



*Home of the Tualatin River National Wildlife Refuge*

# **Planning Commission Meeting Packet**

**FOR**

**October 13, 2015  
at 7 PM**

**Sherwood City Hall  
22560 SW Pine Street  
Sherwood, Oregon**



City of Sherwood  
**PLANNING COMMISSION**  
Sherwood City Hall  
22560 SW Pine Street  
Sherwood, OR 97140  
October 13, 2015 at 7:00 PM

## **Agenda**

- 1. Call to Order/ Roll Call**
- 2. Consent Agenda**
  - a. June 23, 2015 Planning Commission Minutes
  - b. July 14, 2015 Planning Commission Minutes
  - c. July 28, 2015 Planning Commission Minutes
  - d. September 8, 2015 Planning Commission Minutes
- 3. Council Liaison Announcements** (Council President Robinson)
- 4. Staff Announcements** (Brad Kilby)
- 5. Community Comments**
- 6. New business**
  - a. Public Hearing – LA 15-01 Bowman House 3** (Michelle Miller)

The Sherwood School District proposes to construct a single family home on a vacant lot in the Old Town District. The house will be constructed by Sherwood High School students over the next two years and then later sold on the private market. All projects within Old Town require approval by the Planning Commission.
- 7. Planning Commissioner Announcements**
- 8. Adjourn**

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**City of Sherwood, Oregon  
Planning Commission  
June 23, 2015**

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**Planning Commission Members Present: Staff Present:**

Chair Jean Simson

Vice Chair Russell Griffin

Commissioner Michael Meyer

Commissioner Alan Pearson

Julia Hajduk, Community Development Director

Bob Galati, City Engineer

Craig Sheldon, Public Works Director

Brad Kilby, Planning Manager

Michelle Miller, Senior Planner

Michelle Babcock, Administrative Assistant

**Planning Commission Members Absent:**

Commissioner James Copfer

Commissioner Chris Flores

Commissioner Lisa Walker

**Council Members Present:**

None

**Legal Counsel:**

None

**1. Call to Order/Roll Call**

Chair Jean Simson called the meeting to order at 7:00 pm.

**2. Consent Agenda**

Chair Simson asked that clarification that the background check required for medical marijuana dispensary was for the owner in the April 14, 2015 Planning Commission meeting minutes. She gave scrivener's errors for both the April 14 and May 12, 2015 to staff.

**Motion: From Commissioner Alan Pearson to approve the Consent Agenda, Seconded by Vice Chair Russell Griffin. All present Planning Commissioners voted in favor (Commissioners James Copfer, Chris Flores, and Lisa Walker were absent).**

**3. Council Liaison Announcements**

Council President Sally Robinson spoke of the Mayor's priority to have a dog park in Sherwood and said Council looked forward to a recommendation from the Planning Commission.

**4. Staff Announcements**

Brad Kilby, Planning Manager, asked for confirmation from commissioners who wanted to attend a tour of Villebois in Wilsonville on July 10<sup>th</sup>.

Mr. Kilby informed the Commission that a Sherwood West Preliminary Concept Plan Ice Cream Social was held on June 18<sup>th</sup> with thirty seven people attending. He said the project had an online survey with three alternatives; available until July 19, 2015. The next Community Advisory Committee meeting will be held on July 30, 2015 at the Police Facility where comments received from the public will be reviewed and a plan refined. Mr. Kilby told the Commission they would receive an update at the July 14, 2015 Planning Commission meeting, the same night there will be a public hearing on proposed Backyard Chicken legislation.

Mr. Kilby said the Planning Department will have public outreach at Music on the Green in July and August regarding the Sherwood West Preliminary Concept Plan, the Cedar Creek Trail and possibly the Tannery Site Assessment.

Mr. Kilby announced that the City received a notice to proceed for the Cedar Creek Trail after three years with the Oregon Department of Transportation (ODOT) and the Federal Highway Administration. He said there would be a site visit the following week to identify areas that needed to be surveyed for the alignment. The Local Trail Advisory Committee (LTAC) would begin meeting in September and construction may begin in 2016.

Mr. Kilby asked Community Development Director, Julia Hajduk, to talk about the Tannery Site Assessment project. Ms. Hajduk passed out a copy of the Public Involvement Plan (see record, Exhibit 1) and said on July 28, 2015 there would be a public work session focusing on the Tannery Brownfield Site Assessment. She said the Washington County's Public Health Department staff would facilitate the meeting. Ms. Hajduk reminded the Commission that the City received a grant from the Environmental Protection Agency (EPA) to do a site assessment of two of the orphaned tannery sites that had been foreclosed by Washington County. She said the City would do some site assessments to determine the liability and obligations for cleanup should the City acquire the property. Ms. Hajduk described an idea of possibly moving the Public Works yard to the larger tannery site, freeing up the existing Public Works site to redevelop into something more compatible with Old Town. She pointed to the schedule on the last page of the Public Involvement Plan and indicated the project would officially kickoff at the Public Work Session on July 28, 2015 and conclude in Spring 2017. She said at the end of the process the City would have a good idea of the issues, and what sort of cleanup would be needed to allow the Council to make a formal decision regarding acquisition of the property.

Chair Simson asked for clarification of where the parcels in question were. Ms. Hajduk said they were the eastern most pieces next to Rock Creek about where Orland Street met Oregon Street.

Mr. Kilby then reported regarding development and said Sherwood High School had purchased property on 1st Street and the red house would be demolished shortly followed by a land use review before the Planning Commission and building beginning in the fall.

Mr. Kilby stated there had been inquiries from developers interested in developing commercial zoned property residentially and announced that DR Horton was in the process of constructing public improvements off of Meinecke Parkway. He said Killer Burger has announced a location on Langer Farms Parkway and that the Old Spaghetti Factory had submitted for building permits, hoping to open in the spring.

Mr. Kilby announced that Woodhaven Park Phase II was in review and a request for annexation of eighty two acres in the Brookman area had been received and would go before City Council, on August 4, 2015 to be placed on the ballot in November 2015. The annexation request would not be heard by the Planning Commission.

Mr. Kilby asked for any questions from the Commission.

Commissioner Pearson asked about Baja Fresh coming to Sherwood. Mr. Kilby confirmed and responded that the proposed work would not require a modification to the approved land use unless the parking is changed.



Vice Chair Griffin asked for an update on any medical marijuana dispensary applications. Michelle Miller, Senior Planner replied that an application had been received and the decision would be made after June 26, 2015. She said the comment period was still open and reminded that social media comments would not be part of the public record.

## 5. Community Comments

**Anthony Bevel**, Sherwood resident commented on traffic calming devices. He said he lived on Lynnly Way, a street between Roy Rogers Road and Edy Road, which had become a cut through street. Mr. Bevel said he has commented several times about traffic calming devices and he would like to see measures to slow the traffic put in on his street. He commented regarding excuses received about the fire department not wanting the devices or that there was no budget for them. He said his and other streets should be looked at for traffic calming.

With no other comments, Chair Simson moved to the next item on the agenda.

## 6. New Business

### a. Public Hearing – SP 15-01 Snyder Park Dog Park (Brad Kilby)

Chair Simson read the public hearing statement and asked the Commission for ex parte, bias or conflicts of interest.

Chair Simson stated that she had a conversation with a coworker about dog parks and the hours of operation saying Newberg and Lake Oswego had limited hours of operation. She said the conversation would not affect her ability to make an unbiased decision and disclosed that she had visited Snyder Park on more than one occasion. No other statements were received.

Chair Simson explained that the Planning Commission was the final decision maker unless the application was appealed and then it would be heard by City Council. She asked if any member of the audience wished to challenge any Planning Commission member's ability to participate. None were received. Chair Simson asked for a staff report.

Brad Kilby, Planning Manager stated the land use action, SP 15-01 Snyder Park Dog Park, was a major modification to the original approved site plan for Snyder Park and began a presentation (see record, Exhibit 2). He explained that the land was acquired in 1993 and constructed as Sunset Park in 2003. Subsequent to that action there were approved modifications for construction of the tennis courts, the reservoir, pump station, and field lighting as late as 2008. Snyder Park is approximately 20.88 acres and is bound on the east by SW Division Street, on the west by Sunset Blvd, on the south by SW Pine Street and by a residential neighborhood to the north. Mr. Kilby said the proposal was to add an approximately one acre fenced and gated off-leash area for dogs that would operate under the existing park rules from dawn to dusk (lighted fields have their own hours of operation as set by the hearings officer).

Mr. Kilby explained that the off leash dog park area would have a gated entry, separated areas for large and small dogs and amenities that included a watering station, table, benches, shelter, play features, bark dust and a grass turf field. He said the dog park was proposed to be constructed as funds became available and current available funds would install the fences, landscaping, bark dust and some of the amenities, but some amenities like the shelter were likely to be constructed later, even though they were included in the application.

Mr. Kilby related that construction equipment would be staged on the gravel access location off of Pine Street, once the dog park was completed, the access would be closed and not be a location for vehicular access to the park.

Mr. Kilby clarified that as a major modification to an approved site plan the scope of the review was limited to the changes being made to the existing park. He said staff looked at issues that may affect nearby residences and related mitigation measures. He noted that there are no set design standards for parks, but staff reviewed the noise, odors, aesthetics, parking, and impacts to nearby property owners. Mr. Kilby pointed out measures to reduce the impact to neighbors that included a thirteen foot landscaping buffer between the park and the adjacent neighborhood, no additional lighting, on site waste collection, gated access to the park, and posted park rules regarding animal control inside the park. He said the park would be maintained by Public Works as part of their regular maintenance schedule with daily garbage pickup and park rules would require pet owners to clean up after their pets with the provided bagging station within the park.

Mr. Kilby stated staff recommended approval of the application with the conditions as listed and indicated there were several trees on site (see sheet L1.4 in the application materials) which were all proposed to remain and Staff had required tree protection for the trees during construction, a storm water connection permit from Clean Water Services to handle runoff from the site, and dedications and easements for utilities and the right-of-way for the extension of utilities and the future build out of SW Pine Street. Mr. Kilby commented that the City would be dedicating land for future street (currently dedicated as park land) to ensure the right-of-way for future Pine Street improvements.

Mr. Kilby asked for questions from the Planning Commission.

Chair Simson asked if the dedication would include improvements to Pine Street and if the street would be full width with parking at a future date. Mr. Kilby replied it was just a dedication.

Bob Galati, City Engineer, responded that the dedication requirements were based on City street standards and a design done for the Pine Street Extension which would be the same as the existing Pine Street without parking on either side. Mr. Galati said it was possible to modify the design and have parking in the future, but the street would still fit within the standardized right-of-way width.

Mr. Kilby added that current signage included “No Parking” signs along the Pine Street frontage and that parking requirements were assumed to be the same as before the addition of the dog park where there was sufficient parking to accommodate the use.

Chair Simson opened the public hearing for testimony. She noted that staff was also the applicant.

Michelle Miller, Senior Planner, and Craig Sheldon, Public Works Director for the City of Sherwood came forward. Ms. Miller stated that Mr. Sheldon was in charge of City parks and park maintenance and had an integral role in the proposed application of the dog park.

Ms. Miller gave a presentation (see record, Exhibit 3) and said as noted by Council President Robinson there had been a lot of support within the community to get a dog park in the City. Ms. Miller reported that the Parks Board and staff took up the challenge to find a location for the first dog park in Sherwood about a year ago and looked at a variety of sites; landing on Snyder Park as the best location. She said a public open house was held on September 2, 2014 resulting in some minor changes to the design and a neighborhood meeting was held on March 2, 2015. She also confirmed that City Council recently approved the dog park as a line item in the City budget.

Ms. Miller showed the location of Snyder Park with the proposed off leash area. She explained that the dog park was approximately 370 feet above sea level offering a great view as it looked down on Pine Street at about a 1.5% grade. She said the trees would remain on the site and the photo shown was taken right on the path looking towards the proposed dog park. Ms. Miller presented a detailed site plan with the large dog park area at .58 acres and the smaller dog park at .12 acres. She said the dogs and their owners would enter a gated area (fence will be approximately five feet tall), then enter either the large park area or small park area and be able to take their dogs off the leash. She said the park was about eighty five feet from Pine Street and about thirteen feet from the residential properties to the south (the residential properties are surrounded by a six foot high wood fence). The thirteen foot wide area between will be a landscape buffer with another fence confining the dog park area.

Ms. Miller noted a nearby resident's concern from the neighborhood meeting that people might park on Pine Street, where there is no parking, and trek up the hill to the dog park. She said adjacent to the dog park on Pine Street was a substantial berm that will be difficult to traverse and the entrance to Snyder Park is located at the top of the hill.

Ms. Miller showed the gravel construction staging area for the dog park, the south parking lot off of Sunset Blvd., and the north parking lot off of Division Street near the ball park. She showed access pathways to the off leash area and said some of the various amenities designed to be on the project included park benches, picnic tables, a dog water fountain, trash enclosures, dog themed benches, and doggie waste bags.

Ms. Miller stated the applicant was in agreement with the conditions of approval and requested approval of the application.

Chair Simson asked for questions from the Commission.

Commissioner Alan Pearson commented that he lived in the area and did not currently own any dogs. He asked if there would be signage between the large and small dog areas and what differentiation there would be for medium dogs; would it be by height or weight.

Craig Sheldon, Public Works Director responded that staff had conducted a lot of research and found that most agencies post signage for large and small dogs and the dog owners made the decision as to which park to enter, because they know their dogs. He added that there would be signage placed in the park with dog rules and he was advised to set the rules up front without changing them.

Commissioner Pearson received confirmation from Mr. Sheldon that the turf would be grass and stated that dog urine burns the grass. Commissioner Pearson assumed the area would not be irrigated and asked about the anticipated cost of replacement for grass that is urine burned and would no longer grow.

Mr. Sheldon replied that the plan did include an irrigation system in the grass area and acknowledged that there could be issues, but said there were ways to deal with them. He indicated a bigger issue at Snyder Park was that there are times of the year where the park would have to be closed. A lot of other dog parks had an off leash area for during the winter months, but this one did not. Mr. Sheldon said the Parks Board agreed that the dog park would have to be shut down if the turf becomes torn up.

Commissioner Pearson disclosed that he was in favor of the park, but wanted assurance that all of the costs were considered. He asked what would be done about dogs that liked to dig.

Mr. Sheldon responded that about 500 hours a year of maintenance labor was expected for upkeep of the park including extra fertilization, but there were things outside of the budget that may not have been thought about.

Commissioner Pearson commented that Snyder Park users hoped the dog park would go a long way to alleviating the “extra little packages” left behind in other areas of the park. He asked if “pooper scoopers” would be available or if dog owners were expected to use the plastic bags. He was told there would be bags provided by the City unless a donation was received.

Commissioner Pearson spoke of using recycled shopping bags. He commented that the park was well thought out, he liked the fake fire hydrant, and he did not foresee many more dogs using the park, that were not already using Snyder Park, so he did not see a lot of increased noise or traffic. He mentioned that he thought it would be the first of many, because there are dogs in all parts of the city, and it was a nice place to start.

Mr. Sheldon added that there were about 18 parking spots on Division Street built during the reservoir project and more No Parking signs would be added on Pine Street.

Vice Chair Griffin asked for clarification about fencing for the park and the smaller dog area. He was informed that there is a perimeter fence around the park and a separate area for the small dogs; all fences would be five feet tall. Vice Chair Griffin said he was thinking about mixing different sized dogs and received confirmation that only the small dogs were allowed in the little area and the rest of the park was open to the big dogs. He suggested a height requirement sign. Mr. Griffin commented on Exhibit B, a letter from Ms. Gillson, who thought the small dog area was not big enough and asked for any research done.

Mr. Sheldon replied that the city was trying to fit the dog park in a certain area using the funds available and to be good neighbors to the residents nearby, but space was limited due to a water vault and water lines that could not be encroached upon.

Vice Chair Griffin asked if the thirteen foot deep landscape buffer to the residential properties would be sight blocking when fully grown. Mr. Sheldon confirmed it would.

Chair Simson asked if any buffering would be placed to improve the view from Pine Street up the hill or if people would just see a fence.

Mr. Sheldon indicated it would just be the fence and added that planting anything was a concern because of the infrastructure below.

Vice Chair Griffin asked how the City anticipated policing the dog park rules. Mr. Sheldon responded that public works does not write tickets and the police non-emergency line should be called. Vice Chair Griffin clarified by restating the question and asked if the rules would be clearly marked and what backing there would be for rules that are broken.

Mr. Sheldon answered that public works staff were often on site, a citizen could call, or at times the Police may be there. He confirmed with Chair Simson that code compliance would take care of noise, odor, and other issues neighbors may have and a phone number would be posted with the rules.

Chair Simson asked about closing the park during the winter months. Mr. Sheldon responded that if the park becomes too muddy it would need to be closed.

Chair Simson commented that the neighborhood meeting information was not included in the packet. Ms. Miller said it was likely an oversight.

Commissioner Pearson asked about liability issues should a person be bitten in the park. Mr. Kilby compared the liability to someone falling and breaking an arm at the park and confirmed that the City had insurance. Mr. Sheldon added that staff had been working with the insurance company regarding the information posted on the signage.

Commissioner Michael Meyer asked if there was a double gate to get into the park space. Mr. Sheldon responded that there would be two gates to go through to get into the dog park.

With no other questions for the applicant, Chair Simson asked for public testimony. She asked first for proponents then opponents followed by other.

**Pat Johnson**, Sherwood resident near the proposed dog park said he put other on the form. He said he thought a dog park was a great thing for the community, but had concerns about the parking, because people do park on [Pine] street and it backs up. He said since Langer Farms Parkway was extended to Home Depot the traffic had increased a lot. Mr. Johnson revealed that he wrote to and received a response from the Police Chief Groth about the speeding from through traffic. Mr. Johnson expressed concerns about safety for children, dog walkers and potential accidents. He asked if the entrance on the side facing Pine Street could be looked at again.

Chair Simson responded that she did not think the entrance to the park would be on the Pine Street side. She pointed out that the gravel area was a chained off, construction staging area that was used for the water reservoirs. She said the chain and the berm were expected to stay to discourage access to the park from Pine Street. Mr. Johnson expressed that he wanted to point out the problem of having more dogs and kids in an area that was experiencing increased traffic problems.

**Kathleen Williams**, Sherwood resident near the proposed dog park said she was at the last meeting at City Hall for the dog park. She stated she was part of a group that canvassed the area and gathered signatures when a housing subdivision was proposed along Pine Street. She said a newer member of the Parks Board told her that the dog park was set back far enough to still have lots for houses. Ms. Williams commented on the lack of historical knowledge for new board members to understand what has happened in Sherwood and she wished that the history and the cost to the community to provide city parks could move forward with projects so the integrity and trust of the community could continue to be understood. She said the Snyder Park property was condemned because Sherwood wanted and needed land for parks and commented about the City taking the land for real estate purposes. She wanted people to understand what was sacrificed, to know the history of the property, and that promises are kept.

Chair Simson said staff could address the residential lot comment and asked for a rebuttal from the applicant.

Ms. Miller stated she did not have anything to rebut.

Chair Simson commented about the speeding traffic on Pine Street, stated there will be signage for "No Parking" and asked about any other ideas the city may have to keep the crossings at Pine Street safe.

Mr. Galati answered that increased traffic volume for Pine Street was considered to be at local traffic levels and the City would not be addressing it. He said traffic speed could be addressed by modifying

people's behavior through a speed trailer to help drivers identify when they are speeding and if that does not work to enhance patrols in the area. Mr. Galati indicated that the result of trying to modify behavior through a physical attribute like a speed hump would be limited unless there were multiple speed humps. He said when we talk about speed humps and speed control we look at response times for police and fire safety. Mr. Galati commented that if the city was trying to promote safety it was a matter of public awareness which meant signage, working with the Police Department, or a solar powered speed sign. The main thing was to have a program of public awareness around the issue and to try to modify people's driving behavior.

Chair Simson indicated that her concern was how far the nearest crosswalk was and asked if there were ways to add a crossing.

Mr. Galati responded that any crossing on Pine Street would be mid-block on an undeveloped road situation and the city did not want people to cross there, go up the gravel drive, or climb the slope. Providing a crosswalk would encourage behavior that was not wanted. He acknowledged that the city wanted safe street crossings for those who lived in the area and said a condition could be added or that the area could be studied. He said he did not believe the city wanted pedestrian traffic crossing mid-block.

Chair Simson asked for input from the Commission.

Mr. Kilby noted that if a condition was added, then a finding with evidentiary backing would need to be added. He cautioned the Commission that an added condition would have to be enforceable. He compared mid-block street crossing behavior with a speeding driver and the need to change unwanted behavior instead.

Commissioner Pearson commented that he had the advantage of living in the area near the Sunset Blvd. entrance. He said he drove down Pine Street to get into town and the chained off construction access was a steep, weedy, rocky berm that is not a good location to access the park. Commissioner Pearson noted that the Sunset Blvd and Division Street entrances to Snyder Park were well paved and not as physically demanding. He reported that he had never seen anyone take the construction entrance as a shortcut to get into the park and commented that there was plenty of adequate parking off of Sunset Blvd with the parking lot or on street parking. Commissioner Pearson said a conscientious dog owner would not want to walk his dog up the area, because it was hard on the dog's paws, particularly when there are two other entrances that are more comfortable, easily accessed, and in close proximity to grass entrances from both directions.

Commissioner Meyer asked if there was plan for sidewalk completion on Sunset Blvd around Pine Street and adding crosswalk there. He noted that across the entrance where Pine Street hits Sunset Blvd. the sidewalk was not completed. He asked if that would be an acceptable solution.

Mr. Galati explained that Phase 2 of the Pine Street extension did include sidewalk development along Sunset Blvd to fill in the gap, but the plan had been shelved and was on a waiting list with all of the other capital improvement projects.

Vice Chair Griffin said he did not own a dog and believed Commissioner Pearson's comments to be valid. He said there was no parking on the east side of Pine Street and asked if there was parking on the west side. Ms. Miller confirmed that both sides of Pine Street in front of the park had "No Parking" signs.

Chair Simson asked staff to address the eighty five foot setback in anticipation of additional houses mentioned in community comments and if houses were in the Parks Master Plan.

Ms. Miller responded that she did not know if it was in the Parks Master Plan and acknowledged that there was a subdivision application and approval a few years ago that the City decided not to move forward with. She said the park was zoned low density residential and eighty five feet was potentially enough for a residential lot.

Mr. Sheldon clarified that there were water lines near the proposed dog park and the plan at Snyder Park was to eventually build another reservoir, in about twenty years, near the existing reservoirs. He said there was a 42-48" water main that goes into a vault and that was why the dog park could not go any closer to the road because there had to be access to the vault. He reiterated that the property could not be developed because there was water line infrastructure going through the area in an easement.

Chair Simson asked for confirmation that there was a dedicated easement between Pine Street and the dog park that would not enable houses to be built.

Mr. Sheldon responded that houses could not be built in that section off of Pine Street. Mr. Sheldon added that the staging area was put in for the reservoir construction and left to build Pine Street Phase 2 improvements which had been tabled because there was no money to finish Pine Street.

Chair Simson asked if the berm would be replaced once Pine Street Phase 2 was complete so the perceived entrance would go away. Mr. Sheldon confirmed and added that there was a four way intersection at Pine Street and Division Street for people to cross.

With no other comments, Chair Simson closed the public hearing and asked for final comments from staff.

Mr. Kilby commented that he owned two large dogs and he frequented some of the dog parks in the area including Luscher Farms in Lake Oswego and Gabriel Park in Portland, and as a dog owner he policed other dog owners that did not pick up their dog's messes or when they were doing something stupid that would compromise his ability to enjoy the park. He stated that a lot of other dog owners did the same and he thought there were rare occasions of conflict between dog owners, because they tend to be vocal people. Mr. Kilby said the City would not regulate the programming of the park and he has witnessed small dogs in the same enclosure as the large dogs. He held that some people were okay with it, while others were not. It depended on how much each dog gets along with other dogs.

Chair Simson stated her only other comment was a concern whether there was enough buffering to the neighbors. She spoke of the six foot tall fence, additional landscaping, and hours of operation that were not different from the rest of the park. Chair Simson stated she thought it was good for the City to have a place that gets dogs off the ball fields and the other places that they should not be leaving messes and put them in a place where dog owners have the resources to clean up after their dogs.

Chair Simson asked for a discussion from the Commission

Commissioner Meyer asked about using temporary signage that said *No Park Entrance* on Pine Street. Discussion followed and staff was directed to add the condition with findings.

With no other discussion, the following motion was received.

**Motion:** From Commissioner Alan Pearson to Approve the application, SP 15-01 Snyder Park Dog Park, with conditions adopting the Staff Report as presented with the amendment related to the signage referring to No Park Entrance on Pine Street. Seconded by Vice Chair Russell Griffin. All present Planning Commissioners voted in favor (Commissioner James Copfer, Chris Flores, and Lisa Walker were absent).

### 7. Planning Commissioner Announcements

Chair Simson encouraged everyone to go online or to the mezzanine at City Hall to view the information about the Sherwood West Preliminary Concept Plan, 1290 acres just west of Sherwood, which was being planned in a pre-concept plan. She added that the land was in the urban reserves and there had been a lot of work done, with a lot of work yet to do, and now was an opportunity to get involved at the ground level. She said people had an opportunity to see how the process works, to suggest changes and to provide input that would make a difference. Chair Simson pointed to an online survey and encouraged everyone to take the survey and forward it so more of the 18,000 residents could become interested in what was going on in Sherwood West. [www.sherwoodoregon.gov/sherwoodwest](http://www.sherwoodoregon.gov/sherwoodwest)

Vice Chair Griffin announce that the summer musical, *Into the Woods* would open at Stella Olsen Park July 8-11, 2015 with a live orchestra.

### 8. Adjourn

Chair Simson adjourned the meeting at 8:31 pm.

Submitted by:

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Kirsten Allen

Planning Department Program Coordinator

Approval Date: \_\_\_\_\_



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**Planning Commission  
City of Sherwood  
July 14, 2015**

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**Planning Commission Members Present: Staff Present:**

Chair Jean Simson

Vice Chair Russell Griffin

Commissioner Chris Flores

Commissioner Michael Meyer

Commissioner Lisa Walker

Julia Hajduk, Community Development Director

Michelle Miller, Senior Planner

Connie Randall, Associate Planner

Kirsten Allen, Planning Dept. Program Coordinator

Mark Yager, Economic Development Intern

**Planning Commission Members Absent:**

Commissioner Alan Pearson

Vacant seat

**Council Members Present:**

Council President Robinson

**Legal Counsel:**

Chris Crean

**1. Call to Order/Roll Call**

Chair Jean Simson called the meeting to order at 7:00 pm.

**2. Consent Agenda - none**

**3. Council Liaison Announcements**

Julia Hajduk, Community Development Director, inform the Planning Commission that Council President Sally Robinson was running late and there were no Council announcements.

**4. Staff Announcements**

Ms. Hajduk introduced Mark Yager, Economic Development Intern, and said the City will be sharing Mr. Yager with the City of West Linn until January 2016. Mr. Yager will be working primarily with Assistant City Manager, Tom Pessemier and focusing on the Tonquin Employment Area.

Michelle Miller, Senior Planner added planning staff would be at Music on the Green to talk about the Sherwood West Preliminary Concept Plan and the Cedar Creek Trail. She said the City received notice of the neighborhood meeting for the Mandel property located at the northwest quadrant of the city. Ms. Miller informed that survey work and brush clearing will be done in the Cedar Creek Trail alignment boundaries and reminded of a Planning Commission vacancy posted on the website with a deadline of July 31, 2015.

**5. Community Comments**

**Eugene Stewart**, Sherwood property owner commented on traffic getting heavier with backups on Elwert Road and Roy Rogers in the afternoon. He commented on Washington County's plans for improvements and asked when traffic would become too heavy for the smart traffic lights. He said it was a real problem and commented on the Newberg Bypass. Mr. Stewart said that a lot of drivers on 99W had no intention of stopping in Sherwood, the State and County should accommodate them, and the City of Sherwood should be lobbying to get something done. He mentioned that he heard at City

Council sessions that about six thousand people per day leave Sherwood to go to work, four thousand come to Sherwood for work, and about six hundred live and work in Sherwood. He asked about how to get people to live and work in Sherwood so there was not as much demand on transportation. Mr. Stewart remarked that in the years living in the area he noticed more stress has been given on getting people to downtown Portland which clogs up 99W. He commented on the beautification at the end of 99W being done instead of adding more lanes. Mr. Stewart asserted that Tri-Met will never have the capacity to transport people where they want to go and said the city should take a major look at transportation and having a system to measure traffic at regular intervals in order to make logical choices on which projects should be done. Mr. Stewart commented that the County had a plan for a 4-5 lane road connecting Elwert Road to Brookman Road and asked what residents in that area wanted or if there was a better way to do it.

