



**City of Sherwood
PLANNING COMMISSION**

**Stewart Senior/Community Center
855 N. Sherwood Boulevard**

June 5, 2001

Regular Meeting -7:00 PM

A G E N D A

- 1. Call to Order/Roll Call**
- 2. Consent Agenda – Approve PC Minutes of May 15, 2001**
- 3. Agenda Review**
- 4. Community Comments** *are limited to items NOT on the printed Agenda.*
- 5. Review Policy regarding Requests for Continuances of Land Use Applications**
(Dave Wechner, Planning Director)
- 6. Presentation on recommended alignment for Meinecke Road/Hwy 99W/Handley Street intersection** *(Terry Keyes, City Engineer)*
- 7. Public Hearings:** (Commissioners declare conflict of interest, ex-parte contact, or personal bias) **Public Hearings** before the City Council and other Boards and Commissions shall follow the procedure identified in Resolution 98-743, adopted June 9, 1998 (copies available on table):
 - 7A. SP 00-21 Langer Marketplace High Density Residential Site Plan:** a request by Willamette Landing Investments for approval of a 36-unit townhome and 192-unit apartment site plan located south of the intersection of Langer Drive & Tualatin-Sherwood Rd, TL 1700, Map 2S 1 29C. *(Gary Pierce, Associate Planner)*
- 8. New Business**
 - 8A. Report from Council Liaison** *(Ken Shannon)*
- 9. Adjourn to Work Session**
 - 9A. Review Draft Code Language for PA 01-02 Townhome Design Standards**
(Dave Wechner, Planning Director)
 - 9B. Review Draft Code Language for PA 01-03 Sign Ordinance** *(Keith Jones, Associate Planner)*

**ITEMS NOT COMPLETED BY 11:00 PM WILL BE CONTINUED
TO THE NEXT REGULARLY SCHEDULED MEETING**

APPROVED MINUTES

City of Sherwood, Oregon
Planning Commission Minutes
June 5, 2001

1. Call to Order/Roll Call

Chair Adrian Emery called the Planning Commission meeting to order at 7:05 PM.

Commission Members present:

Patrick Allen
Adrian Emery
Jean Lafayette
Ken Shannon
Jeff Schroeder
Lee Weislogel

Staff:

Dave Wechner, Planning Director
Shannon Johnson, Legal Counsel
Gary Pierce, Associate Planner
Terry Keyes, City Engineer
Roxanne Gibbons, Recording Secretary

Commission Members absent:

Bill Whiteman

Keith Jones, Associate Planner and Laura Anderson, Code Compliance Officer, were in attendance for the work session and made a presentation on the proposed Sign Ordinance.

Chair Emery announced that the presentation for the Meinecke Road Intersection was not a public hearing and no testimony would be taken. This project is not a land use application and approval or recommendation from the Planning Commission is not required. The public hearing for this item is scheduled for the June 12, 2001, City Council meeting that begins at 7:00 PM at the Senior Center.

2. Consent Agenda – May 15, 2001 Minutes

Chair Emery asked if there were any additions or corrections to the minutes. There were no comments.

Patrick Allen moved the Planning Commission accept the May 15, 2001 Planning Commission minutes as presented. Seconded by Lee Weislogel.

Vote for Passage of Motion: 5-Yes, 0-No, 1-Abstain (Lafayette)

3. Agenda Review

There were no comments.

4. Community Comments

There were no comments.

5. Policy regarding Requests for Continuances of Land Use Applications

The Commission agreed to hear this item at a later time.

6. Presentation on Recommended Alignment for Meinecke/Handley/Hwy 99W Intersection

Terry Keyes, City Engineer, made a presentation on the proposed alignment for the Meinecke Road Intersection. He referred the Commission to the maps identifying four (4) alternatives. He made the following comments:

