A Land Use Application for a Zoning Map Amendment and 'Renaissance at Rychlick Farm' Subdivision

Date:	March 2012
Submitted to:	City of Sherwood 22560 SW Pine Street Sherwood, OR 97140
Owner:	Frank J. Rychlick Revocable Trust 17806 SW Edy Road Sherwood, OR 97140
Applicant:	Renaissance Development 16771 Boones Ferry Road Lake Oswego, OR 97035
Prepared by:	AKS Engineering & Forestry, LLC 13910 SW Galbreath Drive, Suite 100 Sherwood, OR 97140

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A Land Use Application for a Zoning Map Amendment and 'Renaissance at Rychlick Farm' Subdivision

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Application Contents (15 Copies):

- City Submittal Checklist (Completed)
- Land Use Application Form (Completed and Signed)
- Written Narrative
- Neighborhood Meeting Documentation
- County Assessor's Map

Included Separately With Application:

- City of Sherwood Application Fee (1 Check)
- Preliminary Plans – 22" x 34" (15 Sets)
- Reduced Plans – 11" x 17" (15 Sets)
- Reduced Plans – 8½" x 11" (1 Set)
- Preliminary Title Report (2 Copies)
- Address Labels (2 Sets)
- Tree Inventory and Arborist Report
- Preliminary Stormwater Report (4 Copies)
- Natural Resource Assessment – SWCA Environmental (1 Copy)
- Clean Water Services – Service Provider Letter (4 Copies)
- Geotechnical Engineering Report – GeoPacific Engineering (4 Copies)
- Traffic Impact Analysis / TPR Analysis – Lancaster Engineering (4 Copies)
- Electronic Copy of Application (1 Compact Disc)

City Submittal Checklist

APPLICATION MATERIALS
REQUIRED FOR

SUBDIVISION PLAT

Submit the following to the City of Sherwood Planning Department, 22560 SW Pine St., Sherwood, OR 97140: (503) 625-5522.

It is strongly suggested that you have a pre-application meeting with the City prior to submitting for a Subdivision. (See *Pre-application Process* form for information.)

Note: The Clean Water Services (CWS) requires a pre-screening to determine if water quality sensitive areas exist on the property. If these sensitive areas exist, a Site Assessment and Service Provider Letter is required prior to submitting for a subdivision or minor land partition or undertaking any development. **This application will not be accepted without a completed Pre-Screening Form and if required a Service Provider Letter.** Please contact CWS at (503) 681-3600.

If the proposal is next to a Washington County roadway, the applicant must submit an Access Report (Traffic Study) to Washington County Department of Land Use and Transportation (503) 846-8761. **This application will not be accepted until an Access Report (Traffic Study) is submitted to Washington County and the Access Report is deemed complete by the County; or written verification from Washington County that an Access Report is not required is provided.**

N/A

An Access Report is not required for this application because the proposal does not generate more that 400 ADT.

I. **Fee -** See City of Sherwood current Fee Schedule, which includes the "Publication/Distribution of Notice" fee, at **www.sherwoodoregon.gov.** Click on Departments/Planning/ Fee Schedule.

Note: The above fee is required at the time you submit for a subdivision. Additional fees will be charged for building permit, system development charges, impact fees and other fees applicable to the development. These fees will be charged when you make application for building permit. Building permit application will not be accepted until the final plat is recorded.

II. **BACKGROUND INFORMATION** (all materials collated and folded (not rolled) to create fifteen (15) sets)

*****Note that the *final* application must contain fifteen (15) folded sets of the above, however, upon initial submittal of the application and prior to completeness review, the applicant may submit three (3) complete folded sets with the application in lieu of fifteen (15), with the understanding that fifteen (15) complete sets of the application materials will be required before the application is deemed complete and scheduled for review.

☐ **Application Form –** One original and fourteen (14) copies of a completed **City of Sherwood Application for Land Use Action** form. Original signatures from all owners must be on the application form.

☐ **Documentation of Neighborhood Meeting** - Affidavits of mailing, sign-in sheets and a summary of the meeting notes shall be included with the application.

☐ **Tax Map** - Fifteen (15) copies of the latest Tax Map available from the Washington County Assessors Office showing property within at least 300 feet with scale (1"=100' or 1"= 200') north point, date and legend.

☐ **Mailing Labels –** Two (2) sets of mailing labels for property owners within 1,000 feet of the subject site, including a map of the area showing the properties to receive notice. Mailing labels are available from the Washington County Assessors office or a private title insurance company. . Ownership records shall be based on the most current available information from the Tax Assessor's office. *It is the applicant's responsibility to provide mailing labels that accurately reflect all property owners that reside within 1,000 feet of the subject site.*

☐ **Vicinity Map –** Fifteen (15) copies of a vicinity map. A photocopy of the Thomas Guide is adequate. showing the City limits and the Urban Growth Boundary**..**

☐ **Narrative –** Fifteen (15) copies and **an electronic copy** of a narrative explaining the proposal in detail and a response to the Required Findings for Subdivision, located in Chapter 16 of the Municipal Code/Zoning & Development, Section 16.120. The Municipal Code/Zoning & Development is available online at www.sherwoodoregon.gov, City Government/Records.

☐ **Electronic Copy –** An electronic copy of the entire application packet. This should include all submittal materials (narrative, vicinity map, mailing labels, site plan, preliminary plat, etc.).

III. REQUIRED PLANS

Submit fifteen (15) sets of the following folded full-size plans and **an electronic copy in PDF format**. Plans must have:

1) The proposed name of the development. If a proposed project name is the same as or similar to other existing projects in the City of Sherwood, the applicant may be required to modify the project name.
2) The name, address and phone of the owner, developer, applicant and plan producer.
3) North arrow,
4) Legend,
5) Date plans were prepared and date of any revisions
6) Scale clearly shown. Other than architectural elevations, all plans must be drawn to an engineer scale.
7) All dimensions clearly shown.

☐ **Existing Conditions Plan** - Existing conditions plan drawn to scale showing: property lines and dimensions, existing structures and other improvements such as streets and utilities, existing

vegetation including trees, any floodplains or wetlands and any easements on the property. The existing conditions plan shall also include the slope of the site at 5-foot contour intervals

☐ **Preliminary Development Plans-** Plans must be sufficient for the Hearing Authority to determine compliance with applicable standards. The following information is typically needed for adequate review:

1. The subject parcel(s), its dimensions and area and the buildable area of each lot.

2. The location and dimensions of proposed development, including the following:

Transportation

a. Public and private streets with proposed frontage improvements including curb, gutters, sidewalks, planter strip, street lighting, distances to street centerline, pavement width, right-of-way width, bike lanes and driveway drops.
b. Public and private access easements, width and location.
c. General circulation plan showing location, widths and direction of existing and proposed streets, bicycle and pedestrian ways and transit routes and facilities.
d. Show the location and distance to neighboring driveways and the width and locations of driveways located across the street.
e. The location and size of accesses, sight distance and any fixed objects on collectors or arterial streets.
N/A f. Emergency accesses.

Grading and Erosion Control

g. Indicate the proposed grade at two (2)-foot contour intervals.
h. Indicate the proposed erosion control measures to CWS standards (refer to CWS Resolution and Order 00-7).
i. Show areas of cut and fill with areas of structural fill.
j. Show the location of all retaining walls, the type of material to be used, the height of the retaining wall from the bottom of the footing to the top of the wall and the exposed height of the wall.

Utilities

k. Utilities must be shown after proposed grade with 2-foot contour intervals.
l. Map location, purpose, dimensions and ownership of easements.
m. Fire hydrant locations and fire flows.
n. Water, sewer and stormwater line locations, types and sizes.
o. Clearly indicate the private and public portions of the system.
p. Above-ground utilities and manhole locations

Preliminary Stormwater Plan

q. Show location, size and slope of water quality facility.
r. Preliminary calculations justifying size of facility.
s. The total square footage of the new and existing impervious area.
t. Indicate a stormwater facility to CWS standards (refer to CWS Resolution and Order 00-7).

Sensitive Areas

u. Show any and all streams, ponds, wetlands and drainage ways.
v. Indicate the vegetative corridor for sensitive areas to CWS standards. (refer to Resolution and Order 00-7).

w. Indicate measures to avoid environmental degradation that meet CWS, DSL and Army Corp requirements.

x. Flood elevation. (Ordinary High Water Mark Shown. Flood plain - Not applicable.)

y. Wetland delineation and buffering proposed.

Land Use

N/A z. The square footage of each building and a break down of square footage by use. (i.e. retail, office, industrial, residential, etc.).

aa. Net buildable acres. (The land remaining after unbuildable areas are taken out, such as the floodplain and wetland areas.)

bb. Net density calculation for residential use.

cc. Existing trees proposed to remain and trees to be removed and the drip-lines of trees proposed to remain.

dd. Street tree location, size and type. (refer to Ch. 8, Section 8.304.06 of the Community Development Code).

ee. Location, size and height of proposed free-standing signs.

N/A ff. Location, height and type of fencing and walls.

gg. For each lot indicated the building envelope. (Required setbacks shown. Footprints not known at this time.)

☐ **Reduced - Proposed Development Plans –** One (1) reduced copy of the Proposed Development Plans on 8 1/2" by 11" sheets and fifteen (15) reduced copy on 11" by 17" sheets.

☐ **Lighting Plan** – Photometeric lighting plan indicating foot candle power on and along the perimeter of the site. Proposed locations, height and size of lights. (If outdoor lighting is proposed).

☐ **Surrounding Land Uses –** Existing land use including nature, size and location of existing structures within 300 feet. .

IV. DOCUMENTS REQUIRED

☐ **Title Report** – Two (2) copies of a current preliminary title report available from a private title insurance company.

☐ **CWS Service Provider Letter** – Four (4) copies of the CWS service provider letter.

☐ **Soils Analysis and/or Geotechnical Report** – Four (4) copies completed by a registered Soils Engineer or Geologist including measures to protect natural hazards. (If required by the City Engineer). Not required for subdivision application but required for CWS Service Provider Letter.

☐ **Traffic Study –** Four (4) copies of a traffic study. (If required by the City Engineer

TPR Analysis Included.

V. ADDITIONAL DOCUMENTS THAT MAY BE REQUIRED

N/A ☐ **Army Corps and DSL wetland applications and/or permits –** Four (4) copies of required Divisions of State Lands and/or Army Corp of Engineers permits and/or permit applications if applicable. Filling of wetlands not proposed.

- ☑ **Trip Analysis** - verifying compliance with the Capacity Allocation Program, if required per 16.108.070. TPR Analysis Included.
- ☑ **Tree Report –** Two (2) copies of a tree report prepared by an arborist, forester, landscape architect, botanist or other qualified professional. (If trees are on-site).
- ☑ **Natural Resource Assessment –** If required by Clean Water Services (CWS). The CWS Pre-Screening indicates as to whether this report is required or not.
- ☑ **Wetland Delineation Study –** if required by Oregon Division of State Lands (DSL) or the Army Corps of Engineers.
- N/A ☐ **Other Special Studies and/or Reports –** if required by the Planning Director or the City Engineer to address issues identified in the pre-application meeting or during project review.
- ☑ Verification of compliance with other agency standards such as CWS, DSL, Army Corps of Engineers, ODOT, PGE, BPA, Washington County

Land Use Application Form (Completed and Signed)

City of Sherwood Oregon

Home of the Tualatin River National Wildlife Refuge

Case No. _____
Fee _____
Receipt #_____
Date _____
TYPE_____

City of Sherwood
Application for Land Use Action

Type of Land Use Action Requested: (check all that apply)

- ☐ Annexation
- ☑ Plan Amendment (Proposed Zone MDRL)
- ☐ Variance(list standard(s) to be varied in description
- ☐ Site Plan (Sq. footage of building and parking area)
- ☐ Planned Unit Development
- ☐ Conditional Use
- ☐ Partition (# of lots _____)
- ☑ Subdivision (# of lots 26)
- ☐ Other: _____

By submitting this form the Owner, or Owner's authorized agent/ representative, acknowledges and agrees that City of Sherwood employees, and appointed or elected City Officials, have authority to enter the project site at all reasonable times for the purpose of inspecting project site conditions and gathering information related specifically to the project site.