**Robert James Claus**, Sherwood resident commented on a Fifth Amendment rights case about self-incrimination. He cited other cases regarding First Amendment rights and said the statutes don't mean what they say until you look at case law, but when you start looking at the individual treatment, the courts had brought in a Fourteenth Amendment problem (equal protection of the laws). Mr. Claus said the Commission was selling zoning on the sign code, political speech gets regulated and realtors were given a free card. He said it was no big secret who realtors contributed to. Mr. Claus commented on the signs on the highway permissible for certain people and not for other people. He repeated it was a common theme to sell zoning when the Planning Commission was supposed to be the front line. He implied certain people could do things others could not, cutting development costs in half and said Walmart was a classic example. He cautioned the Planning Commission saying the city manager was stopping that. Mr. Claus commented that he had not seen commission members ask about permits. He referred to the Cannery Row Apartments and said about three to five million dollars was sold with the project after the \$5000 per unit price paid, infrastructure put in by the city, and staff overhead. He suggested the Planning Commission start asking questions, but did not expect the Planning Commission to do anything about it.

With no other comments, Chair Simson moved to the next item on the agenda.

## **6. New Business**

### **a. Tannery Site Assessment Update**

Julia Hajduk stated she wanted to prepare the Planning Commission for the July 28, 2015 Public Work Session. She gave copies of the Public Involvement Plan and the Site Assessment Fact Sheet to the Commission members (see record, Exhibits 1 & 2) and explained that property owners within 1,000 feet and stakeholders in the Public Involvement Plan received a copy of the Site Assessment Fact Sheet that included a brief background of the project.

Ms. Hajduk explained that the parcels were on the old tannery site where the tanned hides were discarded in retention ponds or buried in the soil onsite. She said the tannery owners were not able to be found and Department of Environmental Quality (DEQ) had identified the site as orphaned. Ms. Hajduk reported that in the last ten years DEQ stepped in and did site assessments, the property was foreclosed on by Washington County, and the City had interest in seeing the site redevelop; potentially as a public works yard. She explained that the City applied for and received a grant from the Environmental Protection Agency (EPA) to do a site assessment for the risks and liabilities, should the City acquire the property from Washington County, which would include a detailed cleanup plan.

Chair Simson and Commissioner Walker commented on the Fact Sheet and if they should have received one based on proximity or as an interested party. Discussion followed regarding creating a new interested parties list and obtaining interested party information from DEQ. Ms. Hajduk indicated money granted for the Ken Foster Farm site will not be used for this project as it was a separate project.

Ms. Hajduk explained the public work session model of giving background information about the project and schedule. She included Rose Sherwood from Washington County Public Health would explain the role of health in the community with the specific processes the County uses for brownfield projects. She said the Planning Commission will facilitate small table group discussions about concerns and redevelopment with a report back to the larger group.

Chair Simson asked if there could be examples of successful brownfield redevelopment sites. Julia confirmed that Ms. Sherwood would talk about the health benefits of redevelopment and have a presentation with examples of before and after.

Julia said staff was hoping to begin the conversation with public at this meeting as it was a long process scheduled to be completed Spring 2017.

Chair Simson moved to the next item on the agenda.

#### **b. Sherwood West Preliminary Concept Plan**

Connie Randall, Associate Planner gave an update on the Sherwood West Preliminary Concept Plan with a presentation (see record see record, Exhibit 3). She said the planning process was about halfway through and staff wanted to give an update with a broad overview of the project.

Ms. Randall showed a map of the Sherwood area and stated the city limits where outlined in blue and the Urban Growth Boundary (UGB) in red. She said the UGB were areas of land identified around the city (and in a larger context in the Metro region) where growth would occur. Areas within the UGB may be annexed into the city.

Ms. Randall explained that the Tonquin Employment Area was in the UGB, had an adopted concept plan that was slated for industrial uses, and was approved for annexation by voters in 2012. When property owners within the Tonquin Employment Area are ready; they can petition the City Council and be annexed following a City Council public hearing.

Ms. Randall said the Brookman Road Concept Plan area, approximately 235 acres, was brought into the UGB in 2004 and was primarily residential with some commercial and light industrial components near to 99W. She informed that the concept plan was adopted in 2009 and the area still needed voters' approval before annexation.

Ms. Randall offered that areas within Sherwood West, designated as Urban Reserve, were completely outside the Urban Growth Boundary and just shy of 1300 acres. She said the Urban Reserves were identified as areas that will accommodate growth over the next fifty years and Sherwood West was one of many Urban Reserve areas in the Metro region. She explained that the whole UGB needed to accommodate a twenty year land supply and as the UGB was developed, the Urban Reserves are the areas where Metro will be look next to expand the UGB.

Ms. Randall detailed that the decision to expand the UGB was made roughly every six years, with the latest iteration this last year. The most recent report said the UGB did not need to be expanded; Metro believes there was enough capacity for the next twenty years. She disclosed that there was some debate

about that and the final decision was expected to come by the end of 2015. If the UGB were not expanded at this time, it will be another six years before a possibility of expanding it.

Ms. Randall said the goal for the Sherwood West Preliminary Concept Plan was to take a fifty-year look at how and where future development could occur for Sherwood and to provide a roadmap to inform possible future UGB expansion decisions. She remarked that this was the first of its kind for the state; urban growth boundaries usually get expanded before the concept planning was done where zoning was applied and then annexation happens and development occurs. Ms. Randall said the Sherwood West Preliminary Concept planning was trying to look at whether and how the City would want to expand including a phasing plan in order for an informed discussion with Metro when the time comes to expand the UGB.

Ms. Randall related that the project schedule anticipated being complete by December 2015 and staff thought the key component for success was public involvement and community cooperation, which was where much of the grant resources had been allocated. She expressed that the City hoped to adopt a very broad fifty-year level plan regarding how the area could develop. The phasing will indicate which areas make sense to come in first to last, because nobody envisions 1,300 acres coming into the City at one time. Ms. Randall included that if the UGB, expanded the City would look at doing refinement plans for expanded areas that will look more like a traditional concept plan utilizing another public process.

Ms. Randall reminded that the preliminary concept plan will not change anyone's entitlements, zoning or development abilities. Property owners in the area will still be governed by Washington County and, before any development of urban levels occurs, the following will have to happen:

- Metro to expand the Urban Growth Boundary,
- A concept plan be adopted (a 1-2 year process),
- An annexation request with voter approval,
- Land use applications, development permits, and then
- Construction

Ms. Randall said depending on one's feelings on this project, this was either a very slow or very fast process, but a majority of the property owners staff have talked to said it was slower than they would like. She emphasized that the City was trying to be honest, open and transparent while collecting as much information as possible towards a road map that the citizens and property owners would like to see happen.

Ms. Randall explained that community outreach included a dedicated website, updated often, with project information and shared documents so people had the same information as staff and consultants. See [www.sherwoodoregon.gov/sherwoodwest](http://www.sherwoodoregon.gov/sherwoodwest). In addition, there was an electronic newsletter subscription with 112 confirmed and 40 unconfirmed subscriptions, and a project video on the website with an introduction to the project and Sherwood's growth pattern.

Ms. Randall reported that the Sherwood West Community Advisory Committee (CAC) would hold six meetings in total and explained that it was eighteen members (eight residents from the study area, five city residents and five representatives from City Council, Planning Commission, School Board, Citizen Participation Organization, and the Parks Board). She spoke of the Technical Advisory Committee (TAC) that meets in tandem with the CAC which was comprised of representatives from local agencies

and service providers that provide the technical aspect on what can actually be served, where lines go, and what the City needed to be aware of in the planning process.

Ms. Randall stated the project kickoff was an Open House on February 5, 2015 and staff had visited with property owners in March and April. She showed a map that indicated which property owners had been contacted individually for comment, to help find out what their visions for the property were, and if they were interested in being annexed into the City. She established that it would not make sense to recommend an area to be annexed in Phase I if the property owner had no desire to develop their property; it was not a good use of anyone's time or resources. Ms. Randall commented that the majority of folks wanted to come in "yesterday", but there are others that would like to be taken out of the Urban Reserve designation, generally living in steep, far out areas that would likely be in later phases.

Ms. Randall told that a Community Workshop was held on May 21, 2015 where participants discussed and voted on their vision and values for the City; what matters, what to preserve, what they liked about Sherwood, what should be kept, opportunities and how to develop the area using maps. Ms. Randall said they talked about the concept of a quarter mile neighborhood at the meeting, a concept where you can walk within a quarter mile and what services would be available in the area. She said they acknowledged that not everyone was able to come out to a community workshop so a complementary online survey, to capture additional visions and values not obtained at the workshop was placed online. Ms. Randall included that the CAC and TAC discussed the same topics.

Ms. Randall described an ice cream social and open house held on June 18, 2015 where three draft alternatives of the plan were revealed. The alternatives captured what was heard at the different mapping sessions and the online survey. She said the design team tried to physically represent what was heard in the values and what that might look like. Ms. Randall announced that there was another online community survey with these new design alternatives open in order to get people's ideas on the alternatives.

Ms. Randall recounted additional outreach planned to talk about the project and get feedback from the community which included attending Music on the Green on July 15, 29, and August 19 and community group presentations this fall where any group that wanted could ask city staff to come and talk about the plan.

Ms. Randall related that the City was in the Evaluating Draft Alternative Plans phase of the project. She recognized that not everyone thought in the same way so there are parts of the alternatives that may conflict. The alternatives include different aspects to see how people reacted. She said common elements in the alternatives were the preservation of natural areas along Chicken Creek wetlands and wildlife corridors with a trail connecting them; at least one school site; larger lot residential areas in steeper sloped areas and some level of Neighborhood Commercial uses. Ms. Randall stated there would be not be any Industrial Employment uses, as after some discussion it was decided that with the current undeveloped employment areas along Tualatin Sherwood Road and the Tonquin Employment Area of 300 acres there was still a lot of employment potential in the city. She said there was also discussion that the type of traffic that employment areas would bring was less desirable to a residential area and would change the character of those streets.

Chair Simson commented that participants had been asked to quantify Sherwood values in a way that could be duplicated in this pre-concept area and the consultants tried to capture the values that citizens appreciate in our city now. She expressed that one of those things was the feeling that you could take walks around the neighborhoods, like Woodhaven or Washington Hill, within a quarter mile. She noted

that the city had grown in these quarter mile chunks and the alternatives attempted to duplicate those characteristics in the Sherwood West area. Chair Simson stressed the need for people to comment on whether the alternatives represented those values so the City could continue to in that direction. She pointed out that people move to Sherwood because of the small town feel and the good schools, both now as in the past.

Ms. Randall directed the Commission to the intersection of Edy Road and Elwert Road in Alternative A and stated it was the most dramatic of the alternatives with a realignment of the intersection into two separate, parallel crossings of the creek. She stated the area was hilly and it would take a lot to bring the roadways up to an urban level of service. She said the area may have some neighborhood commercial nodes and the realignment would help reduce the speeds on the road as well as deter outside residents from using Elwert Road as a bypass. Ms. Randall said Alternative A also incorporated athletic fields, which people said the City lacked, for youth or adult recreation and to be able to host larger regional tournaments. There are parks throughout and the higher slopes had larger lot residential development.

Ms. Randall showed Alternative B and commented it had a more standard configuration for Elwert Road and Edy Road, but would need improvements to bring up the roads to current City standards. She pointed to two school sites in different locations and retained recreational fields, but in a different location. She said the parks would connect to schools and residential and commercial areas with some Neighborhood commercial areas.

Ms. Randall displayed Alternative C. She said staff had received comment regarding the need to have more gateways and larger retail area, so Alternative C had a larger mixed-use retail component at the southern gateway along 99W and some retail at Roy Rogers Road. She said there was a larger school site that could be a single or joint facility depending on the needs of the school district and there was more retail in this alternative, no athletic fields, but retained the parks and natural areas.

Ms. Randall signified that the City's goal was not to receive votes for one of the alternatives, but to gain insight into what people liked about each of the alternatives or what was missing in them. The hope was to get the best of all the options and end up with a hybrid plan that incorporated what people liked from each plan.

Chair Simson pointed out there were barriers in places that cannot be changed, such as the existing power lines. Ms. Randall reminded that the alternatives were a high level view and the areas were purposely not drawn on property lines, saying that those refinements would take place during concept planning.

Ms. Randall indicated that the next steps were to evaluate the draft alternatives and collect community input. In the near future hybrid alternatives would be prepared, phasing plans created for the order areas might be brought into the city, and additional community outreach solicited on those ideas followed by the draft plan being prepared. She said the draft plan would be reviewed by the Planning Commission and City Council. Ms. Randall informed that the next Community Advisory Meeting would be July 30, 2015 and the public was welcome. She asked for people to take the survey. Discussion followed.

Chair Simson moved to the next item on the agenda.

### **c. Public Hearing – PA 15-03 Backyard Chickens**

Chair Simson read the public hearing statement and said the Commission would be forwarding a recommendation to City Council with a tentative hearing date of August 4, 2015.

Michelle Miller, Senior Planner gave a presentation (see record, Exhibit 4) and said the hearing was to present the proposed code amendments on

With no other questions for the applicant, Chair Simson asked for public testimony. She asked first for proponents then opponents then other.

**Terrence Miller**, Sherwood resident expressed that he concerned when he first heard about the prospect of having chickens ten feet from his property and was amazed that he had not heard anything about the invasion on his back yard. Mr. Miller stated he walked neighborhoods on Highpoint and adjacent streets where only one other person had heard anything about the chicken issue. He questioned the objectivity or effectiveness of the online survey and commented on how issues were brought before City Council because one person contacts a member. Mr. Miller said he was interested to know how many negative hits were received as well as what percentage that was of Sherwood's nineteen thousand citizens. He asserted that the Archer, Gazette, and an online survey were ineffective ways to find out what people in town think, but the only solution he could think of was a direct mailer on the specific issue with responses returned to a drop box similar to the election box. Mr. Miller commented on the apathy of Sherwood residents and noted the apathy comes from finding out something has been done and they had not heard about it or they don't feel like they are a part of things.

Mr. Miller stated that ten feet was approximately as long as a table and too close to his property line to have chickens. He added that he looked up zoning requirements across the United States pertaining to backyard chickens and very few were ten feet.

Mr. Miller commented on diseases and said he was amazed to find the Center for Disease Control (CDC), Illinois Public Health, Minnesota Public Health, British Columbia Public Health, and Maryland Public Health strongly recommended not to raise chickens where children under five, elderly persons or persons with an impaired immune system were in the house.

Mr. Miller pointed out that in the previous week up to 80 million chickens were slaughtered in five Midwest states because of bird influenza. He said bird influenza could migrate into human form, as it has in Asia, and the World Health Organization was watching, as it was a very big threat. Mr. Miller commented that Salmonella was another threat and said some bacteria and diseases can stay in the soil for over 400 days.

Commissioner Walker thanked Mr. Miller for the information and his efforts to reach his neighbors. She questioned if there was enough outreach and answered that the process began in 2011. She commented that it was a struggle for the Planning Commission to get people involved.

Mr. Miller stated the City needed to try other methods to activate people. He acknowledged that both sides could improve and commented that he saw four chickens walking between houses on the hilltop. He said after speaking to an attorney he learned that if the City had knowledge of the diseases and threats and somebody became sick or died, the City could be sued under Oregon tort law.

Chair Simson commented that she got involved in the community because Clean Water Services was doing something in her backyard and most of commissioners had similar reasons for getting involved. She said it was really hard to get citizens to be engaged. She described the survey as showing the pros and cons of raising chickens, the ratio of people who did or don't want chickens, with about 500 responses. Chair Simson expressed frustration in the lack of input for the Sherwood West with only 150 responses for nearly 1300 acres of land. She said Mr. Miller's comments about apathy were concerning and the Planning Commission had tried all reasonable efforts that were not cost prohibitive like a direct

mailer. She explained that the Planning Commission would have to go to Council, ask for money from the budget and discern how much money taxpayers would want to pay to have individual mailers for every action the Commission takes.

Mr. Miller commented on the apathy by noting that the mayor was voted in by about 5% of the population. He asserted that Sherwood was not a farm town, but an urban commuter community.

Commissioner Walker suggested Mr. Miller apply for the open Planning Commission position. Mr. Miller responded that he had not considered it, but if this were to happen in Berkley, California, the citizens would bring down the house.

Chair Simson commented that she was hoping for more people to show up, because she knew they would hear the Sherwood West presentation.

**Carole Miller**, Sherwood resident said she became concerned, because of her husband, Mr. Miller's concerns. She said she was impressed with all the time Planning Commission members spent doing research and the efforts taken to try to reach the community, yet she heard about backyard chickens from a mis-sent email from a group that was trying to let their group know about it and push it through. She said her husband started gathering reasons why we should not have chickens in our backyards and stated it was an urban fad. She said three chickens could turn into more, asked who would police it, and how much it would cost to police when chicken populations grow. Mrs. Miller said she thought the police would be pestered and that neighbors would become combative with each other. She said she was most concerned about the disease factor and said there was proven research that chicken manure was full of disease and if a chicken owner did not keep the coops as clean as needed, then that would be spread on the wind, or through rodents, pets, and children. Mrs. Miller expressed her appreciation to have the chance to plead with the Commission to consider carefully their recommendation to City Council.

**Robert James Claus**, Sherwood resident said he could not get over that 1 of 37 people commented with resulting regulation. He commented about regulating morality and birth control and compared it with the government sticking their noses in people's business. Mr. Claus commented that there were multiple types of chickens; exotic, people friendly chickens. He said the draft regulations had made a job for a planner and would make a job for a policeman. Mr. Claus commented about dog feces at Cedar Brook Way even though there was a leash law and said the police cannot do anything about it. He commented about the number of people involved in the survey and the reasoning for getting involved with the Planning Commission. He commented that Hitler, Napoleon, and Stalin, based their urban planning statutes on "do it my way, or don't do anything" and asked the Commission if they were aware the amendment would require a variance proceeding, because it controlled a structure. Mr. Claus said he did not understand what the Commission thought it was doing expanding the language without finding out what the enforcement issues would be and added that he thought the [code compliance officer] was unable to enforce the sign code or the parking code as there was illegal parking all over town. Mr. Claus suggested a benefit/cost analysis be done; the Commission should ask what it would cost and talk about enforcement. He expressed again that he did not understand why the City was moving forward with legislation. He commented again on the dog feces and unenforced leash law, then added that there were feral cats to the point it was ridiculous. Mr. Claus said that under the city's classification chickens were exotic birds and the City was going to tell people they could not raise exotic birds, turning them into criminals.



Chair Simson noted that **Tim Voorhies** turned in a request to speak form, but left the meeting prior to testifying.

With no other requests to speak she closed the public testimony portion of the hearing and asked for other comments from commission members or questions for staff. None were received. She directed the Commission to the final draft language in Attachment F on pages 1-41-43 of the packet. She pointed to section 6.03.050A Procedure on page 42 and suggested removing the reference to 6.03.040 stating that she thought the City wanted all of the criteria to be followed.

Chris Crean commented that he was discussing this very issue with the Community Development Director and said 6.03.040 did not have any conditions for issuing the license, but ongoing obligations to keep from getting fined. He said to get the license in the first place the criteria were in 6.03.020 and 6.03.030.

Chair Simson asserted that 6.03.020 and 6.03.030 were ongoing conditions because they limited the number of hens, prohibited roosters, had criteria for chicks and set the location requirements of the coops.

Mr. Crean suggested adding a sentence to state that the City will issue the license after determining compliance with 6.03.020 and 6.03.030, because there was nothing in the draft language that said where the criteria for issuing the license was in the first instance, but that one was required. Mr. Crean indicated that this language could be added to 6.03.050A. He suggested adding *the City will issue a license upon determining compliance with 6.03.020 and 6.03.030* and said if the owner could check off all the boxes then the license could be issued. He said he was in agreement with the removal of the reference to 6.03.040 as suggested by Chair Simson.

Chair Simson asked the Commission if they had an interest in passing a recommendation for approval of the draft language, a recommendation it be tabled, rescinded, not considered, or modified in some format. She noted that neighboring communities where more restrictive quoting that Tigard, West Linn and Wilsonville all had one hundred feet from a neighboring houses not twenty-five feet. Chair Simson asked for a general consensus from the Commission.

Commissioner Walker said her inclination was not to approve the code amendments, stating that the people who really wanted the amendments were too few in number and the citizen comments are valid. She said she did not want her neighbor to have a chicken so she could understand how those people felt who said they did not feel represented. She commented on the reasons for denial, especially disease, rodents, pests, would lead her to choose not to recommend approval.

Vice Chair Griffin said he agreed and wondered where the advocates were.

Commissioner Meyer commented that he thought the code amendments should be forwarded with a recommendation for approval to the City Council. He thought some of the comments made in opposition were out of context. Commissioner Meyer clarified the example that the CDC recommended children under five or persons with compromised immune systems not to “handle” live poultry. He said 98% all Salmonella outbreaks from live poultry in the western United States over the last year were because people brought live poultry into the house. He acknowledged that poultry fecal matter did have Salmonella in it and if someone does not take care of the chickens or the coop it could cause disease; but so can a dog run that was full of urine and fecal matter which can smell worse than chickens. Commissioner Meyer related that he grew up on a chicken farm with 3000 chickens and he could understand the reasons for wanting chickens; it is a way to have a sustainable protein source and some

entrepreneurial kid could collect the chicken fecal matter to make and sell fertilizer. Commissioner Meyer thought that there would not be issues if the chickens were properly handled, feed stored property would alleviate issues with rodents and education could be obtained such as information available through the Oregon State Extension Service. He said he could not have chickens on his property because it was too small. He commented that Wilsonville and Tigard had 100 feet setbacks from another dwelling, which he thought was a waste of legislation and rules because it made it impossible to have the chickens. Commissioner Meyer said he was not opposed to more community outreach and he was stunned by the apathy.

Vice Chair Griffin said he talked with people about all kinds of community issues and he had lived in the county and had chickens. He said there were pros and cons on every issue and unlike the dog park that had a great deal of support he did not think there was a big push for chicken regulation. He thought that if there were a lot of interested people, they would fill the room.

Commissioner Walker commented that the Commission tabled the amendment years ago because it was the same type of feeling. She asked City Council Vice President, Sally Robinson, why Council asked the Commission to look at it again.

Ms. Robinson said her understanding was because of the amount of the fee at \$4000 in order to have a chicken and it was that fee that was creating the issue of concern.

Ms. Miller inserted that there were existing rules on the books requiring the raising of chickens to be a Conditional Use Permit costing roughly \$4000 with a hearing process. She said staff receives a lot of inquiries every year about the City's policy regarding raising chickens; staff conveys the policy and people either laugh or are incredulous. She said it was up to the Planning Commission to decide if there should be regulation on the contrary issues to balance them with the community standards.

Commissioner Walker asked for an estimate of how many inquiries were received each year and if the \$4,000 fee was keeping them from having chickens. Ms. Miller responded that she had not kept a tally, but it was at least ten as it was a fairly common question.

Chair Simson advised the new planning commissioners that on occasion the City Council will take an action contrary to the Planning Commission's recommendation and suggested that draft language be forwarded to assist the Council in making an informed decision.

Commissioner Meyer asked if the public hearing was the only format for receiving public input. Chair Simson commented that the citizens had voted on city charter amendments in an election and asked about recommending the backyard chickens amendments be put on the next general election ballot. Discussion followed. Chair Simson commented that the concerns are specific to the person raising chickens and the care given to the animals' maintenance. Commissioner Walker commented on the subjective code compliance difficulties.

Ms. Miller added that she spoke with the code compliance officer about how subjective the rules should be. The code compliance officer indicated he understood Sherwood's standards, which he made determinations on dog cleanliness regularly and he felt the language was clear, giving him flexibility to enforce the Code.

Vice Chair Griffin asserted that he did not feel there was enough push from the public to make the code changes; the Commission was holding a public hearing and nobody spoke in favor of the changes except for Commissioner Meyer.

Commissioner Meyer questioned the idea of putting the code amendments on the ballot and asked if other jurisdictions had used that option.

Ms. Hajduk stated the Planning Commission could make any recommendation they desired because it was a legislative action. She suggested the Planning Commission forward a recommendation with a staff report that indicated that the Planning Commission had considered the draft language and the reasons for not recommending approval with any additional recommendations for the Council to consider. Ms. Hajduk said that there were a number of things that Council could do with the Planning Commission's recommendation including remanding the language back to the Planning Commission.

Ms. Hajduk said the Planning Commission could recommend placing the code amendment on the ballot and reported that the expense for putting it on the ballot varied depending on how many other items were on the ballot. The cost of the election was shared by all the items on the ballot. Discussion followed.

Chair Simson expressed that her concern was that the only reason Mr. Miller became involved was because heard about the backyard chickens survey from a mis-sent email by a chicken advocate group to sway the opinion of the elected and appointed officials and it put the entire survey into suspect when you know there was a group of people driving it. She noted that many of the comments used similar language.

Vice Chair Griffin commented that if those people had come to the meeting it would give credibility to their position. He said the Commission had a lot of testimony to the contrary, but not a lot of pro. Commissioner Walker commented that there was no written testimony either.

Chair Simson repeated Mr. Miller's comment that Sherwood was an **urban commuter community** and said Metro was asking for higher densities in our community. She noted that Sherwood was going from a more rural community to a more urban community and asked why it was opening up to farming activities as it became more urban. Chair Simson said she thought it was a mismatch.

Chair Simson called for a recess at 8:49 pm and asked staff to help craft a motion reflecting the general consensus of the Planning Commission. She reconvened the meeting at 8:59 pm and turned to staff for comment.

Ms. Miller said she reflected on what the Planning Commission deliberated and conveyed that in writing so the City Council had a good idea which direction the Planning Commission went and why. She said that based on the discussion she established some reasons why the Planning Commission was recommending denial. Ms. Miller noted that the Commission was recommending denial based on:

- Lack of support for the proposed language
- Corresponding citizen comments received against the language
- Concern about the diseases that would result should chickens be allowed in our residential communities, and
- Difficulty of enforcing the community standards adequately to prevent harm resulting from raising chickens

Chair Simson commented that not enough people had been informed of it and that there was not a good representation of the community. The code amendments should either pushed forward to a ballot measure or some other avenue that would get a more accurate reflection of whole community's feeling. She said she could envision that not enough people knew about it and all of a sudden chickens come and

then there would be a repeat of when Walmart came; no one knew about it, all of a sudden there are chickens and 150 people are in the room because they did not know the Planning Commission would approve it, even though we had done everything in our normal processes and above. Chair Simson state she did not want backyard chickens in the code without having an adequate number of citizens aware of the significant change.

Vice Chair commented that normally the Planning Commission moved forward by making decisions because they were prudent and in this particular situation, the Commission did not feel it was prudent to adopt the draft language into the Municipal Code.

With no further discussion the following motion was received.

**Motion: From Vice Chair Russell Griffin to forward a recommendation of denial to the City Council for the staff revised recommended proposed code amendment, PA 15-03 Backyard Chickens, based on the applicant testimony, public testimony received, and the analysis, findings and conditions in the staff report with the stated modifications and additions. Seconded by Commissioner Lisa Walker. Chair Simson, Vice Chair Griffin, Commissioners Flores and Walker voted in favor. Commissioner Meyer voted against (Commissioner Alan Pearson was absent).**

Commissioner Walker asked to put something could be placed on the lobby reader board about chickens.

#### **7. Planning Commissioner Announcements**

Chair Simson recognized Anthony Bevel as a member of the Community Advisory Committee for the Sherwood West Preliminary Concept Plan who came to hear Ms. Randall's presentation. She said Mr. Bevel had been an active participant in the process and thanked him for his time.

Chair Simson asked Council President Robinson if she had any additional comments. Ms. Robinson responded that the Council was looking forward to appointing a new planning commissioner.

Chair Simson announced the Sherwood Robin Hood Festival for the upcoming weekend.

Vice Chair Griffin thanked the community for supporting the summer musical, *Into the Woods* and said over the four nights more than 1200 people attended with perfect weather and the cast did a fantastic job.

#### **8. Adjourn**

Chair Simson adjourned the meeting at 9:04 pm.

