CITY OF SHERWOOD **Date: June 3, 2014**

Staff Report
Cedar Brook Planned Unit Development
PUD 14-01 and SUB 14-01

To: SHERWOOD PLANNING COMMISSION

From: PLANNING DEPARTMENT

Pre App. Meeting: December 16, 2013
Application Submitted: March 6, 2014
Application Complete: April 21, 2014
120-Day Deadline: August 19, 2014
Public Hearing: June 10, 2014

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Senior Planner

Proposal: The applicant proposes to subdivide a 5.77-acre parcel into sixty-six lots just northwest of Highway 99W and north of SW Meinecke in the High Density Residential (HDR) zone. The applicant proposes the following housing types with corresponding lot size.

Lot Numbers	Housing Type Description	Number of Units	Dwelling Unit Size (square feet)	Lot size range (square feet)	Number of Onsite Parking spaces including Garages per unit
1-38	**Two-story townhome with one car garage in front**	**38**	**1,500**	**1,610 – 2,552**	**38 garage and 38 driveway spaces**
39-53	**Two-story single family detached with rear loaded garage**	**15**	**1,304-1,392**	**2,374 - 3,245**	**30 garage and 30 driveway spaces**
54-66	**Two-story townhome with two car alley-loaded garage**	**13**	**1,400**	**1,600-1,974**	**26 garage and 26 driveway spaces**

The applicant proposes a planned unit development (PUD) in order to develop an alternative housing type within this zone and meet the minimum high-density residential requirements of 16.8-24 dwelling units per acre. The applicant proposes single-family attached homes on individual lots that would be less than 5,000 square feet. The applicant proposes 21% of the site for open space in order to comply with the planned unit development requirements. The applicant proposes full street improvements, extending SW Cedar Brook Way, an additional street (Street A) through the development north/south and a private alley. Along with the onsite parking spaces, the applicant provides for 79 on street parking spaces for 267 parking spaces within the development or four parking spaces per unit.

In order to develop the site in this manner, the applicant proposes deviation from multiple Sherwood Zoning and Development Code provisions as considered within this application including setbacks, minimum lot size, lot dimensions, and street design and configurations.

I. APPLICATION INFORMATION

A. Applicant DR Horton Inc.-Portland Division
4380 SW Macadam Avenue, Suite 100
Portland OR 97239
Contact: Steven Miller

Applicant's Engineer Emerio Design
6900 SW 105th Avenue
Beaverton OR 97008

B. **Location**: Washington County Tax Map 2S130CD13400. The property is at the northeastern intersection of SW Cedar Brook Road and Meinecke Parkway

C. **Parcel Sizes**: 5.77 acres total including area for the Cedar Brook Way extension

D. **Existing Development and Site Characteristics**: The site is vacant with a vegetated corridor along the western and northern edges of the property line. The vegetated corridor is approximately fifty feet in most places and slopes to the western edge of the site into the vegetated corridor. Nine trees are to remain within this corridor. The rest of the site is vacant and level. SW Meinecke Parkway, a fully developed roadway extends to the roundabout at the intersection of SW Meinecke Parkway and SW Cedar Brook Way with sidewalks to the roundabout.

E. **Site History**: Historically, the site was farmed until approximately 2000. It sat vacant for a number of years when the site was initially part of a three-lot minor land partition, Cedar Brook Way MLP (05-05), which was approved in 2005. When the Oregon Department of Transportation (ODOT), in cooperation with the City constructed the western extension of SW Meinecke Parkway terminating in a traffic roundabout at SW Cedar Brook Way, tax lots 100 and 101 were physically created with the road separating them. Those three lots were zoned General Commercial (GC). Two of those lots have office buildings currently constructed on their property. In 2013, the applicant received approval of a zone change of this property from General Commercial to High Density Residential. (PA 13-04 Brownstone Text Amendment)

F. **Zoning Classification and Comprehensive Plan Designation**: The site has been recently rezoned to High Density Residential (HDR), suitable for residential development.

G. **Adjacent Zoning and Land Use:** Land to the east is zoned High Density Residential (HDR) and developed with multifamily housing. Land to the south and across SW Meinecke is zoned GC, and developed with two separate office buildings. To the west and across the vegetated corridor buffer, is a residential subdivision with single-family homes zoned low-density residential, planned unit development (LDR-PUD). The subdivision is Wyndham Ridge.

H. **Land Use Review**: The Planned Unit Development Conceptual Plan is a Type V decision with the City Council as the approval authority after recommendation by the Planning Commission. A sixty-six-lot subdivision is generally a Type IV review, however it is being processed concurrent with the PUD. An appeal of the City Council decision would go to the Land Use Board of Appeals (LUBA).

After PUD conceptual plan approval, the development or individual phases must receive detailed final development plan approval. The detailed final development plan requires

Planning Commission review and approval and ensures compliance with any conditions of conceptual approval as well as applicable community design standards, etc. The code is not clear regarding the process and past practice dictates that the final plan and site plan are processed concurrently and heard by the Planning Commission (regardless of development size) with no additional fee beyond the site plan fee.

I. **Neighborhood Meeting**: The applicant held a neighborhood meeting on February 6, 2014. No citizens attended this meeting. (Exhibit A, Applicant's submittal)

J. **Public Notice**: Notice of this land use application was posted at the site on May 17, 2014 and in five public locations throughout the City on May 21, 2014. Notice was also mailed to property owners within 1,000 feet of the site and any other party who expressed an interest in receiving mailed notice on May 21, 2014 in accordance with § 16.72.020 of the Sherwood Zoning and Community Development Code (SZCDC). Notice was also published in the Sherwood Gazette newspaper on June 1, 2014 and scheduled for publication in The Times on June 5, 2014.

K. **Review Criteria**: Zoning and Community Development Code Sections 16.12 (HDR), 16.40 (PUD), 16.44 (Townhomes);16.92 (Landscaping) 16.94 (Off-Street Parking), 16.96 (On-Site Circulation), Division VI (Public Improvements), 16.122 (Subdivision Preliminary Plat), 16.126 (Subdivision Design Standards), 16.142 (Parks and Open Space), 16.144 (Wetland, Habitat and Natural Areas)

II. PUBLIC COMMENTS

After notice was sent to property owners within 1,000 feet of the proposal on May 21, 2014, staff received the following comment.

Allison Holden submitted comments via email on May 25, 2014 expressing concern about increasing class size at Edy Ridge and the number of new students that this development could generate. Her comments are attached as **Exhibit B.**

Staff Response: As discussed when the zone change was approved, Oregon law does not allow potential increases in school population to be grounds for approval or denial of an application. The City works with the Sherwood School District in order to assist in forecasting potential school growth within the city limits. Instead, developers pay a tax on their new development to the school district so that they can plan for that growth and the Sherwood School District receives money for each new dwelling unit that is constructed. On each development proposal, staff sends notice to the Sherwood School District of the project.

III. AGENCY/DEPARTMENTAL COMMENTS

The City requested comments from affected agencies. All original documents are contained in the planning file and are a part of the official record on this case. The following information briefly summarizes those comments:

Sherwood Engineering Department has reviewed the proposal and provided comments which have been incorporated into this report and decision. The City Engineer provided a letter of concurrence with the proposed street design modifications which is included as **Exhibit C**.

Sherwood Broadband: Brad Crawford, IT Director indicated that the applicant install conduit and vaults from the vault on Cedar Brook Way through the extension of Cedar Brook Way.

Clean Water Services provided comments and recommended preliminary conditions which are included as **Exhibit D** to this report.

Tualatin Valley Fire and Rescue (TVF&R) provided comments which are included as **Exhibit E** to this report.

Pride Disposal provided comments which are included as **Exhibit F**.
According to Pride, all of the residents of Street A will be serviced at the front of their home. No parking will be allowed on the east side of the Street A as proposed in order for Pride to access the receptacles. Residents of the alley, (lots 54-66) will need to place the receptacles in the alley. The residents of lots 29-53 may use either Meinecke, Cedar Brook Way or the private street, but addresses need to be visible from the street that is proposed.

IV. PLANNED UNIT DEVELOPMENT

The Commission shall review the application pursuant to Chapter 16.72 and may act to recommend to the Council approval, approval with conditions or denial. The Commission shall make their recommendation based on the following criteria:

A. Chapter 16.40 PLANNED UNIT DEVELOPMENT (PUD)

16.40.010 Purpose

A. PUDs integrate buildings, land use, transportation facilities, utility systems and open space through an overall site design on a single parcel of land or multiple properties under one or more ownerships. The PUD process allows creativity and flexibility in site design and review which cannot be achieved through a strict adherence to existing zoning and subdivision standards.

B. The PUD district is intended to achieve the following objectives:

1. Encourage efficient use of land and resources that can result in savings to the community, consumers and developers.

STAFF ANALYSIS This lot has remained undeveloped since annexation in 2000. The PUD development, if approved will result in sixty-six single-family lots on a 5.77-acre parcel within the City. It is adjacent to existing services and the infrastructure is available to serve this number of units within the City. The applicant proposes to connect Cedar Brook Way in keeping with the intention of the Transportation System Plan. Additionally, the site will be easily accessible to infrastructure connections due to its proximity to existing development.

Currently, there are relatively few buildable residential lots remaining within the City and a limited number of lots with smaller lot sizes, thus providing a unique lot size and housing type for residential development within the City boundaries. The site is surrounded by development on all sides with the infrastructure available to serve this site. The specifications of the infrastructure will be discussed further within this report.

2. Preserve valuable landscape, terrain and other environmental features and amenities as described in the Comprehensive Plan or through site investigations.

STAFF ANALYSIS The developable portion of the site is relative flat with no trees. There is a sloped area off site that is within the vegetated corridor buffer. The roadway will be in between the development and the vegetated corridor buffer thus preserving the environmental features to the fullest extent possible.

