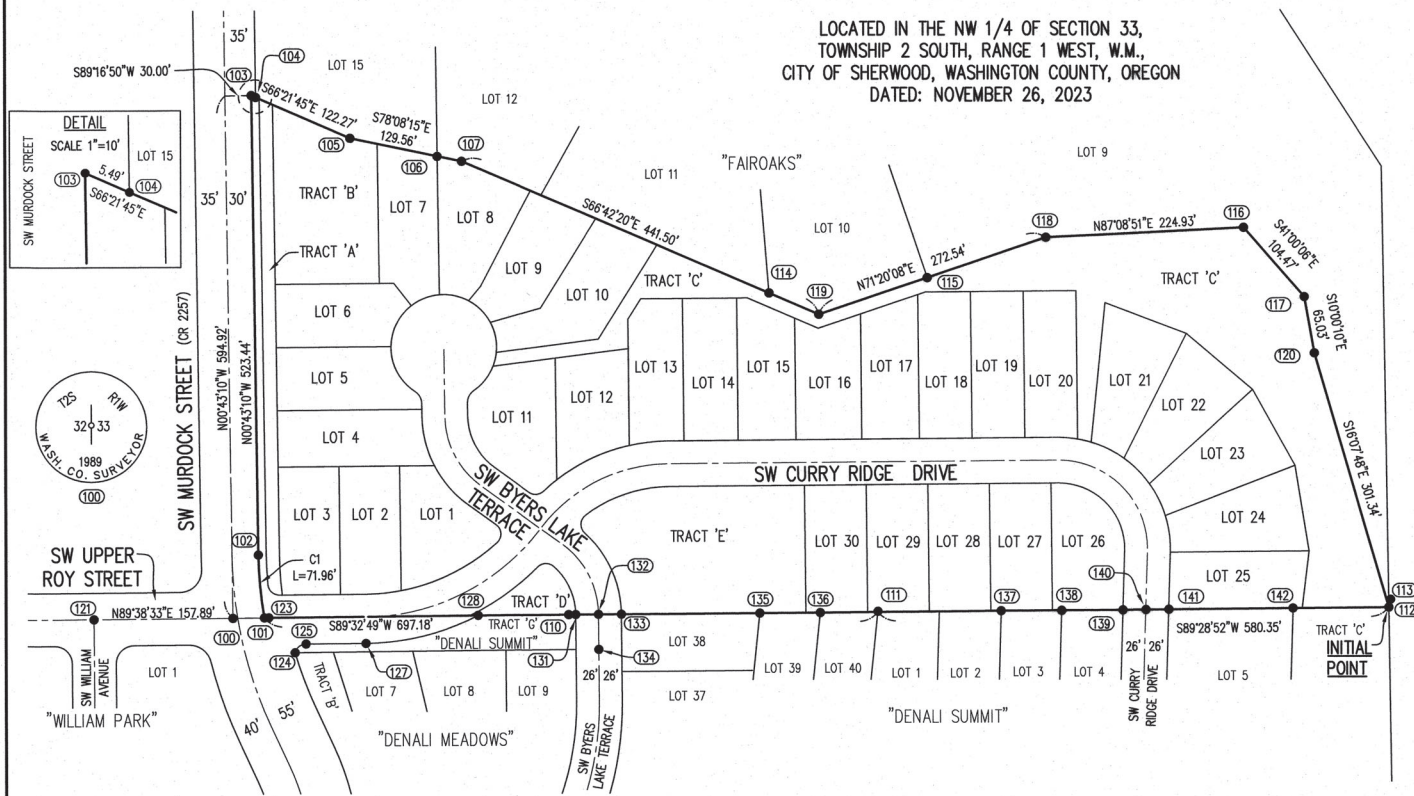
**NARRATIVE**

THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE THE PROPERTY DESCRIBED IN A DEED RECORDED AS DOC. NO. 2021-129211, WASHINGTON COUNTY DEED RECORDS, AS APPROVED BY THE CITY OF SHERWOOD UNDER CASE FILE NO.: LU2022-020 SUB/PUDS.

I HELD THE BOUNDARY RESOLUTION AND BASIS OF BEARING PER THE OUTER BOUNDARY SURVEY NUMBER ??????. ALL FOUND MONUMENTS ARE HELD, UNLESS NOTED, AND ALL DIMENSIONS BETWEEN FOUND MONUMENTS ARE RECORDED AND MEASURED PER SAID SURVEY.

**LEGEND (ALL SHEETS)**

- ▲ SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "NORTHWEST SURVEYING, INC"
- SET 5/8" X 30" IRON ROD WITH 2" ALUMINUM CAP STAMPED "NORTHWEST SURVEYING, INC."
- FOUND MONUMENT AS NOTED IN DESCRIPTIONS
- I.R. IRON ROD
- YPC YELLOW PLASTIC CAP
- SN SURVEY NUMBER, WASHINGTON COUNTY SURVEY RECORDS
- DOC. NO. DOCUMENT NUMBER, WASHINGTON COUNTY DEED RECORDS
- PP PARTITION PLAT NUMBER, WASHINGTON COUNTY PLAT RECORDS
- P.U.E. PUBLIC UTILITY EASEMENT
- S.D.E. STORM SEWER EASEMENT TO THE CITY OF SHERWOOD
- S.S.E. SANITARY SEWER EASEMENT TO THE CITY OF SHERWOOD
- P.P.A.E. PUBLIC PEDESTRIAN ACCESS EASEMENT



**FOUND MONUMENT DESCRIPTIONS**

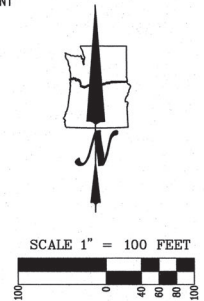
- (100) ILLEGIBLE 2" BRASS DISK STAMPED AS SHOWN, IN MONUMENT CASE; PER U.S.B.T. ENTRY 2002-062; HELD
- (101) 5/8" IRON ROD WITH NO CAP; PER SN 20158; HELD (DESTROYED BY CONSTRUCTION AND NOT RESET)
- (102) 3/4" IRON PIPE WITH YPC STAMPED "WASHINGTON COUNTY SURVEYOR"; PER PLAT OF COUNTY ROAD NO. 2257; HELD
- (103) 5/8" IRON ROD WITH YPC STAMPED "BURTON ENGINEERING"; PER "FAIROAKS"; HELD
- (104) 5/8" IRON ROD WITH YPC STAMPED "BURTON ENGINEERING"; PER "FAIROAKS"; HELD
- (105) 5/8" IRON ROD WITH NO CAP; PER "FAIROAKS"; HELD
- (106) 5/8" IRON ROD WITH YPC STAMPED "BURTON ENGINEERING"; PER "FAIROAKS"; BEARS S11°51'45"W 0.25'
- (107) 5/8" IRON ROD WITH NO CAP; PER "FAIROAKS"; HELD
- (110) 5/8" IRON ROD WITH YPC STAMPED "D.C.S. INC. LS 1856"; PER SN 30340; HELD
- (111) 5/8" IRON ROD WITH NO CAP; PER SN 20158; BEARS N10°31'38"W 0.78'
- (112) 5/8" IRON ROD WITH 1-1/2" ALUMINUM CAP STAMPED "R. BANCROFT L.S.1124"; PER SN 20972; HELD
- (113) 5/8" IRON ROD WITH NO CAP; PER SN 20158; BEARS N06°33'35"E 1.19'
- (114) 5/8" IRON ROD WITH YPC STAMPED "BURTON ENGINEERING"; PER "FAIROAKS"; HELD
- (115) 5/8" IRON ROD WITH YPC STAMPED "BURTON ENGINEERING"; PER "FAIROAKS"; BEARS S18°39'52"E 0.10'
- (116) 5/8" IRON ROD WITH YPC STAMPED "BURTON ENGINEERING"; PER "FAIROAKS"; HELD
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- (118) 5/8" IRON ROD WITH YPC STAMPED "BURTON ENGINEERING"; PER "FAIROAKS"; HELD
- (119) 5/8" IRON ROD WITH YPC STAMPED "AKS ENGR."; PER SN 30496; HELD
- (120) 5/8" IRON ROD WITH YPC STAMPED "BURTON ENGINEERING"; PER "FAIROAKS"; HELD
- (121) 5/8" IRON ROD WITH 1-1/2" ALUMINUM CAP STAMPED "W.L.Mc. L.S.808"; PER "WILLIAM PARK"; HELD
- (123) 5/8" IRON ROD WITH YPC STAMPED "EMERIO DESIGN"; PER "DENALI SUMMIT"; BEARS N00°27'11"E 0.08' (DESTROYED BY CONSTRUCTION AND NOT RESET)
- (124) 5/8" IRON ROD WITH YPC STAMPED "EMERIO DESIGN"; PER "DENALI SUMMIT"; HELD