Submitted by:

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Kirsten Allen

Planning Department Program Coordinator

Approval Date: \_\_\_\_\_

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**City of Sherwood, Oregon  
Planning Commission  
Public Work Session  
July 28, 2015**

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**Planning Commissioners Present:**

Chair Jean Simson  
Vice Chair Russell Griffin  
Commissioner Chris Flores  
Commissioner Alan Pearson  
Commissioner Lisa Walker

**Staff Present:**

Julia Hajduk, Community Development Director  
Brad Kilby, Planning Manager  
Kirsten Allen, Planning Dept. Program Coordinator

**Planning Commission Members Absent:**

Commissioner Michael Meyer

**Council Members Present:**

Councilor Linda Henderson

**Legal Counsel:**

None

**1. Planning commission Public Work Session**

Community Development Director, Julia Hajduk started the meeting at 7:02 pm. She introduced Michelle Peterson, Senior Project Manager at AMEC, the consultant for the project; Rose Sherwood, Senior Program Coordinator for Washington County, Public Health; and Kristie Bollinger, Real Property Management Specialist for Washington County, Facilities and Parks Services. She gave some background information on the tannery site and explained that a \$200,000 federal grant for site assessment was received from the Environmental Protection Agency (EPA) as she began the presentation (see record, Exhibit 1).

Ms. Hajduk explained that two of the parcels on the former tannery site were considered orphaned because no responsible property owner could be found and the property was foreclosed on by Washington County due to back taxes. The city was interested in acquiring the properties from Washington County to facilitate clean up, as a potential relocation for the public works yard, and for additional partnership and development opportunities, but before acquiring the property, wanted to understand the issues and liability of the property. Ms. Hajduk said the EPA grant did not require matching funds and would allow the city to conduct site assessment and develop a clean-up plan.

Ms. Hajduk turned the time over to Rose Sherwood to discuss the relationship between development and public health (also included in the presentation). She said health focused redevelopment provided access to affordable housing, food, recreation and green space areas, multi-modal transportation, hubs for community gathering, healthcare, jobs and economic development for local people. She showed several before and after examples of redeveloped properties in the metro area and asked for a discussion of concerns about the current tannery site and how redevelopment of the tannery site and/or public works yard could address those concerns. Those present formed three table groups for discussion with the following ideas being expressed.

**Concerns About The Current Tannery Site**

- Health in general; What are the health impacts?
- Contamination extent; depth of contamination, does it extend off-site?
- Shallow ground water contamination
- Community well water contamination
- Safety – dry fire hazard, no fence allows people to access the property
- Appearance of lots, both on this site and the adjacent privately owned sites
- Structures without parking
- Need to know what is on-site before any action is taken
- Cost to do the cleanup
- Concern that if Sherwood does all this work and County changes their minds instead of selling the property to the City
- What other grant money is possible and/or likely if City moves forward? Are there funding opportunities if grants don't cover the costs?
- Concern about accurate information from DEQ and the potential that standards will change requiring different levels of clean up
- Traffic on Oregon Street with redevelopment
- Remediation should consider both this site and Ken Foster Farms site
- Revenue from Tannery site to help clean up Ken Foster Farms site
- City going through this effort just to park City trucks; should focus on Ken Foster Farms site

**How can redevelopment of the tannery site and/or public works yard address these concerns?**

- Opportunity to lease additional property not occupied by public works
- Employment opportunities
- Moving public works out of Old Town will spur additional redevelopment there
- Attractive face (if done well) along Oregon Street
- Trails along wetlands for dogs and bikes

**Other comments**

- State should help clean up Ken Foster Farms sites too
- Will there be entry from Langer Farms Parkway?
- Public needs to have a say in the process

**2. Adjourn**

Ms. Hajduk adjourned the meeting at 8:30 pm.

Submitted by:

\_\_\_\_\_  
Kirsten Allen, Planning Department Program Coordinator

Approval Date: \_\_\_\_\_

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**City of Sherwood, Oregon  
Planning Commission  
Public Work Session  
September 8, 2015**

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**Planning Commissioners Present:**

Chair Jean Simson  
Commissioner Chris Flores  
Commissioner Alan Pearson  
Commissioner Rob Rettig  
Commissioner Lisa Walker

**Staff Present:**

Brad Kilby, Planning Manager  
Connie Randall, Associate Planner  
Kirsten Allen, Planning Dept. Program Coordinator

**Planning Commission Members Absent:**

Vice Chair Russell Griffin, Commissioner Michael Meyer

**Council Members Present:**

Councilor Sally Robinson

**Legal Counsel:**

None

Chair Simson started the meeting at 7:02 pm.

Brad Kilby, Planning Manager informed the Commission of some development projects in review including the Sherwood High School's 3<sup>rd</sup> Bowman house, Woodhaven Park Phase II, and two property rezone applications for the Mandel Farm and Parkway Plaza. Mr. Kilby indicated National Public Lands Day would be celebrated at the Tualatin River National Wildlife Refuge on September 12, 2015 and that the City Council was scheduled to hold a hearing on Backyard Chickens on September 15<sup>th</sup>.

Mr. Kilby indicated that the Cedar Creek Trail would kick off with the first Local Trail Advisory Committee (LTAC) meeting on September 23 and an open house would follow on October 29, 2015 at City Hall. He notified the Commission of a Washington County Livability Solutions forum with AARP to be held on September 22 and gave a handout to the commissioners for it and a list of the Planning Commission announcements just covered (see record, Exhibits 1, 2).

Council President Robinson welcomed Rob Rettig as a new Planning Commissioner and informed the Commission that City Council held a work session with the Police Advisory Committee to discuss the early sale of recreational marijuana at medical marijuana dispensaries in Sherwood.

### **1. Sherwood West Preliminary Concept Plan Update**

Brad Kilby, Planning Manager, gave a presentation (see record, Exhibit 3) about the progress made on the Sherwood West Preliminary Concept Plan since the last update given to the Commission on July 14, 2015.

He showed a map of the Sherwood area with the locations for the Tonquin Employment Area (TEA), Brookman Road Concept Plan and the Sherwood West Preliminary Concept area marked. He said the TEA and Brookman Road were already in the Urban Growth Boundary (UGB) and reminded the Commission that the Urban Reserve areas for Metro included the Sherwood West area plus other pockets throughout the Metro area that may be expanded into the UGB over the next fifty years.

Mr. Kilby explained community outreach opportunities taken including attending Movies in the Park and Music on the Green, the website, e-news subscriptions, and social media reminders.

Martin Glastra Van Loon, urban designer for Sera Architects and part of the consultant team, explained that the Commission would see the Draft Hybrid Alternative that would be presented to Technical Advisory Committee (TAC) and the Community Advisory Committee (CAC) for the Sherwood West Preliminary Concept Planning Project on September 17, 2015.

Mr. Glastra Van Loon explained that Sherwood's character has been defined by the natural setting around the city in the form of creeks and other topography that have formed natural barriers between Sherwood and the adjacent communities since it was platted in 1894; Cedar Creek, Chicken Creek, Rock Creek, Tualatin River watershed, Tonquin Scablands, and the Chehelam and Parrett Mountains. He explained that the neighborhoods have nestled within these areas resulting in a walkable scale and small town feel. Sherwood as a whole has a small scale in terms of distance from edge to edge as well. He said three alternatives were crafted to try to respond to those conditions, in topography, landscape and existing infrastructure then taken to the public in a survey to see what was preferred for the Sherwood West area.

Mr. Glastra Van Loon repeated that existing neighborhoods had roughly a quarter mile radius and the planning area was divided into smaller sub-districts based on the topography in a similar neighborhood scale giving the area an opportunity to grow incrementally on a neighborhood by neighborhood basis while keeping the quality and character and Sherwood.

Mr. Glastra Van Loon showed the Draft Hybrid Alternative and said feedback from the survey gave direction on how to move forward with the plan. He said the section north of Chicken Creek had a lot of support for a school in the middle of a neighborhood combined with some mixed use or a retail node to provide local services, a park and athletic fields at the northern corner. West of Elwert Road had a hilltop local neighborhood park.

Mr. Glastra Van Loon pointed to a road re-alignment proposed in the middle of the study area near the intersection of Elwert and Edy Road that would need further study, but might have fewer impacts on the creek crossing in the end, because of needed infrastructure improvements to bring the roads up to urban standards. He said it may mean abandoning the existing Elwert/ Edy intersection and limit crossings of Chicken Creek to the shortest distance, so the benefits may outweigh the cost.

Mr. Glastra Van Loon stated the farthest west sub-district had residential neighborhoods and to the northwest section the topography became steep. He explained a local interest to preserve the habitat as a nature park with some of the property already in a land conservancy. Up the hill south of Edy Road has been identified as hillside residential.

Mr. Glastra Van Loon said the sub-district directly west of Elwert had a small mixed use node about midway on Elwert across from Handley to serve future and existing residents within walking distance of Edy Ridge School. He showed a park bounded on three sides by natural creek areas with trails throughout the system to connect to the neighborhoods. He explained there was a larger mixed use center towards the southern end along Kruger Road, adjacent to the existing church. It would be locally oriented to future neighbors for services close enough to walk or bike to, but easily accessible for vehicles because of its proximity to 99W. Mr. Glastra Van Loon showed the hillside residential in the steeper areas of the sub-district with a park south of Kruger Road, next to the existing water reservoir. The park would be inspired by Snyder Park on the west side of Sherwood.



Mr. Glastra Van Loon informed that the sub-district to the south end was predominantly a residential neighborhood with a gateway district identified (shown in purple on the map). This gateway district would capitalize on Sherwood's location as a gateway to wine country for people traveling from Portland into wine country west and south of Sherwood. It may include tourism information and a visitor's center. He said the gateway district reflected the Brookman Road Concept Plan across 99W with some non-residential uses.

Mr. Glastra Van Loon pointed out the dotted green lines that followed most of the creek beds and explained that they were local trails to compliment the City's existing trail system connecting neighbors with historic downtown Sherwood. Where ever possible trails were shown adjacent to the natural features.

Discussion followed.

Commissioner Pearson commented on a tour he took of the Villebois neighborhood in Wilsonville and said the Sherwood West Preliminary Concept Plan was an improvement to that planned area.

Brad Kilby, Planning Manager, reviewed the next steps including future meetings and public outreach efforts. He said City Engineer Bob Galati was working with economic consultant, EcoNW, in order to provide estimates for the expected cost of each phase based on the basic infrastructure needs of the areas. Mr. Kilby explained that this will lead to a Planning Commission recommendation to City Council for use as a tool when the area becomes considered in future UGB expansions; tools like where and when expansion made the most sense and the sentiment of the property owners. Mr. Kilby explained that most of the property owners have lived in the area for a long time and anticipated growth happening, but there was also a segment that wanted to be in the last phases of growth.

Mr. Kilby indicated that density was not discussed on purpose, because this planning process was about growth not density. He stated that based on Sherwood's historic development pattern the density might be about 7.9 units per acre. That density would bring about 4400-4600 households at a population of about 12-20 thousand people. Mr. Kilby said when Metro begins their process of discussing urban growth boundary expansions Sherwood would want to make sure that the decision makers have tools to guide when areas should be brought in to the UGB. This has been the first time Metro has funded a preliminary concept plan of an Urban Reserve area outside of the UGB and Sherwood will be presenting to Metro the pros and cons of the project in the future.

Mr. Kilby advocated for commissioners to review the materials and said now was the time to be following the project in preparation for making a recommendation to City Council. He also encouraged commissioners to talk to their neighbors about the project. Discussion followed.

Chair Simson adjourned the meeting at 8:04 pm.

Submitted by:

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Kirsten Allen, Planning Department Program Coordinator

Approval Date: \_\_\_\_\_

CITY OF SHERWOOD  
Staff Report

October 6, 2015  
File No: LA 15-01

**Bowman House 3 Old Town Overlay**

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**TO: Planning Commission**

Pre-App. Meeting: N/A  
App. Submitted: August 27, 2015  
App. Complete: September 4, 2015  
Hearing Date: October 13, 2015  
120 Day Deadline: January 30, 2014

From:



Michelle Miller, AICP  
Senior Planner

**Proposal:** The applicant proposes construction of a single-family dwelling unit. The applicant proposes an accessory structure for storage in the backyard. The property is zoned Medium Density Residential Low (MDRL), and is located in the Smockville area of the Sherwood Old Town Overlay. The applicant's submittal materials are attached to this report as Exhibit A.

**I. BACKGROUND**

**A. Applicant/Owner:** Sherwood School District  
23295 SW Main Street  
Sherwood, OR 97140

**Contact:** Jon Dickover  
Construction Teacher  
503-825-5551

**B. Location:** The property address is 15824 SW 1st Street in Sherwood's Old Town and identified as Tax Lot 3400 on Washington County Tax Assessor's map number 2S132BA. The property is located between SW 1st and SW Oregon Street with frontage on SW 1<sup>st</sup> Street.

**C. Parcel Size:** The total site area is approximately 5,000 square feet, or 0.11 acres.

**D. Existing Development and Site Characteristics:** The site is vacant. Formerly, there was a single-family dwelling unit (Red House) located on the site that has since been demolished. There were several outbuildings on site that were also demolished. The former Red House was constructed in 1920, but was not listed on Sherwood's Cultural Resource Inventory.

There were several cedar and fir trees on the property that were removed in anticipation of the construction of the building. Several other landscaped bushes dot the site as well. There is a pedestrian

and bicycle pathway, formerly SW Oregon Street along the rear property line, but there is no direct vehicular access to the site due to its proximity to the “pear-about” located at the corner of SW Ash and SW First and connecting SW Oregon Street. No improvements such as sidewalks exist along the frontage of the site.

This property does not have any inventoried significant riparian, upland or wildlife habitat according to Metro’s inventory of regionally significant habitat and the Comprehensive Plan inventory map.

**E. Zoning Classification and Comprehensive Plan Designation:** The property is zoned Medium Density Residential Low (MDRL) within the Old Town Overlay. Chapters 16.16 and 16.162.030 of the Sherwood Zoning and Community Development Code list the permitted uses in this zone within the Old Town Overlay.

**F. Adjacent Zoning and Land Use:** The properties to the north, east and west are zoned Medium Density Residential Low (MDRL). Across the street is a small business in a former residential home, the property directly west of the site contains a single-family dwelling, and the vacant property to the east is owned by the School District. The property to the southwest is owned by the City and contains the Sherwood Library, City Hall and a parking lot, zoned Retail Commercial (RC).

**G. Public Notice and Hearing:** This application was processed consistent with the standards in effect at the time it was submitted. A neighborhood meeting was held on July 3, 2015 at the subject site in downtown Sherwood. Several neighborhood property owners and residents attended the neighborhood meeting. One person wanted the work in the roundabout to be completed and another stated that the property should be used for a business rather than a residence.

**Staff Response:** This property is owned by the Sherwood School District and they are choosing to construct a single-family residence, a permitted use in the zone. The roundabout is a city-owned transportation facility and the applicant would not be responsible for any needed improvement to the roundabout based on the addition of one dwelling unit. Staff is unaware of any additional work needed at the roundabout and there are not any known improvements scheduled.

Notice of the application was mailed to property owners within 1,000 feet of the subject property and in five locations throughout the City on September 15, 2015. Staff posted notice onsite on September 22, 2015 in accordance with Section 16.72.020 of the SZCDC. The notice was published in the Gazette (a paper of general circulation) on October 1, 2015 and in the Times on October 8, 2015 in accordance with Section 16.72.020 of the SZCDC.

**H. Review Criteria:** Sherwood Zoning and Community Development Code, 16.12 (Use Districts –MDRL) 16.162 (Old Town Overlay District), and where applicable, 16.168 (Landmark Alteration).

## II. PUBLIC COMMENTS

Public notice was mailed and posted on the property in five locations throughout the City on September 15, 2015. Staff received no public comments as of the date of this report. However, comments are accepted until the Planning Commission closes the public hearing.

### III. AGENCY COMMENTS

Staff sent e-notice to affected agencies on September 16, 2015. The following is a summary of the comment received. Copies of full comments are included in the record unless otherwise noted.

Sherwood Engineering Department provided comments that are attached as Exhibit B.

Engineering staff has reviewed the information provided for the project and notes that construction plans will need to meet the standards established by the City of Sherwood Engineering Department and Public Works Department, Clean Water Services (CWS) and Tualatin Valley Fire & Rescue in addition to requirements established by other jurisdictional agencies providing land use comments. The comments included an overview of the project as well as conditions that are specific to construction of infrastructure improvements as on-site erosion control. The specific utility comments are attached to this report as Exhibit B.

### IV. APPLICABLE CODE PROVISIONS

The applicable zoning district standards are identified in Chapter 16.12 below.

#### A. Division II– Land Use and Development

##### **16.12.010. - Purpose and Density Requirements**

##### **C. Medium Density Residential Low (MDRL)**

**The MDRL zoning district provides for single-family housing and other related uses with a density of 5.6 to 8 dwelling units per acre. Minor land partitions are exempt from the minimum density requirement.**

**FINDING:** The applicant proposes a single-family home, which is an allowed use in the zone. The proposal does not include a division of land and is therefore exempt from the density requirements. This provision is not applicable to this request.

##### **16.12.020. - Allowed Residential Land Uses**

##### **A. Residential Land Uses**

**FINDING:** Single-family attached or detached dwellings are permitted uses in this zone. The applicant indicated that he intends to construct a single-family home as part of this development, which is allowed outright in the zone.

##### **16.12.030 - Residential Land Use Development Standards**

##### **A. Generally**

**No lot area, setback, yard, landscaped area, open space, off-street parking or loading area, or other site dimension or requirement, existing on, or after, the effective date of this Code shall be reduced below the minimum required by this Code. Nor shall the conveyance of any portion of a lot, for other than a public use or right-of-way, leave a lot or structure on the remainder of said lot with less than minimum Code dimensions, area, setbacks or other requirements, except as permitted by Chapter 16.84. (Variance and Adjustments)**

##### **B. Development Standards**

**Except as modified under Chapter 16.68 (Infill Development), Section 16.144.030 (Wetland, Habitat and Natural Areas) Chapter 16.44 (Townhomes), or as otherwise provided, required minimum lot areas, dimensions and setbacks shall be provided in the following table.**

**MEDIUM DENSITY RESIDENTIAL LOW STANDARDS**

1.	Lot area:	5,000 sq ft
2.	Lot width at front property line:	25 feet
3.	Lot width at building line	50 ft

The applicant proposes to construct the home on one existing lot with the dimensions of approximately 100 by 50 feet. The lot width at the front property line is 50 feet. The parcel is 5,000 square feet which meets the standard for lot area. The minimum dimensions of the MDRL zone are satisfied by this request.

**FINDING:** Based on the above discussion the applicant meets the criteria with respect to lot area and lot width at front property line.

**MEDIUM DENSITY RESIDENTIAL LOW SETBACK REQUIREMENTS**

1. Front yard: Fourteen (14) feet  
Face of Garage: Twenty (20) feet
2. Side yard: Five (5) feet
3. Rear yard: Twenty (20) feet

The applicant proposes to meet all setbacks. All of setbacks will be reviewed during the plot plan review process.

**FINDING:** It is feasible for the proposal to satisfy the required setbacks. The setbacks will be verified to ensure that the building satisfies the minimum requirements of the MDRL zone along with the building permit review.

**16.12.050.C. Height**

**Except as otherwise provided, the maximum height shall be two (2) stories or thirty (30) feet, whichever is less.**

**FINDING:** The submitted plans show that the house is two stories and under 30 feet. Therefore, this standard is met.

**16.58.010 Clear Vision Areas**

**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.**

**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.**

**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:

- A. In a residential zone, the minimum distance shall be thirty (30) feet, or at intersections including an alley, ten (10) feet.
- B. In commercial and industrial zones, the minimum distance shall be fifteen (15) feet, or at intersections including an alley, ten (10) feet, except that when the angle of intersection between streets, other than an alley, is less than thirty (30) degrees, the distance shall be twenty-five (25) feet.
- C. Where no yards are required, buildings may be constructed within the clear vision area.

The parcel is located near an intersection. The driveway will be shared with the property to the north. The plans do not show any impediment to the clear vision area and will be evaluated during plot plan review.

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

**B. Division IX – Historic Resources**

The applicable provisions of Division IX include:

**16.162 Old Town Overlay District (OT)**

**16.162.060 - Dimensional Standards**

In the OT overlay zone, the dimensional standards of the underlying RC, HDR and MDRL zones shall apply, with the following exceptions:

**A. Lot Dimensions - Minimum lot area (RC zoned property only):** Twenty-five hundred (2,500) square feet.

**B. Setbacks - Minimum yards (RC zoned property only):** None, including structures adjoining a residential zone, provided that Uniform Building Code, Fire District regulations, and the site design standards of this Code, not otherwise varied by this Chapter, are met.

**C. Height - The purpose of this standard is to encourage 2 to 4 story mixed-use buildings in the Old Town area consistent with a traditional building type of ground floor active uses with housing or office uses above.**

**FINDING:** The property is zoned Medium Density Residential Low (MDRL). The proposed expansion is subject to the dimensions of Chapter 16.12, which have been discussed previously in this report. There are no home occupations associated with this use or request.

**16.162.070 - Community Design**

Standards relating to off-street parking and loading, environmental resources, landscaping, historic resources, access and egress, signs, parks and open space, on-site storage, and site design as per Divisions V, VIII and this Division shall apply, in addition to the Old Town design standards below:

**A. Generally**

In reviewing site plans, as required by Chapter 16.90, the City shall utilize the design standards of Section 16.162.080 for the "Old Cannery Area" and the "Smockville Design Standards" for all proposals in that portion of the Old Town District.

#### **B. Landscaping for Residential Structures**

- 1. Perimeter screening and buffering, as per Section 16.92.030, is not required for approved home occupations.**
- 2. Minimum landscaped areas are not required for off-street parking for approved home occupations.**
- 3. Landscaped strips, as per Sections 16.92.030 and 16.142.030A, may be a minimum of five (5) feet in width, except when adjoining alleys, where landscaped strips are not required.**
- 4. Fencing and interior landscaping, as per Section 16.92.030, are not required.**

**FINDING:** the applicant is not proposing any landscaping at this time and there are no requirements to provide landscaping as there are not landscape strips. Interior landscaping and fencing are not required. Thus, this criterion is not applicable

#### **C. Off-Street Parking**

**For all property and uses within the "Smockville Area" of the Old Town Overlay District off-street parking is not required. For all property and uses within the "Old Cannery Area" of the Old Town Overlay District, requirements for off-street automobile parking shall be no more than sixty-five percent (65%) of that normally required by Section 16.94.020. Shared or joint use parking agreements may be approved, subject to the standards of Section 16.94.010.**

**FINDING:** No off-street parking is required in the "Smockville" portion of the Old Town overlay. Regardless, the applicant proposes a two-car garage along with a driveway to provide adequate parking for the residence.

#### **D. Off-Street Loading**

- 1. Off-street loading spaces for commercial uses in the "Old Cannery Area" may be shared and aggregated in one or several locations in a single block, provided that the minimum area of all loading spaces in a block, when taken together, shall not be less than sixty-five percent (65%) of the minimum standard that is otherwise required by Section 16.94.030B.**
- 2. For all property and uses within the "Smockville Area" of the Old Town Overlay District, off-street loading is not required.**

**E. Signs - In addition to signs otherwise permitted for home occupations, as per Section 16.42.010, one (1) non-illuminated, attached, exterior sign, up to a maximum of nine (9) square feet in surface area, may be permitted for each approved home occupation.**

**F. Non-conforming Uses - When a nonconforming lot, use, or structure within the OT overlay zone has been designated a landmark as per Chapter 16.166, or when a nonconforming lot within the OT overlay zone is vacant, and the proposed change will, in the City's determination, be fully consistent with the goals and standards of the OT overlay zone and other City guidelines to preserve, restore,**

**and enhance historic resources, nonconforming use restrictions contained in Chapter 16.48 may be waived by the Commission.**

**STAFF ANALYSIS:** The property is in the Smockville Area and off street loading is not required. The applicant is not proposing a home occupation or a non-conforming use at this time and therefore these criteria are not applicable.

**G. Downtown Street Standards - All streets shall conform to the Downtown Street Standards in the City of Sherwood Transportation System Plan and Downtown Streetscape Master Plan, and as hereafter amended. Streetscape improvements shall conform to the Construction Standards and Specifications, and as hereafter amended.**

**Staff Analysis:** The Engineering Department has reviewed the proposal and the recommendations are attached as Exhibit B. The Engineering Department describes SW 1<sup>st</sup> as a two-lane collector street with a 13-foot wide paved section from center line to curb with no sidewalk within a 30-foot half street right-of-way section along the subject property frontage. The City standards for a two-lane collector street require 17 feet of pavement from centerline to curb (11-foot wide vehicle lane with a 6-foot wide sidewalk) with a 5-foot wide landscape strip with an 8-foot wide sidewalk within a 31-foot half street right-of-way section. Since there is an existing bike corridor in this area, widening the street to accommodate a bike lane is unnecessary. Therefore, no street widening is required. Existing sidewalk around SW 1st Street is 5 feet wide and curb tight. Therefore, a 5-foot wide curb tight sidewalk is required meeting Engineering Department approval.

Due to SW 1st Street being a collector status street, the driveway for the subject property will be required to be shared with the parcel to the east due to Engineering standards and the proximity to the "pearabout." The driveway throat shall not exceed 24 feet in width.

**FINDING:** Based on the above discussion, the applicant has not met this criterion, but can do so with the following conditions.

**RECOMMENDED CONDITION:** Prior to Engineering Plan approval, design a 5-foot wide curb tight sidewalk that meets Engineering Department approval to be constructed along the site's frontage with SW 1<sup>st</sup> Street.

**RECOMMENDED CONDITION:** Prior to Building Permit approval, construct a shared driveway with the parcel to the east with a driveway throat not to exceed 24 feet in width.

**H. Color - The color of all exterior materials shall be earth tone. A color palette shall be submitted and reviewed as part of the land use application review process and approved by the hearing authority.**

The applicant proposes materials comprised of off-white and blue-grey tones as well as other elements that are earth toned. The applicant has submitted a color palette and pictures for approval as part of the applicant's materials found in Exhibit A.

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



## 16.162.090 OLD TOWN SMOCKVILLE DESIGN STANDARDS

### RESIDENTIAL STRUCTURES

Historically, the Old Town District contained both commercial and residential structures, often intermixed on the same block. Today, many of the city's oldest residential structures remain as private dwellings while others have been converted to professional office or other commercial uses. The following standards are intended to reinforce the traditional mixed architectural character of the district and apply equally to all residential designs, including those now used for other commercial purposes, such as professional offices, restaurants, antique stores, and other similar uses. However, the International Building Code still dictates any requirements for interior remodeling.

#### Residential Standard 1: Volume & Mass

Historically, residential architecture in the Old Town core was comprised of multiple volumes or articulations, with extended porches, intersecting roof lines, dormers, and other features creating a complex whole rather than a single large volume. To maintain that traditional visual character the following standards apply:

**a. Verticality: Buildings shall have a generally vertical character or are comprised of a primary vertical element surrounded by more horizontally appearing wings.**

**STAFF DISCUSSION:** This building includes architectural features that will be placed vertically on the structure to address the vertical character from the front with the extended porch. It includes pillars on the porch as well as the front dormer windows on the second story that add to the verticality. The windows and roof slope also enhance the verticality of the building. The exterior siding used is at a vertical angle rather than horizontal siding also adding to the verticality.

**b. Complexity: Single large volumes are prohibited. Total area shall be contained within a minimum of two intersecting volumes, one of which may be a porch under a separate roof element. An attached garage does not constitute a second volume for purposes of this standard.**

**STAFF DISCUSSION:** There are at least three intersecting volumes including the porch which has a separate roof element and is off set. The second story includes two intersecting volumes that extend over the garage where the windows are located .

**c. Height: No building may be greater than 40 feet in overall height. Major roof ridges shall be no lower than 16 feet in height. [Note: this lower limit is designed to encourage steeper gables as opposed to low-pitched roof forms]**

**STAFF DISCUSSION:** The height of the house is proposed to be 28'2' feet.

#### Residential Standard 2: Roof Forms

**Roofs play a significant role in the overall character of a structure and, in combination with Standard 1, shelter the complex volumes typical of the traditional development pattern.**

**a. Pitch:** Roof pitches of less than 6/12 for gables are prohibited. Roof pitches of less than 5/12 for hipped roofs are prohibited. Flat roofs visible from the street are prohibited. An exception to this standard may be made for porch roofs attached to the primary volume.

**b. Complexity:** As per Standard 1(B), single large roof forms are prohibited. A single roof form with two or more dormers is considered a complex roof form and accordingly will meet this Standard.

**c. Materials:** Roofs shall be of historically appropriate materials, including asphalt shingle, wood shingle, or wood shake. The use of metal roofing, concrete tile roofing, hot-mopped asphalt, rolled asphalt, terra cotta tiles and other non-historic materials are prohibited in view of the public right-of-way.

**STAFF DISCUSSION:** There are no flat roofs visible from the street. The overall roof pitch from the front is 10/12 on the intersecting volumes and 8/12 on the main. The applicant proposes asphalt shingle roofing material.