3. **Provide diversified and innovative living, working or neighborhood shopping environments that take into consideration community needs and activity patterns.**

STAFF ANALYSIS The proposed smaller individual lots with reduced setbacks are not as common within Sherwood because the Sherwood Zoning and Development Code provides for a minimum lot size in all zones of at least 5,000 square feet. These homes will provide a more affordable entry level housing type and ownership than may be otherwise available in the competitive Sherwood market.

There are commercial areas directly to the south and across Highway 99W and within walking distance of this proposal. As proposed, the development will have access to several areas of usable open space near and around the site. The applicant has discussed in the narrative the connection to the proposed Cedar Creek Trail and possible future feeder trail connections which would offer the neighborhood a direct connection to the school and parks nearby.

4. **Achieve maximum energy efficiency in land uses.**

STAFF ANALYSIS: The applicant proposes to extend where needed and connect with the existing main lines and utilize the existing services such as roadway infrastructure and water, sanitary and sewer lines. This promotes energy efficiency in land uses as it is nearby already developed properties. The site is near Highway 99W, a principal arterial and will have access to Highway 99W at the intersection of SW Meinecke and Highway 99W.

5. **Promote innovative, pedestrian-friendly, and human scale design in architecture and/or other site features that enhance the community or natural environment. (Ord. 2001-1119 § 1)**

STAFF ANALYSIS The applicant has proposed a development that connects with the surrounding neighborhood with sidewalks and pathways. The applicant shows that the neighborhood will connect on a human scale by extending sidewalks on SW Cedar Brook Way between the neighborhoods. The houses will front Street A, SW Meinecke or Cedar Brook Way with rear alley loaded garages and frontage that will include porches, windows instead of garages in most of the homes. This will provide a seamless pedestrian walkway along the street without curb cuts and driveways intersecting the sidewalks on SW Cedar Brook and SW Meinecke. Cedar Brook Way will abut the open space area with sidewalks on both sides of the street offering unobstructed views of the Cedar Creek corridor and preserving the natural areas for the public.

The applicant includes an architectural pattern book that is comprised of multiple housing type and colors that will be compatible with the existing neighborhood. The applicant includes architectural detail guidelines with dwellings that reflect, “a traditional Northwest architectural vernacular best described as simplified interpretation of turn of the century Northwest Craftsman, European or English Cottage styles.” These concepts could be further described through the final development plan process.

The applicant is required to provide open space of at least 15 % of the developable area. Overall, the applicant proposes 21% of the area to be open space with two larger areas of approximately

8,992 square feet (Tract K) and 9,749, square feet (Tract E). The remainder is smaller pockets and corners of areas that will be landscaped offering visual amenities to the site. However, it will be difficult to discern the separation from the public realm and private lots with the remaining tracts of open space. The applicant also proposes to serve the overall community with a trail connection from Tract K to the existing trail system to connect with Lady Fern Park north of the Cedar Creek corridor in that subdivision.

16.40.020 Preliminary Development Plan

A. Generally

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

The applicant proposes a PUD in order to capitalize on the minimum lot size exemption for HDR Code provisions for this zone that were granted with the zone change and text amendment of PA 13-04 in 2013. The site is constrained due to the wetland nearby, the design of the existing roadway network and the steep slope on the northern boundary of the site. The applicant proposes to integrate the buildings within this development with the surrounding commercial and residential buildings nearby. The property directly to the east, is similarly zoned and used for multifamily residential while the areas to the west are larger lot single family residences. This neighborhood will be a transition from more intensive multifamily to the single family homes to the west.

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

B. Content

The Preliminary Development Plan application shall include the following documentation:

Existing conditions map(s) showing: All properties, existing uses, and zoning districts within three hundred (300) feet, topography at five (5) foot intervals, floodplain, significant natural vegetation and features, private and public facilities including but not limited to utilities, streets, parks, and buildings, historic and cultural resources, property boundaries, lot lines, and lot dimensions and area.

2. Listing of all property owners adjacent to the PUD as per Section 16.72.020, including names and addresses, and a listing of all persons, including names and addresses, with an interest in the property subject to the PUD application.

3. Proposal map(s) showing: Alterations to topography, floodplain, natural vegetation, trees and woodlands, and other natural features, all streets, utility alignments and easements, parks and open space, historic and cultural resources, other public and utility structures, and any other dedicated land features or structures, the parceling, lot consolidation, adjustments, or subdivision of land including basic parcel dimensions and areas, the phasing of the PUD, siting and orientation of proposed new structures, including an identification of their intended use.

4. Narrative describing: the intent of the PUD and how general PUD standards as per this Chapter are met, details of the particular uses, densities, building types and architectural controls proposed, form of ownership, occupancy and responsibility for maintenance for all

uses and facilities, trees and woodlands, public facilities to be provided, specific variations from the standards of any underlying zoning district or other provisions of this Code, and a schedule of development.
If the PUD involves the subdivision of land, the proposal shall also include a preliminary subdivision plat and meet all requirements of Chapter 16.122. The preliminary subdivision shall be processed concurrently with the PUD.
Architectural Pattern Book: A compendium of architectural elevations, details, and colors of each building type shall be submitted with any PUD application. The designs shall conform to the site plan urban design criteria in Section 16.90.020(G) or any other applicable standards in this Code. A pattern book shall act as the architectural control for the homeowner's association or the commercial owner. An Architectural Pattern Book shall address the following:
a. Illustrative areas within the development application covered by the pattern book.
b. An explanation of how the pattern book is organized, and how it is to be used.
c. Define specific standards for architecture, color, texture, materials, and other design elements.
d. Include a measurement or checklist system to facilitate review of the development for conformity with the pattern book.
e. Include the following information for each building type permitted outright or conditionally proposed in the PUD:
Massing, facades, elevations, roof forms, proportions, materials, and color palette.
(2) Architectural relevance or vernacular to the Pacific Northwest.
(3) Doors, windows, siding, and entrances, including sash and trim details.
(4) Porches, chimneys, light fixtures, and any other unique details, ornamentation, or accents.
(5) A fencing plan with details that addresses the relationship between public space and maintaining individual privacy subject to Section 16.58.020.

The applicant has submitted materials that comply in general with this criterion. They are attached to the staff report as **Exhibit A**. During the course of the final development plan approval phase, should this application be approved, the applicant will need to submit a more comprehensive architectural pattern book describing the building type in greater detail to fully comply with this standard.

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

RECOMMENDED CONDITION: Prior to final development plan approval, submit an architectural pattern book that provides an illustrative guide for the development including a measurement or checklist system to facilitate review, include information for each building type that describes massing, facades, elevations, roof forms, proportions, materials and color palette, doors, windows, siding, entrances, porches, light fixtures and other ornamentation, or accents, and a fencing plan that addresses the relationship between public space and maintaining individual privacy subject to § 16.58.020.

C. Commission Review

The Commission shall review the application pursuant to Chapter 16.72 and may act to recommend to the Council approval, approval with conditions or denial. The Commission shall make their decision based on the following criteria:

1. **The proposed development is in substantial conformance with the Comprehensive Plan and is eligible for PUD consideration per 16.40.020. A.**

As discussed above, the property was recently rezoned from General Commercial to HDR. During that decision making process, Chapter 3 (Growth Management), Chapter 4 (Residential Land Use and Economic Development) were reviewed in order to determine if the property should be rezoned and in conformance with the Comprehensive Plan. As determined through that process, the high-density residential zoning designation, and in particular the housing types contemplated by the developer within that zone would be compatible with these comprehensive plan policies. The rezone to residential use was adjacent to other residential areas, rather than an independent piece of commercial property would be a beneficial designation for the area. Also, there was limited availability of vacant properties five acre or more zoned high density residential as compared to lower density housing found in greater proportion throughout the City. The policies within the comprehensive plan show the "need for a balance in housing densities, styles, prices and tenures" (Chapter 4, Policy 6 Residential Land Uses) and this housing type satisfies the intention and goal to achieve a variety of type and density in the City's residential housing stock.

FINDING: Based on the above discussion the applicant can meet this criterion or is able to meet the criterion as conditioned further within this report based on the applicable code provisions.

2. **The preliminary development plans include dedication of at least 15 percent of the buildable portion of the site to the public in the form of usable open space, park or other public space, (subject to the review of the Parks & Recreation Board) or to a private entity managed by a homeowners association. Alternatively, if the project is located within close proximity to existing public spaces such as parks, libraries or plazas the development plan may propose no less than 5% on-site public space with a detailed explanation of how the proposed development and existing public spaces will together equally or better meet community needs.**

The applicant proposal includes a developable area of 3.87 acres after deducting rights of way, environmentally constrained areas, etc. The applicant's proposal calculates the individual buildable lots at approximately 3.04 acres in total leaving .83 acres of the area as planned open space. This is approximately 21 % of the total net buildable area. The applicant has identified ten separate areas of open space scattered around the site, with Tract E in the center of the development to be the largest tract at 9,749 square feet. Some of the individual tracts are so small that they will be indistinguishable from the private property, such as those tracts that abut SW Meinecke or are on the corners of the street intersections.

Staff is concerned that even though the site goes beyond the amount of open space required that some of the smaller areas of open space are so indiscriminately placed in proximity to the private properties that they will not seem like open space areas for the development, but under the private property's control and ownership. This is especially apparent concerning Tract A, B, H, I, and D.

The applicant proposes that Tract K located on the western edge of the development and across SW Cedar Brook way be dedicated to the City in order to connect with the trail system and provide a public open space amenity to the neighborhood. The applicant's narrative addresses the reasoning for this tract to be dedicated to the City and included the fact that it was separated from the primary development, could serve as a mini-neighborhood park for the entire area, and the City was interested in obtaining more parkland.