- The proposal is not a land use action. It is a road alignment and the decision would be made by the City Council. However, he wanted to make sure the Commission was aware of the proposal prior to the Council taking action.
- The Meinecke Intersection has been identified since the 1991 Transportation Plan as an area that needs to be redone. It was one of the top projects in the 1991 Transportation Plan.
- There have been a number of traffic studies for the Meinecke Intersection.
- The purpose of the project is to coordinate access points along Highway 99W by developing a pattern for infrastructure development that will accommodate the anticipated growth in the Meinecke Road/Handley Road corridor.
- The City worked with ODOT on the conceptual design and came up with the four alternatives (A, B, C and D), being presented tonight.
- ODOT has awarded access bonding money in the amount of \$5 million for this project. These funds must be used by August 2003. This is a very tight timeline for a traffic improvement project and the reason for the fast track process.
- Alternative A was adopted by the City Council in December 2000. This plan used the existing Handley and Meinecke intersections and cut across the field in front of The Cherry Tree. ODOT has determined that this plan would not work because the distance between the traffic signal on 99W and the southeast intersection was not long enough. Traffic would stack up and block 99W and the intersection. This alternative was deemed to be “not feasible”.
- Alternative C proposed Meinecke go straight across the field, crossing 99W where it crosses a stream corridor, and go through the Claus parcel up to the Handley and Roellich intersection. The problem with this alternative is crossing the stream and meeting the provisions of the Endangered Species Act. This alternative also created a problem with the already platted Nottingham Subdivision. All of the commercial traffic would be funneled into a residential street.
- Alternative D proposed Meinecke cross 99W southwest of the Cherry Tree, staying away from the stream and connect to the Handley intersection. It would have affected the platted Nottingham Subdivision because of the connecting road. This alternative also proved to be not feasible. The roads were at different elevations and would require rebuilding one-half of 99W for a ¼ mile each way. This would cost another \$2 million.
- Alternative B, the preferred alignment, takes Meinecke to the north of The Cherry Tree, between Smith Farm Estates. This alignment creates enough distance or stacking room from the 99W signal and the intersections to the south and west. They tried to minimize the impact, resulting in one existing home that would need to be removed. Other key components of this proposal are that two existing crossings on 99W will be closed; the one between the Shannon property and QT Pub and the crossing from Smith Boulevard. The Smith Boulevard connection to 99W will be closed with a new access to Meinecke. This will provide a new access for Smith Farm residents to Meinecke Road. The proposal contains two roundabouts that will be less expensive than signalization at the intersections. Access to

The Cherry Tree and the commercial parcel will come off of a right-in, right-out from Meinecke.

- The roundabouts will be landscaped in the middle with one to one and one-half lanes for traffic, similar to those being built in the Bend area.
- A public hearing is scheduled before the City Council on June 12, 2001 to consider the Meinecke alignment.

Mr. Keyes answered several questions from the Planning Commission. ODOT will do the right-of-way acquisition for the City. With regard to The Cherry Tree property, ODOT defines this as a total taking for the whole parcel. The existing accesses to 99W from the Claus and Williams properties would not be closed or rerouted until these properties are developed. The details of any acquisitions have not yet been worked out.

Mr. Shannon said that this project is really needed when considering future development and the future tax base of the City.

Chair Emery asked if the other developments were bonded for a portion of the costs of the Meinecke intersection.

Mr. Keyes said it appears that Woodhaven contributed \$86,000 and Wyndham Ridge contributed about \$36,000.

A member of the audience stated that more than one manufactured home would be removed with the Alternative B alignment.

Mr. Keyes said this was correct and that possibly three of the manufactured homes would be removed with the Alternative B alignment.

Chair Emery recessed the meeting at 7:30 PM for a break and reconvened the meeting at 7:40 PM.

7. Public Hearings

Chair Emery read the hearings disclosure statement and requested that Commission members reveal any conflicts of interest, ex-parte contact or bias regarding any issues on the agenda. There were no Commissioner disclosures.

7A. SP 00-21 Langer Marketplace High Density Residential Site Plan Chair Emery opened the public hearing and called for the Staff Report.

Gary Pierce, Associate Planner, referred the Commission to the Staff Report dated May 29, 2001, a complete copy of which is contained in the City Planning File SP 00-21. He presented a brief slide show representing the application. He highlighted the main points of the report and noted:

- The applicant is proposing to construct 228 dwelling units, that include a 36-unit townhome and 192-unit apartment complex, and a community building.