#### **Residential Standard 3: Siding/Exterior Cladding**

Generally, vertical appearance of historic volumes in Sherwood was typically balanced by strong horizontal wood siding. The following standard requires a continuation of this horizontal character. All structures shall employ one or more of the following siding types:

- **Horizontal wood siding, maximum 8" exposed to weather:** Concrete or manufactured wood-based materials are acceptable under this Standard. This includes so-called "Cottage Siding" of wide panels scored to form multiple horizontal lines. Applicants are strongly encouraged to use smooth surfaces, not "rustic" or exposed wood grain pattern materials, which are inconsistent with Sherwood's architecture.
- **Wood Shingle siding (painted shingles are preferred, with a maximum 12" to weather)**
- **True board and batten vertical wood siding, painted**
- **Brick**
- **Brick and stone veneer (see below)**

**STAFF DISCUSSION:** The applicant proposes a variety of materials including board and batten vertical and horizontal siding, brick or stone veneer. The applicant specified that narrow hardie lap, hardie board and batten siding are proposed. Hardie shingles made of a concrete material are proposed. Cultured stone detail is proposed near the front under the windows, in the rear and around the garage door. All of these materials are permitted materials.

#### **Residential Standard 4: Trim and Architectural Detailing**

The vernacular residential architecture of Sherwood reflects the construction techniques of the late 19th and early 20th century, when buildings had "parts" that allowed for easy construction in a pre-power saw era. Today, many of these traditional elements are considered "trim," as newer materials better shed water and eliminate the original functional aspects of various historic building elements. This Standard provides for sufficient architectural detail within the Old Town Area to assure compatibility between new and old construction and create a rich and visually interesting streetscape.

All residential construction shall employ at least FOUR (4) of the following elements to meet this Standard:

- Water table or decorative foundation treatments (including stucco)
- Corner boards
- Eave Returns
- Stringcourse or other horizontal trim at plate or floor levels
- Eave brackets or support elements
- Bargeboards/Raking cornice (decorative roof "edge" treatments)
- Decorative projecting rafter tails
- Decorative gable end wall details, including change of materials (shingle bands), decorative venting, eave compass features and similar
- Wide cornice-level frieze and wall treatments.

**STAFF DISCUSSION:** The applicant proposes to use four architectural features on the building including 5/4 corner boards, bargeboard with 5/4 shake mold trim, decorative gable ends using knee braces, and a 2 x 10 Belly band between floors and at gable separation. All of these details add interest the dwelling and satisfy the above requirement.

#### **Residential Standard 5: Openings [Windows & Doors]**

Doors and windows form the "eyes" and "mouth" of a building and play a significant role in forming its character.

##### **Windows**

a. **Verticality:** All windows will reflect a basic vertical orientation with a width-to-height ratio of 1.5 to 2, or greater (i.e., a 24" wide window must be a minimum 36" tall). Larger window openings shall be formed by combining multiple window sash into groupings.

b. **Types:** The following windows types are permitted:

1. Single and double hung windows.
2. Hopper and transom-type windows.
3. Casement windows.
4. Any combination of the above, including groupings containing a central single pane fixed window flanked by two or more operable windows.
5. Glass block windows.
6. Fixed leaded or stained glass panels.

c. **Lights:** (internal divisions of window, formed by "muntins" or "mullions") True-divided lights are preferred. "Pop-In" or fake muntins are not historic, nor appropriate within Sherwood's vernacular tradition, and are prohibited when visible from the public right-of-way.

**STAFF DISCUSSION:** All windows meet the width to height ratio of 1.5 to 2 with the exception of one window on the second floor on the far left, and serves as a small decorative window rather than a feature window. It also is located on the second floor, near the stairwell. All windows are single hung and casement. There is a window grouping with a central single pane fixed window flanked by two or more operable windows above the garage.

### Doors

- a. **Transparency:** Primary entry doors will retain a degree of transparency, with no less than 25% of the surface being glazed, either in clear, leaded, or stained glass materials. Solid, flat single, panel doors are prohibited.
- b. **Materials:** Doors may be of wood, metal-clad wood, or metal. Other materials that can be painted or stained, such as cast fiberglass, so as to reflect traditional materials are permitted.

**STAFF DISCUSSION:** The front and back doors are comprised of wood with a transom and flanked with sidelight windows that provide approximately XXX% of glazing.

### Trim

- a. **Sills:** All windows will have a projecting sill and apron.
- b. **Side and Head Casing:** Door and window trim will including side and head casing that sits no less than ½" proud of the surrounding wall surface. Trim mounted in plane with siding is not permitted in the Old Town area. Trim mounted atop siding is not recommended.
- c. **Other Trim Elements:** As discussed in Standard 4, above, the use of trim to articulate the construction process was a standard character-defining element of Sherwood's vernacular architecture. Although not required by this Standard, the use of the following traditional door and window trim elements are encouraged, particularly on the primary facade.
  - Simple window "hoods," mounted over the window opening. Such features are traditionally treated as pents and clad with roofing material
  - Parting bead, between the side and head casings
  - Crown moldings
  - Decorative corner elements at the head, apron, or both
  - Single or dual flanking sidelights at entryways
  - Transom windows above the major door or window openings

**STAFF DISCUSSION:** All of the windows have trim that has a decorative corner element at the apron as well as hoods mounted over the opening. The front door has sidelights that flank the entryway. Specifically, the window trim is 5/4 x 4 sides with 5/4 x6 on top. The exterior doors have 5/4 x6 on top and 5/4 x 4 inch trim on the sides.

### Residential Standard 6: Porches/Entrances

In combination with doors, front porches help create a "sense of entry" and typically serve as the focal point of the front-facing facade of the structure. Porches should be encouraged and adequately detailed to create that sense of entry and serve as a primary element of the exterior character.

- a. **Depth:** Projecting or recessed porches should be a minimum of five (5) feet deep. Projecting covered stoops should be a minimum of three (3) feet deep.
- b. **Width:** Projecting or recessed porches should be a minimum of ten (10) feet wide or 25% of the primary facade width, whichever is the lesser. Projecting covered stoops should be a minimum of five (5) feet wide.
- c. **Supports:** To assure appropriate visual weight for the design, vertical porch supports shall have a "base" of no less than six (6) inches square in finished dimension from floor level to a minimum 32" height. Upper posts shall be no less than four (4) inches square.

1. Base features may be of boxed wood, brick, stone, true stucco, or other materials that reflect a support structure. The use of projecting "caps" or sills is encouraged at the transition between the base and column.
2. When the entire support post is a minimum of six (6) inches square no base feature is required.
3. Projecting covered stoops, with no full-height vertical support, shall utilize members of no less than four (4) inches square.

**STAFF DISCUSSION:** The applicant proposes a 15.5 foot wide porch that extends nearly half the length of the front of the dwelling (35 feet). The porch is designed with multiple details including a base feature made of stone, two columns, and a detailed rail. This provides a focal point to the entry as well as the front façade of the dwelling.

#### **Residential Standard 7: Landscape, Fencing, and Perimeter Definition**

Fencing or other edge-defining perimeter features, including the use of landscape materials, are traditional elements in Old Town Sherwood's residential areas. Please refer to Chapter 16.92 of the SZCDC for applicable landscaping standards and requirements. In addition to those provisions, such features within the Smockville Area shall also comply with the following Standard to maintain the area's character.

a. **Materials:** The following fencing materials are permitted in the Smockville Area:

1. Brick
2. Concrete, including concrete block, "split faced" concrete block and similar.
3. Stone
4. Wood, including vertical or horizontal board, pickets, split rail, and similar traditional fence designs.

**STAFF DISCUSSION:** The applicant proposes a good neighbor fence running the perimeter of the property and comprised of wood. Where allowed, the fence is proposed to be six feet tall.

#### **Residential Standard 8: Additions to Existing Buildings**

a. **Compatibility:** Additions to existing properties will continue the existing character of the resource or return to the documented original character in scale, design, and exterior materials. The creation of non-documented elements outside the traditional vernacular character such as towers, turrets, elaborate surface decoration and similar "earlying-up" is prohibited.

b. **Attachment:** Additions should "read" as such, and be clearly differentiated from the historic portion of the structure and shall be offset or "stepped" back from the original volume a minimum of four (4) inches to document the sequence of construction. An exception to this standard is allowed for the reconstruction of previously existing volumes that can be documented through physical or archival evidence.

c. **Non-Compatible Materials:** Repair of existing non-compatible materials is exempt from Standard 8(A). Rear-facing additions to existing buildings may continue the use of these materials so long as they are a continuation of the attached materials.

**STAFF DISCUSSION:** The applicant proposes an accessory building that will be designed to be compatible with the existing dwelling and meet the intention of the Smockville standards.

**Residential Standard 9: Front-Facing Presentation**

Traditionally, the portions of a structure facing the public right of way were considered the most important for presenting an aesthetically pleasing appearance. Skylights were not used, and there was very little venting since the structures were not tightly enclosed and wrapped as they are today. Therefore, keeping all modern looking venting and utilities to the side that is not visible from the public right of way is important and greatly adds to the appearance.

**a. Skylights:** Skylights shall be placed on the side of the structure not visible from the public right of way, and shall be of a low profile design.

**b. Roof vents:** Roof vents should, wherever possible, be placed on the side of the structure least visible from the public right of way, and painted to blend with the color of the roofing material. Where possible, a continuous ridge vent is preferred over roof jacks for venting purposes. In the case of using a continuous ridge vent with a vintage structure, care should be taken in creating inconspicuous air returns in the eave of the building.

**c. Plumbing vents:** Vents should, wherever possible, be placed on the side of the structure least visible from the public right of way, and painted to blend with the color of the roofing material.

**STAFF DISCUSSION:** The applicant has not proposed skylights. The roof and plumbing vents will not be visible from the street.

**FINDING:** The applicant's materials demonstrate that the design of the home would comply with the Residential Design standards as discussed above.

**STAFF RECOMMENDATION**

Based upon review of the applicant's submittal information, review of the code, agency comments and consideration of the applicant's revised submittal, staff finds that the requested approval can comply with the applicable standards of the SZCDC. Therefore, staff recommends land use **approval of File No: LA 15-01 with the following conditions:**

**V. Conditions of Approval**

**A. General Conditions**

1. Compliance with the Conditions of Approval is the responsibility of the developer or its successor in interest.
2. This land use approval shall substantially comply with the submitted preliminary site plans except as indicated in the following conditions of the Notice of Decision. Additional development or change of use may require a new development application and approval.

3. The developer/owner/applicant is responsible for all costs associated with private/public facility improvements.
4. **This approval is valid for a period of two (2) years from the date of the decision notice.** Extensions may be granted by the City as afforded by the Sherwood Zoning and Community Development Code.
5. An on-going condition of the approval is that the site be maintained in accordance with the approved site plan. In the event that landscaping is not maintained, in spite of the assurances provided, this would become a code compliance issue.
6. The continual operation of the property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code and Municipal Code.
7. A temporary use permit must be obtained from the Planning Department prior to placing a construction trailer on-site.
8. This approval does not negate the need to obtain permits, as appropriate from other local, state or federal agencies even if not specifically required by this decision.

**B. Prior to issuance of grading or erosion control permits from the Building Department:**

1. Obtain City of Sherwood Building Department approval of grading plans.

**C. Prior to Engineering Department Approval:**

1. Submit engineering plans for all public improvements and/or connections to public utilities (water, sewer, storm water, and streets) **to the Sherwood Engineering Department.** The engineering plans shall conform to the design standards of the City of Sherwood's Engineering Department, Clean Water Services, Tualatin Valley Water District, Tualatin Valley Fire & Rescue and other applicable requirements and standards. The plans shall be in substantial conformance with the utility plans dated August 19, 2015 and prepared by Alan Mascord Design Associates with the following modifications:
  - a. Design a 5-foot wide curb tight sidewalk that meets Engineering Department approval.
  - b. Design a shared driveway with the parcel to the east with a driveway throat not to exceed 24 feet in width.

**D. Prior to Issuance of a Building Permit:**

1. Receive Sherwood Engineering Department approval of engineering plans for all public improvements and/or connections to public utilities (water, sewer, storm water, and streets) including compliance with all conditions specified in "Prior to approval of public improvement plans.

**E. Prior to Issuance of Certificate of Occupancy:**

1. All public improvements shall be completed, inspected and approved, as applicable, by the City, CWS, TVF & R, TVWD and other applicable agencies.

2. All agreements required as conditions of this approval must be signed and recorded.

**VI. EXHIBITS**

- A. Applicant's submitted materials August 27, 2015
- B. Engineering Comments dated September 30, 2015.



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Exhibit A



Home of the Tualatin River National Wildlife Refuge

Case No. LA 15-01  
Fee 716-  
Receipt # 808811  
Date 8-27-15  
TYPE V

City of Sherwood  
Application for Land Use Action

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

- Annexation
- Plan Amendment (Proposed Zone \_\_\_\_\_)
- 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 \_\_\_\_\_)
- Other: Build Residential home

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](http://www.sherwoodoregon.gov). Click on Departments/Planning/Fee Schedule.

Owner/Applicant Information:

Applicant: Sherwood School District - Jon Dickover Phone: 503-481-9351  
 Applicant Address: 23295 SW Main St Sherwood OR Email: JDickover@Sherwood.k12.or.us  
 Owner: Sherwood School District - Heather Cordic Phone: 503-825-5003  
 Owner Address: 23295 SW Main St. Sherwood OR Email: HCordic@Sherwood.k12.or.us  
 Contact for Additional Information: \_\_\_\_\_

Property Information:

Street Location: 15824 1st Street Sherwood OR 97140  
 Tax Lot and Map No: Tax Lot 3400 Map # ZS132BA  
 Existing Structures/Use: House w/outbuilding converted to living quarters + covered area  
 Existing Plan/Zone Designation: \_\_\_\_\_  
 Size of Property(ies) 46' x 96' 4,416 sq ft.

Proposed Action:

Purpose and Description of Proposed Action: Purpose is to demolish existing vacant single family dwelling. Proposed action is to build (replace) existing a new single family dwelling including desired architectural detail satisfying Old Town requirements  
 Proposed Use: To build a single family dwelling to be placed on the open market.  
 Proposed No. of Phases (one year each): Two phases  
Year 1: Demolish <sup>existing</sup> + construct New Home  
Year 2: Complete Exterior envelope, Interior of home + landscaping with Sherwood High students

SHS Bowmen House

**First Street Bowmen House**  
Single Family Dwelling Construction in Old Town Overlay District  
Land Use Application

**Applicant/Owner:** Sherwood School District  
Bowmen House Project  
16956 SW Meinecke Rd.  
Sherwood, OR 97140  
Contact: Jon Dickover  
(503) 481-9351

**Site Location:** 15824 SW 1<sup>st</sup> Street Sherwood, OR

**Tax Lot #:** 2S132BA03400

**Zoning:** Medium Density Residential Low (MDRL)  
Old Town Overlay

**Summary of Request:** Approval for construction of a single-family home / shared driveway on SW 1<sup>st</sup> Street with adjacent lot to the east

**Report Date:** June 28, 2015

**REPORT ATTACHMENTS**

1. Copy of Application Form
2. Neighborhood Meeting Documentation
3. Tax Map
4. Mailing Labels
5. Vicinity Map/Surrounding Land Use Map
6. Site Plan
7. Architectural Exterior Elevations and Materials
8. CWS Service Provider Letter
9. Title Information

## I. DESCRIPTION OF PROPOSAL

The site is located on SW 1<sup>st</sup> Street in Old Town Sherwood and includes 15824 SW 1<sup>st</sup> St. The applicant proposes construct a two story single family dwelling 2128 square feet in size. The home will be accessed from a shared driveway with the adjacent lot from the east. Lot number 2S132BA03300 and 2S132BA03400 are both owned by Sherwood School District 88j.

### Authority and Approval Request

The applicant requests approval of a conditional use permit to construct a single-family detached house in Old Town.

## II. SUBMITTAL REQUIREMENTS

**Response:** The form titled "Conditional Use Checklist" obtained from the City of Sherwood website was used in preparing this application.

1. *Fees*

**Response:** Provided. A credit card was used at the time of application was submitted.

2. *Application Form*

**Response:** Provided. An application form signed by the project lead has been submitted with this application.

3. *Documentation of Neighborhood Meeting*

**Response:** Provided.

4. *Tax Map*

**Response:** Provided.

5. *Mailing Labels*

**Response:** Provided. Two sets of mailing labels obtain from a title company for properties within 1,000 feet has been provided. A copy of the mailing labels is attached (see Attachment 4)

6. *Vicinity Map*

**Response:** Provided.

7. *Narrative Report*

**Response:** Provided. This document is the narrative report.

8. *Electronic Copy.*

**Response:** Provided. An electronic copy in PDF format has been provided on a Jump Drive and submitted with this application.

9. *Required Plans*

**Response:** Provided. A site plan has been provided including all required information.

10. *Reduced – Proposed Development Plans*

**Response:** A copy of the single family home has been provided

11. *Lighting Plan*

**Response:** Does not apply. Only minimal lighting is proposed including porch lights and outdoor lights placed on the building.

12. *Surrounding Land Uses*

**Response:** Surrounding property will not be adversely affected by the use, or that the adverse effects of the use on the surrounding uses, the neighborhood, or the City as a whole as this is a single family dwelling.

13. *Architectural Exterior*

**Response:** The architectural exterior will follow all guidelines dictated by the Sherwood Old Town Historic Overlay Zone.

14. *Title Report*

**Response** A title/deed is provided.

15. *CWS Service Provider Letter*

**Response:** Provided.

16. *Trip Analysis*

**Response:** Does not apply.

17. *Army Corps and DSL wetland applications and/or permits*

**Response:** Does not apply.

18. *Traffic Study*

**Response:** Does not apply.

19. *Soils Analysis and/or Geotechnical Report*

**Response:** Does not apply.

20. *Tree Report*

**Response:** On this specific lot all trees have been removed with the demolition of the Red House that was there previously.

21. *Natural resource Assessment*

**Response:** Does not apply. Clean Water Services indicates that no sensitive areas exist on site or within 200 feet of the site and therefore for a natural resource assessment.

22. *Wetland Delineation Study*

**Response:** Does not apply. There are no jurisdictional wetlands or waterways that exist on the site.

### III. RESPONSE TO APPLICABLE CODE STANDARDS

#### Chapter 16.12 RESIDENTIAL LAND USE DISTRICTS

##### 16.12.020 - Uses

**Response:** The property is in the Old Town Overlay District. Single family homes are permitted

##### 16.22.030 – Development Standards

**Response:** The proposal complies with the development standards contained within the Old Town Overlay standards (Section 16.162)

##### 16.22.040 – Community Design

**Response:** The proposal complies with the development standards contained within the Old Town Overlay standards (Section 16.162)

#### Chapter 16.58 CLEAR VISION AND FENCE STANDARDS

##### 16.58.010 - Clear Vision Areas

**Response:** There will be a 42 inch high picket fence in the front and rear of the building. There will also be a 6 foot high fence on the sides of the building.

##### 16.58.020 - Fences, Walls and Hedges

[...]

*D.Location—Residential Zone:*

*1.Fences up to forty-two (42) inches high are allowed in required front building setbacks.*

*2.Fences up to six (6) feet high are allowed in required side or rear building setbacks, except fences adjacent to public pedestrian access ways and alleys shall not exceed forty-two (42)*

*inches in height unless there is a landscaped buffer at least three (3) feet wide between the fence and the access way or alley.*

*3.Fences on corner lots may not be placed closer than eight (8) feet back from the sidewalk along the corner-side yard.*

*4.All fences shall be subject to the clear vision provisions of Section 16.58.010*

*5.A sound wall is permitted when required as a part of a development review or concurrent with a road improvement project. A sound wall may not be taller than twenty (20) feet.*

*6.Hedges are allowed up to eight (8) feet tall in the required side and rear setbacks.*

**Response:** The applicant proposes to install a wood fence along the property line that will comply with the requirements of this section including a 6-foot fence along the side yards and 42" fence in the front yard.

### **Chapter 16.98 - ON-SITE STORAGE**

#### **16.98.010 - Recreational Vehicles and Equipment**

**Response:** Not proposed by the application

#### **16.98.020 - Solid Waste and Recycling Storage**

**Response:** The applicant will be transporting waste to appropriate locations for recycling and garbage facilities.

#### **16.98.030 – Material Storage**

**Response:** Materials will be stored on the adjacent lot during construction.

#### **16.98.040 – Outdoor Sales and Merchandise Display**

**Response:** Not proposed by the application

### **Chapter 16.106 – TRANSPORTATION FACILITIES**

**Response:** Curb exists along the 1st Street frontage with no sidewalk. As required by the City Engineering Department the applicant proposes to install sidewalk along the site frontage in compliance with this section.

### **Chapter 16.110 – SANITARY SEWERS**

**Response:** The proposal will connect to sanitary sewer in back of property.

### **Chapter 16.112 – WATER SUPPLY**

**Response:** The proposal will connect to domestic water along 1<sup>st</sup> street.

### **Chapter 16.114 – STORM WATER**

**Response:** The stormwater will drain to the front of the house into the city main.

**Chapter 16.116 – FIRE PROTECTION**

**Response:** The proposal has adequate fire apparatus access from Ash Street. No deficiencies have been identified at the pre-application meeting. The proposed structure will be reviewed by the Building Department and meet all current building codes. The applicant is unaware of any fire code related issues.

**Chapter 16.118 – PUBLIC AND PRIVATE UTILITIES**

**Response:** Public utility easements are not required in Old Town. The surrounding streets are existing and the applicant does not propose to install new streets and fully extend franchise utilities. However, these utilities are available to the property.

**Chapter 16.128 – LAND DIVISION DESIGN STANDARDS**

**16.128.010 – Blocks**

**Response:** The site is contained within an existing block and the proposed partition has no effect on the block size or connectivity.

**16.128.020 – Pedestrian and Bicycle Ways**

**Response:** Adequate block length currently exists. A pedestrian and/or bicycle way through the site is not needed or required.

**16.128.030 – Lots**

**Response:** The lots will have access to a public street, 1st Street, and alleyway in compliance with this section. Future the lots will be rectangular and run at right angles in compliance with this section. Grading will be minimal to construct the house and will not require grading or regarding of public streets.

**Chapter 16.142– PARKS, TREES AND OPEN SPACES**

**16.142.060 - Street Trees**

**Response:** Street trees will be installed along the 1<sup>st</sup> St frontage.

**16.142.070 - Trees on Property Subject to Certain Land Use Applications**

**Response:** Along with the demolition and removal of the structure all trees were removed from the site.

**Chapter 16.162 – Old Town (OT) Overlay District**

**16.162.040 – Conditional Uses**

*The following uses are permitted as conditional uses, provided such uses meet the applicable environmental performance standards contained in Division VIII, and are approved in accordance with Chapter 16.82:*



**Response:** A single family dwelling is proposed. The applicant has responded to the conditional use criteria.

**16.162.060 – Dimensional Standards**

*In the OT overlay zone, the dimensional standards of the underlying RC, HDR and MDRL zones shall apply, with the following exceptions:*

*A.Lot Dimensions - Minimum lot area (RC zoned property only): Twenty-five hundred (2,500) square feet.*

*B.Setbacks - Minimum yards (RC zoned property only): None, including structures adjoining a residential zone, provided that Uniform Building Code, Fire District regulations, and the site design standards of this Code, not otherwise varied by this Chapter, are met.*

*C.Height - The purpose of this standard is to encourage 2 to 4 story mixed-use buildings in the Old Town area consistent with a traditional building type of ground floor active uses with housing or office uses above.*

*Except as provided in Section 16.162.080, subsection C below, the maximum height of structures in RC zoned property shall be forty (40) feet (3 stories) in the "Smockville Area" and fifty (50) feet (4 stories) in the "Old Cannery Area". Limitations in the RC zone to the height of commercial structures adjoining residential zones, and allowances for additional building height as a conditional use, shall not apply in the OT overlay zone. However, five foot height bonuses are allowed under strict conditions. Chimneys, solar and wind energy devices, radio and TV antennas, and similar devices may exceed height limitations in the OT overlay zone by ten (10) feet. Minimum height: A principal building in the RC and HDR zones must be at least sixteen (16) feet in height.[...]*

**Response:** The proposal complies with the dimensional standards as follows:

Minimum lot size 2,500 square feet – 4,325 proposed  
Setbacks None –side 5 feet, rear 24 feet and front 19 feet.  
Height 40 feet: 28’6” feet proposed

**16.162.070 – Community Design**

*Standards relating to off-street parking and loading, environmental resources, landscaping, historic resources, access and egress, signs, parks and open space, on-site storage, and site design as per Divisions V, VIII and this Division shall apply, in addition to the Old Town design standards below:*

*A.Generally*

*In reviewing site plans, as required by Chapter 16.90, the City shall utilize the design standards of Section 16.162.080 for the "Old Cannery Area" and the "Smockville Design Standards" for all proposals in that portion of the Old Town District.*

**Response:** Site is in the Smockville area and response is provided later in this report.

*B.Landscaping for Residential Structures*

*1.Perimeter screening and buffering, as per Section 16.92.030, is not required for approved home occupations.*

2. *Minimum landscaped areas are not required for off-street parking for approved home occupations.*

3. *Landscaped strips, as per Sections 16.92.030 and 16.142.030A, may be a minimum of five (5) feet in width, except when adjoining alleys, where landscaped strips are not required.*

4. *Fencing and interior landscaping, as per Section 16.92.030, are not required.*

**Response:** Landscaping is provided in the 5'-6" side yard and 15-foot front yard. Fencing is also proposed around the perimeter of the site.

#### *C. Off-Street Parking*

*For all property and uses within the "Smockville Area" of the Old Town Overlay District off-street parking is not required. For all property and uses within the "Old Cannery Area" of the Old Town Overlay District, requirements for off-street automobile parking shall be no more than sixty-five percent (65%) of that normally required by Section 16.94.020. Shared or joint use parking agreements may be approved, subject to the standards of Section 16.94.010.*

**Response:** Parking is being provided per the townhome standards (Section 16.44) as stated previously in this narrative report.

#### *D. Off-Street Loading*

*1. Off-street loading spaces for commercial uses in the "Old Cannery Area" may be shared and aggregated in one or several locations in a single block, provided that the minimum area of all loading spaces in a block, when taken together, shall not be less than sixty-five percent (65%) of the minimum standard that is otherwise required by Section 16.94.030B.*

*(Ord. 2006-009 § 2)*

*2. For all property and uses within the "Smockville Area" of the Old Town Overlay District, off-street loading is not required.*

**Response:** Not required or proposed.

*E. Signs - In addition to signs otherwise permitted for home occupations, as per Section 16.42.010, one (1) non-illuminated, attached, exterior sign, up to a maximum of nine (9) square feet in surface area, may be permitted for each approved home occupation.*

*(Ord. 2006-009 § 2)*

**Response:** Not proposed.

*F. Non-conforming Uses - When a nonconforming lot, use, or structure within the OT overlay zone has been designated a landmark as per Chapter 16.166, or when a nonconforming lot within the OT overlay zone is vacant, and the proposed change will, in the City's determination, be fully consistent with the goals and standards of the OT overlay zone and other City guidelines to preserve, restore, and enhance historic resources, nonconforming use restrictions contained in Chapter 16.48 may be waived by the Commission.*

**Response:** Not proposed.

*G. Downtown Street Standards - All streets shall conform to the Downtown Street Standards in the City of Sherwood Transportation System Plan and Downtown Streetscape Master Plan, and as hereafter amended. Streetscape improvements shall conform to the Construction Standards and Specifications, and as hereafter amended.*

**Response:** The applicant is proposing to install sidewalk as required by the Engineering Department.

*H. Color - The color of all exterior materials shall be earth tone. A color palette shall be submitted and reviewed as part of the land use application review process and approved by the hearing authority.*

**Response:** Earth tone is proposed. A color palette is attached to this report (see Attachment 7).

### **16.162.090(F) – Old Town Smockville Design Standards – Residential Structures**

#### *RESIDENTIAL STRUCTURES*

*Historically, the Old Town District contained both commercial and residential structures, often intermixed on the same block. Today, many of the city's oldest residential structures remain as private dwellings while others have been converted to professional office or other commercial uses. The following standards are intended to reinforce the traditional mixed architectural character of the district and apply equally to all residential designs, including those now used for other commercial purposes, such as professional offices, restaurants, antique stores, and other similar uses. However, the International Building Code still dictates any requirements for interior remodeling.*

#### *Residential Standard 1: Volume & Mass*

*Historically, residential architecture in the Old Town core was comprised of multiple volumes or articulations, with extended porches, intersecting roof lines, dormers, and other features creating a complex whole rather than a single large volume. To maintain that traditional visual character the following standards apply:*

*a. Verticality: Buildings shall have a generally vertical character or are comprised of a primary vertical element surrounded by more horizontally appearing wings.*

**Response:** The front elevations show a strikingly tall structure with stone and steep roof pitches. There is proposed a good sized porch which meets old town requirements, intersecting roof lines with architectural interest in projections.