The applicant proposes to construct to the Parks Board standards as part of the PUD development. Once completed, the applicant proposes to transfer ownership to the City. The park would then be eligible for Parks System Development Charge (SDC) credits in the amount of the construction costs of developing the park and any amount of land value in excess of the 15 % of open space. If approved, each dwelling unit would pay Parks SDCs in the amount of $7,668.78 for

a total of $506,139.48. Any construction of amenities on Tract K would allow the developer to recoup the portion constructed on the open space tract.

The applicant addressed the Parks Board regarding this request at the April and May 2014 Parks Board meetings. The Parks Board was supportive of the trail connection proposed by the applicant but was reluctant to recommend acceptance of the public area as a neighborhood park.

At the May meeting, staff recommended that the Parks Board consider four options concerning whether to accept the dedication of this park.

Option 1**:** Dedication of the property to the City including installation of public amenities such as athletic facilities, benches, etc. This would include the extension of a public pathway to the existing pathway adjacent to the Vineyards Subdivision. This would result in a reduction of Parks SDC revenue generated from the development of about 20-25 % and a permanent long-term maintenance cost anticipated to be approximately $4000 per year.

Option 2: The developer retains the property, installs the public amenities and installs the pathway as noted in Alternative 1. The impacts to the Parks SDC would be the construction of the amenities. The long term maintenance costs would be retained by the developer.

Option 3: The property is dedicated to the City and based on a negotiated public amenities design; a fee in lieu of construction is paid. The fee in lieu of amount would be approximately 125% of the estimated construction costs. The impacts of the dedication will result in a reduction of the Parks SDC revenue generated by the development by approximately 20-25 %.

Option 4: The developer retains the property, a public facility easement is created and a fee in lieu of construction is paid to the City for the construction of the pathway. The fee would be amount would be approximately 125% of the construction costs and the City would construct the trail. With this alternative there would be no impact to the Parks SDC revenue, a reduction in the expected amount of Transportation SDC revenue and the long term commitment by the City to construct the pathway.

The Parks Board recommended that the best utilization of the City's resources would be Option 4 and for the developer to continue to own the tract and maintain it in the future. They believed that it was too small an area for it to appear anything other than a local neighborhood park and did not want to use Parks System Development Charges to make improvements to the area as it is an area not part of the Parks Master Plan and the Parks Board had prioritized other projects within the City.

Staff takes no position on the determination of whether the Tract K should be transferred to the City or whether amenities to the open space should be designed and conditioned during the final development phase of the project as that is a community decision. It seems that Tract K is not as proximate to the development making more of a public open space than the other tracts of open space found closer to the development.

FINDING: Based on the above discussion, the applicant has not met this standard but may so with the following condition as outlined further within this report concerning the construction of the trail connection in Tract K.

3. **That exceptions from the standards of the underlying zoning district are warranted by the unique design and amenities incorporated in the development plan.**

The HDR zone is unique from the other residential zones in that it allows no minimum lot size if developed as a PUD. The applicant proposes to utilize this standard in order to provide a unique housing type as well as offer individual homes on individual lots with a varied lot size between 1,600- 3,245 square feet. This would not be available under the standards of the HDR zone because the minimum lot size is 5,000 square feet on individual lots. Coupled with that standard is the provision that housing density of 16.8-24 units per acre is required. If this development were not part of a PUD, the individual townhomes could not be on separate lots or the site may have been constructed for multifamily development and the uniqueness of this design would not be available. If developed as a standard subdivision with minimum lot areas and dimensions, the applicant would be required to provide only 5 % open space, a much smaller amenity to the site and the applicant clearly would not be able to meet the density requirements.

Ultimately, the PUD process allows the Planning Commission to have design oversight of the open space areas, and housing design of the project that would be unavailable using the standard Code provisions for a subdivision.

The applicant contends that the housing type is part of the unique design warranting exception and flexibility to the standards. The other amenities offered by the applicant are the extension of Cedar Brook Way, the open space areas and trail connectivity proposed with this development. The applicant believes that these adjustments in lot size, width and street standards are proposed in order to meet various price points in the market and the divergent needs of the public but still providing common open space to maintain an attractive appearance. The applicant's narrative identifies that the benefits of a master planned development such as this to the community include the HOA's control of the front landscaped areas, a trail system connection, new street connections to other neighborhoods, and common open spaces areas with visual appeal and interest to the community. These are all factors the decision maker could consider making findings that satisfy this criterion.

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

4. **That the proposal is in harmony with the surrounding area or its potential future use, and incorporates unified or internally compatible architectural treatments, vernacular, and scale subject to review and approval in Subsection (B)(6).**

The smaller lot sizes are compatible with the HDR zoned multifamily development to the east. The applicant has identified in the architectural pattern book that they will use Pacific Northwest design that is also compatible with the surrounding development. There will be three different general housing types and a variety of materials and colors that will be in harmony with the surrounding development. The applicant through their own independent market analysis determined the desired housing type and layout for the site. The narrative identifies the that architectural style proposed presents an aesthetic and quality of materials of a larger home, just using a smaller building footprint similar to the single family homes to the west of this development. During final development plan approval, the Planning Commission reviews the specifications of the project.

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

5. **That the system of ownership and the means of developing, preserving and maintaining parks and open spaces are acceptable.**

The applicant proposes that the majority of the open space is owned and maintained through a homeowner's association and rules adopted in the CC & R's. The applicant proposed that Tract K, which is on the other side of the Cedar Brook Way from the development be dedicated to the City. As discussed above, the Parks Board did not recommend approval of that proposal as the area was too small to be used by the general public, the cost of maintenance too high, and any

improvements would cause a reduction in the Park System Development Charges that would be collected with this development at the time of building permit approval. This is a suitable resolution, but a condition is required in order to fully comply with the standard.

FINDING: Based on the above discussion, the applicant does not meet this criterion, but can do so with the following condition.

RECOMMENDED CONDITION: Prior to the final development plan approval, provide CC & Rs that document how the open space will be maintained by the neighborhood homeowner's association.

6. **That the PUD will have a beneficial effect on the area which could not be achieved using the underlying zoning district.**

The proposed development serves as a transition between the more intense multifamily development, Creekview Crossing found to the east of the site with the lower density single family development located on the north and west of this development proposal. Standard usage of the HDR zone lot dimension requirements would not allow for the housing type proposed with reduced lot sizes on individual lots. Using the flexibility of a PUD, allows the developer to create a more unique housing type with both attached and detached housing within a singular development and still achieve the required densities for the HDR zone of 16.8-24 units per acre. The community benefits with this variety and provides a housing type that is underrepresented within the area that has not been developed in the community for over ten years.

Modifications to the street design afford more flexibility by allowing the house frontages to face the street with alley-loaded garages in some cases and frees up space for individual lots as well as more greenscape than streetscape. The amount of open space goes beyond a standard development that will have a beneficial effect on the area as a whole.

With a PUD, the Planning Commission and Council have oversight as to the design aesthetic and amenities provided to the site unlike a standard subdivision. The Planning Commission can review the design and ensure that it will effectively meet the community's standards during the final development phase of the project.

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

7. **That the proposed development, or an independent phase of the development, can be substantially completed within one (1) year from date of approval.**

The applicant proposes to complete the development within one year and thus is able to satisfy this criterion. In the alternative, if the applicant is unable to complete the project, safeguards are in place including creating a phasing plan or lapsing of the land use approval in order to meet this criterion.

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

8. **That adequate public facilities and services are available or are made available by the construction of the project.**

The City Engineer has reviewed the preliminary plat and determined that the site is serviceable or able to be served with conditions outlined further within this report**.**

FINDING: Based on the above discussion, the applicant meets this criterion or may be conditioned to meet this criterion further within this report.

9. **That the general objectives of the PUD concept and the specific objectives of the various categories of the PUDs described in this Chapter have been met. (Ord. 2001-1119 § 1; 98-1053; 86-851)**

FINDING: Based on the above discussion earlier within this report, the applicant meets this criterion.

10. **The minimum area for a Residential PUD shall be five (5) acres, unless the Commission finds that a specific property of lesser area is suitable as a PUD because it is unusually constrained by topography, landscape features, location, or surrounding development, or qualifies as "infill" as defined in Section 16.40.050(C)(3). (Ord. 2001-1119 § 1)**

The site is 5.77 gross acres, which qualifies it for a PUD outright.

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

E. Effect of Decision

Approval of the Preliminary Development Plan shall not constitute final acceptance of the PUD. Approval shall, however, be binding upon the City for the purpose of preparation of the Final Development Plan, and the City may require only such changes in the plan as are necessary for compliance with the terms of preliminary approvals.

FINDING: The applicant is aware that a final development plan will be required upon approval of the preliminary development plan. This criterion cannot be met at this time, but can be met with the final development phase submittal that is in substantial compliance with the approval of the PUD.

16.40.050 Residential PUD

A. Permitted Uses

The following uses are permitted outright in Residential PUD when approved as part of a Final Development Plan:

1. **Varied housing types, including but not limited to single-family attached dwellings, zero-lot line housing, row houses, duplexes, cluster units, and multi-family dwellings.**

2. **Related NC uses which are designed and located so as to serve the PUD district and neighborhood.**

3. **All other uses permitted within the underlying zoning district in which the PUD is located.**

FINDING: The applicant proposes residential uses and all lots will be for single family homes, a permitted housing type within this zone.

B. Conditional Uses

A conditional use permitted in the underlying zone in which the PUD is located may be allowed as a part of the PUD upon payment of the required application fee and approval by the Commission as per Chapter 16.82. (Ord. 86-851 § 3)

FINDING: The applicant does not propose a conditional use, and thus this criterion is not applicable.

C. Development Standards

1. Density

The number of dwelling units permitted in a Residential PUD shall be the same as that allowed in the underlying zoning district, except as provided in Subsection (C)(2), below or 16.40.040.C above.