Note: See City of Sherwood current Fee Schedule, which includes the "Publication/Distribution of Notice" fee, at **www.sherwoodoregon.gov.** Click on Departments/Planning/Fee Schedule.

Owner/Applicant Information:

Applicant: Renaissance Development — Phone: Contact Representative
Applicant Address: 16771 Boones Ferry Road, Lake Oswego, OR 97035 — Email: Contact Representative
Owner: Frank J. Rychlick Revocable Trust — Phone: Contact Representative
Owner Address: 17806 SW Edy Road, Sherwood, OR 97140 — Email: Contact Representative
Contact for Additional Information: AKS Engineering & Forestry, LLC - Monty Hurley (503.925.8799)
Applicant's Representative: 13910 SW Galbreath Dr, Sherwood, OR 97140 (monty@aks-eng.com)

Property Information:

Street Location: 17806 SW Edy Road
Tax Lot and Map No: Tax Lot 100 Assessor's Map 2S 1 30CA
Existing Structures/Use: Home and outbuildings
Existing Plan/Zone Designation: Split Zone - MDRL / IP
Size of Property(ies) +/- 6.57 Acres

Proposed Action:

Purpose and Description of Proposed Action: 26 Lot Subdivision (Renaissance at Rychlick Farm) and a Zoning Map Amendment to correct the existing split zone for the property

Proposed Use: 26 lots for the future construction of single-family detached homes

Proposed No. of Phases (one year each): One

Continued on Reverse

LAND USE APPLICATION FORM

Authorizing Signatures:

I am the owner/authorized agent of the owner empowered to submit this application and affirm that the information submitted with this application is correct to the best of my knowledge.

I further acknowledge that I have read the applicable standards for review of the land use action I am requesting and understand that I must demonstrate to the City review authorities compliance with these standards prior to approval of my request.

Applicant's Signature — Date: 2/15/2012

Owner's Signature — Date

The following materials must be submitted with your application or it will not be accepted at the counter. Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review.

- ☑ **3 * copies of Application Form** completely filled out and signed by the property owner (or person with authority to make decisions on the property.
- ☑ **Copy of Deed** to verify ownership, easements, etc.
- ☑ **At least 3 * folded** sets of plans
- ☑ **At least 3 * sets** of narrative addressing application criteria
- ☑ **Fee** (along with calculations utilized to determine fee if applicable)
- ☑ **Neighborhood Meeting Verification** including affidavit, sign-in sheet and meeting summary (required for Type III, IV and V projects)
- ☑ **Signed checklist** verifying submittal includes specific materials necessary for the application process

* **Note** that the required numbers of copies identified on the checklist are required for completeness; however, upon initial submittal applicants are encouraged to submit only 3 copies for completeness review. Prior to completeness, the required number of copies identified on the checklist and one full electronic copy will be required to be submitted.

LAND USE APPLICATION FORM

Authorizing Signatures:

I am the owner/authorized agent of the owner empowered to submit this application and affirm that the information submitted with this application is correct to the best of my knowledge.

I further acknowledge that I have read the applicable standards for review of the land use action I am requesting and understand that I must demonstrate to the City review authorities compliance with these standards prior to approval of my request.

Applicant's Signature	Date
Kenneth J Ryplitz	2/15/2012
Owner's Signature	Date

The following materials must be submitted with your application or it will not be accepted at the counter. Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review.

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Written Narrative

A Land Use Application for a Zoning Map Amendment and 'Renaissance at Rychlick Farm' Subdivision

Proposal:	**Zoning Map Amendment and 26 Lot Subdivision**
Submitted to:	City of Sherwood Planning Department 22560 SW Pine Street Sherwood, OR 97140
Applicant:	Renaissance Development 16771 Boones Ferry Road Lake Oswego, OR 97035
Owner:	Frank J. Rychlick Revocable Trust 17806 SW Edy Road Sherwood, OR 97140
Applicant's Representative:	AKS Engineering & Forestry, LLC 13910 SW Galbreath Drive, Suite 100 Sherwood, OR 97140 Contact(s): Monty Hurley (monty@aks-eng.com) Phone: (503) 925-8799 Fax: (503) 925-8969 Web: www.aks-eng.com
Site Location:	South Side of SW Edy Road, Approximately 100 feet west of SW Bedstraw Terrace
Assessor's Information:	Washington County 2S1 29D 300
Site Size:	+/- 6.57/ Acres
Zoning Map Designation:	Split Zoning (MDRL / IP)

I. Executive Summary

The Rychlick property is located on the west side of Sherwood, south of SW Edy Road, and north of Laurel Ridge Middle School. The property was brought into the Urban Growth Boundary by Metro in 2002, as part of a +/- 85 acre expansion, known as Area 59. Concept planning commenced in 2004 and was completed in 2007 with the adoption of Ordinance 2006-018, which included a Concept Plan for the area.

Renaissance Development is seeking approval to establish a new high quality single-family residential community on the +/- 6.57 acre Rychlick property. This application has been prepared and submitted in order to obtain approvals from the City that are necessary for the project to move forward from concept to reality. This application includes documentation establishing that all applicable City review criteria are met. Therefore, the City can and should approve the application. Approval of this application benefits the City of Sherwood in multiple ways, including but not limited to the following:

- The project will provide needed housing opportunities to the City of Sherwood. As a result of the recent economic recession, the City lacks a sufficient reserve of residential building lots for new home construction. This project will meet this existing market demand of potential homebuyers looking to locate and become residents of the City of Sherwood and seeking a new home.
- The average lot size for the project will be +/- 6,871 square feet, which easily exceeds the minimum lot size requirement while still being compact enough to satisfy minimum densities.
- The project will provide a significant amount of open space (over 10,000 square feet) and visual corridor landscaping along SW Edy Road. A portion of the open space will be enhanced to protect and preserve natural resources while another portion is proposed to be dedicated to the City for open space. Together these areas will provide separation and buffering of the future homes from the roadway.
- The project includes a new public street that will, upon completion, provide an additional means of convenient access for pedestrians, bicyclists, and automobile drivers to the adjacent school sites.
- The project is responsive to neighborhood desires and includes proposed screening, in the form of new landscaping to complement existing trees being preserved along the property's eastern boundary adjoining the existing Miller's Landing Subdivision.
- The proposed Zoning Map Amendment corrects the undesirable split zoning that the property currently has by designating the entire property Medium Density Residential (MDRL). This is consistent with the Concept Plan adopted for the area in 2007 and the fact that the Sherwood School District did not purchase this land. The MDRL zone provides for residential uses and densities that are similar to (single family detached homes) and compatible with existing surrounding development.

II. Property History / Project Description

The Rychlick property, at 17806 SW Edy Road, has been in the Rychlick-Rupprecht family for over 70 years. In 1941, August and Alma Rupprecht , purchased the approximately 54 acre farm from the Pacific Coast Joint Stock Land Bank of Portland. In 1952, Frank and Edith (Rupprecht) Rychlick, purchased 2 aces in the NE corner of the Rupprecht farm and began building the home that is currently located on the site. In 1960, Frank and Edith purchased an additional 13 acres from August and Alma in the NW corner of the farm, adjacent to the initial 2 acres they had purchased. The remainder of the Rupprecht farm was sold to Charles Handley, which is now part of the present day Wyndham Ridge development.

Frank and Edith Rychlick were lifelong residents of the Sherwood - Tualatin area. Frank Rychlick, was born in 1922 in a house that still stands across from the present day Tualatin High School. Edith Rupprecht (Rychlick), was born in 1928 in the (Sterns) house that is located next to the Sherwood Police Department. The property that the police station was built on was owned in the 1920's by George and Clara Rupprecht. Frank and Edith Rychlick graduated from Sherwood High School, and were married in Sherwood, at St. Paul Lutheran Church in 1951. As described above, they began building their house on the property in 1952 and went on to raise a family and make a home there for nearly 55 years.

The Rychlick property currently is comprised of a single +/- 6.57 acre legal lot that is designated with split Medium Density Residential (MDRL) and IP City of Sherwood Zoning. The property was part of a +/- 85 acre urban growth boundary expansion that was approved in 2002. The split zoning is a result of zoning designations being applied to the property that were not consistent with the adopted 2007 Concept Plan. Approval of this application eliminates the split zoning by designating the entire property MDRL, which provides for residential uses and densities that are similar to and compatible with existing surrounding development on adjacent properties to the east, and is consistent with the general mapping provided in the 2007 Concept Plan.

Approval of this application also results in the creation of 26 lots with an average of +/- 6,871 square feet for future single family homes, two large open space tracts, and a new public street, that when connected to the west, will provide another means of local vehicular and pedestrian access to the adjacent Laurel Ridge Middle School and Edy Ridge Elementary School. All lots will be provided with public sanitary sewer, water, and storm sewer services in addition to power, natural gas, cable, and telecommunication utilities (including the infrastructure necessary to support Sherwood Broadband).

One of the open space tracts will preserve and protect an existing drainage that traverses the northwest corner of the site. Buffers (vegetated corridors) adjacent to the drainageway will be enhanced by the removal of noxious species (i.e. Himalayan blackberries) and replanting with native landscape species. Together with the proposed stormwater facility (vegetated swale), these enhancement activities assure that water quality in the basin will be improved by the project. The other open space tract is proposed to be dedicated to the City of Sherwood. This area could potentially be used for future park use or to remain as natural open space. Together, these open space areas, along with the proposed visual corridor improvements provide a significant vegetated buffer between the future homes and SW Edy Road.

Right-of-way dedication is proposed along SW Edy Road to accommodate public improvements that are proposed to accompany the project. The proposed improvements include street widening with a curb and gutter section, together with a concrete sidewalk along the property's frontage on SW Edy Road.

These improvements will allow for improved vehicular, pedestrian, and bicycle access to offset related project impacts.

Finally, a neighborhood meeting was held on January 5th, 2012 at the Sherwood Senior Center. At the meeting, a conceptual layout for the project was shown, and the project proposal was discussed. Many topics were covered at the meeting but a strong desire for a screen and buffer was indicated by several neighbors to the east. In response to these concerns, the proposal has been modified to include trees to be planted along the eastern property line to complement existing trees located in this area that will be preserved.

II. Site and Surrounding area

Subject Property

The Rychlick property is comprised of a single +/- 6.57 acre legal lot that is designated with split Medium Density Residential (MDRL) and IP City of Sherwood Zoning. It is located on the south side of SW Edy Road, approximately 100 feet west of SW Bedstraw Terrace. The property varies topographically from a relatively flat bench in the southern portion of the site, to a ravine that slopes to an existing drainageway. Currently, the property supports an existing home and several outbuildings.

Surrounding Area

North. SW Edy Road is located to the north. This is a collector street within the permitting and maintenance jurisdiction of Washington County.

South. The Laurel Ridge Middle School is located to the south. The property directly abuts tennis courts and ballfields. This property is zoned IP.

East. The existing Miller's Landing Subdivision is located to the east. This residential area is zoned PUD-LDR.

West. A +/- 5.08 acre property that is improved with a house is located to the west. This property is zoned MDRL.