*b. Complexity: Single large volumes are prohibited. Total area shall be contained within a minimum of two intersecting volumes, one of which may be a porch under a separate roof element. An attached garage does not constitute a second volume for purposes of this standard.*

**Response:** This plan has 2 intersecting volumes connected by 1 porches that is offset. It also has two intersecting volumes above the garage area.

*c.Height: No building may be greater than 40 feet in overall height. Major roof ridges shall be no lower than 16 feet in height. [Note: this lower limit is designed to encourage steeper gables as opposed to low-pitched roof forms]*

**Response:** The house is 28'2" feet tall complying with this required of between 16 and 40 feet tall.

*Residential Standard 2: Roof Forms*

*Roofs play a significant role in the overall character of a structure and, in combination with Standard 1, shelter the complex volumes typical of the traditional development pattern.*

*a.Pitch: Roof pitches of less than 6/12 for gables are prohibited. Roof pitches of less than 5/12 for hipped roofs are prohibited. Flat roofs visible from the street are prohibited. An exception to this standard may be made for porch roofs attached to the primary volume.*

**Response:** Pitch of the roof is 10/12 on the intersecting volumes and 8/12 on the main.

*b.Complexity: As per Standard 1(B), single large roof forms are prohibited. A single roof form with two or more dormers is considered a complex roof form and accordingly will meet this Standard.*

**Response:** The plan has several different roof levels. The front has 3 gables.

*c.Materials: Roofs shall be of historically appropriate materials, including asphalt shingle, wood shingle, or wood shake. The use of metal roofing, concrete tile roofing, hot-mopped asphalt, rolled asphalt, terra cotta tiles and other non-historic materials are prohibited in view of the public right-of-way.*

**Response:** Asphalt shingles are proposed that will match the color of the siding and trim.

*Residential Standard 3: Siding/Exterior Cladding*

*Generally, vertical appearance of historic volumes in Sherwood was typically balanced by strong horizontal wood siding. The following standard requires a continuation of this horizontal character. All structures shall employ one or more of the following siding types:*

- *Horizontal wood siding, maximum 8" exposed to weather: Concrete or manufactured wood-based materials are acceptable under this Standard. This includes so-called "Cottage Siding" of wide panels scored to form multiple horizontal lines. Applicants are strongly encouraged to use smooth surfaces, not "rustic" or exposed wood grain pattern materials, which are inconsistent with Sherwood's architecture.*

- *Wood Shingle siding (painted shingles are preferred, with a maximum 12" to weather)*
- *True board and batten vertical wood siding, painted*
- *Brick*
- *Brick and stone veneer (see below)*

*Use of the following non-historic exterior materials are specifically prohibited within the zone: Stucco (other than as foundation cladding or a secondary detail material, as in a gable end or enframed panel.).*

- *Stucco-clad foam (EIFS, DryVit, and similar)*
- *T-111 or similar 4x8 sheet materials or plywood*
- *Horizontal metal or vinyl siding*

- Plastic or fiberglass
- Faux stone (slumpstone, fake marble, cultured stone, and similar)
- Brick veneer or any other masonry-type material, when applied over wood-frame construction, of less than twelve (12) inches width in any visible dimension. This Standard specifically excludes the use of brick or similar veneered "columns" on one face of an outside corner, as typically used to frame garage openings.

**Response:** Narrow Hardie Lap, Hardie Board & Batt siding and Hardie Shingles, a form of concrete material, is proposed that meets this standard. Cultured stone on the front under the windows and in the rear around the garage door is also proposed. No prohibited materials are proposed.

#### Residential Standard 4: Trim and Architectural Detailing

*The vernacular residential architecture of Sherwood reflects the construction techniques of the late 19th and early 20th century, when buildings had "parts" that allowed for easy construction in a pre-power saw era. Today, many of these traditional elements are considered "trim," as newer materials better shed water and eliminate the original functional aspects of various historic building elements. This Standard provides for sufficient architectural detail within the Old Town Area to assure compatibility between new and old construction and create a rich and visually interesting streetscape. All residential construction shall employ at least FOUR (4) of the following elements to meet this Standard:*

- Watertable or decorative foundation treatments (including stucco)
- Corner boards
- Eave Returns
- Stringcourse or other horizontal trim at plate or floor levels
- Eave brackets or support elements
- Bargeboards/Raking cornice (decorative roof "edge" treatments)
- Decorative projecting rafter tails
- Decorative gable end wall details, including change of materials (shingle bands), decorative venting, eave compass features and similar
- Wide cornice-level frieze and wall treatments.

**Response:** The applicant proposes to use four of these materials including 5/4 corner boards, a bargeboard with 5/4 shake mold trim, decorative Gable Ends using knee braces, and a 2x10 Belly Band between floors and at gable separation.

#### Residential Standard 5: Openings [Windows & Doors]

*Doors and windows form the "eyes" and "mouth" of a building and play a significant role in forming its character.*

*Windows*

*a. Verticality: All windows will reflect a basic vertical orientation with a width-to-height ratio of 1.5 to 2, or greater (i.e., a 24" wide window must be a minimum 36" tall). Larger window openings shall be formed by combining multiple window sash into groupings.*

*b. Types: The following windows types are permitted:*

- 1. Single and double hung windows.*
- 2. Hopper and transom-type windows.*
- 3. Casement windows.*

4. Any combination of the above, including groupings containing a central single pane fixed window flanked by two or more operable windows.

5. Glass block windows.

6. Fixed leaded or stained glass panels.

The following window types are specifically prohibited within the area:

1. Fixed pane windows (when not within a grouping, as in #4, above).

2. Horizontal slider windows (when visible from the public right-of-way).

3. Arched windows and fanlights, including "Palladian" window groupings, are inconsistent with the vernacular character of the area and are prohibited when visible from the public-right-of-way.

c. Lights: (internal divisions of window, formed by "muntins" or "mullions") True-divided lights are preferred. "Pop-In" or fake muntins are not historic, nor appropriate within Sherwood's vernacular tradition, and are prohibited when visible from the public right-of-way.

d. Sash Materials: Wood windows or enameled metal clad windows are most consistent with the vernacular tradition and are preferred. Vinyl windows or paintable fiberglass windows are allowed. Anodized or mill-finish aluminum windows or storm windows are prohibited.

e. Mirror Glazing: The use of "mirror" or reflective glass visible from the public right-of-way is prohibited.

**Response:** All windows meet the width to height ratio of 1.5 to 2 with the exception of one window. All windows meet requirements of being single hung and casement. Flanking and transom windows are grouped with appropriate windows allowing fixed pane as in example #4

#### Doors

a. Transparency: Primary entry doors will retain a degree of transparency, with no less than 25% of the surface being glazed, either in clear, leaded, or stained glass materials. Solid, flat single, panel doors are prohibited.

b. Materials: Doors may be of wood, metal-clad wood, or metal. Other materials that can be painted or stained, such as cast fiberglass, so as to reflect traditional materials are permitted.

**Response:** Front and back doors are clad wood with a transom above and have windows in compliance with this section.

#### Trim

a. Sills: All windows will have a projecting sill and apron.

b. Side and Head Casing: Door and window trim will include side and head casing that sits no less than 1/2" proud of the surrounding wall surface. Trim mounted in plane with siding is not permitted in the Old Town area. Trim mounted atop siding is not recommended.

c. Other Trim Elements: As discussed in Standard 4, above, the use of trim to articulate the construction process was a standard character-defining element of Sherwood's vernacular architecture. Although not required by this Standard, the use of the following traditional door and window trim elements are encouraged, particularly on the primary facade.

- Simple window "hoods," mounted over the window opening. Such features are traditionally treated as pents and clad with roofing material
- Parting bead, between the side and head casings
- Crown moldings

- *Decorative corner elements at the head, apron, or both*
- *Single or dual flanking sidelights at entryways*
- *Transom windows above the major door or window openings*

**Response:** Window trim is 5/4x4 sides with 5/4x6 on top. Exterior doors have 5/4x6 on top and 5/4x4 sides.

*Residential Standard 6: Porches/Entrances*

*In combination with doors, front porches help create a "sense of entry" and typically serve as the focal point of the front-facing facade of the structure. Porches should be encouraged and adequately detailed to create that sense of entry and serve as a primary element of the exterior character.*

*a.Depth: Projecting or recessed porches should be a minimum of five (5) feet deep. Projecting covered stoops should be a minimum of three (3) feet deep.*

*b.Width: Projecting or recessed porches should be a minimum of ten (10) feet wide or 25% of the primary facade width, whichever is the lesser. Projecting covered stoops should be a minimum of five (5) feet wide.*

*c.Supports: To assure appropriate visual weight for the design, vertical porch supports shall have a "base" of no less than six (6) inches square in finished dimension from floor level to a minimum 32" height. Upper posts shall be no less than four (4) inches square.*

*1.Base features may be of boxed wood, brick, stone, true stucco, or other materials that reflect a support structure. The use of projecting "caps" or sills is encouraged at the transition between the base and column.*

*2.When the entire support post is a minimum of six (6) inches square no base feature is required.*

*3.Projecting covered stoops, with no full-height vertical support, shall utilize members of no less than four (4) inches square.*

**Response:** The front projecting stoops are 5 feet deep and 15'6" wide which meets the minimum standards. These stoops are covered with gable roofs and decorative ends.

*Residential Standard 7: Landscape, Fencing, and Perimeter Definition*

*Fencing or other edge-defining perimeter features, including the use of landscape materials, are traditional elements in Old Town Sherwood's residential areas. Please refer to Chapter 16.92 of the SZCDC for applicable landscaping standards and requirements. In addition to those provisions, such features within the Smockville Area shall also comply with the following Standard to maintain the area's character.*

*a.Materials: The following fencing materials are permitted in the Smockville Area:*

*1.Brick.*

*2.Concrete, including concrete block, "split faced" concrete block and similar.*

*3.Stone.*

*4.Wood, including vertical or horizontal board, pickets, split rail, and similar traditional fence designs.*

*5.Woven-metal (arch-top wire), construction cloth (square-patterned) and similar.*

*1.Vinyl, when used in simple plain board, picket, or post and board installations. (see #3, below)*

*2.Natural metal colored or black-coated chain link fencing is permitted, but discouraged when visible from the public-right-of-way.*

3. *The mixed use of materials, as in brick columns with wood or woven wire "fields" is encouraged.*

*b. The following fencing materials are prohibited in the Smockville area:*

*1. Plywood or other solid wood panel systems.*

*2. Open pattern concrete elements except as decorative elements.*

*3. Vinyl, that includes the use of arches, latticework, finials, acorn tops, and other elaborate detailing not consistent with Old Town Sherwood's vernacular tradition.*

*4. Vinyl or wood slat inserts in chain link fencing when in view from the public right-of-way.*

*5. Faux stone, including cultured stone, slumpstone, and similar materials.*

*6. Molded or cast aluminum.*

*a. Transparency: Solid barriers of any material built to the maximum allowable height are prohibited facing the public right of way(s). Pickets or wood slats should provide a minimum 1/2" spacing between vertical elements with large spacing encouraged. Base elements, as in a concrete "curb" or foundation element are excluded from this standard provided they are no higher than twelve (12) inches above grade.*

*b. Gates/Entry Features: In order to create a sense of entry, gates, arbors, pergolas, or similar elements integrated into a perimeter fence are strongly encouraged. Such features may exceed the maximum fence height limit of four (4) feet provided they are less than eight (8) feet in overall height, are located more than ten (10) feet from any public intersection, and do not otherwise reduce pedestrian or vehicular safety.*

**Response:** A Good Neighbor Fence with 4x4 outdoor wood posts, 2x4 outdoor wood rails and cedar 1x6 vertical board is proposed. The height will be 42-inches high in right-of-way and 6-foot high the remainder in compliance with this section. Flower beds are proposed in the front yard.

*Residential Standard 8: Additions to Existing Buildings[...]*

**Response:** Does not apply.

#### IV. CONCLUSION

This narrative and attachment demonstrate compliance with applicable approval criteria and code. The applicant respectfully requests that this application be approved.

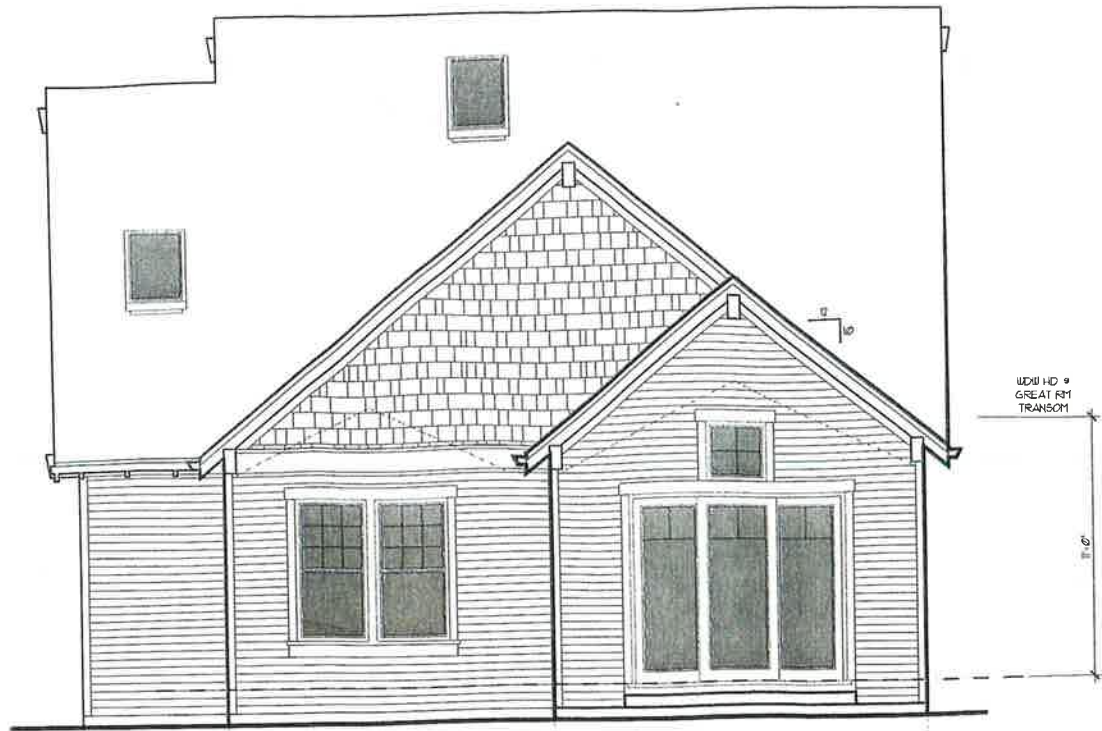


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REAR ELEVATION

SCALE



RIGHT SIDE ELEVATION

SCALE

**NOT FOR CONSTRUCTION**

28'-7 1/2" (FIELD VERIFY)  
13'-0 1/2" (FIELD VERIFY)  
TOP  
WINDOW HEAD  
8'-1 1/2" TYP.  
FINISHED FLOOR TOP  
8'-1 1/2" TYP.  
WINDOW HEAD  
FINISHED FLOOR

5/4" X CEDAR CORNER BDS  
HORIZONTAL LAP SIDING  
STONE VENEER

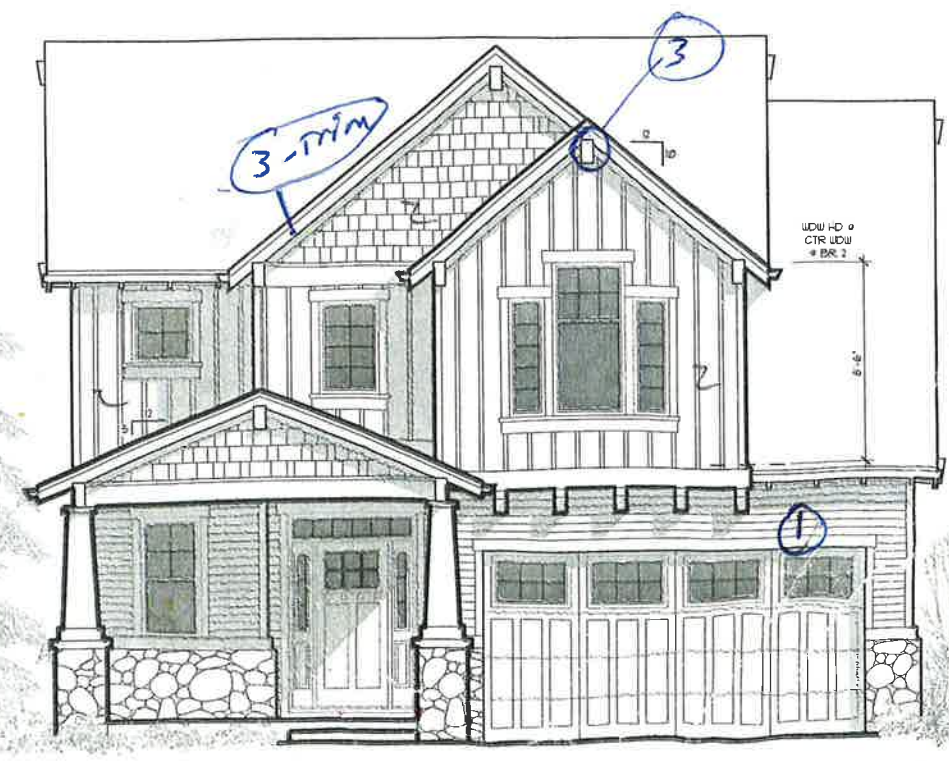
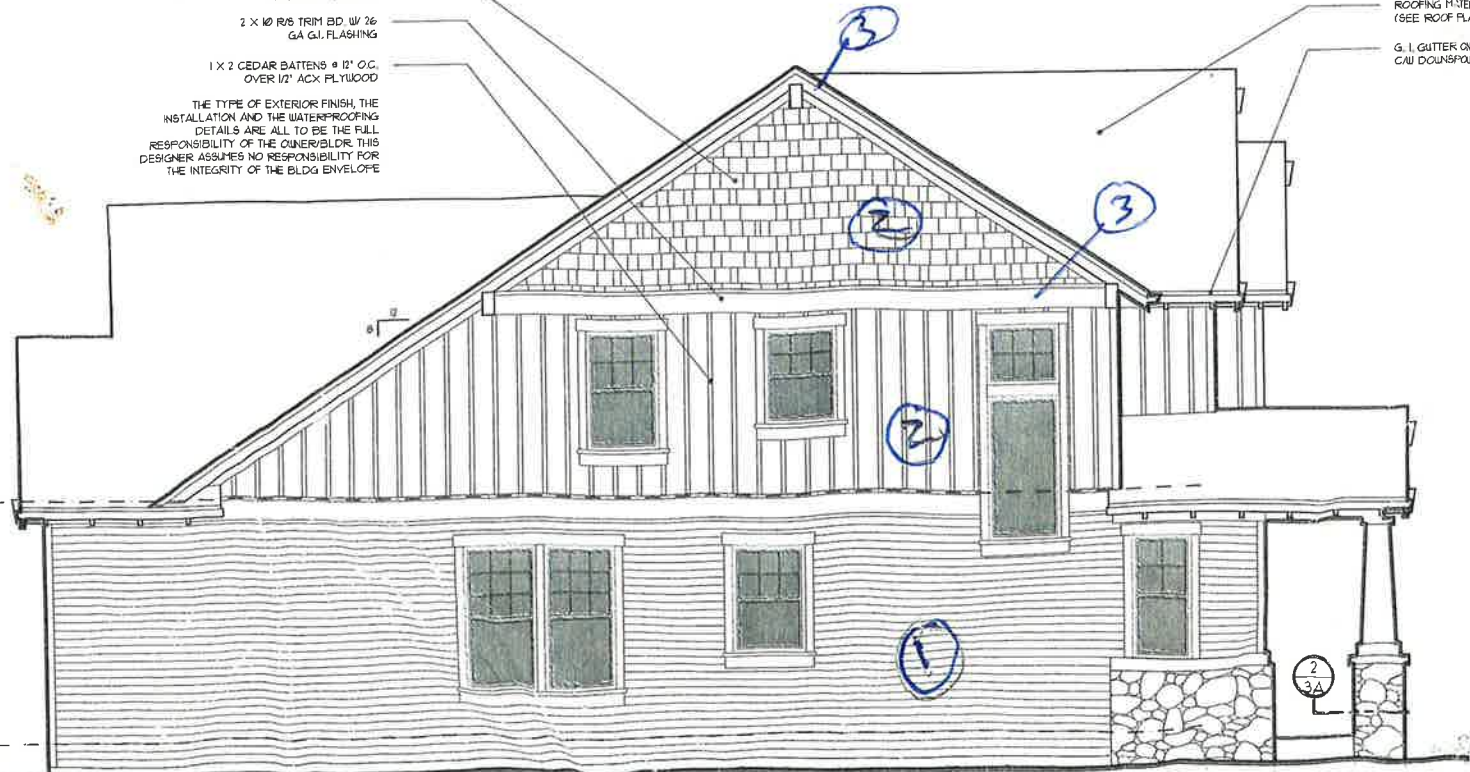
① X  
SW 7664  
Steely Gray

② X  
SW 7662  
Evening Shadow

③-Trim X  
SW 7637  
Oyster White

CEDAR SHINGLE SIDING INSTALL PER MANUF. SPECS.  
2 X 10 R/S TRIM BD W/ 26 GA G.I. FLASHING  
1 X 2 CEDAR BATTENS @ 12" O.C. OVER 1/2" ACX PLYWOOD  
THE TYPE OF EXTERIOR FINISH, THE INSTALLATION AND THE WATERPROOFING DETAILS ARE ALL TO BE THE FULL RESPONSIBILITY OF THE OWNER/BUILDER. THIS DESIGNER ASSUMES NO RESPONSIBILITY FOR THE INTEGRITY OF THE BLDG ENVELOPE

ROOFING MATERIAL (SEE ROOF PLAN)  
G. I. GUTTER ON 1 X 8 FASCIA CAU DOWNSPOUTS (SEE ROOF PLAN)



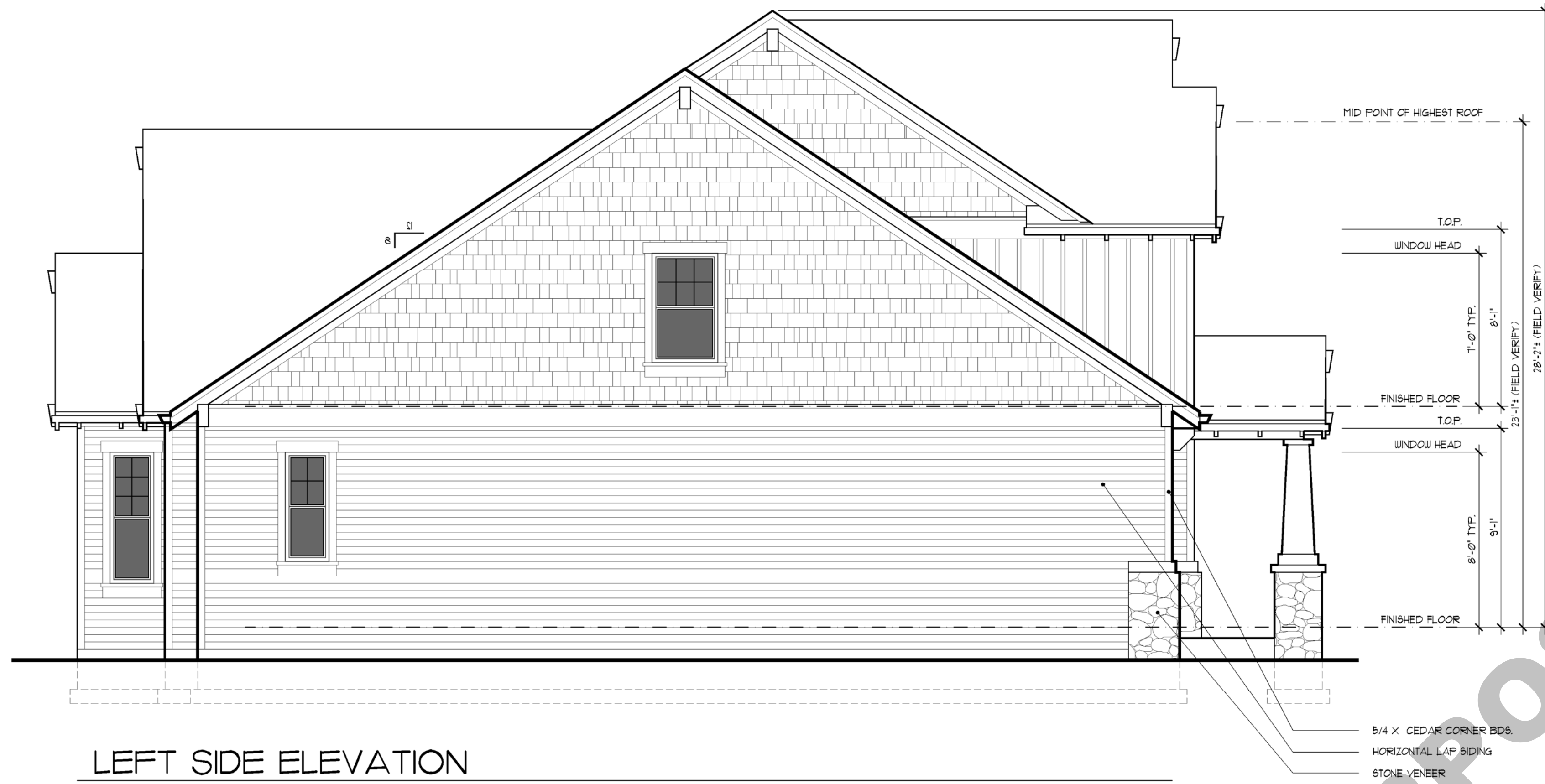
22200-1  
PROJECT MANAGER-SRH  
DRAWN 12/03/14 RJB

25# SNOW LOAD  
UPPER FLOOR 654 SQ. FT.  
MAIN FLOOR 1274 SQ. FT.  
TOTAL AREA 1928 SQ. FT.  
GARAGE AREA - 391 SQ. FT.  
47  
22200

Alan Mascard  
COLLECTION



22200-1-BOWMEN PROJECT MANAGER:RRR DRAWN: 12/03/14 R.V.V.