The SZCDC § 16.12 defines density as "(t)he intensity of residential land uses per acre, stated as the number of dwelling units per net buildable acre. Net acre means an area measuring 43,560 sq. feet after excluding present and future rights of way, environmentally constrained areas, public parks and other public uses. The density requirements for HDR are 16.8-24 units per acre. This project includes a buildable area is 3.85 acres with a minimum density of 65 units and a maximum number of units at 92 units. The applicant proposes 66 dwelling units which equals 17.1 dwelling units per acre thus satisfying this criterion.

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

2. Density Transfer

Where the proposed PUD site includes lands within the base floodplain, wetlands and buffers, or steeply sloped areas which are proposed for public dedication, and such dedication is approved as a part of the preliminary development plan, then a density transfer may be allowed adding a maximum of 20% to the overall density of the land to be developed.

FINDING: The applicant has not applied for a density transfer and therefore this criterion is not applicable.

3. Minimum Lot Size

The minimum lot size required for single-family, detached dwellings is 5,000 square feet, unless the subject property is either:

a. Located within the High Density Residential zone (HDR). In that case, there is no minimum lot size provided the applicant demonstrates that the proposal meets the purpose and intent of the Zoning and Development Code and the Sherwood Comprehensive Plan until February 4, 2015.

This proposal is within the HDR zone and the applicant proposes lot sizes between 1,600- 3,245 square feet. When the zone change was approved under PA 13-04, Brownstone Text Amendment, Council approved for a limited time to allow no minimum lot size requirement within this zone, should a development be approved as a PUD within the HDR zone.

To that end, the applicant must adequately show that the PUD meets the objectives as identified under the PUD provisions discussed above. If met, the applicant has the ability to request flexibility in the Code provisions and the decision maker reviews the request.

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

V. PRELIMINARY PLAT – REQUIRED FINDINGS

A. Division VII LAND DIVISIONS, SUBDIVISIONS, PARTITIONS, LOT LINE ADJUSTMENTS AND MODFICATIONS
Chapter 16.120 Subdivisions
16.120.040 Approval Criteria: Preliminary Plat
No preliminary plat shall be approved unless:

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

The applicant proposes to construct a public street (SW Cedar Brook Way) through the development to connect with the existing street at the SW Meinecke roundabout. The applicant requested a street modification in order to address the confines of the site and achieve the density requirements, which will be discussed under the Public Improvement section of this report.

FINDING: Based on the above discussion, the applicant meets this criterion or can be conditioned further within this report under the public improvement section.

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

The applicant proposes a private alley to access the rear loaded townhomes and is identified as Tract G. This will be discussed further within this report.

FINDING: The applicant proposes a private alley that will be discussed further within this report. This is a deviation from the standards as it is a private right of way and reviewed as part of the PUD approval process.

C. The plat complies with Comprehensive Plan and applicable zoning district regulations.

FINDING: This standard is satisfied through compliance with the applicable criteria discussed throughout this report. If necessary, conditions are imposed to ensure compliance.

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

FINDING: As discussed further within this report, (Public Improvements), adequate water, sanitary sewer and other public facilities exist or will be constructed to support the lots proposed in this plat. In addition, the applicant will be required to come in for detailed PUD approval at which time additional review will be provided.

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

FINDING: There are no adjacent properties under the same ownership and the surrounding properties are fully developed. Therefore, this criterion is met.

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

FINDING: All adjoining properties have existing access to public streets. Approval of this subdivision and PUD will not prohibit any adjoining properties from being developed.

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

The applicant submitted a preliminary inventory of the trees on site with the type and size of the trees on the existing conditions plan. (Sheet 2 of the applicant's materials Exhibit A). The plan shows that two trees that will be removed, but the narrative has indicated uncertainty as to whether additional trees will be removed during the course of the development of the open space areas. Since there are no trees within the buildable area, it is unlikely that more trees will be removed as a result of this development.

FINDING: Based on the above discussion, the applicant has not prepared a complete or final tree inventory or planting plan for the street trees or open space and therefore has not fully complied with this criterion. However, the following condition can ensure full compliance.

RECOMMENDED CONDITION: Prior to final plat approval, submit a tree inventory and planting plan for the street trees and trees within the open space areas in order to be fully compliant with §16.142.060.

B. Chapter 16.128 LAND DIVISION DESIGN STANDARDS

16.128 Design Standards- Blocks- Connectivity

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

According to the submitted preliminary plat and conceptual PUD plan, each lot has access to either a public street or a private alley. The conceptual plan calls for units to abut the streets with a central block with 13 townhomes surrounded by the alley . The access is convenient for all lots and maintains circulation. The layout has been reviewed by the Engineering Department for safety, traffic control and circulation. There are two entrances to the development on the north and on the south side of the development. Any additional entrances were found to have been too close to the roundabout or with limited visibility to be safe. Where feasible, pedestrian connections are made throughout the site to improve connectivity.

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

2. Block Length. Blocks shall not exceed five-hundred thirty (530) feet in length, except blocks adjacent to principal arterial, which shall not exceed one thousand eight hundred (1,800) feet.

The site is irregularly shaped and the street network is a continuation of already designed and constructed roadways. The extension of Cedar Brook Way will complete a block by connecting with the Meinecke roundabout north of Highway 99W. The proposal includes a circular private alleyway, interior to the site that connects with Street A, creating a block. The development to the east and west prohibits an additional east/west street connections in this area. Additionally, the site is constrained by the established roadway, the Cedar Creek corridor and proximity to the intersection at Highway 99W and the density requirements of HDR.

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

3. Pedestrian and Bicycle Connectivity. Paved bike and pedestrian access ways shall be provided on public easements or right-of-way consistent with Figure 7.4-1.

The applicant proposes full street improvements for Cedar Brook Way and has included an interior sidewalk network adjacent to the streets and the townhome blocks. The City of Sherwood Transportation System Plan has identified a trail connection between the existing trail along the east line of "Wyndham Ridge" subdivision and SW Cedar Brook Way. The proposed trail is located within the southwest corner of the subject property and within the City owned property to the west. The developer is required to construct the aforementioned trail meeting the approval of the City of Sherwood Engineering Department and Clean Water Services. Upon request, City Transportation System Development Charges credits are available for required trail construction located outside of the subject property.

The trail will provide an improved connection to both the nearby schools and parks located in the adjacent development. The City has an interest in providing amenities such as trails and pedestrian connections to nearby areas of interest. This PUD has a reduction in private yard space due to the reduced setbacks for most of the lots and therefore providing easy access to open space and larger park areas are critical to the livability of this neighborhood. By creating the trail connection, this neighborhood will enjoy the benefits of this proximity to the public amenities. (See applicant's materials Exhibit A)

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

RECOMMENDED CONDITION: Prior to final building permit approval, design, construct or pay a fee in lieu of 125% of the estimated construction costs for the trail extension from SW Cedar Brook way to the connection at the Wyndam Ridge subdivision trail.

16.128.010
B. Easements-Utilities
Easements for sewers, drainage, water mains, electric lines, or other utilities shall be dedicated or provided for by deed. Easements shall be a minimum of ten (10) feet in width and centered on rear or side lot lines; except for tie-back easements, which shall be six (6) feet wide by twenty (20) feet long on side lot lines at the change of direction.

An 8-foot wide public utility easement (PUE) is required adjacent to the right-of-way of all street frontages. Tract 'G' containing the proposed private alley shall have a private utility easement over its entirety. All easements (public or private) associated with the development shall be recorded with the County prior to City approval of the public improvements and transfer to a 2-year maintenance bond.

FINDING: As discussed above, this standard has not been fully met but can be as conditioned below.

RECOMMENDED CONDITION: Prior to approval of the public improvement plans, provide an 8-foot wide public utility easement over the right of way of all street frontages. Tract 'G' containing the proposed private alley shall have a private utility easement over its entirety.

RECOMMENDED CONDITION: Prior to building permit approval, all easements (public or private) associated with the development shall be recorded with the County and transfer to a 2-year maintenance bond.

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

There are no cul-de sacs within this development and the applicant has provided sidewalks and additional pathways throughout the development.

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

16.128.030 Lots
A. - Lot size, width, shape, and orientation shall be appropriate for the location and topography of the subdivision, and shall comply with applicable zoning district requirement.

As discussed further in this report, the lot sizes are appropriate for the zoning district except as modified for the PUD. The shape and orientation are appropriate when considering the conceptual development and building locations and orientations. The applicant proposes to orient the front yards to the street or a private alleyway and have requested modified standards to allow reduced setbacks with a focus on providing human scale and pedestrian friendly design through the PUD process.

FINDING: As discussed above, this standard is satisfied.

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

The applicant proposed that some of the townhomes do not abut a public street due to the configuration of the lot and the nature of the PUD development process. The City Engineering Department has developed recommended conditions to address the private alley and has granted a street modification that will be addressed further within this report.

FINDING: Based on the above discussion the applicant does not meet this criterion, but has applied for a street modification that will be discussed further within this report.

C. Double Frontage and reversed frontage lots are prohibited except where essential to provide separation of residential development from railroads, traffic arteries, adjacent nonresidential uses, or to overcome specific topographical or orientation problems.

FINDING: None of the lots have double frontage. Therefore, the applicant meets this criterion.

E. Grading -Grading of building sites shall conform to the following standards, except when topography of physical conditions warrant special exceptions:

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

City policy requires that before any grading is done on site, a permit should be obtained from the Building Department on the private portion of the site. Additionally before grading can begin, the applicant needs an approved grading and erosion control plan along with a Storm Water Connection Permit from Clean Water Services (CWS) as identified in the comments from CWS Exhibit E.