- (125) 5/8" IRON ROD WITH YPC STAMPED "EMERIO DESIGN"; PER "DENALI SUMMIT"; HELD
- (127) 5/8" IRON ROD WITH YPC STAMPED "EMERIO DESIGN"; PER "DENALI SUMMIT"; HELD
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- (131) 5/8" IRON ROD WITH YPC "EMERIO DESIGN"; PER "DENALI SUMMIT"; HELD
- (132) 5/8" IRON ROD WITH 2" ALUMINUM CAP STAMPED "EMERIO DESIGN"; PER "DENALI SUMMIT"; HELD
- (133) 5/8" IRON ROD WITH YPC STAMPED "EMERIO DESIGN"; PER "DENALI SUMMIT"; HELD
- (134) 5/8" IRON ROD WITH YPC STAMPED "EMERIO DESIGN"; PER "DENALI SUMMIT"; HELD
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- (136) 5/8" IRON ROD WITH YPC STAMPED "EMERIO DESIGN"; PER "DENALI SUMMIT"; HELD
- (137) 1-1/8" COPPER DISK IN STONE STAMPED "EMERIO DESIGN"; PER "DENALI SUMMIT"; HELD
- (138) 5/8" IRON ROD WITH YPC STAMPED "EMERIO DESIGN"; PER "DENALI SUMMIT"; BEARS S00°31'08"E 0.19'
- (139) 5/8" IRON ROD WITH YPC STAMPED "EMERIO DESIGN"; PER "DENALI SUMMIT"; BEARS S00°31'08"E 0.07'
- (140) 5/8" IRON ROD WITH 2" ALUMINUM CAP STAMPED "EMERIO DESIGN"; PER "DENALI SUMMIT"; BEARS N62°54'04"E 0.20'
- (141) 5/8" IRON ROD WITH YPC STAMPED "EMERIO DESIGN"; PER "DENALI SUMMIT"; BEARS N53°59'14"E 0.18'
- (142) 5/8" IRON ROD WITH YPC STAMPED "EMERIO DESIGN"; PER "DENALI SUMMIT"; HELD

**SHEET INDEX**

- SHEET 1 PLAT BOUNDARY, FOUND MONUMENT DESCRIPTIONS, NARRATIVE AND LEGEND
- SHEET 2 LOTS 1-5, 30, TRACT D, TRACT E AND PORTION OF TRACT A
- SHEET 3 LOTS 6-16, TRACT B AND PORTIONS OF TRACTS A AND C
- SHEET 4 LOTS 17-29 AND PORTIONS OF TRACT C
- SHEET 5 SURVEYOR'S CERTIFICATE, DECLARATION, ACKNOWLEDGMENT, CONSENT AFFIDAVIT, PLAT NOTES, CITY OF SHERWOOD AND WASHINGTON COUNTY APPROVALS

REGISTERED PROFESSIONAL LAND SURVEYOR  
  
 OREGON  
 JANUARY 15, 2002  
 CLINTON H. STUBBS JR.  
 5546615  
 RENEWS: 06/30/24



**CURVE TABLE**

CURVE	LENGTH	RADIUS	DELTA	CHORD
C1	71.96	447.46	91°25'2"	N05°19'36"W 71.89

JOB NAME:	JT ROTH MOSER
JOB NUMBER:	2400
DRAWN BY:	BJA
CHECKED BY:	CHS
DRAWING NO.:	2400 PLAT

**NORTHWEST SURVEYING, Inc.**  
 1815 NW 169th PLACE, SUITE 2090  
 BEAVERTON, OR 97006  
 PHONE: 503-848-2127 FAX: 503-848-2179  
 www.nwsvry.com