- The site is zoned High Density Residential (HDR) and identified as Phase 3 of the Sherwood Village Planned Unit Development (PUD 95-1).
- This project would be subject to the proposed conditions of approval, Notice of Decision dated August 3, 1995 for PUD 95-1, and the statutes contained in the Development Code, Section 5.102.
- The townhomes proposed in this project would not include property ownership by the occupant. They would be 2-story complexes similar to an apartment complex.
- There was public comment from one resident of Sherwood Village, C.L. Wiley, in a letter dated April 18, 2001, citing issues of tenant parking along Century Drive from Phase 1 Sunfield Lakes Apartments, due to lack of convenient overflow parking on-site. The applicant is proposing to provide excess parking for this project and this may resolve the parking issue.
- The City Building Official notes that neither the required accessible dwelling units nor the accessible parking spaces have been designated on the plan. The plan must also meet ADA standards.
- The applicant provided a report on the downstream culvert capacity addressing the concerns of Staff. This report addresses all four Langer applications. Ultimately, the analysis will be done during the review of the construction engineering review. Engineering Staff is comfortable with the information that was provided with the May 29, 2001 report. The applicant can meet the requirements for detention and not overload the piping along Tualatin-Sherwood Road. USA has also given the applicant the option of increasing the culvert size downstream.
- The plan does not comply with Section 2.301.04 Clear Vision Area. Staff recommends the Commission address this issue by requiring the clear vision area to include the area formed by extending the outer legs of the triangles to the street curb. He distributed an example to the Commission.
- The landscape plan should be revised to include a Plant Materials Schedule.
- The plan does not comply with Section 5.203.02B to provide a landscaped strip at least 10 feet in width between rights-of-way and any abutting off-street parking, loading or vehicles, forming a permanent year round screen. Not all of the landscape areas propose vegetation that will create a year-round screen. Staff would recommend the Commission identify any landscaped areas that need a heavier screening, type of landscaping or berming. This could be made a general condition of approval. At the time of final site plan review, the revised landscaping plan would be reviewed.
- The applicant will need to comply with Section 5.203.03 Visual Corridors, because the plantings within the corridor do not comply with the intent of the visual corridor as specified at Section 8.304.04B to provide a continuous visual and/or acoustical buffer.
- The downstream capacity report dated May 29, 2001 should be labeled as Attachment 44.
- With regard to off-street parking, the applicant is proposing 428 parking spaces which exceeds the minimum parking standard of 344 parking spaces for this project.
- The parking space dimensions will comply if one of the compact spaces is converted to a full-sized parking stall. To comply with the wheel stops requirement, the plans shall be revised to show the required 3-foot dimension from the front of the stall to the wheel stop and specify the plant material in the bumper overhang area.
- The plans shall be corrected to identify Adams Drive as Adams Avenue.

- Development of Phase 6 of the Sherwood Village PUD will require Adams Avenue to connect to Oregon Street.
- Tri-Met is encouraging more pedestrian linkages between the interior pedestrian network and the public pedestrian network because there will be large gaps in pedestrian access to the surrounding streets if the only connections are at the three driveway entrances.
- The Traffic Impact Analysis for the Langer Marketplace dated December 2000 was entered into the record.
- Handicapped ramps are not shown at the intersection of Adams Avenue and Century Drive and shall be shown on the construction drawings.
- The City Street Standards adopted in 1999 do not call for bike lanes on streets. The Commission had several questions about requiring bike paths as a part of the sidewalk or bike lanes on streets, particularly on Adams Avenue which will become a major connector for the City.
- Section 6.603.02 On-Site Source Control of the Staff Report should be corrected to read the system must conform to the requirements of the City of Sherwood and USA.
- The Code requires that there be assurances of continuous maintenance of the visual corridors. The applicant has indicated that if the Commission deems this necessary they are willing to assign CC&R's assuring this maintenance. This should be made a condition of approval.
- All of the private areas of the site, which include the townhomes and apartments, are the responsibility of the landowner to maintain. Any treatment systems to the public streets are the responsibility of the City.
- All eight phases of the Sherwood Village PUD are subject to certain standards and conditions. The Commission must evaluate and determine whether this proposed Phase 3 shall be subject to the "Front Porch Society" design guidelines as well as the Sherwood Residential Design Guidelines, as conditioned with the original PUD. Attachment 39 is a recap of these guidelines. The Staff Report discussed each of these points. Not all of the standards appear to have been met and the Commission must determine whether or not the adopted design guidelines have been satisfied with this proposal.

In conclusion, Staff recommends approval with conditions of SP 00-21 Larger Marketplace High Density Residential Site Plan.

Chair Emery recessed the meeting at 8:40 PM for a 5-minute break and reconvened the meeting at 8:45 PM.

Chair Emery asked if the applicant wished to provide testimony.

Mark Whitlow, Attorney for the applicant/owner, 1211 SW 5th Avenue, Suite 1500, Portland, Oregon 97204, and Alisa Brodhay, WRG Design, 10450 SW Nimbus Avenue, Portland, Oregon 97223, addressed the Commission. The applicant's architect and traffic engineers were also in attendance.