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

RECOMMENDED CONDITION: Prior to approval of the Erosion and Sediment Control (ESC) plans, submit detailed grading and erosion control plans to the Engineering Department. An Erosion Control Permit will be required. Areas of Disturbance must be clearly identified on submitted construction plans.

VI. APPLICABLE ADDITIONAL CODE PROVISIONS

A. Division II - Land Use and Development

The subject site is zoned High Density Residential (HDR). Compliance with this section is discussed below. The following table identifies the standard dimensional requirements and the deviation as proposed through the PUD process.

16.12.010 Purpose

High Density Residential (HDR) Standards		Standard	Requested Deviation
1.	**Lot areas**		
	a. Single-Family Detached :	**5,000 sq. ft.**	**2,374 sq. ft.**
	b. Single-Family Attached Townhome	**1,800 sq. ft.**	**1,585 sq. ft.**
2.	**Lot width at front property line:**	**25 ft.**	**27.9**
3.	**Lot width at building line:**	**50 ft.**	**26 ft.**
4.	**Lot depth:**	**80 ft.**	**71 ft. minimum**

The HDR zoning district provides for higher density multi-family housing and other related uses with density of 16.8 to 24 dwelling units per acre. Minor land partitions shall be exempt from the minimum density requirement.

The applicant proposes high-density housing by subdividing the property into sixty-six lots. The applicant proposes a density of 17.1 dwelling units per acre within the density parameters of the zone.

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

16.12.040 Dimensional Standards
a. Lot dimensions

The applicant proposes lots for single-family attached and detached dwelling units ranging in size from 1,600 to 3,245 square feet under the PUD standard of no minimum lot size requirements. Due the size of the lots, the applicant proposes to deviate from the standards that are considered part of the PUD exception process. The applicant proposes the following deviations from the standards.

	b. Setbacks	**Standard**	**Requested Deviation**
1.	**Front yard:**	**Garage: 20 ft.** **Porches: 14 ft.**	20 ft. to front loaded garages Porches: 10 ft. or greater with the exception of **Lot 38-39** which the porch is proposed to be setback 7 ft.

2.	**Side yard:**		
	a. Single-Family Detached:	**5 feet**	3 ft.-detached
	Corner Lot (street side):	**15 feet**	Min 6 ft. to homes on corner lots
	b. Single-Family Attached (one side):	**5 feet**	3 ft.
3.	**Rear yard:** **Garage Setback**	**20 feet** **20 feet**	6 ft. Except for Lots **58** (18') and **63** (17') all garages will be setback 20 feet
4.	**Height**	**3 stories or forty (40) feet**	30 ft. maximum

The above table describes the applicant's proposed deviation from the standards of the HDR dimensional requirements. The applicant proposes that the single-family detached homes (lots 39-53) with rear-loaded garages will have a front setback of 20 feet with lots 39 and 53 having a corner setback of 6 feet and a side yard generally of 4 feet. The applicant proposes that the porches will be at least 10 feet setback with lot 39 having the front porch setback 7 feet and the side yard is proposed to be 3 feet. The garages are set back 20 feet with the exception of lot 58 which is proposed to be 18 feet. The townhome setbacks will be discussed in the townhome standards of § 16.44.010.

Lot 58 is proposed to have the smallest lot depth of 71 feet with the remaining lots meeting this standard.

FINDING: The applicant does not meet this criterion but has requested a deviation of the standard through the PUD process for lot 58.

16.44.010 Townhome Standards

A. Generally

A townhome may be located on property zoned MDRH or HDR, or in other zones as specified in an approved Planned Unit Development, provided that the townhome meets the standards contained below, and other applicable standards of Division V - Community Design. Such developments that propose townhomes can do so as condominiums on one parent lot, or in a subdivision, but shall do so in groups known as "townhome blocks," which consist of groups no less than two attached single-family dwellings and no more than six in a block, that meet the general criteria of Subsection B below, and specific design and development criteria of this Chapter.

The applicant proposes two different styles of townhomes within the HDR: townhomes with rear loaded two car garages (lots 59-66) and townhomes with front loaded single car garages (lots 1-38). The townhomes as proposed will be attached with three or five units in a townhome block.

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

B. Standards

1. Each townhome shall have a minimum dwelling area of twelve-hundred (1,200) square feet in the MDRH zone, and one-thousand (1,000) square feet in the HDR zone. Garage area is not included within the minimum dwelling area.

The site is zoned HDR and therefore the minimum dwelling unit size is 1,000 sq. ft. The applicant proposes townhomes of at least 1,400 square feet.

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

2. Lot sizes shall average a minimum of two-thousand five-hundred (2,500) square feet in the MDRH zone, and one-thousand eight-hundred (1,800) square feet in the HDR zone, unless the property qualifies as "infill," and meets the criteria of Subsection D below. If proposed as a subdivision, lots shall be platted with a width of no less than twenty (20) feet, and depth no less than seventy (70) feet.

FINDING: The applicant proposes the total building area for townhomes to be 92,221 square feet with an average size of 1,808 square feet for the 51 townhomes. The lot width is at least 20 feet, but the 70 feet lot depth minimum is a deviation request from the standard as described above. This proposal does not meet the criterion but has requested a deviation of the standard through the PUD process.

3. The townhome shall be placed on a perimeter foundation, the units must meet the front yard, street-side yard, and rear yard setbacks of the underlying zone, if abutting a residential zone designated for, or built as, single-family detached housing.

FINDING: The property does not directly abut a residential zone for detached single-family homes but is part of the PUD where there are fifteen single family detached homes also with reduced setbacks. The units do not meet the standard setbacks within the zone, but as discussed above, the applicant is proposing a deviation from the standards as described in the table above.

4. All townhomes shall include at least two (2) off-street parking spaces in the HDR zone, and two and one-half (2-½) spaces in the MDRH zone; garages and/or designated shared parking spaces may be included in this calculation. The City Engineer may permit diagonal or angle-in parking on public streets within a townhome development, provided that adequate lane width is maintained. All townhome developments shall include a parking plan, to be reviewed and approved with the Site Plan application.

FINDING: Lots 1-38 include one driveway space and one garage parking space. There is no shared off street parking space included within this designation, but on street parking spaces are provided on SW Cedar Brook Way and Street A. Lots 59-66 are proposed to include two driveway spaces and two garage spaces. Based on the above discussion, the applicant meets this criterion where garages can be used in the calculation of parking.

5. All townhomes shall have exterior siding and roofing which is similar in color, material and appearance to siding and roofing commonly used on residential dwellings within the City, or otherwise consistent with the design criteria of Subsection E, Design Standards.

The applicant's proposal includes an architectural pattern book that describes the colors and styles proposed for the townhomes. The Planning Commission through the final development plan approval process will be able to review the plans to ensure its compatibility with other residential housing within the City.

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

6. All townhomes in the MDRH zone shall have an attached or detached garage.

FINDING: The townhomes are not within the MDRH zone, and thus this criterion is not applicable.

7. All other community design standards contained in Divisions V, VIII and IX relating to off-street parking and loading, energy conservation, historic resources, environmental resources, landscaping, access and egress, signs, parks and open space, on-site storage, and site design that are not specifically varied by this Chapter, shall apply to townhome blocks.

FINDING: The community design standards will be discussed under the appropriate Code Sections found further within this report.

8. All townhome developments shall accommodate an open space or park area no less than five percent (5%) of the total subject parcel (prior to exclusion of public right-of-way and environmentally constrained areas). Parking areas may not be counted toward this five percent (5%) requirement.

FINDING: This criterion has been discussed earlier within the report as the applicant proposes at least 21% of the area within the development as open space. The PUD requires at least 15 % open space exceeding the 5% open space townhome criterion.

9. Side yard setbacks shall be based on the length of the townhome block; a minimum setback to the property line* on the end of each "townhome block" shall be provided relative to the size of the block, as follows:

a. 100 feet to 150 feet 6 feet minimum
b. Less than 100 feet 5 feet minimum

The maximum length of the proposed townhome block is 110 feet. The minimum proposed side yard setback to the property line for the townhome block is four feet. The applicant proposes in some cases to be reduced to 3 feet. This is a standard that requires deviation through the PUD process.

FINDING: Therefore, the applicant does not meet this standard.

*** In the case of condominium projects where no property line may exist at the end of each townhome block, the setback shall be applied as a minimum area of separation, as applied to each townhome block.**

C. Occupancy

1. No occupancy permit for any townhome shall be issued by the City until the requirements of site plan review and the conditions of the approved final site plan are met. Substantial alteration from the approved plan must be resubmitted to the City for review and approval, and may require additional site plan review before the original hearing authority.

2. The owner(s) of the townhomes, or duly authorized management agent, shall be held responsible for all alterations and additions to a townhome block or to individual homes within the block, and shall ensure that all necessary permits and inspections are obtained from the City or other applicable authority prior to the alterations or additions being made.

The applicant proposes townhomes through the PUD process and should the project be approved, the applicant would then be required to follow the process for a final development plan review by the Planning Commission. The Building Department generally approves building permits and occupancy permits.

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

RECOMMENDED CONDITION: Prior to certificate of final occupancy, meet the conditions of the approved final development plan.

D. Infill Standard

The minimum lot size required for single-family, attached dwellings (townhomes) may be reduced by a maximum of 15% if the subject property is 1.5 acres or less, and the subject property is surrounded by properties developed at or in excess of minimum density for the underlying zone.

FINDING: The applicant is not applying for application of the infill standard and this criterion is not applicable.

E. Design Standards

Each townhome block development shall require the approval of a site plan, under the provisions of Section 16.90.020, and in compliance with the standards listed below. The site plan shall indicate all areas of townhome units, landscaping, off-street parking, street and driveway or alley locations, and utility access easements. The site plan shall also include a building elevation plan, which show building design, materials, and architectural profiles of all structures proposed for the site.