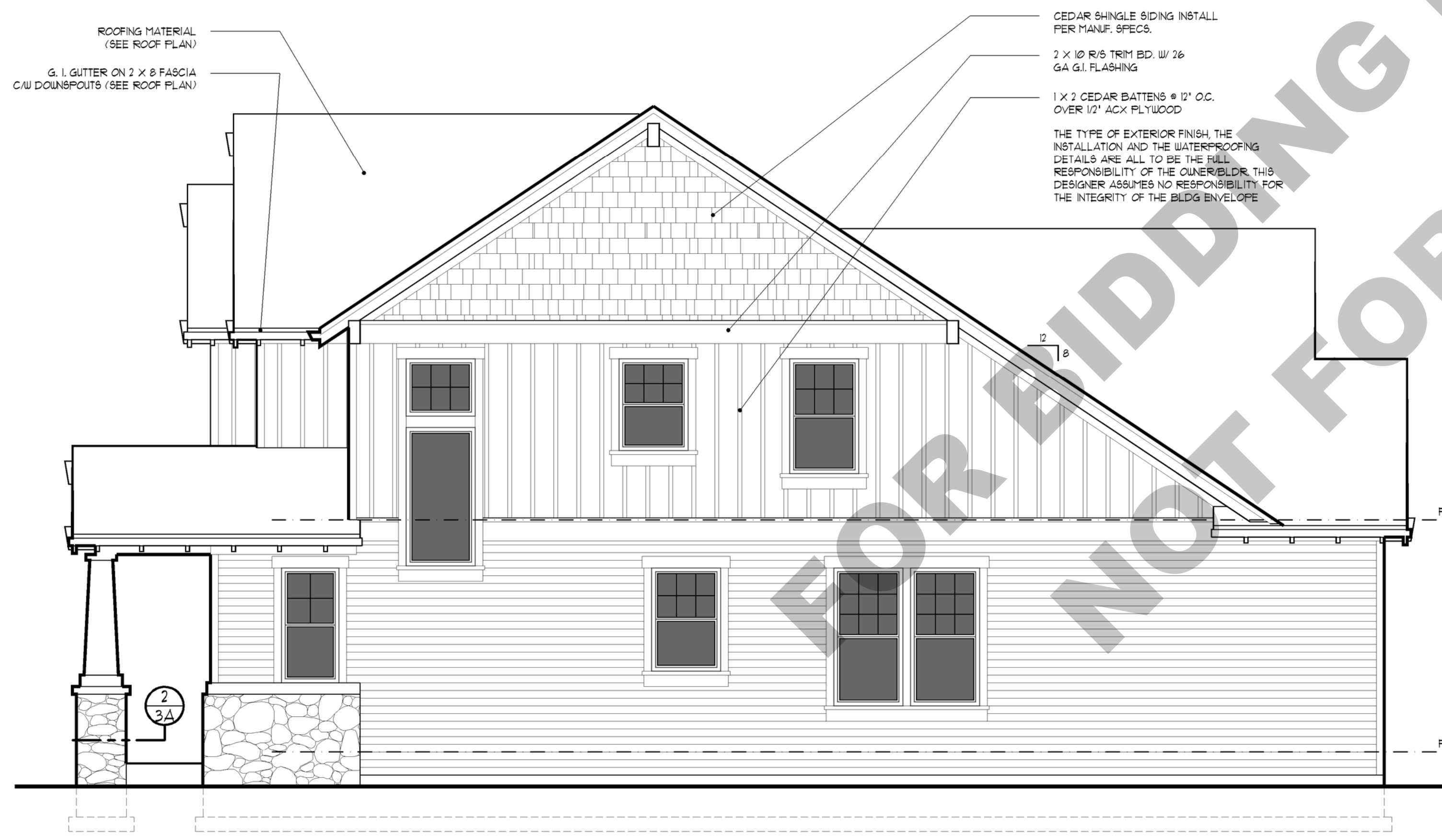
LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



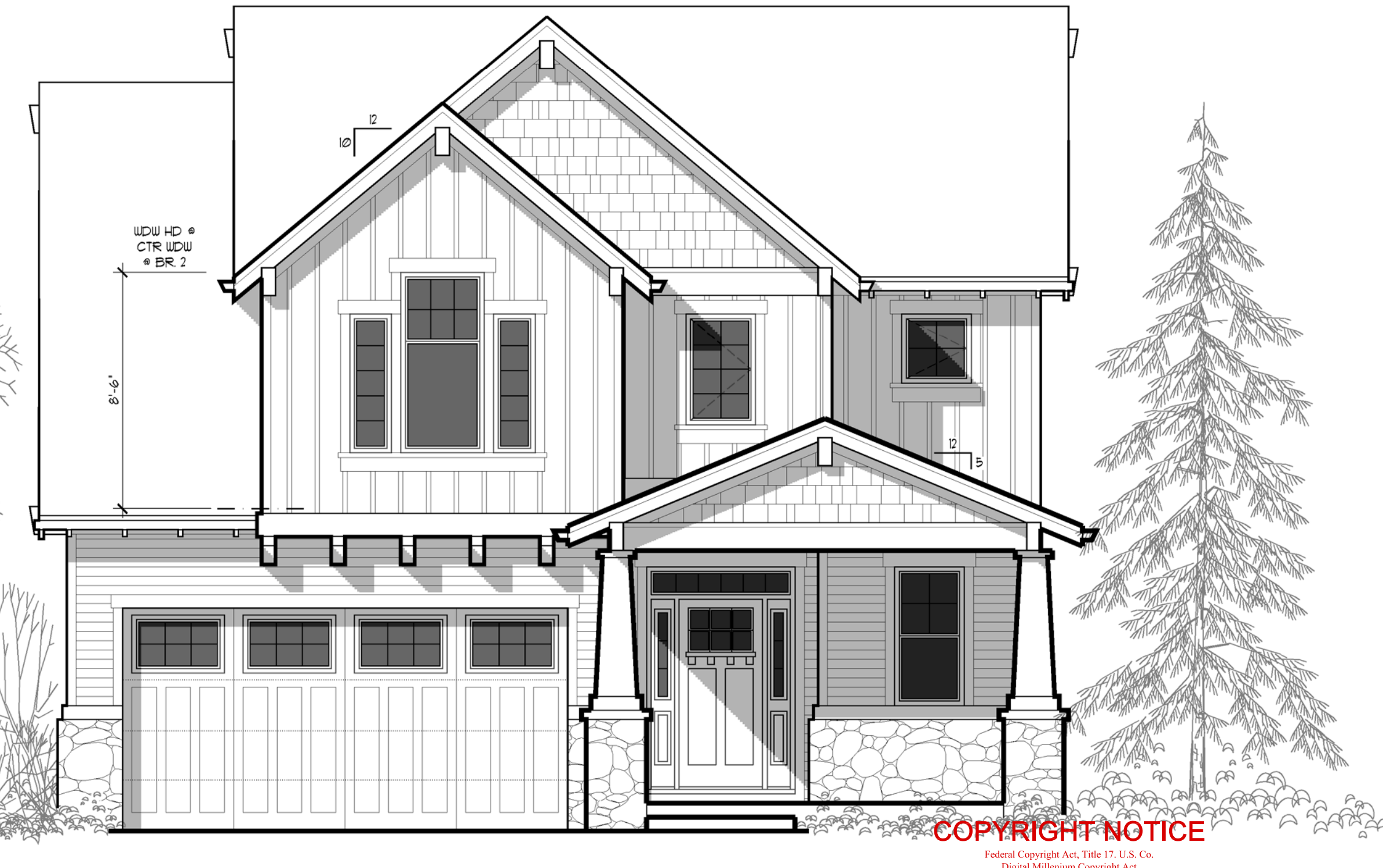
REAR ELEVATION

SCALE: 1/4" = 1'-0"



RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

- ROOFING MATERIAL (SEE ROOF PLAN)
- G.I. GUTTER ON 2" X 8" FASCIA C/W DOWNSPOUTS (SEE ROOF PLAN)
- CEDAR SHINGLE SIDING INSTALL PER MANUF. SPECS.
- 2" X 10" R/S TRIM ED. W/ 26 GA G.I. FLASHING
- 1" X 2" CEDAR BATTENS @ 12" O.C. OVER 1/2" ACK PLYWOOD

THE TYPE OF EXTERIOR FINISH, THE INSTALLATION AND THE WATERPROOFING DETAILS ARE ALL TO BE THE RESPONSIBILITY OF THE OWNER/BUILDER. THIS DESIGNER ASSUMES NO RESPONSIBILITY FOR THE INTEGRITY OF THE BLDG ENVELOPE

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THIS PLAN IS LICENSED FOR THE PURPOSES RELATED TO THE CONSTRUCTION OF A SINGLE RESIDENCE. THIS LICENSE CANNOT BE TRANSFERRED, REPRODUCED, REPRODUCED OR REPRODUCED IN ANY MANNER. THE CONTRACTOR ASSUMES FULL RESPONSIBILITY FOR THE CORRECT INSTALLATION OF ALL EXTERIOR FINISHES AND WEATHERPROOFING.

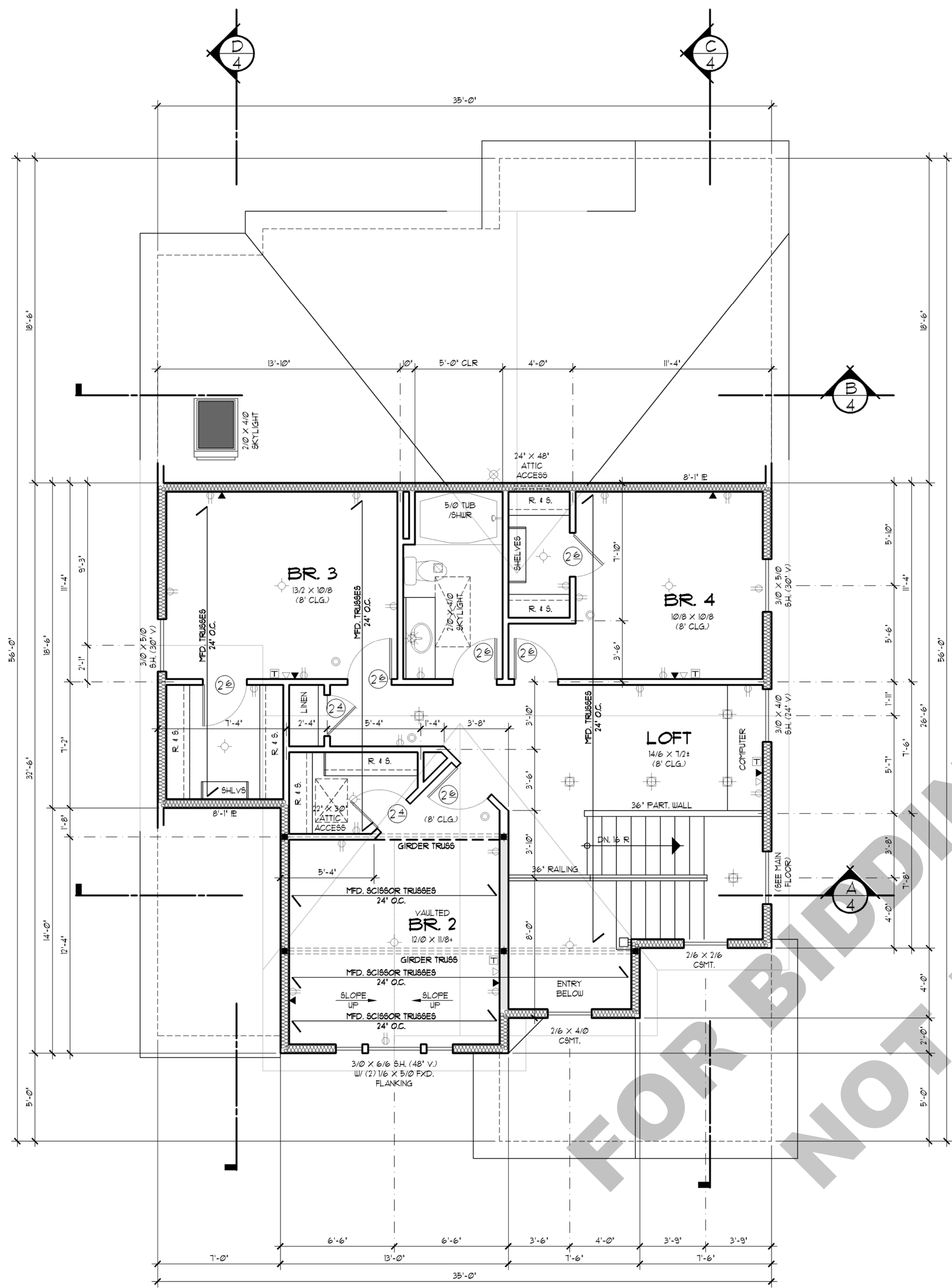
RESIDENCE FOR: BOWMEN HOUSE 3 15624 J.W. 1/1 T / T / HERWOOD, OREGON 97114 25# SNOW LOAD

UPPER FLOOR 864 SQ. FT. MAIN FLOOR 1274 SQ. FT. TOTAL AREA 2138 SQ. FT. GARAGE AREA 391 SQ. FT.

22200

1





UPPER FLOOR PLAN

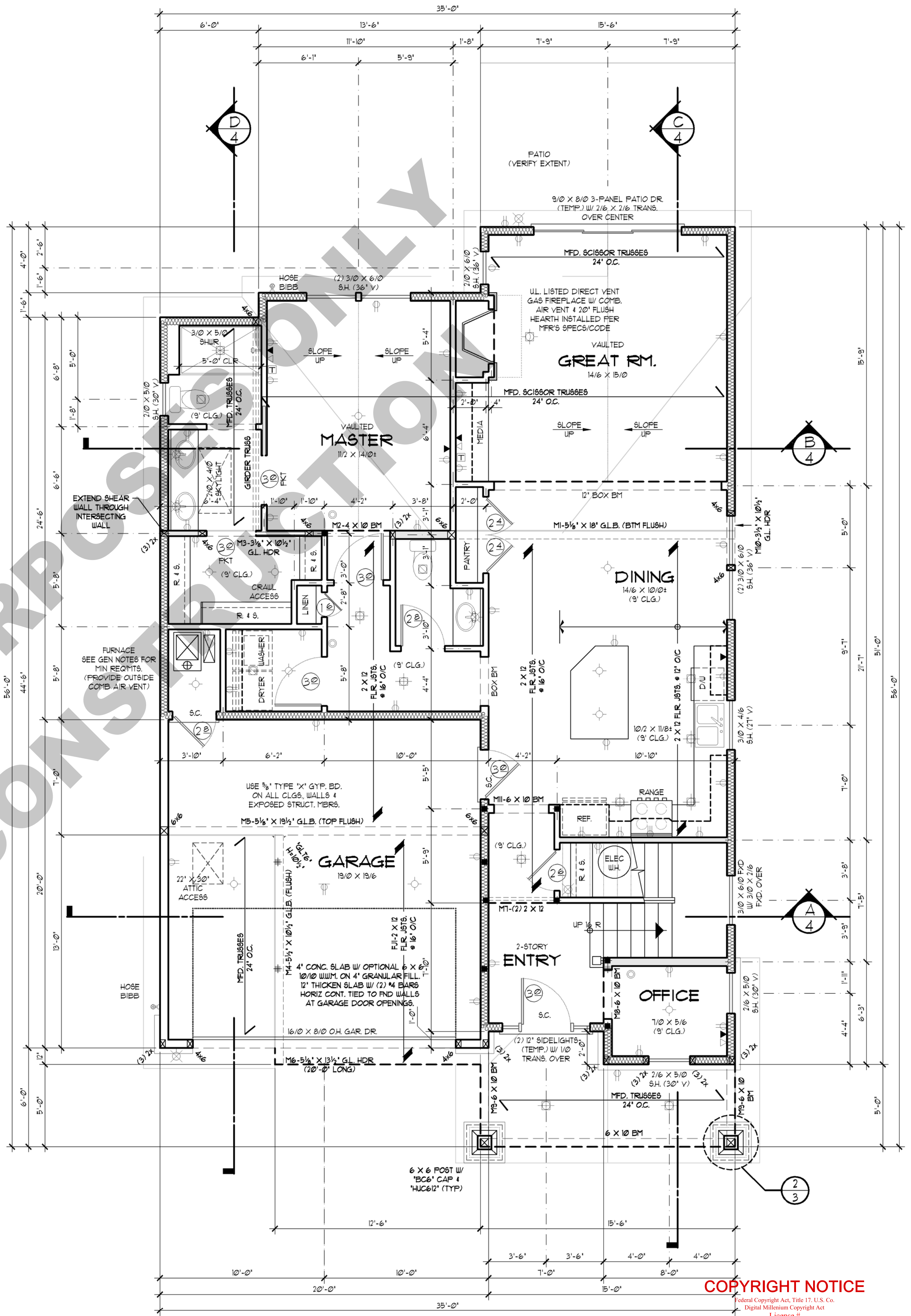
SCALE: 1/4" = 1'-0"

IF LATERAL ENGINEERING IS REQUIRED, REFER TO ENGINEERING SHEETS FOR LATERAL SPECIFICATIONS

- LEGEND**
- RECESSED INCANDESCENT
  - RECESSED DIRECTIONAL INCANDESCENT FIXTURE
  - WALL MOUNTED INCANDESCENT
  - SURFACE MOUNTED INCANDESCENT
  - SURFACE MOUNTED FLUORESCENT
  - RECESSED EXHAUST FAN VENTED TO THE EXTERIOR
  - 'CASABLANCA' TYPE CEILING FAN
  - DUPLEX OUTLET
  - CEILING MOUNTED DUPLEX OUTLET
  - 220V OUTLET
  - FLUSH FLOOR MOUNTED OUTLET (VERIFY LOC.)
  - TELEPHONE OUTLET
  - DATA OUTLET
  - TELEVISION OUTLET
  - SPEAKER LOCATION
  - SMOKE / CO DETECTOR (SEE 'GENERAL NOTES' FOR OTHER SPEC'S)
  - BEARING POINT LOCATION (PROVIDE SOLID BEARING MIN. OF MEMBER WIDTH UNO.)
  - POINT LOAD FROM ABOVE
  - 4 X 4 POST FROM ROOF HIP, VALLEY OR RIDGE DOWN TO BEARING POINT ON WALL BELOW (MAX. OF 45' FROM VERT.)
  - BEARING WALL SUPPORTING STRUCTURE ABOVE
  - 4 X 10 HDR. BEARING WALL INT. DOOR OPENINGS W/ MIN (2) 2 X SUPPORT EA END (UNO.)
  - DROPPED STRUCT. MEMBER BEARING WALL

- ENERGY ENVELOPE KEY**
- WALL, FLOOR/CLG. INSUL.
  - FOUNDATION INSUL.
  - (SEE SHEET '03' FOR INSULATION VALUES)

- CO. DET LOCATION**
- CARBON MONOXIDE ALARMS SHALL BE LOCATED IN EA. BEDROOM OR WITHIN 15 FEET OUTSIDE OF EA. BEDROOM DOOR, AT EVERY FLOOR LEVEL W/ BEDROOMS (SEE SHEET '03' FOR ADD'L INFO.)



MAIN FLOOR PLAN

SCALE: 1/4" = 1'-0"

IF LATERAL ENGINEERING IS REQUIRED, REFER TO ENGINEERING SHEETS FOR LATERAL SPECIFICATIONS

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FEDERAL COPYRIGHT ACT, TITLE 17, U.S. CODE. DIGITAL MILLENNIUM COPYRIGHT ACT LICENSE #





## Ticor Title Company PRELIMINARY REPORT

In response to the application for a policy of title insurance referenced herein Ticor Title Company Of Oregon hereby reports that it is prepared to issue, or cause to be issued, as of the specified date, a policy or policies of title insurance describing the land and the estate or interest hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.

The printed Exceptions and Exclusions from the coverage of said policy or policies are set forth in Exhibit One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Chicago Title Insurance Company, a/an Nebraska corporation.

**Please read the exceptions shown or referred to herein and the Exceptions and Exclusions set forth in Exhibit One of this report carefully. The Exceptions and Exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.**

**It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.**

This preliminary report is for the exclusive use of the parties to the contemplated transaction, and the Company does not have any liability to any third parties nor any liability until the full premium is paid and a policy is issued. Until all necessary documents are placed of record, the Company reserves the right to amend or supplement this preliminary report.

Countersigned

A handwritten signature in cursive script, appearing to read 'M. Wells', written over a horizontal line.



**Ticor Title Company**

5800 SW Meadows Rd, Suite 150, Lake Oswego, OR 97035  
(503)219-1150 FAX (503)597-5060

**PRELIMINARY REPORT**

ESCROW OFFICER: Mariah Yee  
TITLE OFFICER: Lori Guzman

ORDER NO.: 3626074636MLY-TTPOR45  
**1st Supp- Amd Note E & Delete D & F**

TO: Ticor Title Company Of Oregon  
Attn: Mariah L. Yee  
5800 SW Meadows Rd, Suite 150  
Lake Oswego, OR 97035

OWNER/SELLER: Sherwood Urban Renewal Agency

BUYER/BORROWER: Sherwood School District

**PROPERTY ADDRESS:** 15804 & 15824 SW 1st Street  
Sherwood, Oregon 97140

**EFFECTIVE DATE: March 12, 2015, 08:00 AM**

1. THE POLICY AND ENDORSEMENTS TO BE ISSUED AND THE RELATED CHARGES ARE:

	<u>AMOUNT</u>	<u>PREMIUM</u>
Owner's Standard	195,000.00	\$ 688.00
Governmental Service Fee		\$ 50.00

2. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

A Fee

3. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

City of Sherwood Urban Renewal Agency, the duly designated Urban Renewal Agency for the City of Sherwood, Oregon

4. THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE CITY OF SHERWOOD IN THE COUNTY OF WASHINGTON, STATE OF OREGON, AND IS DESCRIBED AS FOLLOWS:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF



**PRELIMINARY REPORT**

(Continued)

Order No.: 3626074636MLY-TTPOR45

**EXHIBIT "A"**

**PARCEL I**

A parcel of land situated in the County of Washington and State of Oregon and further described as Lot 2, Block 11, SMOCK'S ADDITION TO SHERWOOD, in the City of Sherwood, Washington County Oregon.

EXCEPTING therefrom a portion of Lot 2, described as follows:

Beginning at the most Westerly corner of Lot 2, Block 11, SMOCK'S ADDITION TO SHERWOOD, Washington, Oregon, thence South 42° 55' East along the Southwesterly line of said Lot 2, 94 feet to most Southerly corner thereof; thence Northerly 47° 45' East, 4 feet; thence Northerly 42° 55' West parallel with the Southwesterly line of said Lot 2, 94 feet to the Northwesterly line of Lot 2; thence Southwesterly 47° 45' West, 4 feet to the place of beginning.

And also a part of Lot 1, Block 11, SMOCK'S ADDITION TO SHERWOOD, described as follows:

Beginning at the most Westerly corner of Lot 2, Block 11 SMOCK'S ADDITION TO SHERWOOD, Washington, Oregon, thence South 42° 55' East along the Southwesterly line of said Lot 2, 94 feet to the most Southerly corner thereof; thence North 47° 45' East, 4 feet; thence North 42° 55' West parallel with the Southwesterly line of said Lot 2, 94 feet to the Northwesterly line of Lot 2; thence Southwesterly line of said Lot 1, 94 feet to the Northwesterly line of Lot 1; thence South 47° 45' West, 4 feet to the place of beginning.

**PARCEL II**

Lot 1, Block 11, SMOCK'S ADDITION TO SHERWOOD, in the City of Sherwood, County of Washington and State of Oregon EXCEPTING THEREFROM that portion described in deed to Fred W. Schamburg, et ux, recorded July 11, 1961 in Book 446, page 459, Washington County Deed Records, more particularly described as follows, to-wit:

Beginning at the most Westerly corner of Lot 2, Block 11 SMOCK'S ADDITION TO SHERWOOD, Washington, Oregon, thence South 42° 55' East along the Southwesterly line of said Lot 2, 94 feet to the most Southerly corner thereof; thence North 47° 45' East, 4 feet; thence North 42° 55' West parallel with the Southwesterly line of said Lot 2, 94 feet to the Northwesterly line of Lot 2; thence Southwesterly line of said Lot 1, 94 feet to the Northwesterly line of Lot 1; thence South 47° 45' West, 4 feet to the place of beginning.

**AS OF THE DATE OF THIS REPORT, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN THE POLICY FORM WOULD BE AS FOLLOWS:**

**GENERAL EXCEPTIONS:**

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment, (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien or right to a lien for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

**SPECIFIC ITEMS AND EXCEPTIONS:**

6. The subject property is under public, charitable, fraternal, or religious organization ownership and is exempt from ad valorem taxation. Any change in ownership prior to delivery of the assessment roll may result in tax liability.  
  
Tax Account No.: R554563, 2S132BA-03300, CODE 088.30 -Parcel II  
Tax Account No.: R554572, 2S132BA-03400, CODE 088.30-Parcel I
7. City Liens, if any, in favor of the City of Sherwood. An inquiry has been directed to the City Clerk concerning the status of said liens and a report will follow if such liens are found.
8. Please be advised that our search did not disclose any open Deeds of Trust of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.
9. If requested to issue an extended coverage ALTA loan policy, the following matters must be addressed:
  - a) The rights of tenants holding under unrecorded leases or tenancies
  - b) Any facts which would be disclosed by an accurate survey of the Land
  - c) Matters disclosed by a statement as to parties in possession and as to any construction, alterations or repairs to the Land within the last 75 days. The Company must be notified in the event that any funds are to be used for construction, alterations or repairs.

**ADDITIONAL REQUIREMENTS/NOTES:**

- A. A real property transfer tax will be imposed at the rate of \$1.00 per \$1000.00 or fraction thereof of the selling price based upon the provisions of Washington County Ordinance No. 289, effective May 3, 1984.

- B. Note: No utility search has been made or will be made for water, sewer or storm drainage charges unless the City/Service District claims them as liens (i.e. foreclosable) and reflects them on its lien docket as of the date of closing. Buyers should check with the appropriate city bureau or water service district and obtain a billing cutoff. Such charges must be adjusted outside of escrow.
- C. The Land lies within the Sherwood Urban Renewal Area and is subject to the terms and provisions thereof.
- D. INTENTIONALLY DELETED
- E. AMENDED

The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance by the corporation named below.

Name of Corporation: City of Sherwood Urban Renewal Agency

- a) An original or certified copy of a resolution authorizing the transaction contemplated herein.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

- F. INTENTIONALLY DELETED
- G. Note: There are NO conveyances affecting said Land recorded within 24 months of the date of this report.
- H. Note: There are no matters against the party(ies) shown below which would appear as exceptions to coverage in a title insurance product:  
  
Parties: Sherwood School District
- I. Note: Effective January 1, 2008, Oregon law (ORS 314.258) mandates withholding of Oregon income taxes from sellers who do not continue to be Oregon residents or qualify for an exemption. Please contact your Escrow Closer for further information.
- J. THE FOLLOWING NOTICE IS REQUIRED BY STATE LAW: YOU WILL BE REVIEWING, APPROVING AND SIGNING IMPORTANT DOCUMENTS AT CLOSING. LEGAL CONSEQUENCES FOLLOW FROM THE SELECTION AND USE OF THESE DOCUMENTS. YOU MAY CONSULT AN ATTORNEY ABOUT THESE DOCUMENTS. YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS OR CONCERNS ABOUT THE TRANSACTION OR ABOUT THE DOCUMENTS. IF YOU WISH TO REVIEW TRANSACTION DOCUMENTS THAT YOU HAVE NOT SEEN, PLEASE CONTACT THE ESCROW AGENT.
- K. Note: This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances or acreage shown thereon.

EXHIBIT ONE

2006 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (06-17-06)  
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

- (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to:
  - the occupancy, use, or enjoyment of the Land;
  - the character, dimensions, or location of any improvement erected on the Land;
  - the subdivision of land; or
  - environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
- Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
- Defects, liens, encumbrances, adverse claims, or other matters:
  - created, suffered, assumed, or agreed to by the Insured Claimant;
  - not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;

- resulting in no loss or damage to the Insured Claimant;
  - attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
  - resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
- Unenforceability of the lien of the Insured Mortgage because of the Inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
  - Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
  - Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is:
    - a fraudulent conveyance or fraudulent transfer, or
    - a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
  - Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

SCHEDULE B- GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

- Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
- Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
- Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing Improvements located on adjoining land.
- Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

2006 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (06-17-06)  
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

- (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to:
  - the occupancy, use, or enjoyment of the Land;
  - the character, dimensions, or location of any improvement erected on the Land;
  - the subdivision of land; or
  - environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
- Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
- Defects, liens, encumbrances, adverse claims, or other matters:
  - created, suffered, assumed, or agreed to by the Insured Claimant;

- not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - resulting in no loss or damage to the Insured Claimant;
  - attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
  - resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
- Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is:
    - a fraudulent conveyance or fraudulent transfer; or
    - a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
  - Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

SCHEDULE B- GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) that arise by reason of:

- Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
- Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
- Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
- Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

Exhibit One

Fidelity National Financial, Inc. and its majority-owned subsidiary companies providing real estate- and loan-related services (collectively, "FNF", "our" or "we") respect and are committed to protecting your privacy. This Privacy Notice lets you know how and for what purposes your Personal Information (as defined herein) is being collected, processed and used by FNF. We pledge that we will take reasonable steps to ensure that your Personal Information will only be used in ways that are in compliance with this Privacy Notice. The provision of this Privacy Notice to you does not create any express or implied relationship, or create any express or implied duty or other obligation, between Fidelity National Financial, Inc. and you. See also **No Representations or Warranties** below.

This Privacy Notice is only in effect for any generic information and Personal Information collected and/or owned by FNF, including collection through any FNF website and any online features, services and/or programs offered by FNF (collectively, the "Website"). This Privacy Notice is not applicable to any other web pages, mobile applications, social media sites, email lists, generic information or Personal Information collected and/or owned by any entity other than FNF.

#### **How Information is Collected**

The types of personal information FNF collects may include, among other things (collectively, "Personal Information"): (1) contact information (e.g., name, address, phone number, email address); (2) demographic information (e.g., date of birth, gender marital status); (3) Internet protocol (or IP) address or device ID/UDID; (4) social security number (SSN), student ID (SIN), driver's license, passport, and other government ID numbers; (5) financial account information; and (6) information related to offenses or criminal convictions.

In the course of our business, we may collect Personal Information about you from the following sources:

- Applications or other forms we receive from you or your authorized representative;
- Information we receive from you through the Website;
- Information about your transactions with or services performed by us, our affiliates, or others; and
- From consumer or other reporting agencies and public records maintained by governmental entities that we either obtain directly from those entities, or from our affiliates or others.