# MOSER PASS AT DENALI

RECORDED AS DOCUMENT NO. REVIEW COPY

SHEET 2 OF 5

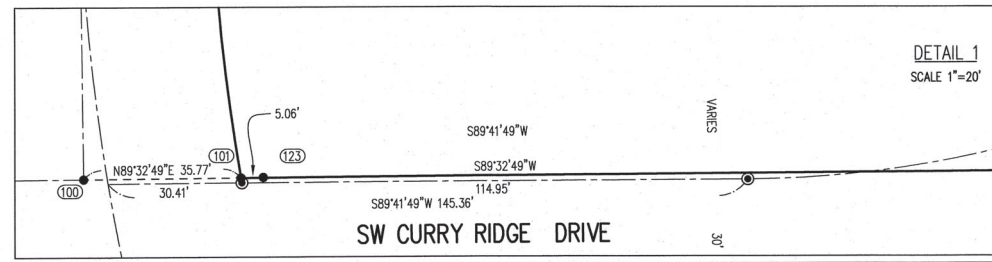
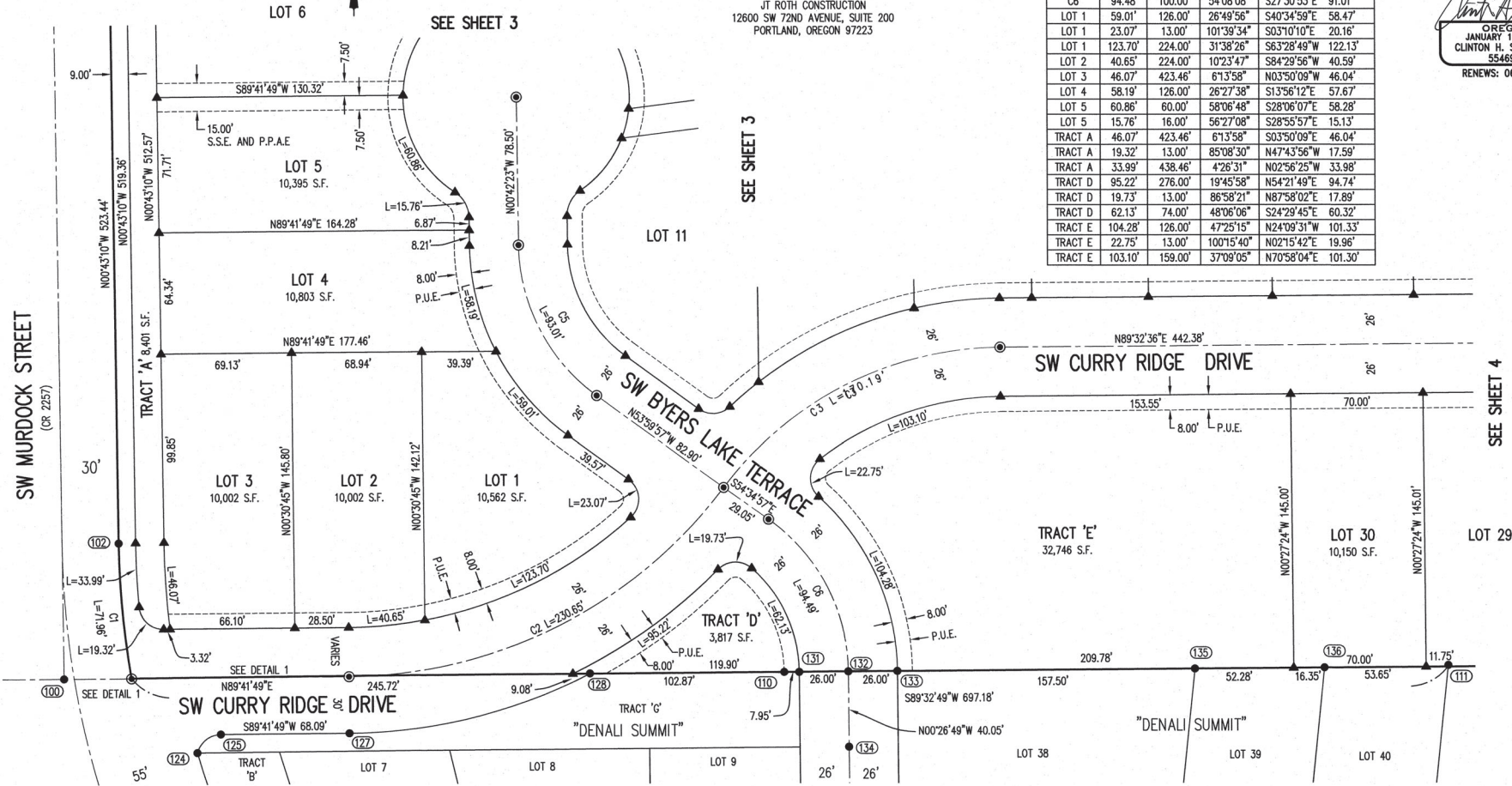
LOCATED IN THE NW 1/4 OF SECTION 33,  
TOWNSHIP 2 SOUTH, RANGE 1 WEST, W.M.,  
CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON  
DATED: NOVEMBER 26, 2023

PREPARED FOR  
JT ROTH CONSTRUCTION  
12600 SW 72ND AVENUE, SUITE 200  
PORTLAND, OREGON 97223

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD
C1	71.96	447.46	91°2'52"	N05°19'36"W 71.89'
C2	230.65'	250.00'	52°51'42"	N63°15'58"E 222.56'
C3	170.19'	185.00'	52°42'29"	N63°11'22"E 164.25'
C5	93.01'	100.00'	53°17'34"	N27°21'10"W 89.70'
C6	94.48'	100.00'	54°08'08"	S27°30'53"E 91.41'
LOT 1	59.01'	126.00'	26°49'56"	S40°34'59"E 58.47'
LOT 1	23.07'	13.00'	101°39'34"	S03°10'10"E 20.16'
LOT 1	123.70'	224.00'	31°38'26"	S63°28'49"W 122.13'
LOT 2	40.65'	224.00'	10°23'47"	S84°29'56"W 40.59'
LOT 3	46.07'	423.46'	61°3'58"	N03°50'09"W 46.04'
LOT 4	58.19'	126.00'	26°27'38"	S13°56'12"E 57.67'
LOT 5	60.86'	60.00'	58°06'48"	S28°06'07"E 58.28'
LOT 5	15.76'	16.00'	56°27'08"	S28°55'57"E 15.13'
TRACT A	46.07'	423.46'	61°3'58"	S03°50'09"E 46.04'
TRACT A	19.32'	13.00'	85°08'30"	N47°43'56"W 17.59'
TRACT A	33.99'	438.46'	4°26'31"	N02°56'25"W 33.98'
TRACT D	95.22'	276.00'	19°45'58"	N54°21'49"E 94.74'
TRACT D	19.73'	13.00'	86°58'21"	N87°58'02"E 17.89'
TRACT D	62.13'	74.00'	48°06'06"	S24°29'45"E 60.32'
TRACT E	104.28'	126.00'	47°25'15"	N24°09'31"W 101.33'
TRACT E	22.75'	13.00'	100°15'40"	N02°15'42"E 19.96'
TRACT E	103.10'	159.00'	37°09'05"	N70°58'04"E 101.30'

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
*Clinton H. Stubbs Jr.*  
OREGON  
JANUARY 15, 2002/  
CLINTON H. STUBBS JR.  
55469LS  
RENEWS: 06/30/24