1. Building Mass: The maximum number and width of consecutively attached townhomes shall not exceed six (6) units or one-hundred fifty (150) feet from end-wall to end-wall.

The applicant proposes no more than five attached townhomes in one block and in no case do the townhomes exceed 150 feet from wall to wall.

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

2. Designation of Access/Alleys: Townhomes shall receive vehicle access only from the front or rear lot line exclusively, not both. If alleys are used for access they shall be created at the time of subdivision approval and built to City standards as illustrated in the Transportation System Plan.

FINDING: The applicant proposes either vehicle access in the front or rear yard of the townhomes. This complies with this standard.

3. Street Access: Townhomes fronting on a neighborhood route, collector, or arterial shall use alley access, either public or private, and comply with all of the following standards, in order to minimize interruption of adjacent sidewalks by driveway entrances and conflicts with other transportation users, slow traffic, improve appearance of the streets, and minimize paved surfaces for better stormwater management. Direct access to local streets shall only be used if it can be demonstrated that due to topography or other unique site conditions precludes the use of alleys.

a. Alley loaded garages shall be set back a minimum five feet to allow a turning radius for vehicles and provide a service area for utilities.

b. If garages face the street, the garage doors shall be recessed behind the front elevation (living area, covered porch, or other architectural feature) by a minimum of one (1) foot.

c. The maximum allowable driveway width facing the street is two (2) feet greater than the width of the garage door. The maximum garage door width per unit is sixty percent (60%) of the total building width. For example, a twenty (20) foot wide unit may have one 12-foot wide recessed garage door and a fourteen (14) foot wide driveway. A 24-foot wide unit may have a 14-foot, 4-inch wide garage door with a 16-foot, 4-inch wide driveway.

The proposed townhomes units will take access from an alley or a local street. The applicant has proposed no direct access to SW Meinecke and SW Cedar Brook Way. The applicant proposes to construct Street A in order to provide access to the subject property and have limited access to the other nearby developments. Street A provides access to the private alley. The twenty-eight townhomes to be located on Street A will have garages facing the street but recessed from the front porch at least one foot.

These single car garages will be 8 feet wide and the driveways will be at least 10 feet wide in compliance with this Code section. The proposed single car garage doors will be 40% of the townhomes width, which is less than the 60 % requirement maximum of 12 feet wide for the garage in this case.

The alley-loaded garages will be set back a minimum of 18 feet in order to allow a turning radius for vehicles.

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

4. Building Design: The intent of the following standards is to make each housing unit distinctive and to prevent garages and blank walls from being a dominant visual feature.

a. The front facade of a townhome may not include more than forty percent (40%) of garage door area.

FINDING: As discussed above, the single car garages will be 8 feet wide and the driveways will be at least 10 feet wide in compliance with this Code section for the front facing facade. The proposed single car garage doors will be 40% of the townhomes width,.

b. The roofs of each attached townhome must be distinct from the other through either separation of roof pitches or direction, variation in roof design, or architectural feature. Hipped, gambrel, gabled, or curved (i.e. barrel) roofs are required. Flat roofs are not permitted.

As described in the architectural pattern book and Exhibit 2 of the applicant's materials, (Exhibit A) flat roofs are not proposed and there is a distinction and variety proposed within the development.

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

c. A minimum of fifty percent (50%) of the residential units within a block's frontage shall have a front porch in the MDRH zone. Front porches may encroach six (6) feet beyond the perimeter foundation into front yard, street-side yard, and landscape corridor setbacks for neighborhood routes and collectors, and ten (10) feet for arterials, and are not subject to lot coverage limitations, in both the MDRH and HDR zones. Porches may not encroach into the clear vision area, as defined in Section 16.58.010.

Even though the property is zoned HDR, the applicant proposes porches which will be 4-5 feet in depth. The applicant does not foresee encroaching into the clear vision area.

FINDING: Based on the above discussion, the applicant does not meet this criterion at this time, but can meet the criterion with the following condition.

RECOMMENDED CONDITION: Prior to final development approval, submit plans that show that the porches do not encroach on any of the clear vision area.

d. Window trim shall not be flush with exterior wall treatment for all windows facing public right-of-ways. Windows shall be provided with architectural surround at the jamb, head and sill.

e. All building elevations visible from the street shall provide doors, porches, balconies, windows, or architectural features to provide variety in facade. All front street-facing elevations, and a minimum of fifty percent (50%) of side and rear street-facing building elevations, as applicable, shall meet this standard. The standard applies to each full and partial building story. Alternatively, in lieu of these standards, the Old Town Design Standards in Chapter 16.162 may be applied.

The examples of elevations of the proposed townhomes found within the applicant's materials show that there are articulations and windows, porches, all visible from the street. The exact specification of the particular development will be reviewed during the final development plan approval process.

FINDING: Based on the above discussion, the applicant has no yet met this standard, but can do so with the following condition.

RECOMMENDED CONDITION: Prior to final development plan approval, submit plans and elevations of the townhomes that provide for doors, porches, balconies, windows or architectural features to provide variety in the façade.

f. The maximum height of all townhomes shall be that of the underlying zoning district standard, except that: twenty-five percent (25%) of townhomes in the MDRH zone may be 3-stories, or a maximum of forty (40) feet in height if located more than one-hundred fifty (150) feet from adjacent properties in single-family (detached) residential use.

The site is zoned HDR and the maximum height allowed is 40 feet. The applicant does not propose to exceed the height requirement within this zone.

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

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.

The applicant proposes that Tract B near the eastern boundary of the site and adjacent to the Creekview Crossing development be 5 feet wide-the exact width of the sidewalk. Any fences constructed on lots 22-23, adjacent to this sidewalk could not exceed 42 inches tall. The applicant does not include landscape buffers in adjacent to the pathway as required with this provision. This does not appear to be a suitable resolution for this pedestrian connection and does not comply with the traditional width for pedestrian pathways with landscaped buffers found in the TSP cross sections for paved pathways.

FINDING: Based on above discussion the applicant does not meet this criterion but can do so with the following condition.

RECOMMENDED CONDITION: Prior to final development approval, design the pedestrian pathway within Tract B to include landscaped buffers between the properties of at least three feet on each side.

B. <u>Division V. Community Design</u>
Chapter 16.92 Landscaping
16.92.030 Site Area Landscaping and Perimeter Screening Standards

A. Perimeter Screening and Buffering
1. Perimeter Screening Separating Residential Zones:
A minimum six-foot high sight-obscuring wooden fence, decorative masonry wall, or evergreen screen, shall be required along property lines separating single and two-family uses from multi- family uses, and along property lines separating residential zones from commercial, institutional/public or industrial zones subject to the provisions of Chapter 16.48.020 (Fences, Walls and Hedges).

The applicant proposes that the site will be landscaped to ensure compatibility and privacy for the surrounding uses. The applicant has not described how the development plans to provide perimeter screening between the multi-family uses on the eastern edge of the site.

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

RECOMMENDED CONDITION: Prior to final development plan approval, provide a site plan that shows the perimeter screening separating the residential zones.

RECOMMENDED CONDITION: Prior to certificate of final occupancy, install the perimeter screening separating the residential zones.

16.94.020 Off-Street Parking Standards

A. Generally
Where square feet are specified, the area measured shall be the gross building floor area primary to the functioning of the proposed use. Where employees are specified, persons counted shall be those working on the premises, including proprietors, during the largest shift at peak season. Fractional space requirements shall be counted as a whole space. The Review Authority may determine alternate off - street parking and loading requirements for a use not specifically listed in this Section based upon the requirements of comparable uses.

Minimum and Maximum Parking Standards (Metro spaces are based on 1 per 1,000 sq. ft. of gross leasable area)

	Minimum Parking Standard	Maximum Permitted Parking Zone A[1]	Maximum Permitted Parking Zone B[2]
Single, two-family and manufactured home on lot[3]	1 per dwelling unit	None	None

Footnote 3: If the street on which the house has direct access is less than twenty-eight (28) feet wide, two (2) off-street parking spaces are required per single-family residential unit. (includes single-family detached or attached, two-family dwelling or a manufactured home on an individual lot) If the abutting street is twenty-eight (28) feet or wider, one (1) standard (9 ft. × 20 ft.) parking space is required.

The applicant proposes the following parking spaces in relation to the housing type.

Lot Number	Housing Type Description	Number of Units	Dwelling Unit Size (square feet)	Lot size range (square feet)	Number of Onsite Parking spaces including Garages per unit
1-38	Two-story townhome with one car garage in front	38	1,500	1,610 – 2,552	38 garage and 38 driveway spaces
39-53	Two-story single family with rear loaded garage	15	1,304-1,392	2,374 - 3,245	30 garage and 30 driveway spaces
54-66	Two-story townhome with two car alley-loaded garage	13	1,400	1,600-1,974	26 garage and 26 driveway spaces

As the table indicates, there is at least one onsite parking space for each unit. Garages although generally used for parking vehicles cannot be considered in the calculation per SZCDC in this section but are allowed in the calculation under the townhome provisions. Therefore, under this section, the proposal includes 15 single-family detached dwelling units with two driveway spaces per unit, 13 rear-loaded townhomes with two driveway spaces per unit and 38 front loaded townhome units with one driveway space per unit. Therefore, this standard is not met for lots 1-38 and the applicant requests a deviation for this standard.

The applicant contends that there will be 79 on street parking spaces along both SW Cedar Brook Way and on one side of the street on proposed Street A that will be available to the general public. Historically, the multifamily development to the east has not enough onsite parking and the City has been advised that there has been spillover into the adjoining neighborhoods. With the extension of SW Cedar Brook Way this situation may improve with the addition of 57 spaces on SW Cedar Brook Way alone. Street A will have 19 spaces on the west side of the street opposite lots 1-28. Staff has a concern about parking availability for lots 29-38 for those homes front SW Meinecke Parkway and have no proximate on street parking available for visitors should the need arise. This is likely to be intermittent and there may be additional parking on Street A, but many homes in this development along with the adjoining development will likely use this as an option considering that parking has also been a problem in the multifamily development. Staff recommends that the applicant consider adding additional parking to the nine townhomes (lot 29-38) located adjacent to SW Meinecke.