#### **Additional Ways Information is Collected Through the Website**

**Browser Log Files.** Our servers automatically log each visitor to the Website and collect and record certain information about each visitor. This information may include IP address, browser language, browser type, operating system, domain names, browsing history (including time spent at a domain, time and date of your visit), referring/exit web pages and URLs, and number of clicks. The domain name and IP address reveal nothing personal about the user other than the IP address from which the user has accessed the Website.

**Cookies.** From time to time, FNF or other third parties may send a "cookie" to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive and that can be re-sent to the serving website on subsequent visits. A cookie, by itself, cannot read other data from your hard disk or read other cookie files already on your computer. A cookie, by itself, does not damage your system. We, our advertisers and other third parties may use cookies to identify and keep track of, among other things, those areas of the Website and third party websites that you have visited in the past in order to enhance your next visit to the Website. You

can choose whether or not to accept cookies by changing the settings of your Internet browser, but some functionality of the Website may be impaired or not function as intended. See the **Third Party Opt Out** section below.

**Web Beacons.** Some of our web pages and electronic communications may contain images, which may or may not be visible to you, known as Web Beacons (sometimes referred to as "clear gifs"). Web Beacons collect only limited information that includes a cookie number; time and date of a page view; and a description of the page on which the Web Beacon resides. We may also carry Web Beacons placed by third party advertisers. These Web Beacons do not carry any Personal Information and are only used to track usage of the Website and activities associated with the Website. See the **Third Party Opt Out** section below.

**Unique Identifier.** We may assign you a unique internal identifier to help keep track of your future visits. We may use this information to gather aggregate demographic information about our visitors, and we may use it to personalize the information you see on the Website and some of the electronic communications you receive from us. We keep this information for our internal use, and this information is not shared with others.

**Third Party Opt Out.** Although we do not presently, in the future we may allow third-party companies to serve advertisements and/or collect certain anonymous information when you visit the Website. These companies may use non-personally identifiable information (e.g., click stream information, browser type, time and date, subject of advertisements clicked or scrolled over) during your visits to the Website in order to provide advertisements about products and services likely to be of greater interest to you. These companies typically use a cookie or third party Web Beacon to collect this information, as further described above. Through these technologies, the third party may have access to and use non-personalized information about your online usage activity.

You can opt-out of certain online behavioral services through any one of the ways described below. After you opt-out, you may continue to receive advertisements, but those advertisements will no longer be as relevant to you.

- You can opt-out via the Network Advertising Initiative industry opt-out at <http://www.networkadvertising.org/>.
- You can opt-out via the Consumer Choice Page at [www.aboutads.info](http://www.aboutads.info).
- For those in the U.K., you can opt-out via the IAB UK's industry opt-out at [www.youronlinechoices.com](http://www.youronlinechoices.com).
- You can configure your web browser (Chrome, Firefox, Internet Explorer, Safari, etc.) to delete and/or control the use of cookies.

More information can be found in the Help system of your browser. Note: If you opt-out as described above, you should not delete your cookies. If you delete your cookies, you will need to opt-out again.

#### **Use of Personal Information**

Information collected by FNF is used for three main purposes:

- To provide products and services to you or one or more third party service providers (collectively, "Third Parties") who are obtaining services on your behalf or in connection with a transaction involving you.
- To improve our products and services that we perform for you or for Third Parties.
- To communicate with you and to inform you about FNF's, FNF's affiliates and third parties' products and services.

**When Information Is Disclosed By FNF**

We may provide your Personal Information (excluding information we receive from consumer or other credit reporting agencies) to various individuals and companies, as permitted by law, without obtaining your prior authorization. Such laws do not allow consumers to restrict these disclosures. Disclosures may include, without limitation, the following:

- To agents, brokers, representatives, or others to provide you with services you have requested, and to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure in connection with an insurance transaction;
- To third-party contractors or service providers who provide services or perform marketing services or other functions on our behalf;
- To law enforcement or other governmental authority in connection with an investigation, or civil or criminal subpoenas or court orders; and/or
- To lenders, lien holders, judgment creditors, or other parties claiming an encumbrance or an interest in title whose claim or interest must be determined, settled, paid or released prior to a title or escrow closing.

In addition to the other times when we might disclose information about you, we might also disclose information when required by law or in the good-faith belief that such disclosure is necessary to: (1) comply with a legal process or applicable laws; (2) enforce this Privacy Notice; (3) respond to claims that any materials, documents, images, graphics, logos, designs, audio, video and any other information provided by you violates the rights of third parties; or (4) protect the rights, property or personal safety of FNF, its users or the public.

We maintain reasonable safeguards to keep the Personal Information that is disclosed to us secure. We provide Personal Information and non-Personal Information to our subsidiaries, affiliated companies, and other businesses or persons for the purposes of processing such information on our behalf and promoting the services of our trusted business partners, some or all of which may store your information on servers outside of the United States. We require that these parties agree to process such information in compliance with our Privacy Notice or in a similar, industry-standard manner, and we use reasonable efforts to limit their use of such information and to use other appropriate confidentiality and security measures. The use of your information by one of our trusted business partners may be subject to that party's own Privacy Notice. We do not, however, disclose information we collect from consumer or credit reporting agencies with our affiliates or others without your consent, in conformity with applicable law, unless such disclosure is otherwise permitted by law.

We also reserve the right to disclose Personal Information and/or non-Personal Information to take precautions against liability, investigate and defend against any third-party claims or allegations, assist government enforcement agencies, protect the security or integrity of the Website, and protect the rights, property, or personal safety of FNF, our users or others.

We reserve the right to transfer your Personal Information, as well as any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets. We also cannot make any representations regarding the use or transfer of your Personal Information or other information that we may have in the event of our bankruptcy, reorganization, insolvency, receivership or an assignment for the benefit of creditors, and you expressly agree and consent to the use and/or transfer of your Personal Information or other information in connection with a sale or transfer of some or all of our assets in any of the above described proceedings. Furthermore, we cannot and will not be responsible for any breach of security by any third parties or for any actions of any third parties that receive any of the information that is disclosed to us.

**Information From Children**

We do not collect Personal Information from any person that we know to be under the age of thirteen (13). Specifically, the Website is not intended or designed to attract children under the age of thirteen (13). You affirm that you are either more than 18 years of age, or an emancipated minor, or possess legal parental or guardian consent, and are fully able and competent to enter into the terms, conditions, obligations, affirmations, representations, and warranties set forth in this Privacy Notice, and to abide by and comply with this Privacy Notice. In any case, you affirm that you are over the age of 13, as **THE WEBSITE IS NOT INTENDED FOR CHILDREN UNDER 13 THAT ARE UNACCOMPANIED BY HIS OR HER PARENT OR LEGAL GUARDIAN.**

Parents should be aware that FNF's Privacy Notice will govern our use of Personal Information, but also that information that is voluntarily given by children – or others – in email exchanges, bulletin boards or the like may be used by other parties to generate unsolicited communications. FNF encourages all parents to instruct their children in the safe and responsible use of their Personal Information while using the Internet.

**Privacy Outside the Website**

The Website may contain various links to other websites, including links to various third party service providers. FNF is not and cannot be responsible for the privacy practices or the content of any of those other websites. Other than under agreements with certain reputable organizations and companies, and except for third party service providers whose services either we use or you voluntarily elect to utilize, we do not share any of the Personal Information that you provide to us with any of the websites to which the Website links, although we may share aggregate, non-Personal Information with those other third parties. Please check with those websites in order to determine their privacy policies and your rights under them.

**European Union Users**

If you are a citizen of the European Union, please note that we may transfer your Personal Information outside the European Union for use for any of the purposes described in this Privacy Notice. By providing FNF with your Personal Information, you consent to both our collection and such transfer of your Personal Information in accordance with this Privacy Notice.

**Choices With Your Personal Information**

Whether you submit Personal Information to FNF is entirely up to you. You may decide not to submit Personal Information, in which case FNF may not be able to provide certain services or products to you.

You may choose to prevent FNF from disclosing or using your Personal Information under certain circumstances ("opt out"). You may opt out of any disclosure or use of your Personal Information for purposes that are incompatible with the purpose(s) for which it was originally collected or for which you subsequently gave authorization by notifying us by one of the methods at the end of this Privacy Notice. Furthermore, even where your Personal Information is to be disclosed and used in accordance with the stated purposes in this Privacy Notice, you may elect to opt out of such disclosure to and use by a third party that is not acting as an agent of FNF. As described above, there are some uses from which you cannot opt-out.

Please note that opting out of the disclosure and use of your Personal Information as a prospective employee may prevent you from being hired as an employee by FNF to the extent that provision of your Personal Information is required to apply for an open position.

If FNF collects Personal Information from you, such information will not be disclosed or used by FNF for purposes that are incompatible with the purpose(s) for which it was originally collected or for which you

subsequently gave authorization unless you affirmatively consent to such disclosure and use.

You may opt out of online behavioral advertising by following the instructions set forth above under the above section "Additional Ways That Information Is Collected Through the Website," subsection "Third Party Opt Out."

**Access and Correction**

To access your Personal Information in the possession of FNF and correct inaccuracies of that information in our records, please contact us in the manner specified at the end of this Privacy Notice. We ask individuals to identify themselves and the information requested to be accessed and amended before processing such requests, and we may decline to process requests in limited circumstances as permitted by applicable privacy legislation.

**Your California Privacy Rights**

Under California's "Shine the Light" law, California residents who provide certain personally identifiable information in connection with obtaining products or services for personal, family or household use are entitled to request and obtain from us once a calendar year information about the customer information we shared, if any, with other businesses for their own direct marketing uses. If applicable, this information would include the categories of customer information and the names and addresses of those businesses with which we shared customer information for the immediately prior calendar year (e.g., requests made in 2015 will receive information regarding 2014 sharing activities).

To obtain this information on behalf of FNF, please send an email message to [privacy@fnf.com](mailto:privacy@fnf.com) with "Request for California Privacy Information" in the subject line and in the body of your message. We will provide the requested information to you at your email address in response.

Please be aware that not all information sharing is covered by the "Shine the Light" requirements and only information on covered sharing will be included in our response.

Additionally, because we may collect your Personal Information from time to time, California's Online Privacy Protection Act requires us to disclose how we respond to "do not track" requests and other similar mechanisms. Currently, our policy is that we do not recognize "do not track" requests from Internet browsers and similar devices.

**No Representations or Warranties**

By providing this Privacy Notice, Fidelity National Financial, Inc. does not make any representations or warranties whatsoever concerning any

products or services provided to you by its majority-owned subsidiaries. In addition, you also expressly agree that your use of the Website is at your own risk. Any services provided to you by Fidelity National Financial, Inc. and/or the Website are provided "as is" and "as available" for your use, without representations or warranties of any kind, either express or implied, unless such warranties are legally incapable of exclusion. Fidelity National Financial, Inc. makes no representations or warranties that any services provided to you by it or the Website, or any services offered in connection with the Website are or will remain uninterrupted or error-free, that defects will be corrected, or that the web pages on or accessed through the Website, or the servers used in connection with the Website, are or will remain free from any viruses, worms, time bombs, drop dead devices, Trojan horses or other harmful components. Any liability of Fidelity National Financial, Inc. and your exclusive remedy with respect to the use of any product or service provided by Fidelity National Financial, Inc. including on or accessed through the Website, will be the re-performance of such service found to be inadequate.

**Your Consent To This Privacy Notice**

By submitting Personal Information to FNF, you consent to the collection and use of information by us as specified above or as we otherwise see fit, in compliance with this Privacy Notice, unless you inform us otherwise by means of the procedure identified below. If we decide to change this Privacy Notice, we will make an effort to post those changes on the Website. Each time we collect information from you following any amendment of this Privacy Notice will signify your assent to and acceptance of its revised terms for all previously collected information and information collected from you in the future. We may use comments, information or feedback that you may submit in any manner that we may choose without notice or compensation to you.

If you have additional questions or comments, please let us know by sending your comments or requests to:

Fidelity National Financial, Inc.  
 601 Riverside Avenue  
 Jacksonville, Florida 32204  
 Attn: Chief Privacy Officer  
 (888) 934-3354  
[privacy@fnf.com](mailto:privacy@fnf.com)

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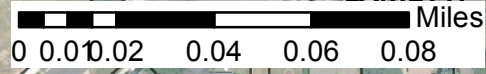
EFFECTIVE AS OF: JANUARY 6, 2015



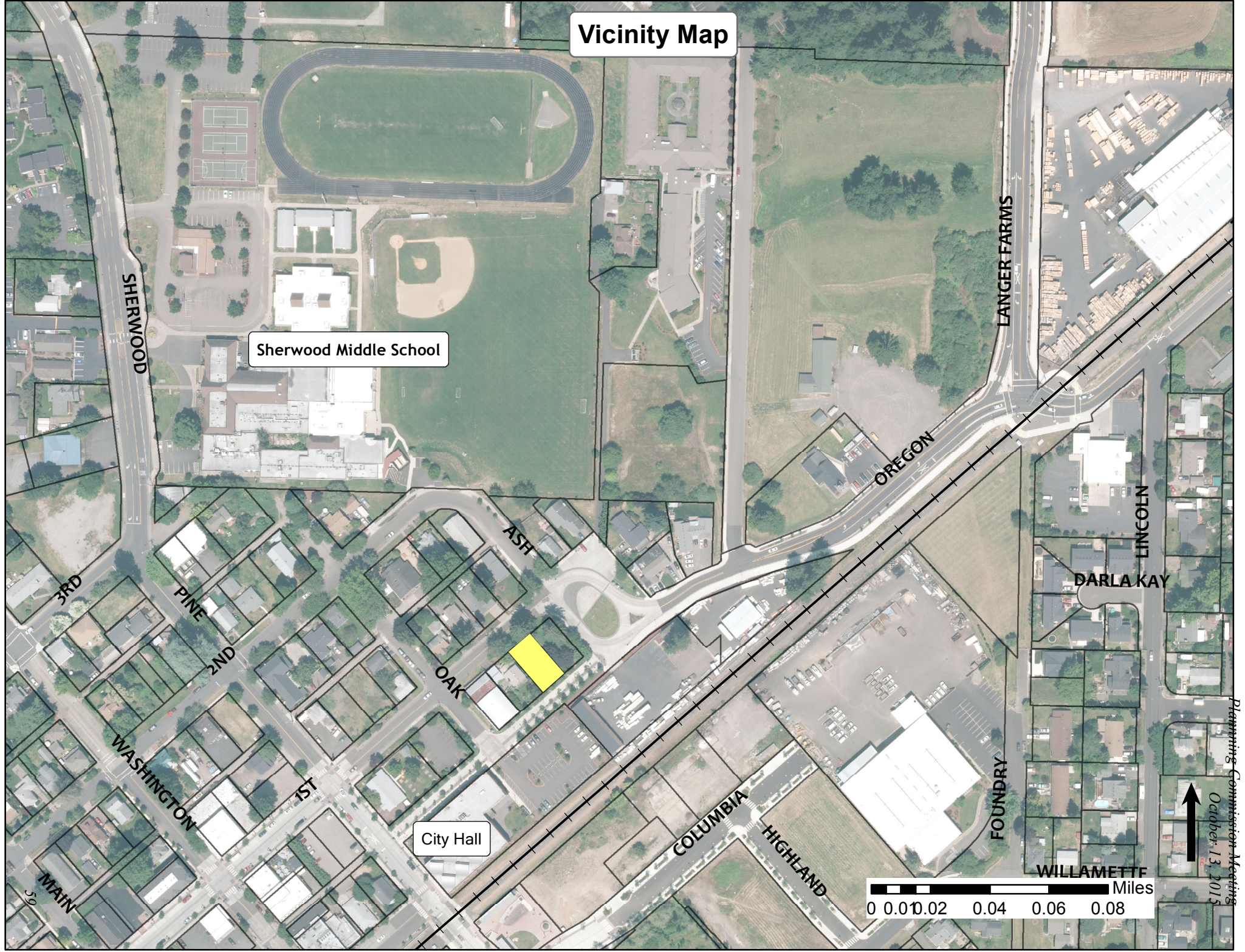
# Vicinity Map

Sherwood Middle School

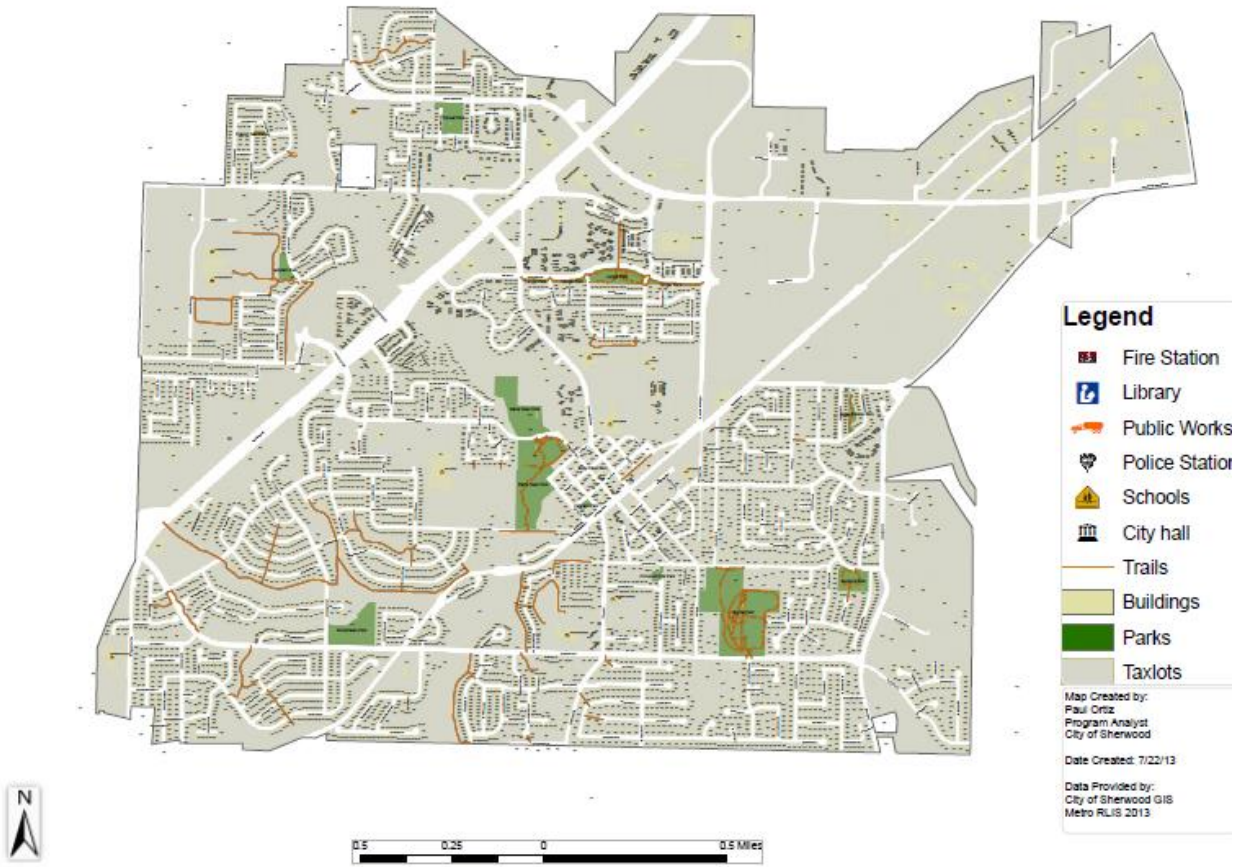
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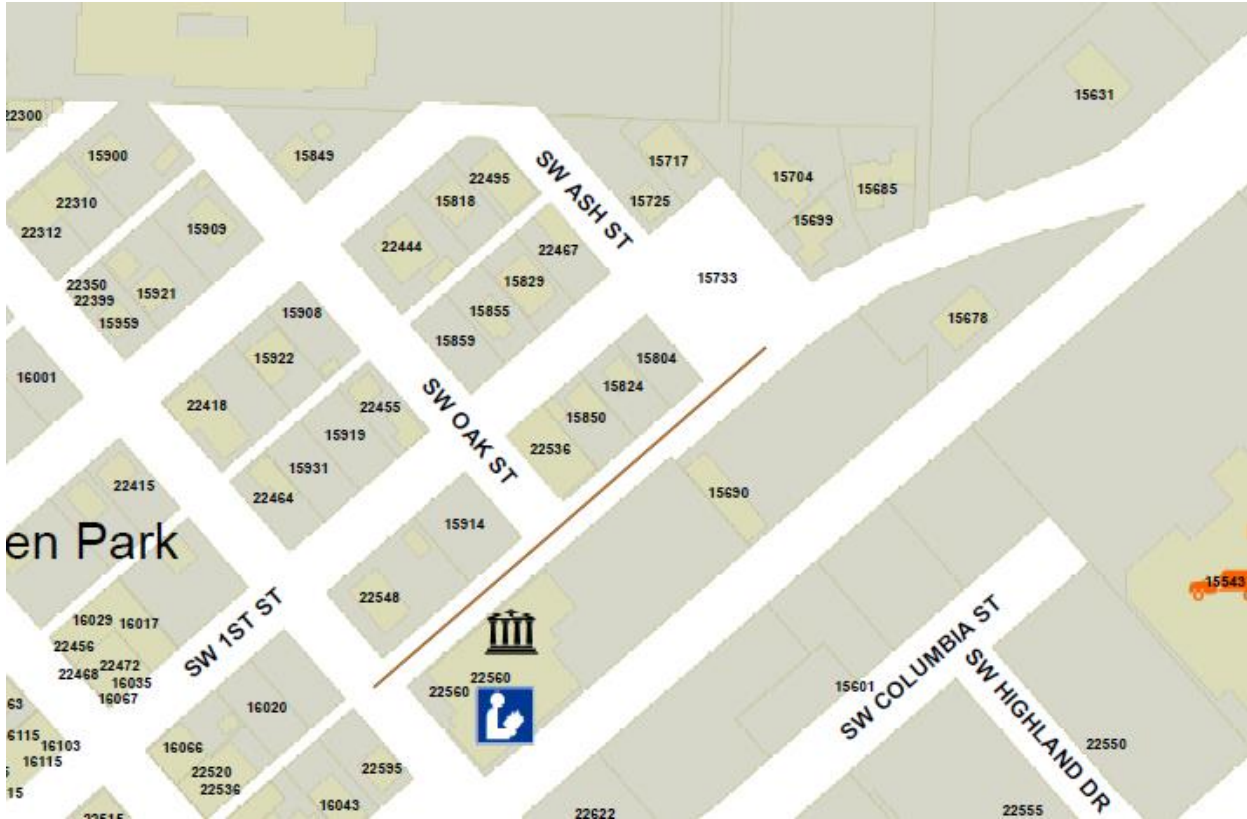


Planning Commission Meeting  
October 13, 2015



















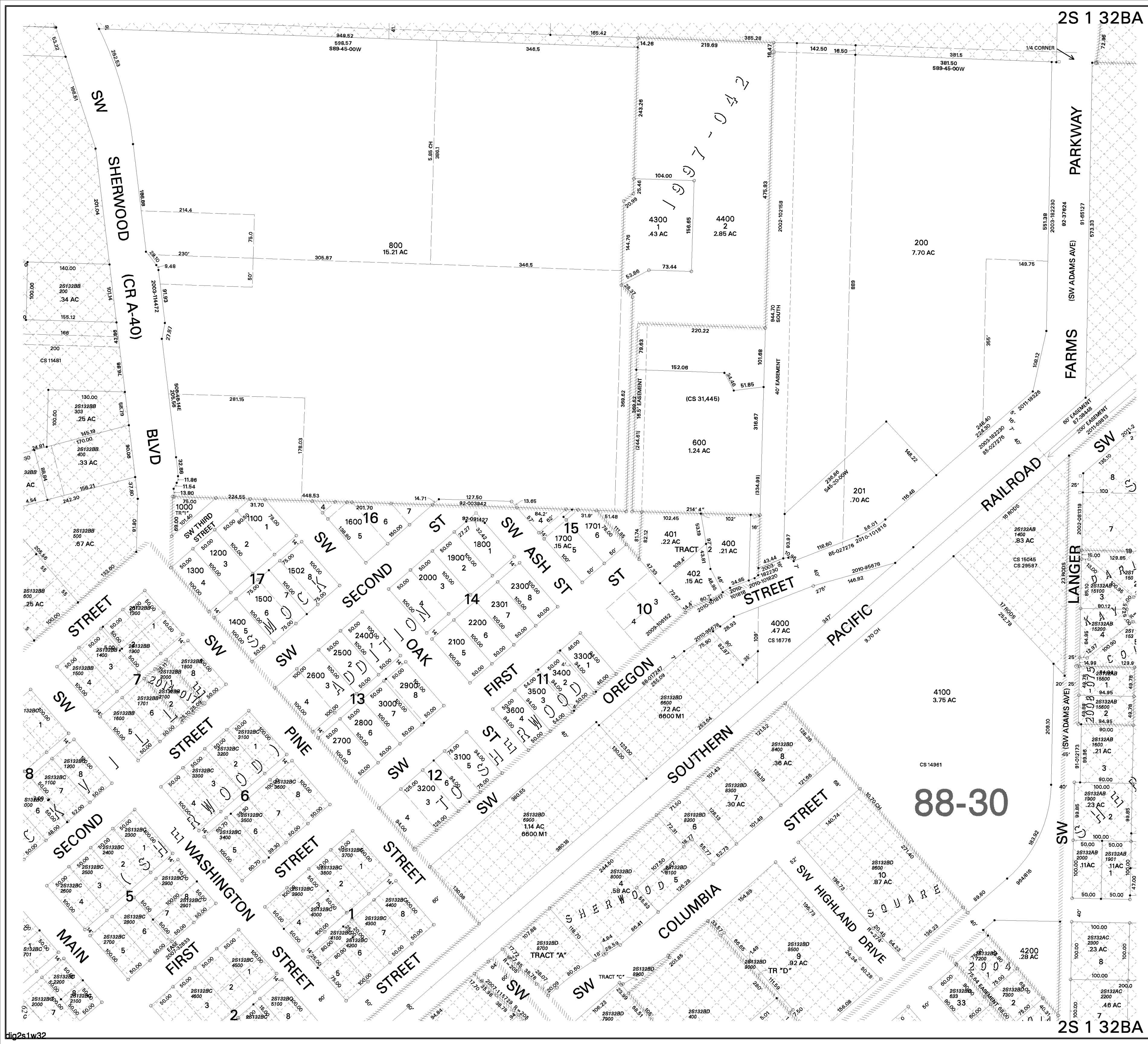
### Legenda

-  Fire Station
-  Library
-  Public Works
-  Police Station
-  Schools
-  City hall
-  Trails
-  Buildings
-  Parks
-  Taxlots

Map Created by:  
Paul Ortiz  
Program Analyst  
City of Sherwood

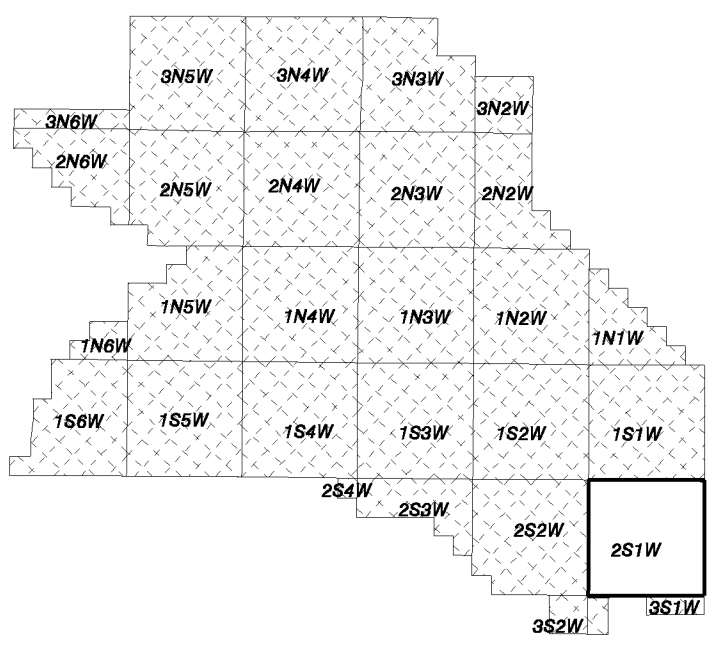
Date Created: 7/22/13

Data Provided by:  
City of Sherwood GIS  
Metro RLIS 2013



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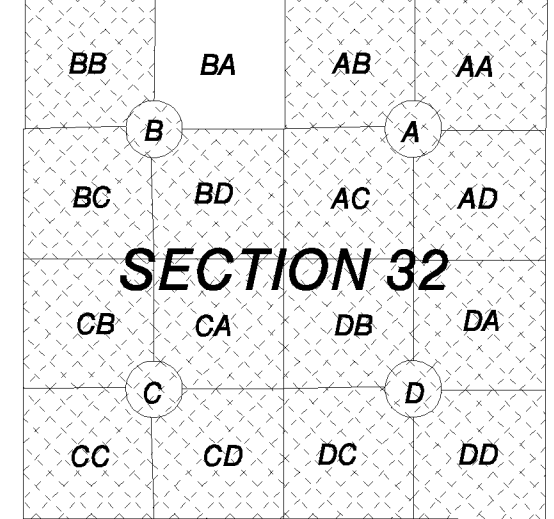
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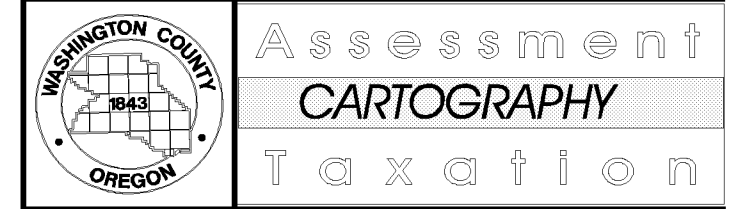
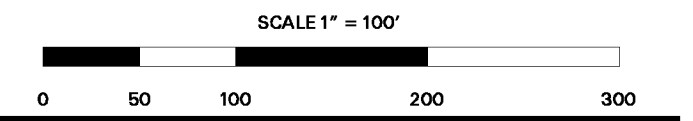
**WASHINGTON COUNTY OREGON**  
NE 1/4 NW 1/4 SECTION 32 T2S R1W W.M.  
SCALE 1" = 100'

36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6
12	7	8	9	10	11	12	7
13	18	17	16	15	14	13	18
24	19	20	21	22	23	24	19
25	30	29	28	27	26	25	30
36	31	32	33	34	35	36	31
1	6	5	4	3	2	1	6

FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT  
[www.co.washington.or.us](http://www.co.washington.or.us)



Cancelled Taxlots For: 2S132BA  
3301,100,300,801,900,500,700,3700,3800,3900,



PLOT DATE: February 19, 2015  
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 32BA

Planning Commission Meeting  
October 13, 2015





Clean Water Services File Number

15-002065

### Sensitive Area Pre-Screening Site Assessment

1. Jurisdiction: Sherwood

2. Property Information (example 1S234AB01400)

Tax lot ID(s): 2S132BA03400

Site Address: 15824 SW 1st St

City, State, Zip: Sherwood, OR 97140

Nearest Cross Street: Ash

3. Owner Information

Name: Sherwood School District 88J

Company: Sherwood High Construction Bowmen House

Address: 16956 SW Meinecke Rd

City, State, Zip: Sherwood

Phone/Fax: 503-481-9351

E-Mail: JDickover@Sherwood.k12.or.us

4. Development Activity (check all that apply)

- Addition to Single Family Residence (rooms, deck, garage)
- Lot Line Adjustment       Minor Land Partition
- Residential Condominium     Commercial Condominium
- Residential Subdivision     Commercial Subdivision
- Single Lot Commercial       Multi Lot Commercial
- Other Residential Single Family Dwelling Construction

5. Applicant Information

Name: Jon Dickover

Company: Sherwood High School

Address: 16541 SW Daylily St

City, State, Zip: Sherwood, OR 97140

Phone/Fax: 503-481-9351

E-Mail: JDickover@Sherwood.k12.or.us

6. Will the project involve any off-site work?  Yes  No  Unknown

Location and description of off-site work \_\_\_\_\_

7. Additional comments or information that may be needed to understand your project \_\_\_\_\_

This application does NOT replace Grading and Erosion Control Permits, Connection Permits, Building Permits, Site Development Permits, DEQ 1200-C Permit or other permits as issued by the Department of Environmental Quality, Department of State Lands and/or Department of the Army COE. All required permits and approvals must be obtained and completed under applicable local, state, and federal law.