JOB NAME:	JT ROTH MOSER
JOB NUMBER:	2400
DRAWN BY:	BJA
CHECKED BY:	CHS
DRAWING NO.:	2400 PLAT

BOUNDARY TOPOGRAPHIC CONSTRUCTION CADASTRAL

## NORTHWEST

1815 NW 169th PLACE, SUITE 2090  
BEAVERTON, OR 97006  
PHONE: 503-848-2127 FAX: 503-848-2179  
www.nwsrvy.com

## SURVEYING, Inc.

# MOSER PASS AT DENALI

RECORDED AS DOCUMENT NO. \_\_\_\_\_

REVIEW COPY

SHEET 3 OF 5

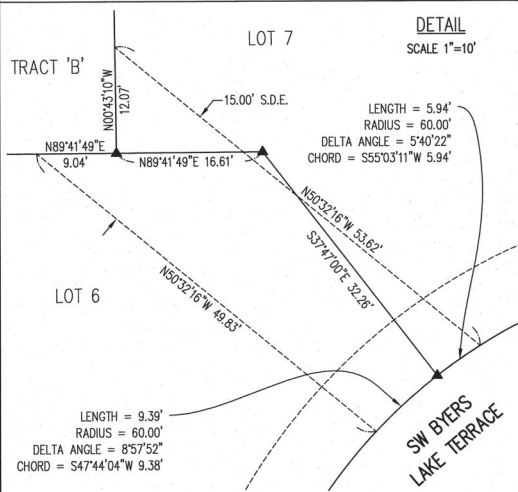
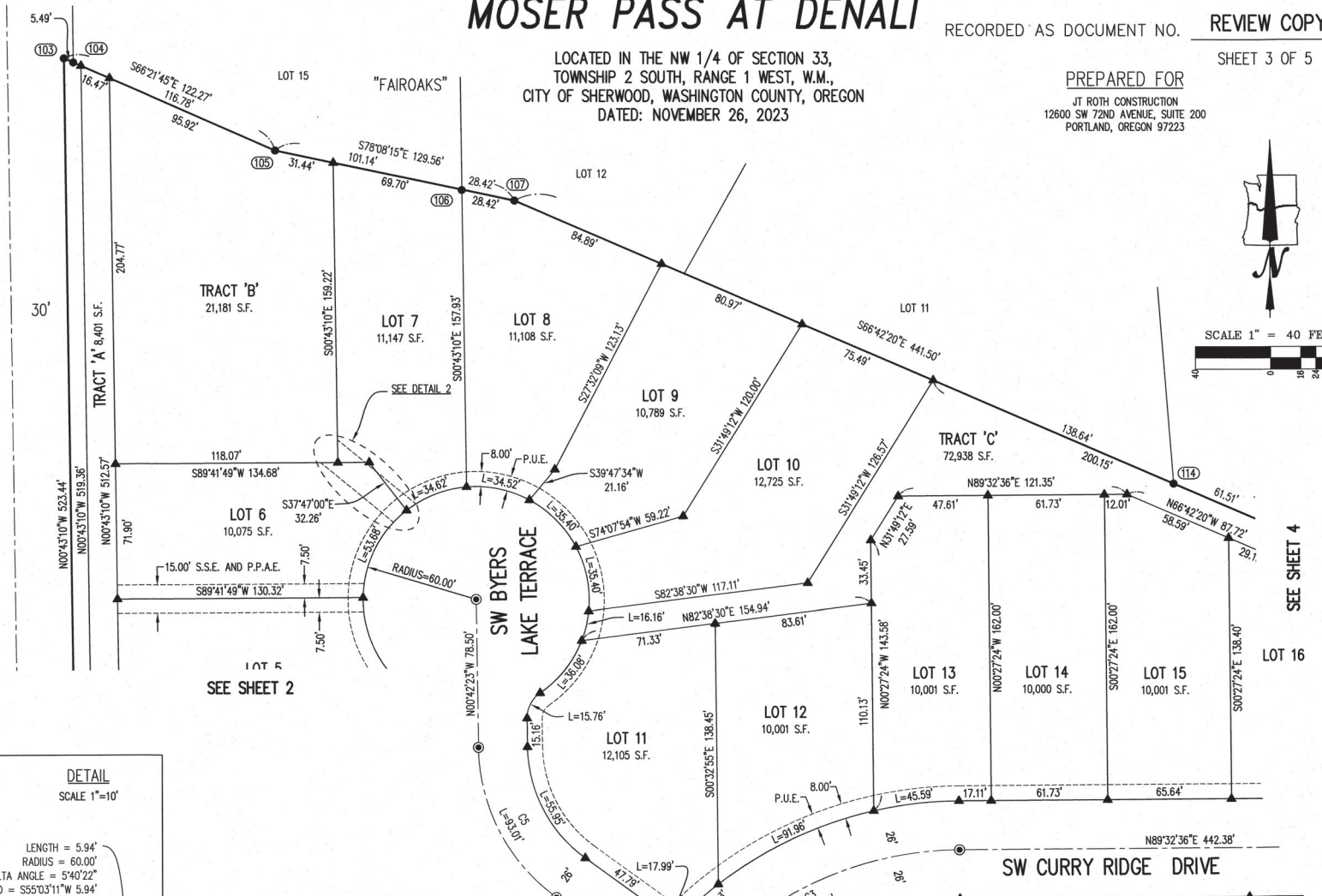
LOCATED IN THE NW 1/4 OF SECTION 33,  
TOWNSHIP 2 SOUTH, RANGE 1 WEST, W.M.,  
CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON  
DATED: NOVEMBER 26, 2023

PREPARED FOR

JT ROTH CONSTRUCTION  
12600 SW 72ND AVENUE, SUITE 200  
PORTLAND, OREGON 97223



SCALE 1" = 40 FEET



CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD
C3	170.19'	185.00'	S24°22'29"E	N63°11'22"E 164.25'
C5	93.01'	100.00'	S31°7'34"E	N27°21'10"W 89.70'
LOT 6	53.68'	60.00'	S11°5'43"E	S26°35'08"W 51.91'
LOT 7	34.62'	60.00'	S33°03'24"E	S68°44'42"W 34.14'
LOT 8	34.52'	60.00'	S2°58'05"E	N78°14'33"W 34.05'
LOT 9	35.40'	60.00'	S3°48'29"E	N44°51'15"W 34.89'
LOT 10	35.40'	60.00'	S3°48'29"E	N11°02'46"W 34.89'
LOT 11	20.13'	211.00'	S52°55'E	S49°27'39"W 20.12'
LOT 11	17.99'	13.00'	S79°16'21"E	S86°21'52"W 16.59'
LOT 11	55.95'	74.00'	S43°19'10"E	N22°21'58"W 54.63'
LOT 11	15.76'	16.00'	S6°27'08"E	N27°31'11"E 15.13'
LOT 11	36.08'	60.00'	S4°27'15"E	N38°31'08"E 35.54'
LOT 12	15.76'	16.00'	S6°27'08"E	S27°31'11"W 15.13'
LOT 13	36.08'	60.00'	S4°27'15"E	N38°31'08"E 35.54'
TRACT C	16.16'	60.00'	S15°28'01"E	N13°34'30"E 16.11'