Additionally, the applicant has not identified whether they are considering a reduction in the dimensional parking standard stall of 9 x 20 feet. Twenty five percent of the required spaces are allowed to be reduced and marked as compact for a reduction to 8 x 18 ft. The applicant has also not identified as to whether they are requesting a deviation of the standard should the house plans not meet the standard parking dimensional requirements.

FINDING: Base on the above discussion, the applicant has not met this standard, but the PUD process allows for a deviation from the standard should the decision makers agree to the project.

RECOMMENDED CONDITION: Prior to final development approval, submit a parking plan that details and describe the dimensions of the parking spaces and any deviation from the parking space standards.

C. <u>Division VI - Public Improvements</u>

16.106.010 Generally
A. Creation
Public streets shall be created in accordance with provisions of this Chapter. Except as otherwise provided, all street improvements and rights-of-way shall conform to standards for the City's functional street classification, as shown on the TSP Map and in Figure 1, of Chapter 6 of the Community Development Plan, and other applicable City standards. The following table depicts the guidelines for the street characteristics.

Type of Street	Right of Way Width	Number of Lanes	Minimum Lane Width	On Street Parking Width	Bike Lane Width	Sidewalk Width	Landscape Strip (exclusive of Curb)	Median Width
Neighborhood 1,000 vehicles per day	64'	2	18'	8'	None	8'	5' with 1' buffer	none
Local	**52'**	**2**	**14'**	**8' on one side only**	**None**	**6'**	**5' with 1' buffer**	**none**
Alley	**16-25'**	**1-2**	**10-12'**	**One side if 20'**	**none**	**none**	**none**	**none**

16.106.020 Required Improvements
A. Generally
Except as otherwise provided, all developments containing or abutting an existing or proposed street, that is either unimproved or substandard in right-of-way width or improvement, shall dedicate the necessary right-of-way prior to the issuance of building permits and/or complete acceptable improvements prior to issuance of occupancy permits. The following figure provides the depiction of the functional classification of the street network as found in the Transportation System Plan, Figure 8-1.

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

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

The applicant proposes to construct street improvements and dedicate right-of-way to extend SW Cedar Brook Way from the northeastern corner of the subject property to connect to the round-about

at SW Meinecke Parkway. The City Engineer recommends that the proposed SW Cedar Brook Way extension shall have 36 feet of paved surface (curb face to curb face) with 5-foot wide landscape strips and 8-foot wide sidewalks on each side within a 64-foot wide right-of-way unless a design modification request approved by the City Engineer allows otherwise.

The applicant has proposed Street A to extend north-south through the development. The applicant requests a street modification for the design of Street A that will be discussed in the street modification section below. The applicant requests that the alley be private and that also requires a street modification that will be discussed below.

Adequate street lighting, street signage and sidewalk facilities are required to be constructed to serve the subject development meeting the approval of the Sherwood Engineering Department.

The City of Sherwood Transportation System Plan has identified a trail connection between the existing trail along the east line of "Wyndham Ridge" subdivision and SW Cedar Brook Way. The proposed trail is located within the southwest corner of the subject property and within the City owned property to the west. The developer should be required to construct the aforementioned trail meeting the approval of the City of Sherwood Engineering Department and Clean Water Services. Upon request, City Transportation System Development Charges credits are available for required trail construction located outside of the subject property.

FINDING: Based on the above discussion, the applicant has not fully complied with this provision but can do so with the following condition.

RECOMMENDED CONDITION: Prior to approval of the public improvement plans, design the proposed SW Cedar Brook Way extension to have 36 feet of paved surface (curb face to curb face) with 5-foot wide landscape strips and 8-foot wide sidewalks on each side within a 64-foot wide right-of-way unless a design modification request is approved by the City Engineer.

E. Transportation Facilities Modifications
1. A modification to a standard contained within this Chapter and Section 16.58.010 and the standard cross sections contained in Chapter 8 of the adopted TSP may be granted in accordance with the procedures and criteria set out in this section.
2. A modification request concerns a deviation from the general design standards for public facilities, in this Chapter, Section 16.58.010, or Chapter 8 in the adopted Transportation System Plan. The standards that may be modified include but are not limited to:
a. Reduced sight distances.
b. Vertical alignment.
c. Horizontal alignment.
d. Geometric design (length, width, bulb radius, etc.).
e. Design speed.
f. Crossroads.
g. Access policy.
h. A proposed alternative design which provides a plan superior to these standards.
i. Low impact development.
j. Access Management Plans

3. Modification Procedure
a. A modification shall be proposed with the application for land use approval.
b. A modification is processed as a Type II application. Modification requests shall be processed in conjunction with the underlying development proposal.
c. When a modification is requested to provide a green street element that is not included in the Engineering Design Manual, the modification process will apply, but the modification fee will be waived.

4. Criteria for Modification: Modifications may be granted when criterion 4a and any one of criteria 4b through 4e are met:
a. Consideration shall be given to public safety, durability, cost of maintenance, function, appearance, and other appropriate factors to advance the goals of the adopted Sherwood Comprehensive Plan and Transportation System Plan as a whole. Any modification shall be the minimum necessary to alleviate the hardship or disproportional impact.
b. Topography, right-of-way, existing construction or physical conditions, or other geographic conditions impose an unusual hardship on the applicant, and an equivalent alternative which can accomplish the same design purpose is available.
c. A minor change to a specification or standard is required to address a specific design or construction problem which, if not enacted, will result in an unusual hardship. Self- imposed hardships shall not be used as a reason to grant a modification request.
d. An alternative design is proposed which will provide a plan equal to or superior to the existing street standards.
e. Application of the standards of this chapter to the development would be grossly disproportional to the impacts created.

The applicant proposes several street modifications with this application. (See Applicant's Street Modification Request and Engineering Response, Exhibit J).

Item 1: Private Street:
The developer has requested a twenty foot wide private roadway within a 21 foot wide private tract (Tract G) due to the issues with the geometric layout of the property it was determined during the preliminary phase that a private street serving the western side of the development was appropriate to reach the required zoning density. However the layout shown on the plan shows a centerline curve radii of approximately fifty feet (15 mph), 100 feet (20 mph) and 38 feet at bulb out. The 50 ft. radius curve occurs near the private street intersection with Street A . The developer has proposed a rolled curb that would provide 18 feet gutter to gutter and 20 ft. between back of rolled curbs. The rolled curb is proposed to have a height of 3" over one foot. The Engineering Department finds this acceptable with subject to the following conditions.

- "No Parking" signs, speed limit signs and "Stop" signs should be posted for the private alley.
- Since there is not enough room within the Tract 'G' for the required street signs, a sign easement will be needed along the frontage of Tract 'G' for signs.
- The private street shall meet the approval of Tualatin Valley Fire and Rescue.
- The driveway apron and private street width will be widened as necessary to allow for emergency vehicular and truck movement into and out of the private street.
- There are 38 lots that will access the proposed private street. Visibility at the intersections of the private street with SW "A" Street is a concern, especially with parking near the intersections. The developer shall provide data showing that vehicles stopped on the private street waiting to turn onto SW "A" street have adequate visibility to turn onto SW "A" Street without incident.
- Since the proposed rolled curbs will be driven on regularly, the thickness of the curb and gutter shall be a minimum of 8-inches in thickness.
- Street trees shall meet the approval of the Sherwood Planning Department.
- The pavement structure shall be in accordance with that of a Local Street Classification on Sherwood Standard Drawing RD-20.
- A Maintenance Agreement meeting the approval of the Sherwood Engineering Department shall be recorded with the county with a copy being sent to the Sherwood Engineering Department.
-

Item #2 – Nonstandard Bulb Out

The developer has proposed a bulb out within the private street that will meet emergency access in place of the standard city bulb out (detail RD-12 found in the Engineering Design Manual). Since this is a PUD with higher density the standard bulb out would make it considerably difficult to obtain densities since it is beyond the width of the standard right-of-way. The standard bulb out is meant more for standard single-family home subdivisions in corner areas of the property to obtain access to the corner. The bulb out proposed appears to give adequate width for a vehicle to pull over for an emergency vehicle. Since the standard bulb out is impractical for use in this situation, the Engineering Department recommends acceptance of the request with the following conditions:

- The inside radius to the back of the rolled curb shall be 28-feet minimum.
- Advanced warning signage be installed due to the sharpness of the curve and potential lack of sight distance due to vehicular parking in the driveway of lot 63.
- The bulb out shall meet the approval of Tualatin Valley Fire and Rescue.

Item #3 – SW "A" Street/SW Meinecke Parkway Intersection

The developer is proposing a right in/right out intersection between SW "A" Street and SW Meinecke Parkway due to SW Meinecke Parkway being a divided street. Due to the spacing of Highway 99 in relation to SW Cedar Brook Way, the 400-foot spacing between intersections cannot be obtained for SW "A" Street to connect to SW Meinecke Parkway. The proposed intersection does appear to give adequate sight distance for a vehicle stopped on SW "A" Street to see vehicles within the right turn lane of Highway 99W that are turning onto this section of SW Meinecke Parkway. The intersection would have better sight distance looking east if it were further to the west; however, due to the layout of the developing parcel, it would be impractical. Based on this analysis the Engineering Department recommends approval of the intersection with the following conditions:

- The engineering plans shall show signage to direct that vehicles on SW "A" Street can only turn right onto SW Meinecke Parkway.
- Any island within the intersection shall allow for emergency vehicle and truck turning movements (either by being outside of turning movements, being mountable, etc.).
- The curb return radii shall be in accordance with the Sherwood Engineering Design Manual (25 feet minimum).
- The intersection shall meet the approval of Tualatin Valley Fire and Rescue.