III. Project Details

The Rychlick property is comprised of a single legal lot, approximately 6.57 acres in area that is designated with split Medium Density Residential MDRL and IP City of Sherwood Zoning. The property was part of a +/- 85 acre urban growth boundary expansion that occurred in 2002. The split zoning is a result of zoning designations being applied to the property that were not consistent with the adopted 2007 Concept Plan. Approval of this application eliminates the split zoning by designating the entire property MDRL, which is the same zone as exists on adjacent properties to the east, and is consistent with the general mapping provided in the 2007 Concept Plan.

Approval of this application also results in the creation of 26 lots with an average of +/- 6,871 square feet for future single family homes, two large open space tracts, and a new public street, that when connected to the west, will provide another means of vehicular and pedestrian access to the adjacent Laurel Ridge Middle School and Edy Ridge Elementary School. All lots will be provided with public sanitary sewer, water, and storm sewer services in addition to power, natural gas, and telecommunications (including the infrastructure necessary to support Sherwood Broadband).

One of the open space tracts will preserve and protect an existing drainage that traverses the northwest corner of the site. Buffers (vegetated corridors) adjacent to the drainageway will be enhanced by the removal of noxious species (i.e. Himalayan blackberries) and replanting with native landscape species. Together with the proposed stormwater facility (vegetated swale), these enhancement activities assure that water quality in the basin will be improved by the project. The other open space tract is proposed to be dedicated to the City of Sherwood. This area could potentially be used for future park use or to remain as natural open space. Together, these open space areas, along with the proposed visual corridor improvements provide a buffer between the future homes and SW Edy Road.

Right-of-way dedication is proposed along SW Edy Road to accommodate public improvements that are proposed to accompany the project. The proposed improvements include street widening with a curb and gutter section, together with a concrete sidewalk along the property's frontage on SW Edy Road. These improvements will allow for improved vehicular, pedestrian, and bicycle access to offset related project impacts.

Finally, a neighborhood meeting was held on January 5th, 2012 at the Sherwood Senior Center. At the meeting, a conceptual layout for the project was shown and project proposal was discussed. Many topics were covered at the meeting but a strong desire for a buffer was indicated by several neighbors to the east. In response to these concerns, the proposal has been modified to include trees to be planted along the eastern property line to complement existing trees located in this area that will be preserved.

III. Applicable Review Criteria

Division II – Land Use and Development

Chapter 16.12 – Residential Land Use Districts

16.12.010 – Purpose and Density Requirements

Medium Density Residential (MDRL)

C. The MDRL zoning district provides for single-family and two-family housing, manufactured housing and other related uses with a density of 5.6 to 8 dwelling units per acre. Minor land partitions shall be exempt from the minimum density requirements.

RESPONSE: The subject property is currently split zoned with the majority of the property being designated MDRL and a portion of the property zoned IP. As described later in this written statement, a Zoning Map Amendment is sought to fix the split zone designation and designate the entire 6.57 acre property MDRL. The proposed subdivision encompasses the entire acre property. As shown on the preliminary plans, the net buildable acreage for the property after right-of-way / public area dedication

and deduction of the drainageway and vegetated corridor is 4.33 acres. The resultant density for the project is 6 units per acre. This is within the minimum and maximum density parameters for the property.

16.12.020. - Allowed Residential Land Uses

A. Residential Land Uses

The table below identifies the land uses that are allowed in the Residential Districts. The specific land use categories are described and defined in Chapter 16.10.

RESPONSE: The application proposes a 26 lot subdivision for the siting of future individual single-family detached dwelling units. This is a permitted use in the MDRL Zoning District.

16.12.030 - Residential Land Use Development Standards

RESPONSE: As shown on the preliminary plat, each lots has at least 25 feet of width at the front property line, 50 feet of width at the building line, and 80 feet of lot depth. Future dwelling units will comply with all required setbacks and height limitations included within this section.

Chapter 16.36 – Institutional and Public (IP)

RESPONSE: The subject property is currently split zoned with the majority of the property being designated MDRL and a portion of the property zoned IP. As described later in this written statement, a Zoning Map Amendment is sought to fix the split zone designation and designate the entire 6.57 acre property MDRL.

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. (Ord. 86851 § 3)

C. A clear vision area shall contain no planting, sight obscuring fence, wall, structure, or temporary or permanent obstruction exceeding two and one-half (2-1/2) 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.

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.

RESPONSE: As shown on the preliminary plans, there are no existing (to remain) or proposed structural or screening impediments to clear vision.

Division III. – Administrative Procedures

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.

RESPONSE: A pre-application conference was held at City Hall on December 12, 2011.

16.70.20- Neighborhood Meeting

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.

RESPONSE: A duly noticed neighborhood meeting was held at the Sherwood Senior Center on January 5, 2012.

16.70.030 - Application Requirements

RESPONSE: All items listed in this section, as required on the City checklist, and as summarized in the City's pre-application conference notes are included in the application materials.

Division IV. – Planning Procedures

Chapter 16.80 – Plan Amendments

16.80.010 - Initiation of Amendments

An amendment to the City Zoning Map or text of the Comprehensive Plan may be initiated by the Council, Commission, or an owner of property within the City.

RESPONSE: This amendment to the City Zoning Map is being initiated by the owner of the property.

16.80.020 - Amendment Procedures

Zoning Map or Text Amendment

A. Application - An application for a Zoning Map or text amendment shall be on forms provided by the City and

shall be accompanied by a fee pursuant to Section 16.74.010

RESPONSE: A completed and signed City Land Use Application form and appropriate fee are included in the submittal materials.

B. Public Notice - Public notice shall be given pursuant to Chapter 16.72

RESPONSE: The City will provide public notice as is required by the City of Sherwood Zoning and Community Development Code and by Statute.

C. Commission Review - The Commission shall conduct a public hearing on the proposed amendment and provide a report and recommendation to the Council. The decision of the Commission shall include findings as required in Section 16.80.030

D. Council Review - Upon receipt of a report and recommendation from the Commission, the Council shall conduct a public hearing. The Council's decision shall include findings as required in Section 16.80.030. Approval of the request shall be in the form of an ordinance.

RESPONSE: All appropriate public hearings will be held.

16.80.030 - Review Criteria

A. Map Amendment

An amendment to the City Zoning Map may be granted, provided that the proposal satisfies all applicable requirements of the adopted Sherwood Comprehensive Plan, the Transportation System Plan and this Code, and that:

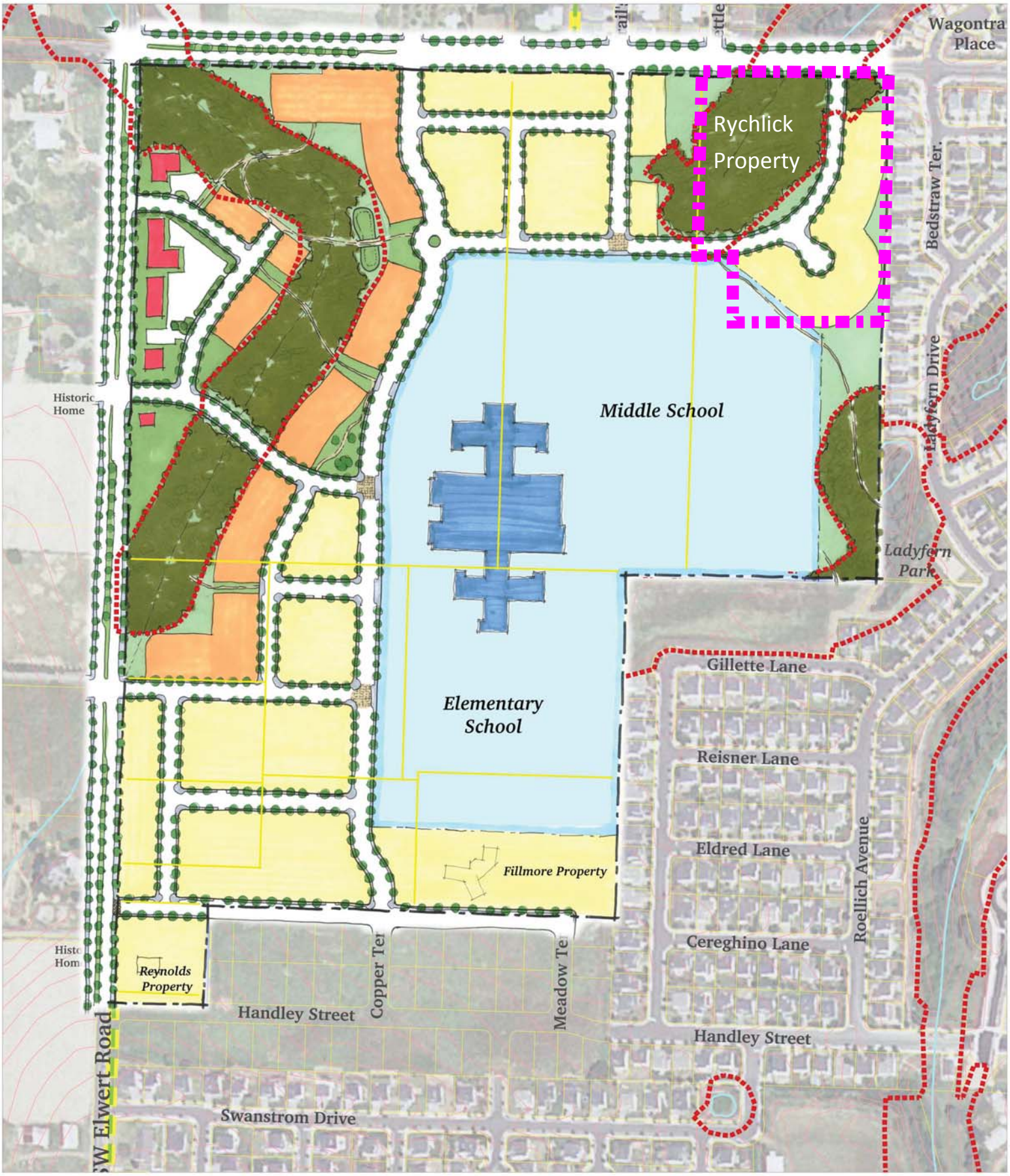
1. *The proposed amendment is consistent with the goals and policies of the Comprehensive Plan and the Transportation System Plan.*

2. *There is an existing and demonstrable need for the particular uses and zoning proposed, taking into account the importance of such uses to the economy of the City, the existing market demand for any goods or services which such uses will provide, the presence or absence and location of other such uses or similar uses in the area, and the general public good.*

3. *The proposed amendment is timely, considering the pattern of development in the area, surrounding land uses, any changes which may have occurred in the neighborhood or community to warrant the proposed amendment, and the availability of utilities and services to serve all potential uses in the proposed zoning district.*

4. *Other lands in the City already zoned for the proposed uses are either unavailable or unsuitable for immediate development due to location, size or other factors.*

RESPONSE: The Rychlick property was brought into the Urban Growth Boundary by Metro in 2002, as part of a +/- 85 acre expansion, known as Area 59. Concept planning commenced in 2004 and was completed in 2007 with the adoption of Ordinance 2006-018, which included a Concept Plan for the area. A copy of the adopted concept plan with the current property lines (outlined in purple) is shown on the following map.