REGISTERED PROFESSIONAL LAND SURVEYOR  
  
 OREGON  
 JANUARY 15, 2002  
 CLINTON H. STUBBS JR.  
 55469LS  
 RENEWS: 06/30/24

JOB NAME: JT ROTH MOSER  
 JOB NUMBER: 2400  
 DRAWN BY: BJA  
 CHECKED BY: CHS  
 DRAWING NO: 2400 PLAT

BOUNDARY TOPOGRAPHIC CONSTRUCTION CADASTRAL  
**NORTHWEST**  
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 PHONE: 503-848-2127 FAX: 503-848-2179  
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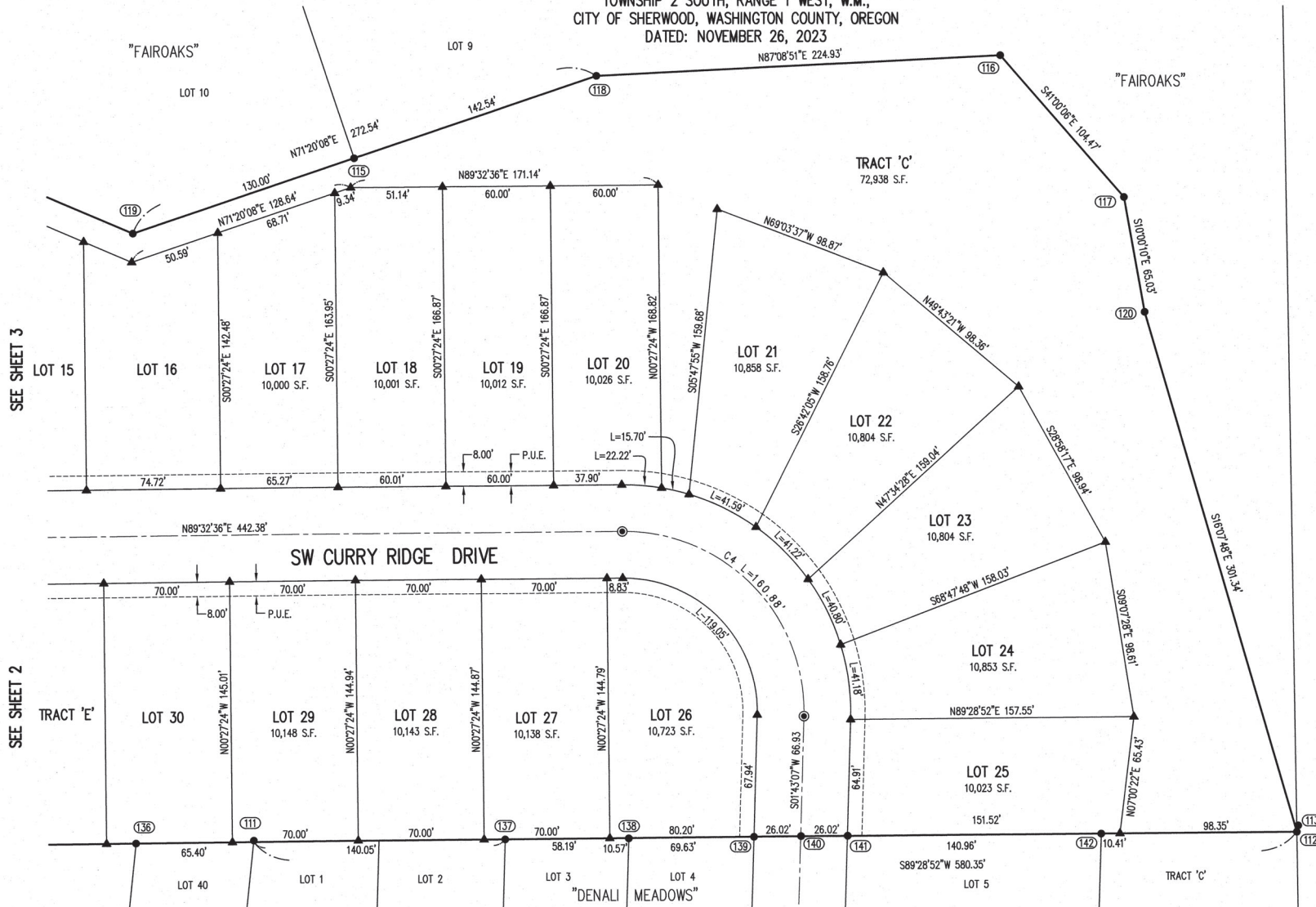
# MOSER PASS AT DENALI

LOCATED IN THE NW 1/4 OF SECTION 33,  
TOWNSHIP 2 SOUTH, RANGE 1 WEST, W.M.,  
CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON  
DATED: NOVEMBER 26, 2023

RECORDED AS DOCUMENT NO. \_\_\_\_\_ REVIEW COPY

SHEET 4 OF 5

PREPARED FOR  
JT ROTH CONSTRUCTION  
12600 SW 72ND AVENUE, SUITE 200  
PORTLAND, OREGON 97223



SEE SHEET 3

SEE SHEET 2



CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD
C4	160.88'	100.00'	92°10'31"	N44°22'08"W 144.08'
LOT 20	22.22'	126.00'	10°06'11"	N85°24'18"W 22.19'
LOT 21	41.59'	126.00'	18°54'40"	N63°45'38"W 41.40'
LOT 22	41.22'	126.00'	18°44'42"	N44°35'57"W 41.04'
LOT 23	40.80'	126.00'	18°33'06"	N26°17'03"W 40.62'
LOT 24	41.18'	126.00'	18°43'37"	N07°38'41"W 41.00'
LOT 26	119.05'	74.00'	92°10'31"	N44°22'08"W 106.62'
TRACT C	15.70'	126.00'	7°08'15"	N76°47'05"W 15.69'

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
*Clinton H. Stubbs, Jr.*  
OREGON  
JANUARY 15, 2007  
CLINTON H. STUBBS, JR.  
5546915  
RENEWS: 06/30/24

JOB NAME:	JT ROTH MOSER
JOB NUMBER:	2400
DRAWN BY:	BJA
CHECKED BY:	CHS
DRAWING NO.:	2400 PLAT

**NORTHWEST**  
BOUNDARY TOPOGRAPHIC CONSTRUCTION CADASTRAL  
1815 NW 169th PLACE, SUITE 2090  
BEAVERTON, OR 97006  
PHONE: 503-848-2127 FAX: 503-848-2179  
www.nwsrvy.com

**SURVEYING, Inc.**

# MOSER PASS AT DENALI

RECORDED AS DOCUMENT NO. \_\_\_\_\_ REVIEW COPY

SHEET 5 OF 5

## SURVEYOR'S CERTIFICATE

I, CLINTON H. STUBBS, JR., HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS, THE LANDS REPRESENTED ON THE ATTACHED PLAT OF "MOSER PASS AT DENALI", LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 33, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INITIAL POINT, BEING MARKED BY A 5/8 INCH IRON ROD WITH A 1-1/2" ALUMINUM CAP STAMPED "R. BANCROFT L.S.1124" LOCATED AT THE NORTHEAST CORNER OF TRACT 'C' OF "DENALI SUMMIT"; THENCE ALONG THE NORTHERLY BOUNDARY OF "DENALI SUMMIT" SOUTH 89°28'52" WEST 580.35 FEET TO THE NORTHWEST CORNER OF LOT 1 THEREOF, SAID POINT BEING AN ANGLE POINT IN THE NORTHERLY BOUNDARY OF "DENALI SUMMIT"; THENCE CONTINUING ALONG THE NORTHERLY BOUNDARY OF "DENALI SUMMIT", SOUTH 89°32'49" WEST 697.18 FEET TO THE NORTHWEST CORNER OF "DENALI SUMMIT", SAID POINT BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF SW MURDOCK STREET (30.00 FEET EASTERLY FROM THE CENTERLINE THEREOF, WHEN MEASURED AT RIGHT ANGLES); THENCE 71.96 FEET ALONG THE EASTERLY RIGHT-OF-WAY OF SW MURDOCK STREET ALONG THE ARC OF A NON-TANGENT CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 447.46 FEET, A DELTA ANGLE OF 9°12'52", AND A LONG CHORD OF N05°19'36"W 71.89 FEET TO A POINT OF TANGENCY ON SAID EASTERLY RIGHT-OF-WAY LINE; THENCE CONTINUING ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID SW MURDOCK STREET, NORTH 00°43'10" WEST 523.44 FEET TO THE SOUTHWEST CORNER OF "FAIROAK"; THENCE ALONG THE SOUTHERLY BOUNDARY OF "FAIROAK" THE FOLLOWING EIGHT CALLS, SOUTH 66°21'45" EAST 122.27 FEET; THENCE SOUTH 78°08'15" EAST 129.56 FEET; THENCE SOUTH 66°42'20" EAST 441.50 FEET; THENCE NORTH 71°20'08" EAST 272.54 FEET; THENCE NORTH 87°08'51" EAST 224.93 FEET; THENCE SOUTH 41°00'06" EAST 104.47 FEET; THENCE SOUTH 10°00'10" EAST 65.03 FEET; THENCE SOUTH 16°07'48" EAST 301.34 FEET TO THE INITIAL POINT.