Mr. Whitlow noted:

- He thanked the Staff for their time and effort in reviewing this application. They appreciate the recommendation of approval with conditions. They are prepared to adhere to these

conditions. They appreciate the consideration of some latitude with reference to the conditions of approval with the 1995 Sherwood Village PUD, in particular, the garages.

- With regard to Section 2.105.01 of the Code, Purpose, they are within the density cap provided in this section, if is a standard.
- On page 9 of the Staff Report, with regard to CC&R's, this is a PUD, but there are not common areas to the plan and there are no CC&R's of record. CC&R's can become cumbersome. The applicant agrees there is a need to have terms of maintenance, particularly in the perimeter areas. The applicant would propose the Commission consider allowing the applicant enter into another maintenance agreement with the City. This would get the same result with less burden.
- There is recognition that there has been some spillage of parking onto Century Drive with the previous phase. In response, they have designed the parking for this phase for a much better dispersal.

Ms. Brodhay referred the Commission to the elevation of the project. She noted:

- They are proposing a mixed-unit development and adding a new element of townhomes on the southwestern portion of the site. The project will also have a community building, pool and spa area.
- The parking has been more evenly distributed throughout the site. Pedestrian walkways will connect all of the units. They are also encouraging pedestrian connections throughout the site. She identified these connections.
- Garages are proposed with this project. After talking with the owners of the original Sunfield Lakes Development, she found that they are placing more controls on tenants using the garages for parking and not storage. Each of the proposed townhomes have a garage and parking space. This should reduce any parking on Century Drive.
- The proposed "lake" will be combination of the stormwater quality and treatment facility.

Mr. Schroeder asked if more pedestrian walkways could be made available to lessen the need for children to go through the parking lot to get to the pool and play areas. Ms. Brodhay said this could be accomplished.

Mr. Allen brought up the bike lane issue and the fact this is a high-density project located near commercial property and the significance of Adams Avenue. He asked if the applicant would be amenable to discussing a smaller width sidewalk providing for a bike lane on the street. He asked for further clarification regarding the design profile for Adams Avenue and incorporating a bike lane on the street. The particular section of Adams Avenue would be from the southeast corner of the proposed development to the north.

Mr. Whitlow said the question would be a combination meeting the adopted standards and traffic engineering. He introduced Mr. Mark Butorac, Kittelson & Associates to address this issue.

Mark Butorac, Kittelson & Associates, 610 SW Alder, Suite 700, Portland, Oregon 97205, addressed the Commission. Mr. Butorac noted:

- Considering the seventy foot right-of-way that is proposed for Adams Avenue, the standard is a 7.5 foot landscape strip and an 8 foot sidewalk one-half foot behind it.
- Based on the environment in the location, one option that would make sense would be on the west side of Adams Avenue to narrow the landscape strip to 5.5 feet and put in a 10-foot combined bicycle/multi-use pathway. If you put in the bikepath, it would basically eliminate the landscaping in that corridor.
- If you put a bike lane on the street, it would increase the crossing width for pedestrians going east/west across Adams Avenue.
- He suggested the Commission may wish to hear what Staff would recommend.

Mr. Keyes said he would agree that you could put a bike lane on the street, but then you really need to narrow the sidewalk down to 5 feet so that you can still have a decent landscape planter. Something would have to give because there is not enough room in the right-of-way for a three lane road, bike path, 8 foot sidewalk and planter strip.

The Commission agreed with this assessment. They asked whether it was preferable to have a multi-purpose sidewalk/bike path or bike lane on the street.

Mr. Wechner suggested that there should be some consistency with the multi-use sidewalks in the area. Riding a bicycle on a sidewalk is not preferable to riding on the street. However, the worst option is riding a bicycle on the sidewalk and suddenly have the sidewalk change its dimension. The applicant may be amenable to do a quick assessment of the width of the sidewalks in the area and how this multi-use path might line up with the existing sidewalks and still be consistent with the existing sidewalks in the area. There should be some flexibility in the condition to allow the applicant to respond and the Staff to review the street-scape.

The Commission discussed the option of having a bike lane and multi-use bikepath. The Commission agreed that a larger multi-use bikepath as part of the sidewalk would be preferable and recommended a 10 foot wide sidewalk/multi-use path.

Mr. Whitelaw asked if this would require a variance. Mr. Keyes said the planter strip requirement is 5 feet.

The Commission discussed the pedestrian connections from the site. Ms. Brodhay agreed to include two connections on each of the three street sides.

The Commission asked for further information on the design of the buildings, in particular the color, materials, and rear elevations of the townhome buildings.