LEGEND

- School
- Park
- Single Family
- Townhome / Small Lot
- Neighborhood Commercial / Mixed Use
- Natural Area
- Lot Lines
- Goal 5 Boundaries

Area 59 Neighborhood

Sherwood, Oregon

Exhibit 2-K Approved Concept Plan

with Lots and Goal 5 Boundaries

N

0 50' 100' 200'

otak

September 10, 2006

The adopted concept plan showed the majority of the property being MDRL and "open space". Smaller portions of the site are shown with the IP designation or "park". The City does not have an "open space" zone rather, properties with environmental resources, such as the subject property, are subject to the standards listed in Division VIII – Environmental Resources. These requirements are addressed later in this written statement and more specifically, by the Natural Resources Report, prepared by SWCA Environmental Consultants, included with the submittal materials. The City also does not have a "park" zone. Open space is required for certain types of applications, such as subdivisions, and these standards are also included in Division VIII – Environmental Resources.

The zoning map for the property depicts a split zone with the northerly +/- ¾ of the property zoned MDRL and "open space" and the southerly +/- ¼ of the property zoned IP. Based on meetings with City Staff, it is our understanding that a mapping error has occurred and that zoning has been applied to the property in a manner that is inconsistent with the adopted Concept Plan and the City of Sherwood Zoning and Community Development Code. These types of mapping errors are typically corrected by the City, when discovered. However, in this case, as was discussed at the pre-application conference, the applicant is submitting the application to correct and remedy the mapping discrepancies by designating the entire property MDRL.

Because the mapping is consistent with the adopted concept plan, the proposed zoning map amendment is consistent with the findings adopted in 2007 with the adoption of Ordinance 2006-018. Those findings are included herein by reference.

C. Transportation Planning Rule Consistency

1. *Review of plan and text amendment applications for effect on transportation facilities. Proposals shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with OAR 660-12-0060 (the TPR). Review is required when a development application includes a proposed amendment to the Comprehensive Plan or changes to land use regulations.*

2. *"Significant" means that the transportation facility would change the functional classification of an existing or planned transportation facility, change the standards implementing a functional classification, allow types of land use, allow types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility, or would reduce the level of service of the facility below the minimum level identified on the Transportation System Plan.*

3. *Per OAR 660-12-0060, Amendments to the Comprehensive Plan or changes to land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:*

    a. *Limiting allowed uses to be consistent with the planned function of the transportation facility.*

    b. *Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses.*

    c. *Altering land use designations, densities or design requirements to reduce demand for automobile travel and meet travel needs through other modes.*

RESPONSE: In addition to being a zoning map correction, the proposal complies with the requirements of this section and the TPR. Please refer to the TPR Analysis provided with the application materials for

information regarding compliance with the State Transportation Planning Rule and the listed Zoning Code standards.

Division V – Community Design

Chapter 16.94 - Off-Street Parking and Loading

RESPONSE: Section 16.94.020 requires one off-street parking space per each future dwelling unit. This requirement will be met through a combination of future driveways and garages that will be provided for each new home. This standard is met.

Division VI – Public Infrastructure

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.

RESPONSE: Appropriate amounts of right-of-way are proposed to be dedicated along SW Edy Road, SW Nursery Way, and SW Rychlick Court as shown on the preliminary plat. This standard is met.

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.

RESPONSE: The property fronts on one existing street, SW Edy Road. As shown on the preliminary plans, improvements are proposed along the property's frontage on SW Edy Road. This standard is met.

C. Proposed Streets

1. Except as otherwise provided, when a development includes or abuts a proposed street, in no event shall the required street improvement exceed a pavement width of forty (40) feet.

RESPONSE: SW Nursery Way is proposed with a paved width of 28 feet, consistent with the local street section prescribed in Section 16.106.010.A. This standard is met.

2. *Half Streets: When a half street is created, a minimum of 22 feet of driving surface shall be provided by the developer.*

RESPONSE: An appropriate half-street improvement, as discussed with City and Washington County staff is proposed to be provided along the property's frontage of SW Edy Road. These improvements are shown on the preliminary plans. This standard is met.

D. Extent of Improvements

1. *Streets required pursuant to this Chapter shall be dedicated and improved consistent with Chapter 6 of the Community Development Plan, the TSP and applicable City specifications included in the City of Sherwood Construction Standards. Streets shall include curbs, sidewalks, catch basins, street lights, and street trees. Improvements shall also include any bikeways designated on the Transportation System Plan map. Applicant may be required to dedicate land for required public improvements only when the exaction is directly related to and roughly proportional to the impact of the development.*

2. *If the applicant is required to provide street improvements, the City Engineer may accept a future improvements guarantee in lieu of street improvements if one or more of the following conditions exist, as determined by the City:*

RESPONSE: Appropriate street improvements, as required by this and other sections of the City of Sherwood Zoning and Community Development Code are proposed as shown in the preliminary plans. This standard is met.

B. Street Connectivity and Future Street Systems

1. *Future Street Systems. The arrangement of public streets shall provide for the continuation and establishment of future street systems as shown on the Local Street Connectivity Map contained in the adopted Transportation System Plan (Figure 8-8).*

RESPONSE: A local street connection is proposed through the site as shown on the preliminary plans. It is consistent with the adopted concept plan and is therefore consistent with the Local Street Connectivity Map contained in the adopted City Transportation System Plan.

2. *Connectivity Map Required. New residential, commercial, and mixed use development involving the construction of new streets shall be submitted with a site plan that implements, responds to and expands on the Local Street Connectivity map contained in the TSP.*

RESPONSE: A preliminary circulation analysis, showing local street connectivity, is included in the preliminary plans. This submittal requirement is met.

a. *A project is deemed to be consistent with the Local Street Connectivity map when it provides a street connection in the general vicinity of the connection(s) shown on the map, or where such connection is not practicable due to topography or other physical constraints; it shall provide an alternate connection approved by the decision-maker.*

b. *Where a developer does not control all of the land that is necessary to complete a planned street connection, the development shall provide for as much of the designated connection as practicable and not prevent the street from continuing in the future.*

c. *Where a development is disproportionately impacted by a required street connection, or it provides more than its proportionate share of street improvements along property line (i.e., by building more than 3/4 width street), the developer shall be entitled to System Development charge credits, as determined by the City Engineer.*

RESPONSE: A local street connection is proposed through the site as shown on the preliminary plans. It is consistent with the adopted concept plan and is therefore consistent with the Local Street Connectivity Map contained in the adopted City Transportation System Plan. Therefore, this standard is met.

3. *Block Length. For new streets except arterials, block length shall not exceed 530 feet. The length of blocks adjacent to arterials shall not exceed 1,800 feet.*

RESPONSE: As shown on the preliminary plans, no block length is proposed that exceeds 530 feet. Therefore, this standard is met.

4. *Where streets must cross water features identified in Title 3 of the Urban Growth Management Functional Plan (UGMFP), provide crossings at an average spacing of 800 to 1,200 feet, unless habitat quality or length of crossing prevents a full street connection.*

RESPONSE: As shown on the preliminary plans, care has been taken to provide street alignments that do not cross any Title 3 protected water features. Therefore, this standard is met.

5. *Where full street connections over water features identified in Title 3 of the UGMFP cannot be constructed in centers, main streets and station communities (including direct connections from adjacent neighborhoods), or spacing of full street crossings exceeds 1,200 feet, provide bicycle and pedestrian crossings at an average spacing of 530 feet, unless exceptional habitat quality or length of crossing prevents a connection.*

RESPONSE: Pedestrian / bicycle facilities are not required to cross any Title 3 protected water features because the block length created by the proposed public street does not exceed 1,200 feet. Therefore, this standard does not apply.

6. *Pedestrian and Bicycle Connectivity. Paved bike and pedestrian accessways consistent with cross section standards in Figure 8-6 of the TSP shall be provided on public easements or right- of-way when full street connections are not possible, with spacing between connections of no more than 300 feet. Multi-use paths shall be built according to the Pedestrian and Bike Master Plans in the adopted TSP.*

RESPONSE: No trails or pathways are shown as being required by the City TSP. However, as discussed with City staff at the pre-application conference, a pedestrian path is proposed in the southwestern portion of the property adjacent to the school property. Consistent with the adopted concept plan for the area, this pathway could be extended through the school site (east of the tennis courts and north of the ball fields and track) if deemed desirable by the school. A conceptual circulation plan is included in the preliminary plans that illustrate this potential future connection. This standard is met.

C. Underground Utilities

All public and private underground utilities, including sanitary sewers and storm water drains, shall be

constructed prior to the surfacing of streets. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.

RESPONSE: New utilities will be underground as required by this section.

D. Additional Setbacks

Generally additional setbacks apply when the width of a street right-of-way abutting a development is less than the standard width under the functional classifications in Section VI of the Community Development Plan. Additional setbacks are intended to provide unobstructed area for future street right-of-way dedication and improvements, in conformance with Section VI. Additional setbacks shall be measured at right angles from the centerline of the street.

RESPONSE: As shown on the preliminary plans, all necessary right-of-way dedication is proposed to be dedicated. Therefore, this standard does not apply.

16.106.040 - Design

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

A. Reserve Strips

Reserve strips or street plugs controlling access or extensions to streets are not allowed unless necessary for the protection of the public welfare or of substantial property rights. All reserve strips shall be dedicated to the appropriate jurisdiction that maintains the street.

RESPONSE: A reserve strip can be provided at the temporary street stub terminus, if desired by the City. This standard is met.

B. Alignment

All proposed streets shall, as far as practicable, be in alignment with existing streets. In no case shall the staggering of streets create a "T" intersection or a dangerous condition. Street offsets of less than one hundred (100) feet are not allowed.

RESPONSE: As shown on the preliminary plans, staggering of streets is not proposed. As shown on the preliminary plans, the proposed street access is located in excess of 150 feet from the nearest existing street intersection. Street offsets less than 100 feet are not proposed. Therefore, this standard is met.

C. Future Extension

Where necessary to access or permit future subdivision or development of adjoining land, streets shall extend to the boundary of the proposed development and provide the required roadway width. Dead-end streets less than 100' in length shall comply with the Engineering Design Manual.

A durable sign shall be installed at the applicant's expense. The sign shall notify the public of the intent to construct future streets. The sign shall read as follows: "This road will be extended with future development. For more information contact the City of Sherwood at 503-625-4202."

RESPONSE: As shown on the preliminary plans, the public street is proposed to be extended to the site's western boundary. If and when the abutting property develops, the street connection can be established at that time. As shown on the preliminary plans, the proposed street complies with the Engineering Design Manual and will include a sign, as required above, at its temporary terminus. This standard is met.

D. Intersection Angles

Streets shall intersect as near to ninety (90) degree angles as practical, except where topography requires a lesser angle. In all cases, the applicant shall comply with the Engineering Design Manual.

RESPONSE: As shown on the preliminary plans, all street intersections intersect at or as near to 90 degree angles as is practical. This standard is met.

E. Cul-de-sacs

1. *All cul-de-sacs shall be used only when exceptional topographical constraints, existing development patterns, or compliance with other standards in this code preclude a street extension and circulation. A cul-de-sac shall not be more than two hundred (200) feet in length and shall not provide access to more than 25 dwelling units.*

2. *All cul-de-sacs shall terminate with a turnaround in accordance with the specifications in the Engineering Design Manual. The radius of circular turnarounds may be larger when they contain a landscaped island, parking bay in their center, Tualatin Valley Fire and Rescue submits a written request, or an industrial use requires a larger turnaround for truck access.*

3. *Public easements, tracts, or right-of-way shall provide paved pedestrian and bicycle access ways at least 6 feet wide where a cul-de-sac or dead-end street is planned, to connect the ends of the streets together, connect to other streets, or connect to other existing or planned developments in accordance with the standards of this Chapter, the TSP, the Engineering Design Manual or other provisions identified in this Code for the preservation of trees.*

RESPONSE: As shown on the preliminary plans, the development pattern created by the existing school site to the south precludes a street extension to the south. The cul-de-sac is less than 200 feet in length and serves less than 25 dwelling units and is designed in accordance with the Engineering Design Manual. Consistent with the adopted Concept Plan, a separate, more appropriate location for a pedestrian connection to the school site is shown on the preliminary plans. These standards are met.