SAID DESCRIBED LAND CONTAINS 12.411 ACRES, MORE OR LESS.

LOCATED IN THE NW 1/4 OF SECTION 33,  
TOWNSHIP 2 SOUTH, RANGE 1 WEST, W.M.,  
CITY OF SHERWOOD, WASHINGTON COUNTY, OREGON  
DATED: NOVEMBER 26, 2023

PREPARED FOR

JT ROTH CONSTRUCTION  
12600 SW 72ND AVENUE, SUITE 200  
PORTLAND, OREGON 97223

## PLAT NOTES

- 1) THIS PLAT IS SUBJECT TO CONDITIONS OF APPROVAL PER CITY OF SHERWOOD CASE FILE NO. LU 2022-020 SUB/PUD.
- 2) LOTS 5 AND 6 ARE SUBJECT TO A 15.00 FOOT WIDE PUBLIC PEDESTRIAN ACCESS EASEMENT AND A 15.00 FOOT WIDE SANITARY SEWER EASEMENT TO THE CITY OF SHERWOOD, AS SHOWN.
- 3) LOTS 6 AND 7 ARE SUBJECT TO A 15.00 FOOT WIDE STORM SEWER EASEMENT TO THE CITY OF SHERWOOD, AS SHOWN.
- 4) TRACTS 'A', 'C', 'D' AND 'E' ARE OPEN SPACE TRACTS TO BENEFIT ALL THE LOTS IN THIS PLAT.
- 5) TRACT 'B' IS A WATER QUALITY TRACT AND IS SUBJECT TO A STORM SEWER, SURFACE WATER, DRAINAGE AND DETENTION EASEMENT TO THE CITY OF SHERWOOD OVER ITS ENTIRETY.

## CITY OF SHERWOOD APPROVALS

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024  
CITY OF SHERWOOD, COMMUNITY DEVELOPMENT DIRECTOR

BY \_\_\_\_\_

## WASHINGTON COUNTY APPROVALS

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024  
WASHINGTON COUNTY SURVEYOR

BY \_\_\_\_\_

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024  
WASHINGTON COUNTY BOARD OF COMMISSIONERS

BY \_\_\_\_\_

ALL TAXES, FEES, ASSESSMENTS OR OTHER CHARGES AS PROVIDED BY ORS 92.095 HAVE BEEN PAID AS OF THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024

DIRECTOR OF ASSESSMENT AND TAXATION  
(WASHINGTON COUNTY ASSESSOR)

BY \_\_\_\_\_  
DEPUTY

ATTEST THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024  
DIRECTOR OF ASSESSMENT AND TAXATION  
EX-OFFICIO COUNTY CLERK

BY \_\_\_\_\_  
DEPUTY

STATE OF OREGON )  
 ) S.S.  
COUNTY OF WASHINGTON )

I DO HEREBY CERTIFY THAT THIS SUBDIVISION PLAT WAS RECEIVED FOR RECORD ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024 AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M, AND RECORDED IN THE COUNTY CLERK RECORDS.

\_\_\_\_\_  
DEPUTY COUNTY CLERK

## DECLARATION

KNOW ALL PEOPLE BY THESE PRESENTS THAT THE J. T. ROTH CONSTRUCTION INC. IS THE OWNER OF THE LAND REPRESENTED ON THE ATTACHED PLAT OF MOSER AT DENALI PASS AND MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE, AND HAS CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND TRACTS AS SHOWN IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 92 OF OREGON REVISED STATUTES, AND DOES HEREBY GRANT ALL EASEMENTS SET FORTH FOR THE USES STATED AND AS INDICATED HEREON.

BY \_\_\_\_\_  
THERESA A. ROTH, PRESIDENT OF J. T. ROTH CONSTRUCTION INC, AN OREGON CORPORATION

## ACKNOWLEDGMENT

STATE OF OREGON )  
 ) S.S.  
COUNTY OF \_\_\_\_\_ )

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON \_\_\_\_\_, 2024, BY THERESA A. ROTH, AS PRESIDENT OF J. T. ROTH CONSTRUCTION INC., AN OREGON CORPORATION.

NOTARY SIGNATURE \_\_\_\_\_

NOTARY PUBLIC-OREGON \_\_\_\_\_ (PRINT NAME)

COMMISSION NO. \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

*Clinton H. Stubbs Jr.*  
OREGON  
JANUARY 15, 2003  
CLINTON H. STUBBS JR.  
55469LS

RENEWS: 06/30/24

JOB NAME:	JT ROTH MOSER
JOB NUMBER:	2400
DRAWN BY:	BJA
CHECKED BY:	CHS
DRAWING NO:	2400 PLAT



BOUNDARY TOPOGRAPHIC CONSTRUCTION CADASTRAL  
**NORTHWEST**  
1815 NW 169th PLACE, SUITE 2090  
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**SURVEYING, Inc.**



# EXHIBIT B

## ON-GOING CONDITIONS OF APPROVAL

Based upon review of the applicant's submittal information, review of the code, agency comments and consideration of the applicant's submittal, City Council finds that the proposed site plan does not fully comply with the standards but can be conditioned to comply. **Therefore, City Council approves LU 2022-020 SUB / PUD Moser Pass 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. Development and construction on the site shall conform substantially to the preliminary plat plans submitted by Emerio Design as part of the land use review, except as modified in the conditions below, (and shall conform specifically to final construction plans reviewed and approved by the City Engineer, the Building Official, Clean Water Services, and Tualatin Valley Fire and Rescue, and Washington County). All plans shall comply with the applicable building, planning, engineering and fire protection codes of the City of Sherwood.
3. Placement of construction trailers or temporary storage containers on the subject property shall require a Temporary Use Permit per Section 16.86 of the SZCDC.
4. 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.
5. All fences within the subdivision shall meet the requirements in Sherwood Zoning and Community Development Code Chapter 16.58.020.
6. The applicant and future owners shall restrict and maintain on-site landscaping, utilities, and any other obstructions in the sight distance triangles to provide adequate sight distance at access locations.
7. Prior to Building Permit application submittal, obtain address(es) for the site or parcels.
8. No property created by the subdivision approval shall be disposed of, transferred, or sold until required subdivision approvals are obtained, pursuant to Sherwood Zoning & Community Development Code.
9. The required public improvements and common areas shall be substantially completed within one (1) year from the date of the Notice of Decision of the Final Development Plan.
10. Trees within the Clear Vision Areas shall be maintained in accordance with the clear vision standards in SZCDC § 16.58.010. Trees shall be pruned to 7 ft. above the sidewalk and 10 ft. above the street.