Ms. Brodhay said the materials proposed would be wood and there will be variations with the colors as seen with the original Sunfield Lakes site. She introduced Mr. Kravitz, the architect for the project.

Alan Kravitz, AMK Architects, 4380 SW Macadam Avenue, Portland, Oregon 97128, addressed the Commission. Mr. Kravitz noted:

- The plans are consistent with Phase 1 of Sunfield Lakes and will include different width of siding and colors. What is not seen on the elevations are some of the shadow lines on the rear elevations.
- There will also be some trees and plantings that are not shown on this elevation.
- They could submit more detailed elevations if the Commission wished to see them.
- To push the garage back and the entry out would probably not be the best architectural solution for the units. Instead, they changed the roof lines on the garages.
- With regard to the question of the front porch percentages, they are willing to accept the condition that all front porches would meet or exceed the required percentages. They would offer this as a gesture to not have to modify the townhome unit.
- The “front porch” standard is written so that the garage has to be recessed five feet from the front elevation. Essentially in a townhome design where the unit is maybe 4 feet wider than the garage would itself then have to push probably 20% of the front elevation out five feet past the garage. This would cause someone coming in the front door to walk alongside the garage to get into the unit.

Mr. Allen said the original requirement to recess the garages may have been an attempt to break up the visual block of the building. He said the buildings being proposed have multiple peaked roofs and other features that have the same effect as recessing the garages.

Mr. Wechner said there is more than one way to solve the problem, if the problem is the visual façade. The Commission will be dealing with this issue during their review of the townhome design standards.

Mr. Schroeder said the interior sidewalk system of the complex could be improved.

Mr. Kravitz identified areas on the map where the sidewalks could be connected on each side of the lake.

Mr. Wechner said the reference to CC&R’s in the Staff Report on page 21 references the visual corridor areas. He did not know if CC&R’s were needed to cover the maintenance of these corridor areas as a part of the maintenance of the whole complex.

Mr. Johnson said that a maintenance agreement would be appropriate, as offered by the applicant to substitute the CC&R’s. This would be an appropriate condition to deal with the issue.

Mr. Wechner asked if the applicant could address the slope of the lake and whether it would meet safety requirements.

Tom Pessemier, WRG Design, 14050 SW Nimbus Avenue, Portland, Oregon 97223, addressed the Commission. Mr. Pessemier said the slope of the pond would be the same as the pond in Phase 1. Lee Walker, USA, has the same concern. The slope would be at least a 4 or 5 to 1 slope. This would be a very gradual slope.

Mr. Whitlow said the concerns about parking on Century Drive have been addressed with the better design of parking space locations on this site. They believed the problem has been remedied. The parking ratio per unit is the same as the existing Sunfield Lakes; two to one.

Chair Emery asked if there was any proponent or opponent testimony. There was no proponent or opponent testimony. Chair Emery dispensed with the rebuttal portion of the hearing and closed the public hearing on SP 00-21 Langer Marketplace High Density Residential Site Plan for deliberation by the Commission.

The Commission recommended the following changes and additions to the conditions of approval:

- The applicant will make additional pedestrian access to Adams Avenue and Century Drive, as per Tri-Met recommendation, to be two connections to the access easements for Adams and Century.
- The applicant will enter into a maintenance agreement with the City for maintenance of the visual corridors.
- The applicant shall increase the sidewalk width on the west side of Adams Avenue from 8 feet to 10 feet for a multi-use path.
- The applicant shall provide Staff with color elevations of the townhomes, in particular the rear elevations of the townhomes.
- The applicant shall adjust all of the 30% of the porches to meet the 50% requirement.

Patrick Allen moved the Planning Commission recommend approval to the City Council of SP 00-21 Langer Marketplace High Density Residential Site Plan with the conditions as amended based on the Staff Report, public testimony, and findings. Seconded by Lee Weislogel.

Vote for Passage of Motion: 6-Yes, 0-No, 0-Abstain

Staff will provide the Planning Commission with a copy of the amended conditions of approval prior to the July 10, 2001 public hearing before the City Council.

8. New Business

8A. Report from Council Liaison

This item was deferred to the next Regular Commission meeting.

9. Adjourn to Work Session

The Commission adjourned to a work session at 9:55 PM.

The Commission reviewed the following proposed plan text amendments during the work session:

- Draft Code Language for PA 01-02 Townhome Design Standards
- Draft Code Language for PA 01-03 Sign Ordinance

The Work Session adjourned at approximately 11:00 PM.

Respectfully submitted,

Planning Department