F. Grades and Curves

Grades shall be evaluated by the City Engineer and comply with the Engineering Design Manual.

RESPONSE: As shown on the preliminary plans, the grades of the proposed streets complies with the requirements of the engineering design manual. This standard is met.

G. Streets Adjacent to Railroads

Streets adjacent to railroads shall run approximately parallel to the railroad and be separated by a distance suitable to allow landscaping and buffering between the street and railroad. Due consideration shall be given at cross streets for the minimum distance required for future grade separations and to provide sufficient depth

to allow screening of the railroad.

RESPONSE: The property does not propose streets adjacent to any railroad. Therefore, this standard does not apply.

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 shall be provided and through and local traffic shall be separated and traffic conflicts minimized. In addition, visual corridors pursuant to Section 16.142.030, and all applicable access provisions of Chapter 16.96, shall 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.

RESPONSE: The property abuts SW Edy Road, a Washington County collector street. As required by this section, buffering is proposed along the site's frontage of SW Edy Road through a combination of open space, a vegetated corridor, and/or a visual corridor. This standard is met.

I. Median Islands

As illustrated in the adopted Transportation System Plan, Chapter 8, median islands may be required on arterial or collector streets for the purpose of controlling access, providing pedestrian safety or for aesthetic purposes.

RESPONSE: Median islands are neither necessary nor proposed along the site's frontage of SW Edy Road. Therefore, this standard does not apply.

J. Transit Facilities

Development along an existing or proposed transit route, as illustrated in Figure 7-2 in the TSP, is required to provide areas and facilities for bus turnouts, shelters, and other transit-related facilities to Tri-Met specifications. Transit facilities shall also meet the following requirements:

RESPONSE: The property is not located along an existing or proposed transit route. Therefore, this standard does not apply.

K. Traffic Controls

1. An application for a proposed residential development that will generate more than an estimated 200 average daily vehicle trips (ADT) must include a traffic impact analysis to determine the number and types of traffic controls necessary to accommodate anticipated traffic flow.

RESPONSE: A traffic impact analysis is included in the application materials. The analysis determined that no traffic controls were necessary.

L. Traffic Calming

RESPONSE: The preliminary plans show that the same City standard local street section that currently exists to the west for SW Nursery Way (completed with recent school construction) is proposed to be extended through this property. Consistent with this existing street, traffic calming measures are not

warranted or proposed. Therefore, these standards do not apply.

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:*

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.

RESPONSE: This property abuts SW Edy Road, a Washington County collector street. The above listed City standards are the same as the County access spacing criteria. The proposed public street access complies with the 100 foot spacing standard for collector streets as shown on the preliminary plans. This standard is met.

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.

RESPONSE: As shown on the preliminary plans, public sidewalks are proposed to be included on both sides of the public streets within the subdivision. Therefore, this standard is met.

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.

RESPONSE: The project site does not front on any City arterial or collector streets. As shown on the preliminary plans, the property fronts on SW Edy Road. SW Edy Road is a Washington County maintained facility that is within the County's permitting jurisdiction. That said, based upon direction provided by the City of Sherwood Engineer, with coordination from Washington County DLUT staff, a curb tight sidewalk matching the location and grade of the existing sidewalk to the east is proposed to be continued along the site's frontage (from the eastern property boundary, past the drainage ravine). From that point (west of the drainageway, this sidewalk is proposed to transition to a modified County standard sidewalk separated from the roadway with a planter strip. These improvements are shown on the preliminary plans. This standard is met.

2. Local Streets

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

RESPONSE: As shown on the preliminary plans, 5 foot wide sidewalks are proposed along the local streets within the subdivision. This standard is met.

3. Handicapped Ramps

Sidewalk handicapped ramps shall be provided at all intersections.

RESPONSE: As shown on the preliminary plans, ADA accessible curb ramps are proposed to be located at all intersections to provide for safe and convenient pedestrian crossings. This standard is met.

16.106.070 - Hwy. 99W Capacity Allocation Program (CAP)

RESPONSE: The CAP and the requirements of this section do not apply to single-family residential subdivisions. Therefore, these standards are not addressed in this written statement.

Chapter 16.110 - Sanitary Sewers

16.110.010 - Required Improvements

Sanitary sewers shall be installed to serve all new developments and shall connect to existing sanitary sewer mains. Provided, however, that when impractical to immediately connect to a trunk sewer system, the use of septic tanks may be approved, if sealed sewer laterals are installed for future connection and the temporary system meets all other applicable City, Clean Water Services, Washington County and State sewage disposal standards.

RESPONSE: Sanitary sewer service is available within SW Edy Road. As shown on the preliminary plans, a new sanitary sewer line is proposed to be located in the new public street to serve the new lots in the subdivision.

16.110.020 - Design Standards

A. Capacity

Sanitary sewers shall be constructed, located, sized, and installed at standards consistent with this Code, the Sanitary Sewer Service Plan Map in the Sanitary Sewer Master Plan, and other applicable Clean Water Services and City standards, in order to adequately serve the proposed development and allow for future extensions.

16.110.030 - Service Availability

Approval of construction plans for new facilities pursuant to Chapter 16.106, and the issuance of building permits for new development to be served by existing sewer systems shall include certification by the City that existing or proposed sewer facilities are adequate to serve the development.

RESPONSE: City staff confirmed in their pre-application notes that sanitary sewer service is available within SW Edy Road that can serve this site. Prior to the approval of construction plans and issuance of building permits, certification that the proposed sanitary sewer system is adequate to serve the project will be provided. Therefore, this standard is met.

Chapter 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.

16.112.020 - Design Standards

A. Capacity

Water lines providing potable water supply shall be sized, constructed, located and installed at standards

consistent with this Code, the Water System Master Plan, the City's Design and Construction Manual, and with other applicable City standards and specifications, in order to adequately serve the proposed development and allow for future extensions.

RESPONSE: Water service is available within SW Edy Road. As shown on the preliminary plans, a new water line is proposed to be located in the new public street to serve the new lots in the subdivision.

B. Fire Protection

All new development shall comply with the fire protection requirements of Chapter 16.116, the applicable portions of Chapter 7 of the Community Development Plan, and the Fire District.

RESPONSE: Please refer to the findings provided in Chapter 16.116 for this information.

C. Over-Sizing

16.112.030 - Service Availability

Approval of construction plans for new water facilities pursuant to Chapter 16.106, and the issuance of building permits for new development to be served by existing water systems shall include certification by the City that existing or proposed water systems are adequate to serve the development.

RESPONSE: As shown on the preliminary plans, a water line exists in SW Edy Road. The proposal involves connecting to this line and installing a new line in the new public street. This will be looped to the west upon that property's future redevelopment. Prior to the approval of construction plans and issuance of building permits, certification that the proposed water system is adequate to serve the project will be provided. Therefore, this standard is met.

Chapter 16.114 - Storm Water

16.114.010 - Required Improvements

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.

RESPONSE: As shown on the preliminary plans, a new stormwater facility is proposed to ensure that water quality requirements are satisfied. Therefore, this standard is met.

16.114.020 - Design Standards

A. Capacity

Storm water drainage systems shall be sized, constructed, located, and installed at standards consistent with this Code, the Storm Drainage Master Plan Map, attached as Exhibit E, Chapter 7 of the Community Development Plan, other applicable City standards, the Clean Water Services Design and Construction standards R&O 04-9 or its replacement, and hydrologic data and improvement plans submitted by the developer.

RESPONSE: Please refer to the preliminary stormwater report, included with the application materials for hydraulic calculations and other related information.

B. On-Site Source Control

Storm water detention and groundwater recharge improvements, including but not limited to such facilities as dry wells, detention ponds, and roof top ponds shall be constructed according to Clean Water Services Design and Construction Standards.

RESPONSE: None of these measures are proposed or required. Therefore, this standard does not apply.

C. Conveyance System

The size, capacity and location of storm water sewers and other storm water conveyance improvements shall be adequate to serve the development and accommodate upstream and downstream flow. If an upstream area discharges through the property proposed for development, the drainage system shall provide capacity to the receive storm water discharge from the upstream area. If downstream drainage systems are not sufficient to receive an increase in storm water caused by new development, provisions shall be made by the developer to increase the downstream capacity or to provide detention such that the new development will not increase the storm water caused by the new development.

RESPONSE: As shown on the preliminary plans, a new stormwater facility is proposed to ensure that water quality requirements are satisfied. Please refer to the preliminary stormwater report, included with the application materials for hydraulic calculations and other related information.

16.114.030 - Service Availability

Approval of construction plans for new storm water drainage facilities pursuant to Chapter 16.106, and the issuance of building permits for new development to be served by existing storm water drainage systems shall include certification by the City that existing or proposed drainage facilities are adequate to serve the development.

RESPONSE: Please refer to the Service Provider Letter from Clean Water Services. Prior to the approval of construction plans and issuance of building permits, certification that the proposed stormwater system is adequate to serve the project will be provided. Therefore, this standard is met.

Chapter 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.

RESPONSE: Water service is available within SW Edy Road by way of a public water line. As shown on the preliminary plans, a new water line is proposed to connect to the existing main line and brought into the site in the new public street. This new line is one component of the fire protection facilities, which are further described below.

16.116.020 - Standards

A. Capacity

All fire protection facilities shall be approved by and meet the specifications of the Fire District, and shall be sized, constructed, located, and installed consistent with this Code, Chapter 7 of the Community Development Plan, and other applicable City standards, in order to adequately protect life and property in the proposed development.

RESPONSE: The preliminary plans show that an adequately sized water line is proposed to be located within the right-of-way proposed to be dedicated for the new public streets. This standard is met.

B. Fire Flow

Standards published by the Insurance Services Office, entitled "Guide for Determination of Required Fire Flows" shall determine the capacity of facilities required to furnish an adequate fire flow. Fire protection facilities shall be adequate to convey quantities of water, as determined by ISO standards, to any outlet in the system, at no less than twenty (20) pounds per square inch residual pressure. Water supply for fire protection purposes shall be restricted to that available from the City water system. The location of hydrants shall be taken into account in determining whether an adequate water supply exists.

RESPONSE: City staff provided the applicant with evidence, in the form of hydrant flow data demonstrating that flows in the area provide 84 pounds per square inch (static) and 64 pounds per square inch (residual) flow pressure. This exceeds the above listed requirements. A hydrant is proposed to be provided on-site that will also comply with this requirement. This standard is met.

C. Access to Facilities

Whenever any hydrant or other appurtenance for use by the Fire District is required by this Chapter, adequate ingress and egress shall be provided. Access shall be in the form of an improved, permanently maintained roadway or open paved area, or any combination thereof, designed, constructed, and at all times maintained, to be clear and unobstructed. Widths, height clearances, ingress and egress shall be adequate for District firefighting equipment. The Fire District, may further prohibit vehicular parking along private accessways in order to keep them clear and unobstructed, and cause notice to that effect to be posted.

RESPONSE: As shown on the preliminary plans, full public street access is proposed to be provided to all components of the firefighting water supply system including the water lines, hydrant, and emergency vehicle turn-around. This standard is met.

D. Hydrants

Hydrants located along private, accessways shall either have curbs painted yellow or otherwise marked prohibiting parking for a distance of at least fifteen (15) feet in either direction, or where curbs do not exist, markings shall be painted on the pavement, or signs erected, or both, given notice that parking is prohibited for at least fifteen (15) feet in either direction.