11. If the existing access easement along the north property line is not extinguished, no fences, retaining walls, or permanent structures shall be constructed within the easement on Lots 7 – 10 and Tracts B and C.
12. The preliminary plat approval is valid for two years from the date of the Notice of Decision. The final plat shall be approved by the City within two years of Notice of Decision, unless an extension is granted by the City prior to the two-year deadline.
13. The applicant and future owners shall install and maintain the restored forest area in accordance with the final Forest Restoration Plan. Landscaping under the Forest Restoration Plan is not required for occupancy as tree planting is required to follow a specific schedule based on the season.
14. The proposed development shall comply with the conditions of the CWS Service Provider Letter.
15. Per City of Sherwood standards, all new utilities shall be placed underground.
16. The Final Plat shall be processed as a Type I administrative decision. The Final Development Plan shall be processed as a Type IV land use decision.
17. The PUD ordinance shall become effective upon approval of the Final Development Plan pursuant to SZCDC 16.40.30.

\*\*\*

**C. PRIOR TO APPROVAL OF THE PUBLIC IMPROVEMENT PLANS / ISSUANCE OF A CITY OF SHERWOOD ENGINEERING COMPLIANCE AGREEMENT**

1. Prior to engineering plan approval and any filling of the on-site wetland, the proposed development shall obtain a US Army Corps of Engineers/Oregon Department of State Lands joint permit.
2. Prior to Approval of Engineering Public Improvement Plans, the developer shall design for street widening improvements (including street lighting and street trees) along the subject property frontage of SW Murdock Road to meet a 3-lane city arterial street section meeting the approval of the Sherwood Engineering Department.
3. Prior to Approval of Engineering Public Improvement Plans, the developer shall design for left turn lanes within SW Murdock Road at the SW Murdock Road/SW Upper Roy Street intersection meeting the approval of the Sherwood Engineering Department.
4. Prior to Approval of Engineering Public Improvement Plans, the developer shall design for new sidewalk ramps on the western side of the SW Murdock Road/SW Upper Roy Street intersection meeting the approval of the Sherwood Engineering Department. These improvements will be city transportation SDC creditable (100%) and Washington County TDT creditable (75%) in accordance with the applicable jurisdictional regulations.
- ~~5. Prior to Approval of Engineering Public Improvement Plans, the developer shall design for new sidewalk ramps on the western side of the SW Murdock Road/SW~~

~~Upper Roy Street intersection meeting the approval of the Sherwood Engineering Department. These improvements will be city transportation SDC creditable (100%) and Washington County TDT creditable (75%) in accordance with the applicable jurisdictional regulations. (duplicate condition to C4 above)~~

6. Prior to Approval of Engineering Public Improvement Plans, the developer shall design for new continental crosswalk and rapid flashing beacon at the SW Murdock Road/SW Upper Roy Street intersection meeting the approval of the Sherwood Engineering Department. These improvements will be city transportation SDC creditable (100%) and Washington County TDT creditable (75%) in accordance with the applicable jurisdictional regulations.
7. Prior to Approval of Engineering Public Improvement Plans, the developer shall design for new local street improvements (including street lighting and street trees) within the subdivision to meet a 28' local standard residential street section meeting the approval of the Sherwood Engineering Department.
8. Prior to Approval of Engineering Public Improvement Plans, an engineering compliance agreement shall be executed between the developer and the City of Sherwood.
9. Prior to Approval of Engineering Public Improvement Plans, the subject development shall design to provide public sanitary sewer service to all proposed lots through new public streets/public easements meeting the approval of the Sherwood Engineering Department.
10. Prior to Approval of Engineering Public Improvement Plans, the subject development shall design to provide water service and fire protection to all proposed lots meeting the approval of the Sherwood Engineering Department.
11. Prior to Approval of Engineering Public Improvement Plans, the subject development shall design to extend public water lines to connect to the water lines within SW Murdock Road, SW Byers Lake Terrace and SW Curry Ridge Drive meeting the approval of the Sherwood Engineering Department.
12. Prior to Approval of Engineering Public Improvement Plans, the subject development shall design to add a fire hydrant along SW Murdock Road meeting the approval of the Sherwood Engineering Department.
13. Prior to Approval of Engineering Public Improvement Plans, the subject development shall design to provide public storm sewer service to all proposed lots, new streets and new street widening meeting the approval of the Sherwood Engineering Department.
14. Prior to Approval of Engineering Public Improvement Plans, the proposed development shall design to provide on-site water quality treatment/hydro-modification facilities with maintenance access to all facility structures in accordance with city and Clean Water Services standards unless otherwise approved by the city and Clean Water Services. These facilities shall be designed meeting the approval of the Sherwood Engineering Department.

15. Prior to Approval of Engineering Public Improvement Plans, the proposed development shall provide a storm report in compliance with CWS standards meeting the approval of the Sherwood Engineering Department.
16. Prior to Approval of Engineering Public Improvement Plans, the proposed development shall obtain a DEQ NPDES 1200-C permit.
17. Prior to Approval of Engineering Public Improvement Plans, a CWS Storm Water Connection Permit Authorization shall be obtained.
18. Prior to Approval of Engineering Public Improvement Plans, the developer shall design to underground the existing overhead utilities along the east side of SW Murdock Road along the frontage of the subject development meeting the approval of the Sherwood Engineering Department.

#### **D. PRIOR TO ISSUANCE OF A SITE GRADING PERMIT**

1. None

#### **E. PRIOR TO ISSUANCE OF BUILDING PERMITS**

1. Prior to Issuance of Building Permits for each lot, the applicant shall provide plot plans and building plans showing the residential structures meet the development standards of the VLDR-PUD zone. No exceptions to the underlying standards are permitted unless a modification to the PUD is approved pursuant to SZCDC § 16.40.
2. Prior to Issuance of Building Permits, the applicant shall demonstrate how the proposed garages for each residential unit meet the garage standards in SZCDC § 16.12.040.
3. Prior to Issuance of Building Permits, the applicant shall demonstrate compliance with the Residential Design standards in SZCDC § 16.14.010 Table 16.14-1.
4. Prior to Issuance of Building Permits, the applicant shall provide a House Variety Plan that demonstrates compliance with the housing variety standards in Residential Design standards in SZCDC § 16.14.010 Table 16.14-1.
5. Prior to Issuance of Building Permits, substantial completion of the public improvements by the Sherwood Engineering Department is required unless otherwise approved by the Sherwood Engineering Department in the case of a model home.

#### **F. PRIOR TO ACCEPTANCE OF CONSTRUCTED PUBLIC IMPROVEMENTS**

1. Prior to Acceptance of Public Improvements, the developer shall dedicate right-of-way as necessary to achieve a 39-foot wide half street right-of-way along the subject property frontage of SW Murdock Road meeting the approval of the Sherwood Engineering Department.
2. Prior to Acceptance of Public Improvements, the developer shall dedicate right-of-way to a 52-foot width for local street improvements within the subject development meeting the approval of the Sherwood Engineering Department.