By signing this form, the Owner or Owner's authorized agent or representative, acknowledges and agrees that employees of Clean Water Services have authority to enter the project site at all reasonable times for the purpose of inspecting project site conditions and gathering information related to the project site. I certify that I am familiar with the information contained in this document, and to the best of my knowledge and belief, this information is true, complete, and accurate.

Print/Type Name Jon Dickover Print/Type Title Construction Teacher

ONLINE SUBMITTAL

Date 6/28/2015

#### FOR DISTRICT USE ONLY

Sensitive areas potentially exist on site or within 200' of the site. **THE APPLICANT MUST PERFORM A SITE ASSESSMENT PRIOR TO ISSUANCE OF A SERVICE PROVIDER LETTER.** If Sensitive Areas exist on the site or within 200 feet on adjacent properties, a Natural Resources Assessment Report may also be required.

Based on review of the submitted materials and best available information Sensitive areas do not appear to exist on site or within 200' of the site. This Sensitive Area Pre-Screening Site Assessment does NOT eliminate the need to evaluate and protect water quality sensitive areas if they are subsequently discovered. This document will serve as your Service Provider letter as required by Resolution and Order 07-20, Section 3.02.1. All required permits and approvals must be obtained and completed under applicable local, State, and federal law.

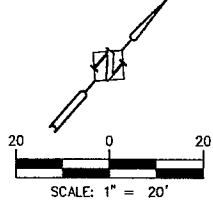
Based on review of the submitted materials and best available information the above referenced project will not significantly impact the existing or potentially sensitive area(s) found near the site. This Sensitive Area Pre-Screening Site Assessment does NOT eliminate the need to evaluate and protect additional water quality sensitive areas if they are subsequently discovered. This document will serve as your Service Provider letter as required by Resolution and Order 07-20, Section 3.02.1. All required permits and approvals must be obtained and completed under applicable local, state and federal law.

This Service Provider Letter is not valid unless \_\_\_\_\_ CWS approved site plan(s) are attached.

The proposed activity does not meet the definition of development or the lot was platted after 9/9/95 ORS 92.040(2). NO SITE ASSESSMENT OR SERVICE PROVIDER LETTER IS REQUIRED.

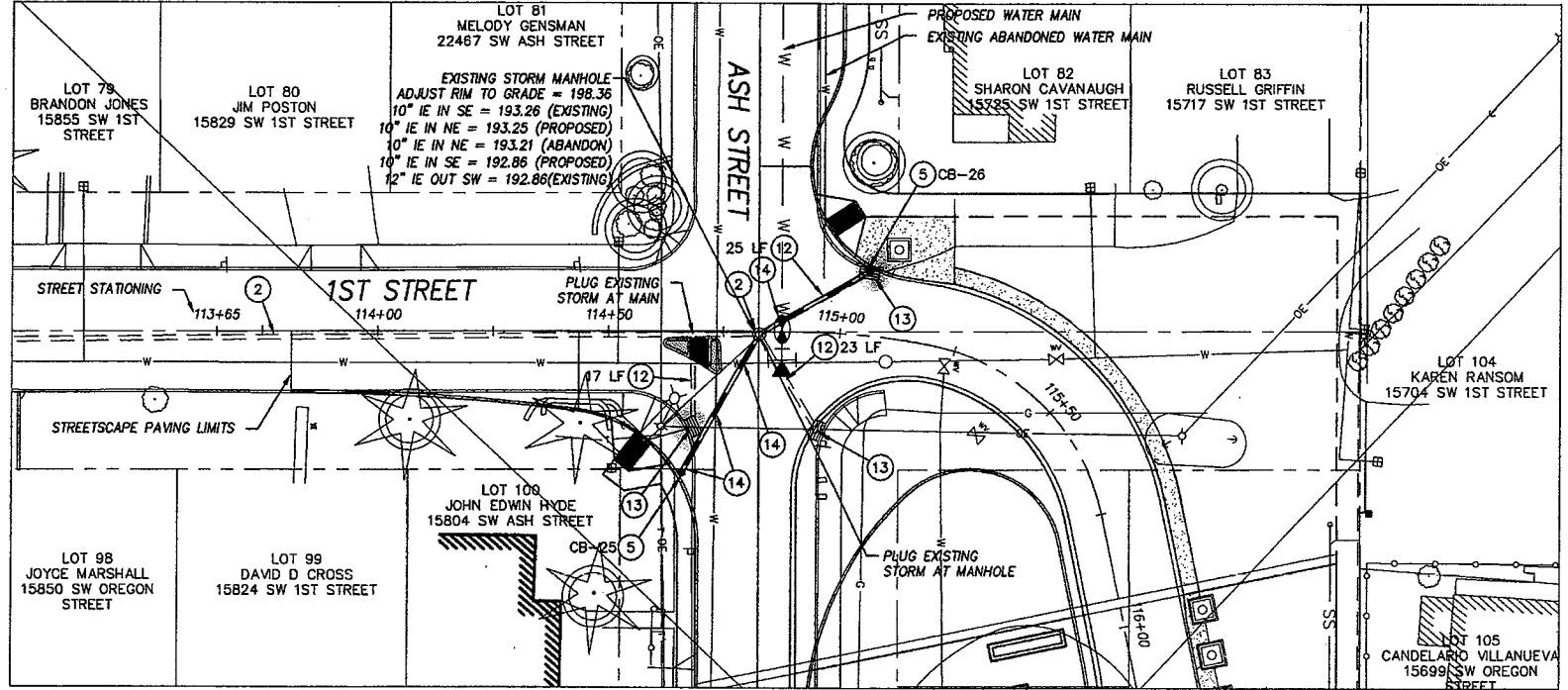
Reviewed by Chuck Mitchell Date 6/29/15

**FOR REFERENCE ONLY**



**CONSTRUCTION NOTES**

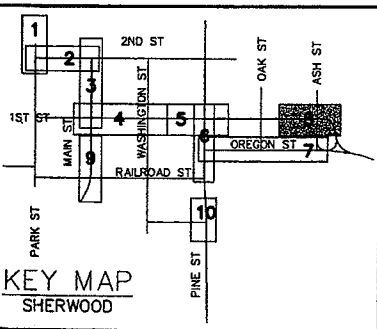
- 1 INSTALL STORM PIPE MAIN W/ BACKFILL AS NOTED. PIPE LENGTH, SIZE AND SLOPE IS SHOWN ON THE PROFILE. STORM LATERAL INFORMATION SHOWN IN CATCH BASIN AND LATERAL TABLE.
- 2 EXISTING CATCH BASIN, MANHOLE, OR STORM PIPE TO REMAIN.
- 3 INSTALL AREA DRAIN PER DETAIL ON SHEET D13. REFER TO CATCH BASIN AND LATERAL TABLE ON THIS SHEET.
- 4 INSTALL TRENCH DRAIN PER DETAIL ON SHEET D13. REFER TO CATCH BASIN AND LATERAL TABLE ON THIS SHEET.
- 5 INSTALL CG-2 CATCH BASIN PER DETAIL ON SHEET D13. REFER TO CATCH BASIN AND LATERAL TABLE ON THIS SHEET.
- 6 INSTALL LYNCH CATCH BASIN PER DETAIL ON SHEET D13. REFER TO CATCH BASIN AND LATERAL TABLE ON THIS SHEET.
- 7 INSTALL STANDARD MANHOLE PER DETAIL ON SHEET D11. REFER TO PROFILE ON THIS SHEET FOR MANHOLE DATA.
- 8 INSTALL OVERSIZED MANHOLE PER DETAIL ON SHEET D11. SEE PROFILE FOR MANHOLE SIZE.
- 9 INSTALL ADS AREA DRAIN PER DETAIL ON SHEET D13. REFER TO CATCH BASIN AND LATERAL TABLE ON THIS SHEET.
- 10 CONSTRUCT STORM SEWER FLAT-TOP MANHOLE PER STD. DETAIL ON SHEET D11. REFER TO PROFILE FOR INVERTS AND PIPE DATA.
- 11 CONNECT TO EXISTING PIPE, CATCH BASIN, OR MANHOLE PER STD. PIPE CONNECTION DETAIL. REFER TO CATCH BASIN AND LATERAL TABLE FOR INVERTS AND PIPE DATA.
- 12 REMOVE EXISTING CULVERT OR STORM PIPE. BACKFILL VOID WITH COMPACTED CRUSHED ROCK. ABANDON IN PLACE IF NOTED.
- 13 REMOVE EXISTING STORM MANHOLE OR CATCH BASIN. BACKFILL VOID WITH COMPACTED CRUSHED ROCK. SALVAGE INLET GRATES AND MANHOLE LIDS AND DELIVER TO THE PUBLIC WORKS YARD.
- 14 CAUTION! UTILITY CROSSING. POTHOLE OR VERIFY ALL CROSSINGS PRIOR TO CONSTRUCTION TO ENSURE CLEARANCE OF UTILITIES. COORDINATE WITH APPROPRIATE UTILITY AGENCY.
- 15 INSTALL 6" STORM SERVICE LATERAL. REFER TO STORM SERVICE LATERAL TABLE, THIS SHEET. SEE STORM SERVICE LATERAL DETAIL SHEET D14.
- 16 CONNECT EXISTING ROOF DRAIN TO STORM SEWER. SEE DETAIL SHEET UD31 FOR ROOF DRAIN CONNECTION.
- 17 SAWCUT AND REPLACE EXISTING A.C. PAVEMENT PER DETAIL ON SHEET D12. SAWCUT AND REPLACE EXISTING CURB AND DRIVEWAY AS NECESSARY FOR STORM CONSTRUCTION. RESTORE LAWN AREA TO ORIGINAL CONDITION.
- 18 CULVERT CONSTRUCTION, LOCATION, AND END TREATMENT TO BE COORDINATED WITH P&W RAILROAD.
- 19 INSTALL STORM CLEANOUT PER DETAIL SHEET D14. REFER TO PROFILE FOR INVERT AND PIPE DATA.
- 20 INSTALL CONCRETE POLLUTION CONTROL MANHOLE PER DETAIL SHEET D15. REFER TO PROFILE FOR INVERTS AND PIPE DATA.
- 21 INSTALL DITCH INLET PER DETAIL ON SHEET D14. REFER TO PROFILE ON THIS SHEET FOR INLET INFORMATION. LOCATIONS TO BE COORDINATED WITH RAILROAD DESIGN.
- 22 REMOVE EXISTING CONCRETE AT EXISTING STORM OUTFALL. BACKFILL WITH COMPACTED CRUSHED ROCK.
- 23 PROTECT EXISTING TREE.
- 24 REMOVE AND REINSTALL EXISTING SIGN AS NECESSARY FOR STORM SEWER CONSTRUCTION. (INCIDENTAL TO STORM SEWER CONSTRUCTION.)
- 25 SAWCUT ALONG THE PROPOSED STORM SEWER ALIGNMENT BEFORE PAVEMENT REMOVAL. INSTALL COLD PATCH AC FOR TEMPORARY SURFACING IN STREETScape AREA.
- 26 CONNECT EXISTING STORM LINE TO NEW MAIN WITH FERRO CONNECTION AND 6" PVC ASTM D3034. LENGTH NOTED ON PLAN.



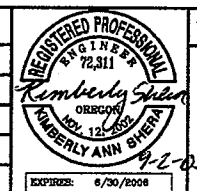
**CATCH BASIN AND LATERAL TABLE**

NO	TYPE	LOCATION	RIM ELEV.	I.E.	PIPE LATERAL LENGTH/SIZE/SLOPE
CB-25	CG-2	STA. 114+65.27, 31.06' RT. (RND-1ST)	197.98	193.03	34.5'/10"/0.0050
CB-26	CG-2	STA. 115+05.43, 14.61' LT. (RND-1ST)	197.56	193.39	27.6'/10"/0.0050

NOTE: ALL LATERALS SHALL BE PVC ASTM D3034 WITH CLASS "B" BACKFILL UNLESS OTHERWISE NOTED ON PLAN.



Sheet Revisions	
R-1	///
R-2	///
R-3	///
R-4	///
R-5	///



Sherwood Downtown Streetscape Improvements-Phase A  
 Engineering Department  
 15527 S. W. Willamette St.  
 Sherwood, OR 97140  
 Phone: (503) 925-2305  
 FAX: (503) 625-0679



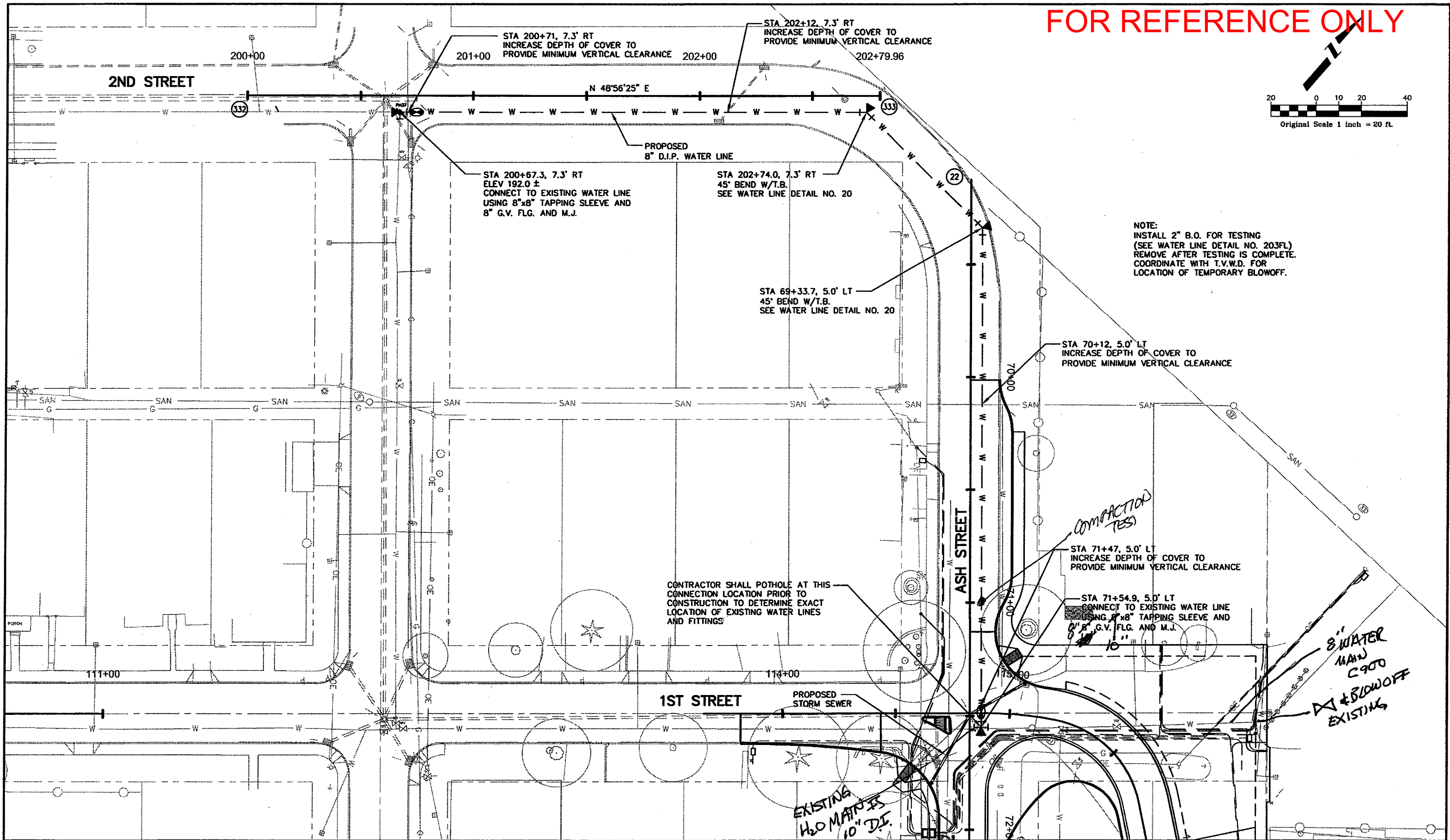
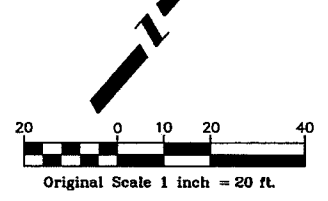
As Constructed	
No Revisions:	///
Revised:	///
Void:	///

DRAINAGE PLAN & PROFILE	
1ST STREET	
Designer:	Structure Numbers
Detailer:	Sheet Subset:
Subset Sheets:	

Project No./Code	
071668.100	
City of Sherwood CIP #41	
Sheet Number	D08

Planning Commission Meeting  
October 13, 2015

**FOR REFERENCE ONLY**



NOTE:  
INSTALL 2" B.O. FOR TESTING  
(SEE WATER LINE DETAIL NO. 203FL)  
REMOVE AFTER TESTING IS COMPLETE.  
COORDINATE WITH T.V.W.D. FOR  
LOCATION OF TEMPORARY BLOWOFF.

CONTRACTOR SHALL POTHOLE AT THIS  
CONNECTION LOCATION PRIOR TO  
CONSTRUCTION TO DETERMINE EXACT  
LOCATION OF EXISTING WATER LINES  
AND FITTINGS

*COMPACTION  
TESTS*

*8" WATER  
MANH  
C900  
+ BLOWOFF  
EXISTING*

*EXISTING  
H2O MAIN IS  
10" DI.*

Computer File Information	
Creation Date: 05/31/05	Initials: MTK
Last Modification Date: 09/01/05	Initials: FA
Path: J:\TRANSPORTATION\071668.100\CAD\CIV\SH\UTILITY\	
Drawing File Name: WTPLO2.DWG	
Acad Ver. R16.0s	Scale: Units: English

Sheet Revisions	
(R-)	/ /
(R-)	/ /
(R-)	/ /
(R-)	/ /

Sherwood Downtown Streetscape Improvements-Phase A

Engineering Department  
15527 S. W. Wilamette St.  
Sherwood, OR 97140  
Phone: (503) 925-2305  
FAX: (503) 625-0679

**Carter=Burgess**

707 17th St., Suite 2300  
Denver, CO 80202  
Phone: (303) 820-5240  
FAX: (303) 820-2402

As Constructed	
No Revisions:	/ /
Revised:	/ /
Void:	/ /

WATER LINE PLAN ASH STREET	
Designer: LG	Structure Numbers
Detailer: DB	Subset Sheets:
Sheet Subset:	

Project No./Code	
071668.100	
City of Sherwood CIP #C-41	
Sheet Number	W02





## Sherwood High School

16956 SW Meinecke Road ♦ Sherwood, Oregon 97140-9204  
(503) 825-5500 ♦ FAX (503) 825-5501

Ken Bell, Principal \*\* Brian Bailey, Associate Principal \*\*, Carey Wilhelm, Associate Principal  
Notice of Neighborhood Meeting

To Whom It May Concern:

6/15/2015

A neighborhood meeting will be held on July 3<sup>rd</sup>, 2015 at 16956 SW Meinecke Rd, Sherwood OR to inform the community about our proposed single family dwelling construction project. Interested community members are encouraged to attend this meeting. Please contact Jon Dickover at 503-481-9351 for additional information.

**Project Proposal:** The Sherwood High School Advanced Construction Class is proposing a single family dwelling at 15824 SW 1<sup>st</sup> Street. The current Red House which has been vacant for over the past 10 years will be demolished. In it's place the class will construct a single family dwelling which will be constructed in one phase.



### Agenda

- 5:30 PM – Welcome
- 6:00 PM – Project Presentation
- 6:30 PM – Question and Answer
- 7:00 PM – Open Discussion
- 7:30 PM – Meeting Adjourned

### Meeting Information

Date: June 29<sup>th</sup>, 2015  
Time: 5:30-7:30 PM  
Location: 16956 SW Meinecke Rd. SHS Main Office Conference Room  
Contact: Jon Dickover, Project Manager at 503-481-9351

6/28/2015

## Neighborhood Meeting

Joyce Marshall: 503-625-6321 Joyce would like to encourage the city to finish the project on the round-about. It does not look very nice and has been neglected in comparison to all the others in town. I agree.

Edward Jones: Edward wanted to state that we should not put a residence in this location, but should instead put a place of business at this location.

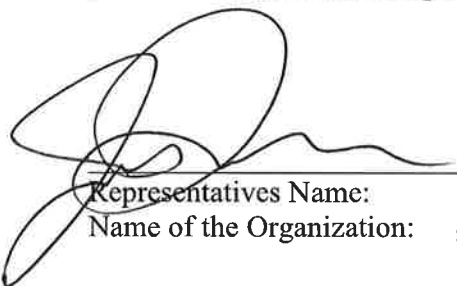


### Affidavit of Mailing

DATE:

STATE OF OREGON       )  
  )  
Washington County     )

I, Jon Dickover, representative for the Bowmen House 3 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 6/26/2015.



Representatives Name: Jon Dickover  
Name of the Organization: Sherwood High Bowmen House

## NEIGHBORHOOD MEETING SIGN IN SHEET

Proposed Project: Bowmen House #3

Proposed Project Location: 15824 SW 1<sup>st</sup> Street

Project Contact: Jon Dickover

Meeting Location: Sherwood High Main Office

Meeting Date: 7/6/2015

Name	Address	E-Mail	Please identify yourself (check all that apply)			
			Resident	Property owner	Business owner	Other
Joyce Marshall			✓			
Edward Jones				✓		



## Exhibit B

# Engineering Land Use Application Comments

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To: Michelle Miller, Senior Planner

From: Craig Christensen, P.E., Engineering Department

Project: Bowman House #3 (LA 15-01)

Date: September 30, 2015

---

Engineering staff has reviewed the information provided for the above cited project. Final construction plans will need to meet the standards established by the City of Sherwood Engineering Department and Public Works Department, Clean Water Services (CWS) and Tualatin Valley Fire & Rescue in addition to requirements established by other jurisdictional agencies providing land use comments. City of Sherwood Engineering Department comments are as follows:

### Sanitary Sewer

Currently an 8-inch diameter public sanitary sewer main exists within the sidewalk corridor along the subject property frontage. There is currently no public sanitary sewer within SW 1<sup>st</sup> Street of the subject property. It appears that there may be an existing sanitary lateral servicing this site at the southeast end of the subject property. Since all of the properties in this area are either on public sanitary sewer or have access to sanitary sewer service, no public sanitary sewer main extensions are required. **The proposed project will need to connect into a public sanitary sewer system at a location approved by the Engineering Department.**

### Water

Currently there is a 10-inch diameter public water main existing within SW 1st Street along the frontage of the subject property. No public water main extensions are required. Water service currently exists for the subject property. **The proposed project will need to use the existing water service unless otherwise approved by Sherwood Public Works.**

### Storm Sewer

Currently a 12-inch diameter public storm main exists within SW 1<sup>st</sup> Street and within the sidewalk corridor along the frontage of the subject property. No public storm sewer extensions are required. **The proposed project will need to connect into a public storm sewer at a location approved by the Engineering Department unless otherwise approved by the City Engineer. Verification of ability to connect into an existing storm sewer system is required prior to construction.**

Project: Bowman House #3 (LA 15-01)  
Date: September 30, 2015  
Page: 2 of 2

---

### Transportation

Currently SW 1st Street is a 2-lane collector street with a 13-foot wide paved section from center line to curb with no sidewalk within a 30-foot half street right-of-way section along the subject property frontage.

City standards for a 2-lane collector street require 17 feet of pavement from center line to curb (11-foot wide vehicle lane with a 6-foot wide sidewalk) with a 5-foot wide landscape strip with an 8-foot wide sidewalk within a 31-foot half street right-of-way section.

Since there is an existing bike corridor in this area, widening the street to accommodate a bike lane is unnecessary. Therefore, no street widening is required. Existing sidewalk around SW 1<sup>st</sup> Street is 5 feet wide and curb tight. **Therefore, a 5-foot wide curb tight sidewalk is required meeting Engineering Department approval.**

**Due to SW 1<sup>st</sup> Street being a collector status street, the driveway for the subject property shall be constructed in a manner to be a combined driveway with the parcel to the east. The driveway throat shall not exceed 24 feet in width.**

It appears that SW 1<sup>st</sup> Street at this location may be deficient of adequate street lighting. However, since this proposed project is the development of an existing parcel and does not create any new parcels, no street lighting construction is required.

### Grading and Erosion Control:

City policy requires that prior to grading, a grading and erosion control permit shall be obtained from the Building Department for all grading on the private portion of the site.

### Other Engineering Issues:

A Service Provider Letter from Clean Water Services is required.

Since the subject property is within the Old Town Overlay, no dedication of a Public Utility Easement is required.

Private piping within the subject property shall be installed in accordance with the current Plumbing Code.

Sherwood Broadband utilities shall be installed as per requirements set forth in City Ordinance 2005-017 and City Resolution 2005-074 unless otherwise approved by the City of Sherwood IT Director.

END OF COMMENTS