RESPONSE: New fire hydrants are proposed to be provided as indicated on the preliminary plans. Visual markings or aids will be provided to ensure fire department access, as necessary. Therefore, this standard is met.

16.116.030 - Miscellaneous Requirements

A. Timing of Installation

When fire protection facilities are required, such facilities shall be installed and made serviceable prior to or at the time any combustible construction begins on the land unless, in the opinion of the Fire District, the nature or circumstances of said construction makes immediate installation impractical.

RESPONSE: Firefighting water supply and access will be available prior to the commencement of combustible construction. Therefore, this standard is met.

Chapter 16.118 - Public and Private Utilities

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.

RESPONSE: As shown on the preliminary plans, all utilities are proposed to be sized, located, and installed consistent with City and franchise utility provider standards. Therefore, this standard is met.

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.

RESPONSE: As shown on the preliminary plans, all necessary public utility easements are proposed to be provided. Therefore, this standard is met.

C. Where necessary, in the judgment of the City Manager or his designee, to provide for orderly development of adjacent properties, public and franchise utilities shall be extended through the site to the edge of adjacent property(ies).

RESPONSE: As shown on the preliminary plans, all necessary public utilities (as appropriate) are proposed to be extended to the property boundaries. This standard is met.

D. Franchise utility conduits shall be installed per the utility design and specification standards of the utility agency.

RESPONSE: Franchise utility provider conduits are proposed to be provided per the utility design and specification standards of the specific utility agency. This standard is met.

E. Public Telecommunication conduits and appurtenances shall be installed per the City of Sherwood telecommunication design standards.

RESPONSE: Public telecommunication conduits and appurtenances are proposed to be provided per the City of Sherwood telecommunication design standards. This standard is met.

16.118.030 - Underground Facilities

Except as otherwise provided, all utility facilities, including but not limited to, electric power, telephone, natural gas, lighting, cable television, and telecommunication cable, shall be placed underground, unless specifically authorized for above ground installation, because the points of connection to existing utilities make underground installation impractical, or for other reasons deemed acceptable by the City.

RESPONSE: All interior site utilities will be provided underground as is required. SW Edy Road is a Washington County public facility, where undergrounding is not required. Therefore, undergrounding of utility lines along the site's frontage on SW Edy Road are not proposed.

16.118.040 - Exceptions

Surface-mounted transformers, surface-mounted connection boxes and meter cabinets, temporary utility service facilities during construction, high capacity electric and communication feeder lines, and utility transmission lines operating at fifty thousand (50,000) volts or more may be located above ground. The City reserves the right to approve location of all surface-mounted transformers.

RESPONSE: Exception noted.

16.118.050 - Private Streets

RESPONSE: Private streets are not proposed or necessary for this application. Therefore, these standards do not apply to this application.

Chapter 16.120 - Subdivisions

16.120.020 - General Subdivision Provisions

A. Approval of a subdivision occurs through a two-step process: the preliminary plat and the final plat.

1. The preliminary plat shall be approved by the Approval Authority before the final plat can be submitted for approval consideration; and

RESPONSE: This application has been submitted for preliminary plat approval.

2. The final plat shall reflect all conditions of approval of the preliminary plat.

RESPONSE: It is understood that final plat approval is subject to compliance with conditions of approval applied in the Notice of Decision for the preliminary plat approval.

B. All subdivision proposals shall conform to all state regulations set forth in ORS Chapter 92, Subdivisions and Partitions.

RESPONSE: The final plat will comply with ORS 92.

C. Future re-division

When subdividing tracts into large lots, the Approval Authority shall require that the lots be of such size and

shape as to facilitate future re-division in accordance with the requirements of the zoning district and this Division.

RESPONSE: Future re-division of any lot is not anticipated. Each of the lots in the preliminary plat are sized appropriately and are intended for the future construction of one single-family residence.

D. Future Partitioning

When subdividing tracts into large lots which may be resubdivided, the City shall require that the lots be of a size and shape, and apply additional building site restrictions, to allow for the subsequent division of any parcel into lots of smaller size and the creation and extension of future streets.

RESPONSE: Future re-division of any lot is not anticipated. Each of the lots in the preliminary plat are sized appropriately and are intended for the future construction of one single-family residence.

E. Lot averaging

Lot size may be averaged to allow lots less than the minimum lot size allowed in the underlying zoning district subject to the following regulations:

RESPONSE: Lot averaging is not proposed in this application. The preliminary plat shows that each lot complies with all dimensional requirements including minimum lot size.

F. Required Setbacks

All required building setback lines as established by this Code, shall be shown in the preliminary subdivision plat.

RESPONSE: The preliminary plat shows the required building setbacks for the MDRL Zone.

G. Property Sales

No property shall be disposed of, transferred, or sold until required subdivision approvals are obtained, pursuant to this Code.

RESPONSE: This is understood.

16.120.030 - Approval Procedure-Preliminary Plat

A. Approval Authority

1. The approving authority for preliminary and final plats of subdivisions shall be in accordance with Section 16.72.010 of this Code.

a. A subdivision application for 11-50 lots will follow a Type III review process.

RESPONSE: Although the proposed subdivision may be reviewed through a Type III process, a concurrent application for a Zoning Map amendment is also submitted, requiring a Type IV process.

2. Approval of subdivisions is required in accordance with this Code before a plat for any such subdivision

may be filed or recorded with County. Appeals to a decision may be filed pursuant to Chapter 16.76

RESPONSE: This application has been submitted for preliminary plat approval. In the future, an application for final plat approval will be submitted. Both of these will occur prior to recordation of the final plat with Washington County.

B. Phased Development

RESPONSE: Phasing is not proposed. Therefore, these standards are not addressed.

16.120.040 - Approval Criteria: Preliminary Plat

No preliminary plat shall be approved unless:

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

RESPONSE: As shown on the preliminary plans and described in this written statements, all streets proposed in this subdivision conform to City standards and are consistent with other existing streets (i.e. SW Nursery Way) that ultimately may connect with this site. Frontage improvements on SW Edy Road will be consistent with the abutting street improvements to the east, transitioning to a modified County street section, as previously described. This criteria is satisfied.

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

RESPONSE: Private streets are not proposed. Therefore, this standard does not apply.

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

RESPONSE: As documented throughout this written statement and as demonstrated on the preliminary plans and other information included in the application submittal package, the proposed preliminary plat complies with the applicable zoning district standards and the applicable standards in Division II and all applicable provisions of Divisions IV, VI, and VIII. This criteria is satisfied.

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

RESPONSE: As described in the written findings provided in response to the applicable requirements of Division VI, adequate water, sanitary sewer, and other public facilities exist to support the use of land proposed in the plat. This criteria is satisfied.

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

RESPONSE: There is no additional contiguous property under the same ownership. Therefore, this

standard does not apply.

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

RESPONSE: Adjoining land capable of being developed is provided access and is capable of developing independent of this site. This criteria is satisfied.

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

RESPONSE: Tree and woodland inventories have been submitted for approval per Section 16.142.060. This criteria is satisfied.

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

RESPONSE: The preliminary plat clearly shows the proposed lot numbers, setbacks, dedications, and easements. This criteria is satisfied.

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

RESPONSE: As shown on the preliminary plans, in excess of five percent open space is proposed to be provided, as is required. This criteria is satisfied.

16.120.050 – Final Subdivision Plat

RESPONSE: A final subdivision plat shall be filed with the City and County, and all City / County requirements will be satisfied prior to recordation.

Chapter 16.128 - Land Division Design Standards

16.128.010 - Blocks

A. Connectivity

1. Block Size

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

RESPONSE: As shown on the preliminary plans, the proposed subdivision includes two new streets. SW Nursery Way is proposed to access SW Edy Road in the northern portion of the property, head uphill into the site to the south, eventually bending westward, where it will stub to the site's property boundary. When / if the property to the west develops, a through street connection may be provided. In addition, a small cul-de-sac street is proposed to access SW Nursery Way. This cul-de-sac (SW Rychlick Court) will be shorter than 200 feet in length and serve 9 lots. The blocks formed by these two streets provide adequate building sites for the uses proposed, and for convenient access, circulation, traffic control and safety. This standard is met.

2. *Block Length*

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

RESPONSE: As shown on the preliminary plans, no block length is proposed that exceeds 530 feet. The proposed street pattern is consistent with the adopted concept plan for the area and therefore complies with the Local Street Network Map contained in the City Transportation System Plan. This standard is met.

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

RESPONSE: No trails or pathways are shown as being required by the City TSP. However, as discussed with City staff at the pre-application conference, a pedestrian path is proposed in the southwestern portion of the property adjacent to the school property. Consistent with the adopted concept plan for the area, this pathway could be extended through the school site (east of the tennis courts and north of the ball fields and track) if deemed desirable by the school. A conceptual level circulation plan is included in the preliminary plans that illustrate this potential future connection. This standard is met.

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

RESPONSE: All necessary easements for service, utilities, etc. are shown on the preliminary plat. This standard is met.

C. *Drainages*

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

RESPONSE: As illustrated in this the preliminary plans, Tract "B" and Tract "C" represent a vegetative corridor and stormwater facility that are to be either dedicated to the public or provided with appropriate easements as required above. This standard is met.

16.128.020 - Pedestrian and Bicycle Ways

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

RESPONSE: Consistent with the adopted Concept Plan, a pedestrian connection to the school site is shown on the preliminary plans. This standard is met.

16.128.030 - Lots

A. Size and Shape

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

RESPONSE: As demonstrated in the preliminary plans, the lot size, width, shape and orientation are appropriate to provide suitable building sites for future homes. Each lot complies with all requirements for the MDRL zone. This standard is met.

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

RESPONSE: This does not apply as all lots are proposed to be served with public sewer service.

B. Access

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

RESPONSE: Each proposed lot abuts a public street, and the infill development standards found in Chapter 16.88 do not apply to this site. Therefore, this standard is met.

C. Double Frontage

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

RESPONSE: No double frontage lots are proposed with this application. This standard is met.

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

RESPONSE: As demonstrated in the preliminary plans, side lot lines run as close as practicable to right angles to the street upon which the lots face except where fronting on a curve or cul-de-sac, where these side lot lines are radial to the curve of the street. This standard is met.

E. Grading

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

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

2. *Fill slopes shall not exceed two (2) feet horizontally to one (1) foot vertically.*

RESPONSE: As shown on the preliminary plans, grading that creates cut slopes that exceed one (1) and one-half (1 1/2) feet horizontally to one (1) foot vertically and fill slopes shall not exceed two (2) feet

horizontally to one (1) foot vertically except when existing topography warrants an exception or a wall is proposed.

Division VIII – Environmental Resources

Chapter 16.142 - Parks and Open Spaces

16.142.030 - Single-Family or Duplex Residential Subdivisions

A. A minimum of five percent (5%) of the net buildable site (after exclusion of public right-of-way and environmentally constrained areas) shall be maintained as "open space". Open space must include usable areas such as public parks, swimming and wading pools, grass areas for picnics and recreational play, walking paths, and other like space. The following may not be used to calculate open space:

1. Required yards or setbacks.

2. Required visual corridors.

3. Required sensitive areas and buffers.

4. Any area required to meet a standard found elsewhere in this code.

RESPONSE: Calculations are provided on the preliminary plat, demonstrating that in excess of 5% of the net buildable site (after exclusion of public right-of-way and environmentally constrained areas) is proposed to be maintained as "open space". This is in the form of Tract "C" and Tract "D". These areas include a walking path and passive open space. This standard is met.