3. Prior to Acceptance of Public Improvements, the developer shall dedicate a minimum 8-foot wide PUE along all street frontages within the subject development meeting the approval of the Sherwood Engineering Department unless otherwise approved by the City Engineer.
4. Prior to Acceptance of Public Improvements, the developer shall construct all required public improvements meeting the approval of the Sherwood Engineering Department.
5. Prior to Acceptance of the Public Improvements, any public sanitary sewer located on private property shall have a recorded public sanitary sewer easement encompassing the related public sanitary sewer improvements meeting the approval of the Sherwood Engineering Department.
6. Prior to Acceptance of the Public Improvements, the public water system that is currently under construction within the Denali Summit subdivision will be required to have received Acceptance of Public Improvements by the Sherwood Engineering Department.
7. Prior to Acceptance of the Public Improvements, any public storm sewer located on private property shall have a recorded public storm sewer easement encompassing the related public storm sewer improvements meeting the approval of the Sherwood Engineering Department.
8. Prior to Acceptance of the Public Improvements, the tract of land containing the public water quality facilities meeting the approval of the Sherwood Engineering Department shall be dedicated to the City of Sherwood.
9. Prior to Acceptance of the Public Improvements, any fence for protection of the public water quality/hydro-modification facility that is located on private property shall have a Fence and Maintenance Covenant recorded meeting the approval of the Sherwood Engineering Department.
10. Prior to Acceptance of the Public Improvements, Sherwood Broadband utilities (vaults and conduits) shall be installed along the subject property frontage of all streets interior to the subject development and the frontage along SW Murdock Road per requirements set forth in City Ordinance 2005-017 and City Resolution 2005-074.

#### **G. PRIOR TO OCCUPANCY OF STRUCTURES**

1. Prior to Occupancy, open space improvements shall be installed in accordance with the Final Open Space Plan and Landscape Plan.
2. Prior to Occupancy each residence, the front yard of each lot shall be fully landscaped excluding any paved off-street parking areas, paved pedestrian paths, and utility areas.
3. Prior to Occupancy, all common landscaped areas must have an irrigation system in accordance with SZCDC § 16.92.040(C).
4. Prior to Occupancy of Each Residence, a minimum of one off-street parking stall shall be provided on the lot. Garage spaces cannot be counted towards meeting this requirement. The minimum stall dimension is 9 ft. x 20 ft

5. Prior to Occupancy of Each Residence, one hard surface driveway shall be provided on the lot. Pavement width shall be a minimum of 10 ft. wide and grades shall not exceed 14%.
6. Prior to Occupancy, street trees shall be installed in accordance with the final landscape plan.
7. Prior to Occupancy, final acceptance of the constructed public improvements shall be obtained from the City of Sherwood Engineering Department unless otherwise approved by the city.
8. Prior to Grant of Occupancy, any private sanitary piping shall be installed in compliance with the current Oregon Plumbing Specialty Code.
9. Prior to Grant of Occupancy, any private water piping shall be installed in compliance with the current Oregon Plumbing Specialty Code.
10. Prior to Grant of Occupancy, any private storm piping shall be installed in compliance with the current Oregon Plumbing Specialty Code.
11. Prior to Occupancy, all open space and visual corridor landscaping shall be installed in accordance with the final landscape plans.

**Joy Chang**

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**From:** Craig Christensen  
**Sent:** Monday, February 12, 2024 11:03 AM  
**To:** Joy Chang  
**Subject:** RE: Moser Plass - Incompleteness Response Materials

Joy,

Storm sewer along SW Murdock Road may prevent street trees in landscape strip.  
Tract B will likely get smaller in size.  
Final easements have yet been determined.

All of the above is pending upon final engineering plan approval.

Thank you.

Craig Christensen, P.E.  
Senior Civil Engineer, Engineering Dept.  
City of Sherwood  
(503) 925-2301

-----Original Message-----

From: Joy Chang <ChangJ@SherwoodOregon.gov>  
Sent: Monday, February 12, 2024 10:30 AM  
To: Craig Christensen <ChristensenC@SherwoodOregon.gov>  
Subject: Moser Plass - Incompleteness Response Materials

See attached and thanks for the review.

Joy L. Chang  
Senior Planner

Joy Chang

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**From:** Jesse D'Elia <jesse.delia.jd@gmail.com>  
**Sent:** Wednesday, February 14, 2024 6:29 PM  
**To:** Planning Mailbox  
**Subject:** Moser Pass Development Plan PUBLIC COMMENT

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you are expecting this email and/or know the content is safe.

I am providing the following public comment on the MOSER PASS Final Development Plan (LU 2022-020 SUB/PUD).

I request the applicant and/or the city install a crosswalk or 4-way stop sign at the intersection of Upper Roy St. and Murdock Rd. Traffic traveling on Murdock from north to south has limited visibility at this intersection due to rising elevation, and cars are typically accelerating to get up the hill. Also, because of a bend in the road to the south, traffic traveling north at this intersection also has limited visibility. With citizens crossing from the new development to access Murdock Park and the rest of the city, and visa-versa, it would benefit everyone to have a protected area to cross the street here. If you decide not to establish a 4-way stop sign, I would strongly suggest a crosswalk that has an electronic signal for higher visibility.

Thank you for your consideration.

Jesse D'Elia  
23125 SW William Ave  
Sherwood, OR 97140



**Joy Chang**

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**From:** charlieleineweber@gmail.com  
**Sent:** Thursday, February 22, 2024 8:36 AM  
**To:** Planning Mailbox  
**Subject:** Testimony for 2/27/24 public hearing

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you are expecting this email and/or know the content is safe.

Hello,

This is intended to serve as my written testimony for the 2/27/24 public hearing on the Moser Pass development. I live at 23010 SW William Ave, which is located on the corner of Murdock and Upper Roy. My home is situated on the southwest corner of the new 4-way intersection at Murdock, Upper Roy, and the new Curry Ridge Road created by this development. Because of this, my primary concern for your consideration is pedestrian and traffic safety implicated by this development.

Currently there is no signage, crosswalk, or stop signs at the corner of Upper Roy to cross Murdock to this new neighborhood. I see pedestrians crossing this every day, and it is quite dangerous, often requiring people to run to avoid being hit. The view of traffic coming up Murdock from the Oregon Street roundabout is obstructed by a hill and is very difficult to see until cars are fairly close to the corner of Upper Roy. Traffic coming down Murdock from the Sunset Road 4-way stop is also obstructed, as there is a blind corner that makes it nearly impossible to see vehicles until they are very close to the intersection. This is all complicated by the added component that cars regularly speed on this road, as there is no stop between Sunset and the Oregon Street roundabout, allowing cars to get a good rate of speed going by the time they reach this intersection. I am concerned that the increase in pedestrian traffic between the neighborhoods, as people walk to Murdock park and the new neighborhood park, will increase the risk of danger.

For these same reasons, I am concerned about car traffic safety. Turning on to Murdock from Upper Roy is very difficult due to the obstructed views I previously mentioned. I regularly hear close calls and on multiple occasions in the past two years have witnessed or heard accidents at this intersection. I am worried that adding additional traffic to the new neighborhood, and more cars crossing multiple lanes of traffic to turn on to Murdock, will make this problem worse. I would ask that you consider increasing signage and adding traffic controls to this 4-way, either in a 4-way stop, lighted crosswalk (preferably both), and designated turn lanes on Murdock, to address the pedestrian and traffic safety concerns.

Thank you very much,

Charlie Leineweber

Sent from my iPad