C. The open space shall be conveyed in accordance with one of the following methods:

2. By dedication to the City as public open space (if acceptable to the City). Open space proposed for dedication to the City must be acceptable to the City Manager or the Manager's designee with regard to the size, shape, location, improvement, environmental condition, and budgetary and maintenance abilities;

3. By leasing or conveying title (including beneficial ownership) to a corporation, homeowners' association or other legal entity, with the City retaining the development rights to the open space. The terms of such lease or other instrument of conveyance must include provisions (e.g., maintenance, property tax payment, etc.) suitable to the City.

RESPONSE: The applicant proposes to dedicate Tract "C" and Tract "D" to the City for open space purposes. This standard is met.

D. The density of a single-family residential subdivision shall be calculated based on the net buildable site prior to exclusion of open space per this Section.

1. Example: a 40,000 square foot net buildable site would be required to maintain 2,000 square feet (5%) of open space but would calculate density based on 40,000 square feet.

RESPONSE: Density calculations are provided on the preliminary plat. These calculations are based on

the net buildable site area prior to dedication of the above required open space. This standard is met.

E. If a proposed residential subdivision contains or is adjacent to a site identified as "parks" on the Acquisition Map of the Parks Master Plan (2006) or has been identified for acquisition by the Sherwood Parks and Recreation Board, establishment of open space shall occur in the designated areas if the subdivision contains the park site, or immediately adjacent to the parks site if the subdivision is adjacent to it.

RESPONSE: Consistent with the adopted Concept Plan for the area, a significant amount of open space (over 10,000 square feet) is proposed to be created in the subdivision. This open space includes natural open space which includes, protects, and preserves the on-site drainageway with a wide vegetated buffer. This also includes open space as required by this section, which is proposed to be dedicated to the City. Together with the required visual corridors, these open spaces combine to provide an attractive and substantial buffer from SW Edy Road for the proposed subdivision, the school site, and other existing development. Not only are these open spaces consistent with the adopted Concept Plan, but they are appropriate for the area considering the existing school and park amenities that are already in place immediately to the south. This standard is met.

H. This standard does not apply to a residential partition provided that a development may not use phasing or series partitions to avoid the minimum open space requirement. A partition of land that was part of an approved partition within the previous five (5) years shall be required to provide the minimum five percent (5%) open space in accordance with subsection (A) above.

RESPONSE: A partition is not proposed and has not occurred on the property within the past 5 years. Therefore, this language is not relevant to the application.

I. The value of the open space conveyed under Subsection (A) above may be eligible for Parks System Development Charges (SDCs) credits based on the methodology identified in the most current Parks and Recreation System Development Charges Methodology Report.

RESPONSE: If eligible, the applicant will apply for Parks System Development Charge credits.

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***
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.

RESPONSE: As required by this Section, a 10 foot wide Visual Corridor (as described above) is being provided along the property's frontage (in the right-of-way and on-site) on SW Edy Road. This standard is met.

16.142.060 - Street Trees

RESPONSE: As shown on the preliminary plans, street trees are proposed to be planted along streets. These trees will be a minimum of 2 inches DBH, spaced appropriately given the anticipated mature canopy spread, and selected from the City's recommended street tree list. This requirement is met.

16.142.070 - Trees on Property Subject to Certain Land Use Applications

NOTE: The applicant is requesting that this application be reviewed for compliance with the City's Tree Preservation and Removal requirements as provided for in PA 11-06, scheduled to be heard by City Council on March 20, 2012.

C. Inventory

1. *To assist the City in making its determinations on the retention of trees and woodlands, land use applications for development shall include a tree and woodland inventory and report. The report shall be prepared by a certified arborist 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.*

2. *Trees removed on the property within one year prior to the submittal of the development application shall also be included in the inventory. In the event that adequate data is not available to address the specific inventory requirements below, an aerial photo may be utilized to determine the approximate number, canopy size and type of trees on the property.*

3. *In addition to the general requirements of this Section, the tree and woodland inventory's mapping and report shall also include, but is not limited to, the specific information outlined in the appropriate land use application materials packet.*

4. *Definitions for the inventory purposes of this Section*

    a. *A tree is a living woody plant having a trunk diameter as specified below at Diameter at Breast Height (DBH). Trees planted for commercial agricultural purposes, and/or those subject to farm forest deferral, such as nut and fruit orchards and Christmas tree farms, are excluded from this definition and from regulation under this Section, as are any living woody plants under six (6) inches at DBH.*

        (1). All trees six (6) inches or greater shall be inventoried.

    b. *A woodland is a biological community dominated by trees covering a land area of 20,000 square feet*

or greater at a density of at least fifty (50) trees per every 20,000 square feet with at least fifty percent (50%) of those trees of any species having a six (6) inches or greater at DBH. Woodlands planted for commercial agricultural purposes and/or subject to farm forest deferral, such as nut and fruit orchards and Christmas tree farms, are excluded from this definition, and from regulation under this Section.

c. A large stature tree is over 20 feet tall and wide with a minimum trunk diameter of 30 inches at DBH.

RESPONSE: A tree and woodland inventory (preliminary tree preservation and removal plan) including the above listed information has been prepared by a certified arborist and is included with the application materials.

D. Retention requirements

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

RESPONSE: The preliminary tree preservation and removal plan shows the number, size, species, condition, and location of trees and woodlands proposed to be preserved and those proposed to be removed. The trees are proposed to be removed to accommodate future streets and other necessary public infrastructure, earthwork / grading that is necessary to install this infrastructure to City standards, due to hazardous (existing or future) tree conditions, and/or necessary to provide suitable cleared areas to build future homes. The proposed subdivision is permitted and therefore the tree removal is necessary and acceptable to accompany it. That said, the preliminary tree preservation and removal plan shows that a significant number of trees are being preserved. This submittal requirement is met.

2. Required Tree Canopy - Residential Developments (Single Family Attached, Single Family Detached and Two – Family)

Each net development site shall provide a minimum total tree canopy of 40 percent. This can be achieved by retaining existing trees or planting new trees. Required street 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 needed canopy cover. A certified arborist shall provide the estimated tree canopy of the proposed trees to the planning department for review.

RESPONSE: As shown on the preliminary street tree and tree canopy plan, in excess of 40 percent of the net development site will be covered with by tree canopy. This is achieved through a combination of preservation of existing trees and trees to be planted.

4. The City may determine that, regardless of D.1 through D.3, that certain trees or stands of trees may be required to be retained. The basis for such a decision shall include; Specific findings that retention of said trees or woodlands furthers the purposes and goals of this Section, is feasible and practical both within the context of the proposed land use plan and relative to other policies and standards of the City Comprehensive Plan, and are:

a. Within a Significant Natural Area, 100-year floodplain, City greenway, jurisdictional wetland or other existing or future public park or natural area designated by the City Comprehensive Plan, or

RESPONSE: As shown on the preliminary tree preservation and removal plan, trees within the on-site vegetated corridor and adjacent to the drainageway are proposed to be preserved.

b. A landscape or natural feature as per applicable policies of the City Comprehensive Plan, or are necessary to keep other identified trees or woodlands on or near the site from being damaged or destroyed due to windfall, erosion, disease or other natural processes, or

RESPONSE: There are no identified landscape or natural features on site that are affected by tree removal. There are no identified trees or woodlands near the site that will be damaged or destroyed due to windfall, erosion, or disease as a result of the proposed tree removal.

c. Necessary for soil stability and the control of erosion, for managing and preserving surface or groundwater quantities or quality, or for the maintenance of a natural drainageway, as per Clean Water Services stormwater management plans and standards of the City Comprehensive Plan, or

RESPONSE: The preliminary tree preservation and removal plan shows that trees adjacent to the drainageway ravine, which is the steepest portion of the site are proposed to be preserved.

d. Necessary as buffers between otherwise incompatible land uses, or from natural areas, wetlands and greenways, or

RESPONSE: No incompatible land uses are proposed in this application. Surrounding properties are either developed as a school or existing detached homes, the same as proposed in this application. That said, trees are proposed to be preserved in the open space areas along SW Edy Road and adjacent to the site's property boundary, where feasible and practical.

e. Otherwise merit retention because of unusual size, size of the tree stand, historic association or species type, habitat or wildlife preservation considerations, or some combination thereof, as determined by the City.

RESPONSE: As shown on the preliminary tree preservation and removal plan, existing trees are proposed to be preserved where proximal to the drainage, within the CWS vegetated corridor, and within the proposed open space tract. There are no tree stands of unusual size or historic association, etc. that are proposed to be removed. As shown on the preliminary plans, the proposed tree preservation plan, will help buffer the future neighborhood from vehicular traffic on SW Edy Road.

F. 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 mitigated 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. Any work within the dripline of the tree shall be supervised by the arborist being onsite during construction.

RESPONSE: A final tree preservation and removal plan will be prepared and submitted to the City prior to the issuance of construction permits, as required above.

Chapter 16.144 - Wetland, Habitat and Natural Areas

16.144.020 - Standards

A. The applicant shall identify and describe the significance and functional value of wetlands on the site and protect those wetlands from adverse effects of the development. A facility complies with this standard if it complies with the criteria of subsections A.1.a and A.1.b, below:

1. The facility will not reduce the area of wetlands on the site, and development will be separated from such wetlands by an area determined by the Clean Water Services Design and Construction Standards R&O 00-7 or its replacement provided Section 16.140.090 does not require more than the requested setback.

a. A natural condition such as topography, soil, vegetation or other feature isolates the area of development from the wetland.

b. Impact mitigation measures will be designed, implemented, and monitored to provide effective protection against harm to the wetland from sedimentation, erosion, loss of surface or ground water supply, or physical trespass.

c. A lesser setback complies with federal and state permits, or standards that will apply to state and federal permits, if required.

RESPONSE: A wetland and water areas delineation and natural resource assessment has prepared by SWCA Environmental Consultants (SWCA) and was submitted to Clean Water Services (CWS), the regional authority with jurisdiction over buffers (vegetated corridors) to wetlands and water areas. A service provider letter has been obtained from CWS. Copies of the water areas delineation and natural resource assessment and service provider letter are included in the application materials. As shown on these materials (and the preliminary plans), a vegetated corridor is proposed to buffer the protected water feature. As demonstrated by the approved service provider letter, the vegetated corridor width requirements are satisfied. This standard is met.

2. If existing wetlands are proposed to be eliminated by the facility, the applicant shall demonstrate that the project can, and will develop or enhance an area of wetland on the site or in the same drainage basin that is at least equal to the area and functional value of wetlands eliminated.

RESPONSE: As demonstrated by the application materials, no impacts to wetlands are proposed. Therefore, this standard does not apply.

B. The applicant shall provide appropriate plans and text that identify and describe the significance and functional value of natural features on the site (if identified in the Community Development Plan, Part 2) and protect those features from impacts of the development or mitigate adverse effects that will occur. A facility complies with this standard if:

RESPONSE: A complete description of the significance and functional value of the on-site resource is provided in the wetland and water areas delineation and natural resource assessment prepared by SWCA. This information is in the application materials.

1. The site does not contain an endangered or threatened plant or animal species or a critical habitat for such species identified by Federal or State government (and does not contain significant natural features

identified in the Community Development Plan, Part 2, Natural Resources and Recreation Plan).

RESPONSE: The site is not identified as containing an endangered or threatened plant or animal species or containing significant natural features identified in the Community Development Plan, Part 2, Natural Resources and Recreation Plan.

2. *The facility will comply with applicable requirements of the zone.*

RESPONSE: The proposal complies with the requirements of the zone.

3. *The applicant will excavate and store topsoil separate from subsurface soil, and shall replace the topsoil over disturbed areas of the site not covered by buildings or pavement or provide other appropriate medium for re-vegetation of those areas, such as yard debris compost.*

RESPONSE: Disturbance of the water area and wetlands or vegetated corridor is not proposed in the application.

4. *The applicant will retain significant vegetation in areas that will not be covered by buildings or pavement or disturbed by excavation for the facility; will replant areas disturbed by the development and not covered by buildings or pavement with native species vegetation unless other vegetation is needed to buffer the facility; will protect disturbed areas and adjoining habitat from potential erosion until replanted vegetation is established; and will provide a plan or plans identifying each area and its proposed use.*

RESPONSE: Disturbance of vegetation within the water area and wetlands or vegetated corridor is not proposed in the application.

5. *Development associated with the facility will be set back from the edge of a significant natural area by an area determined by the Clean Water Services Design and Construction standards R&O 00-7 or its replacement, provided Section 16.140.090A does not require more than the requested setback. Lack of adverse effect can be demonstrated by showing the same sort of evidence as in subsection A.1 above.*

RESPONSE: An appropriate setback (vegetated corridor) is proposed and has been approved by Clean Water Services. Please refer to the service provider letter from CWS and wetland and water areas delineation and natural resource assessment prepared by SWCA.

Chapter 16.154 – Heat and Glare

16.154.010 - Generally

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.

RESPONSE: As shown on the preliminary lighting plan, the only exterior lighting proposed is required City street lighting. As shown, this lighting will not cause glare or lights to shine off site in excess of 0.5 foot candles. This standard is met.

IV. Conclusion

The required findings have been made and the written narrative and accompanying documentation demonstrate that the proposal is consistent with the applicable provisions of the City of Sherwood Municipal Code. The evidence in the record is substantial and supports approval of the application. Therefore, the applicant respectfully requests approval of the proposed Zoning Map Amendment and Subdivision for the Renaissance at Rychlick Farm application.

Neighborhood Meeting Documentation

PLANNING DEPARTMENT NEIGHBORHOOD MEETING PACKET

(Required for all Type III, IV or V projects)

Submit the following with land use application materials to the City of Sherwood Planning Department, 22560 SW Pine St., Sherwood, OR 97140: (503) 625-5522.

The purpose of the neighborhood meeting is to solicit input and exchange information about the proposed development per Sherwood Zoning and Community Development Code 16.70.020. The meeting must be held in a public location **prior** to submitting a land use application.

☑ Affidavits of mailing to adjacent property owners that are within 1,000 feet of the subject application.

☑ Sign-in sheet(s)

☑ Summary of the meeting notes

N/A *(Projects requiring a neighborhood meeting in which the City or Urban Renewal District is the property owner or applicant shall also provide published and posted notice of the neighborhood meeting consistent with the notice requirements in 16.72.020.)*

Affidavit of Mailing

DATE: 3/2/12

STATE OF OREGON)
)
Washington County)

I, Toni Ruehl, representative for the 27 Lot Single Family Res. proposed development project do hereby certify that the attached notice to adjacent property owners and recognized neighborhood organizations that are within 1,000 feet of the subject project, was placed in a U.S. Postal receptacle on 12/28/11.

Toni Ruehl
Representatives Name:
Name of the Organization: AKS Engineering

SHERWOOD · VANCOUVER · SALEM
13910 SW GALBREATH DR., SUITE 100 · SHERWOOD, OR 97140
AKS ENGINEERING & FORESTRY
WWW.AKS-ENG.COM
P: (503) 925-8799 F: (503) 925-8969

December 28, 2011

NOTICE OF NEIGHBORHOOD MEETING

Re: Proposed 27-lot single-family detached residential subdivision at 17806 SW Edy Road

As required by the City of Sherwood, we have scheduled a neighborhood meeting on Thursday, January 5th, 2012 (6:00 PM) at Sherwood Senior Center, 21907 SW Sherwood Boulevard, to discuss the proposed project with the community. Interested community members are encouraged to attend the meeting.

Project Proposal:

The proposal is to create a 27-lot subdivision for the future construction of single-family detached homes. The property is located on the south side of SW Edy Road, approximately 600 feet to the east of SW Copper Terrace.

Neighborhood Meeting Information:

Date: January 5, 2012
Time: 6:00 – 7:00 PM
Location: Sherwood Senior Center, 21907 SW Sherwood Boulevard, Sherwood
Contact: Chris Goodell, AKS Engineering & Forestry, LLC (503) 925-8799

If you have any questions, please call me at 503-925-8799.

Sincerely,
AKS Engineering and Forestry, LLC.

Chris Goodell, AICP, LEED AP
Planner

2117

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EDY ROAD SUBDIVISION
JANUARY 5, 2012
6:00 PM

SHERWOOD SENIOR CENTER
21907 SW SHERWOOD BLVD
SHERWOOD, OR 97140

NAME
STREET ADDRESS
PHONE/EMAIL

PLEASE PRINT CLEARLY

1. DENNIS CHRISTEN
18201 SW EDY ROAD
SHERWOOD, OR. 97140

2. Verena Schmidt
18107 S.W. Edy Rd
Sherwood, Or 97140

3. [illegible] Swift
21155 SW Bodstrau Ter
Sherwood OR 97140

4. Karen & Lowal Labahn
18283 SW Edy Rd.
Sherwood, OR 97140

5. Don & Molly Walker
20736 Santa Fe Street

6. KEN L WHEELER
17712 SW NELS DR
SHERWOOD, OR 97140

7. Joseph Kuehler
21159 SW Bedstraw Terrace
Sherwood OR 97140

8. MARK DOMINGUEZ
21469 SW LADYFERN DR.
SHERWOOD, OR 97140 503-625-3626

9. JOHN A. RANKIN
26715 SW BAKER ROAD
SHERWOOD, OR. 97140

10. Guillermo Valladares
21091 SW Bedstraw
Terrace Sherwood OR 97140

11. Peter Morin
17956 SW Bridger Ln
Sherwood, OR 97140

12. Ken Rychlick
21970 SW Edy Rd
Sherwood, OR 97140

13.

14.

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SHERWOOD SENIOR CENTER
21907 SW SHERWOOD BLVD
SHERWOOD, OR 97140

NAME
STREET ADDRESS
PHONE/EMAIL

PLEASE PRINT CLEARLY

15. Jony Ray Cook
21107 SW Bedstraw
Sherwood, OR. 97140
plugsandswitches@yahoo.com

16.

17. James Bryant
20762 SW Trails End Drive
Sherwood, OR 97140

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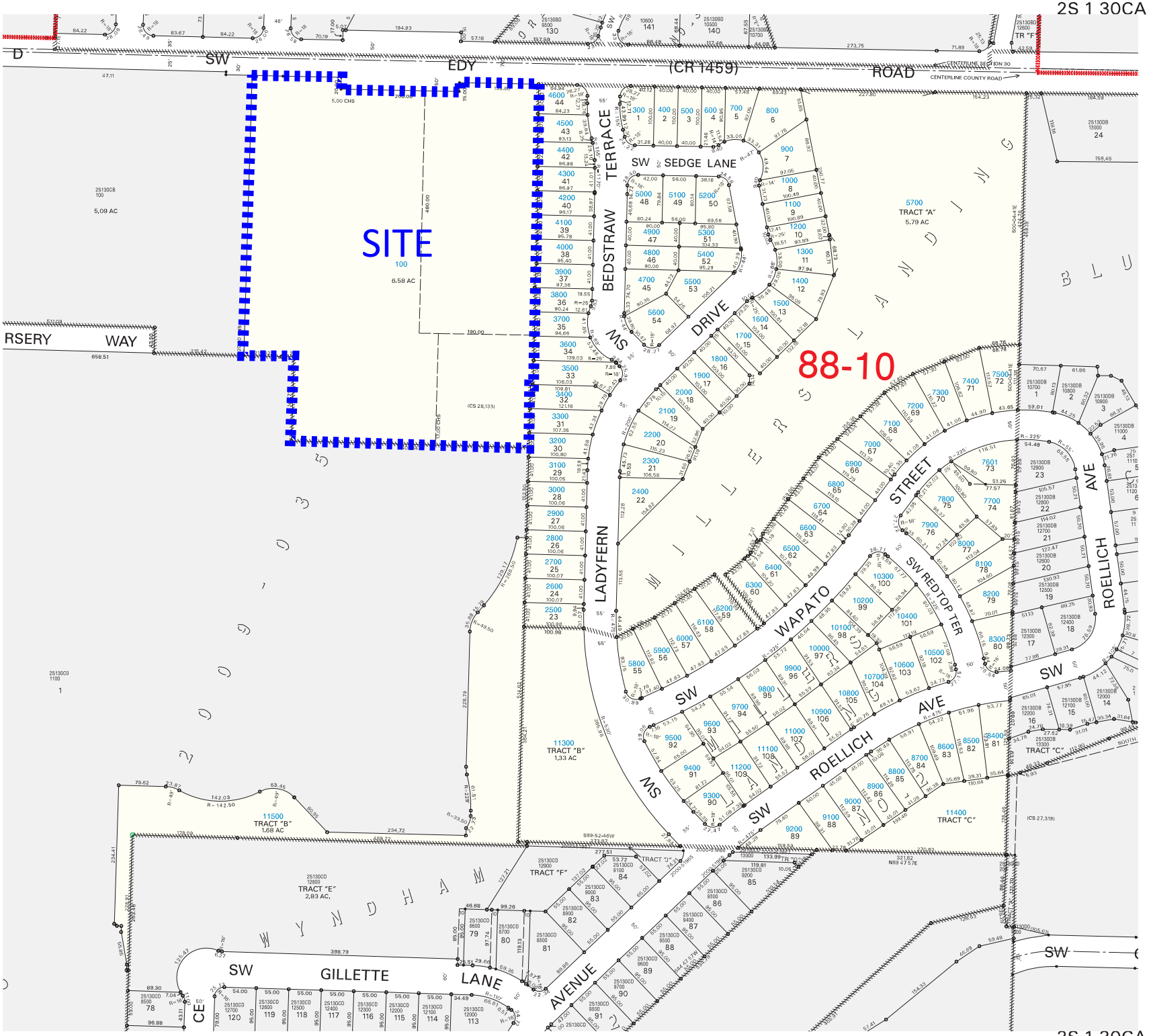
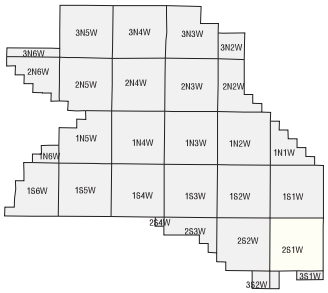
Sincerely,
AKS Engineering and Forestry, LLC.

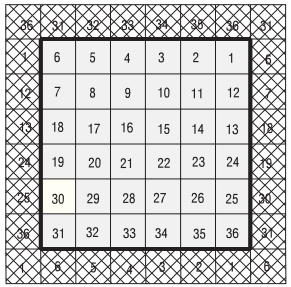
Chris Goodell, AICP, LEED AP
Planner

County Assessor's Map

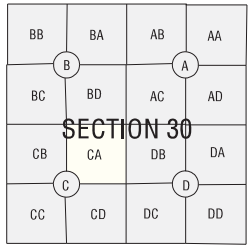




WASHINGTON COUNTY OREGON
NE1/4 SW1/4 SECTION 30 T2S R1W W.M.
SCALE 1" = 100'



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.washington.or.us



Cancelled Taxlots For: 2S130CA
200,7600,101,

SCALE 1" = 100'
0 50 100 200 300

Assessment
CARTOGRAPHY
Taxation

PLOT DATE: October 01, 2009

FOR ASSESSMENT PURPOSES ONLY - DO NOT RELY ON FOR OTHER USE

Map areas delineated by either gray shading or a cross-hatched pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate map for the most current information.

SHERWOOD
2S 1 30CA

dlg2s1w30