Item #4 – Curb Tight Sidewalk and Reduced Right-Of-Way on SW "A" Street

The developer is proposing eliminating the landscape strip on the east side of SW "A" Street and reducing the right-of-way accordingly. The developer is also proposing using rolled curb on the east side of SW "A" Street and reducing the amount of right-of-way behind the sidewalks on SW "A" Street from 1 foot to 0.5 foot. The requested right-of-way reduction is from 52 feet (city standard) to 47.5 feet (proposed). The Engineering Department recommends approval of the requested design modifications to SW "A" Street with the following conditions.

- The landscape strip shown in the preliminary plan is 5.5 feet in width. The landscape strip shall be 5.0 feet in width.
- The buffer strip shall be 1.0 feet in width behind the sidewalk per standards. When combined with the change in the landscape strip, this condition will only widen the right-of-way from the 47.5 feet proposed by the developer to 48 feet. It appears that this can be accommodated without significant impact to the development.
- The thickness of the rolled curb and gutter should be a minimum of 8-inches in thickness.
- Since the sidewalk on the east side of SW "A" Street is abutting rolled (mountable) curb, the sidewalk shall have a minimum thickness of 6 inches.

- “No Parking” signs shall be located within the buffer strip behind the sidewalk.
- Street trees shall meet the approval of the Sherwood Planning Department.
- The preliminary plan currently shows the sidewalk at the southeastern corner of SW “A” Street and SW Cedar Brook Way with too narrow of a clear sidewalk distance to obstructions. Sidewalk shall have a minimum of 6 feet clear around “Stop” sign and sidewalk ramp.

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

RECOMMENDED CONDITION: Prior to approval of the public improvement plans, comply with the recommended conditions as found in the Street Modification Approval memo submitted by the Engineering Department, Exhibit J.

16.106.030 Location
A. Generally
The location, width and grade of streets shall be considered in their relation to existing and planned streets, topographical conditions, and proposed land uses. The proposed street system shall provide adequate, convenient and safe traffic and pedestrian circulation, and intersection angles, grades, tangents, and curves shall be adequate for expected traffic volumes. Street alignments shall be consistent with solar access requirements as per Chapter 16.156, and topographical considerations.

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

FINDING: As discussed above the applicant proposes to extend SW Cedar Brook Way thus meeting this criterion.

2. Connectivity Map Required. New residential, commercial, and mixed use development involving the construction of new streets shall be submitted with a site plan that implements, responds to and expands on the Local Street Connectivity map contained in the TSP.
a. A project is deemed to be consistent with the Local Street Connectivity map when it provides a street connection in the general vicinity of the connection(s) shown on the map, or where such connection is not practicable due to topography or other physical constraints; it shall provide an alternate connection approved by the decision-maker.

The applicant has proposed with this development plan to have an interconnected subdivision with an internal street network and an alley configuration. Adequate pedestrian access is provided with a series of internal sidewalks connecting the areas of open space and midblock pedestrian crossings where applicable.

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

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

c. Where a development is disproportionately impacted by a required street connection, or it provides more than its proportionate share of street improvements along property line (i.e., by

building more than 3/4 width street), the developer shall be entitled to System Development charge credits, as determined by the City Engineer.

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

The applicant proposes a block length of approximately 1,400 feet which is less than the maximum of 1,800 feet as identified above. The 530 foot access spacing requirement is not practicable for this site due to the preexisting constraints of SW Meinecke and SW Cedar Brook Way. As discussed above the applicant provided a mid-block crossing on Street A in order to have access to the open space tract in the center of the development. Also, there is a proposed connection to the adjoining multi-family development (Tract B.)

FINDING: Based on the above discussion, the applicant has not met this criterion, but has mitigated the block length requirement with pedestrian crossings and access points to the adjoining properties where practicable. As this is a PUD, the standard can be modified, if approved by the decision making body.

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

The applicant proposes sidewalks and internal pathways to connect the subdivision and open space to the surrounding neighborhoods. As discussed earlier the applicant proposes to build the pathways according to the Pedestrian and Bike Master Plans in the adopted TSP.

The applicant proposed Tract B connect this development with the Creekview Crossing. The pathway as proposed is five feet wide with no buffer between the property lines. This is not compatible with the cross sections for pedestrian access ways as discussed and conditioned earlier within this report.

FINDING: Based on the above discussion, the applicant meets this criterion or has been conditioned earlier within this report to meet this condition.

1. Roadway Access

No use will be permitted to have direct access to a street or road except as specified below. Access spacing shall be measured from existing or approved accesses on either side of a street or road. The lowest functional classification street available to the legal lot, including alleys within a public easement, shall take precedence for new access points.

a. Local Streets:

Minimum right-of-way radius is fifteen (15) feet. Access will not be permitted within ten (10) feet of Point "B," if no radius exists, access will not be permitted within twenty-five (25) feet of Point "A." Access points near an intersection with a Neighborhood Route, Collector or Arterial shall be located beyond the influence of standing queues of the intersection in accordance with AASHTO standards. This requirement may result in access spacing greater than ten (10) feet.

As reviewed by the Engineering Department, all streets are properly aligned. The streets are designed to comply with City standards unless deviated through the street modification process as identified above (p.28-30). The center line radius of Street A, a local street is 185 feet and the tangent length is 25 feet at the intersections. The center line angle of SW Cedar Brook Way and SW Meinecke is 80

degrees which satisfies the Engineering standard. The extension of Cedar Brook Way complies with the local connectivity map as discussed above.

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

N. Private Streets
1. The construction of a private street serving a single-family residential development is prohibited unless it provides principal access to two or fewer residential lots or parcels (i.e. flag lots).

2. Provisions shall be made to assure private responsibility for future access and maintenance through recorded easements. Unless otherwise specifically authorized, a private street shall comply with the same standards as a public street identified in the Community Development Code and the Transportation System Plan.

3. A private street shall be distinguished from public streets and reservations or restrictions relating to the private street shall be described in land division documents and deed records.

4. A private street shall also be signed differently from public streets and include the words "Private Street".

FINDING: The applicant is proposing a private alley that has been discussed earlier in this report under the street modification section (p. 28-29). The Engineering Department has reviewed this proposal and recommended approval with conditions outlined in Exhibit J attached to this staff report. Therefore, the applicant does not meet this standard outright and has requested a modification as discussed above with conditions to mitigate for the private street or alley.

16.106.060 Sidewalks
A. Required Improvements
1. Except as otherwise provided, sidewalks shall be installed on both sides of a public street and in any special pedestrian way within new development.

B. Design Standards
1. Arterial and Collector Streets
Arterial and collector streets shall have minimum eight (8) foot wide sidewalks/multi- use path, located as required by this Code.

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

3. Handicapped Ramps
Sidewalk handicapped ramps shall be provided at all intersections.

C. Pedestrian and Bicycle Paths
Provide bike and pedestrian connections on public easements or right-of-way when full street connections are not possible, with spacing between connections of no more than 330 feet except where prevented by topography, barriers such as railroads or highways, or environmental constraints such as rivers and streams.

The applicant proposes to construct 8-foot sidewalks on SW Cedar Brook Way and 6 foot sidewalks along Street A. The sidewalks interior to the site are five feet wide. Mid-block crossings are also proposed on Street J.

FINDING: As discussed and conditioned earlier in this report, the applicant proposes and the City concurs that sidewalks should be provided and should comply with the existing standards as reviewed by the engineering department.

16.110 <u>Sanitary Sewers - Required Improvements</u>
Sanitary sewers are required be installed to serve all new developments and shall connect to existing sanitary sewer mains. Sanitary sewers shall be constructed, located, sized and installed at standards consistent with the Code, applicable Clean Water Services standards and City standards to adequately serve the proposed development and allow for future extensions.

Sanitary sewer is recommended to be installed to accommodate project development. The surrounding properties are either open space or have already been developed and have sanitary sewer service, therefore sanitary sewer will not be required to be extended to property lines to accommodate adjacent parcels.

Public sanitary sewer outside of the public right-of-way will be located within a dedicated public easement.

FINDING: The applicant has not met this standard but can do so with the following conditions.

RECOMMENDED CONDITION: Prior to approval of the public improvement plans, the sanitary sewer system design and installation shall be in conformance with City design and construction standards in order to be accepted by the City.

16.112 <u>Water Supply - Required Improvements</u>
Water lines and fire hydrants conforming to City and Fire District standards shall be installed to serve all building sites in a proposed development. All waterlines shall be connected to existing water mains.

Water lines should be installed to accommodate project development. The applicant proposes a 12-inch water line be installed along the frontage of SW Cedar Brook Way and SW Meinecke Parkway. The Engineering Department recommends that no public water line shall be installed within the Private Street and lots along the private alley shall obtain water service from either SW "A" Street, SW Cedar Brook Way or SW Meinecke Parkway.

All water infrastructure shall meet the standards of the City of Sherwood and be reviewed and approved by the Sherwood Water Department (Public Works Department) prior to issuance of an Engineering Compliance Agreement.

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

RECOMMENDED CONDITION: Prior to public improvement plan approval, submit plans so that all water infrastructure will meet City standards and be approved by the Sherwood Water Department.

<u>16.114 Storm Water - Required Improvements</u>
Storm water facilities, including appropriate source control and conveyance facilities, shall be installed in new developments and shall connect to the existing downstream drainage systems consistent with the Comprehensive Plan and the requirements of Clean Water Services water quality regulations contained in their Design and Construction Standards R&O 04-9 or its replacement.

Water quality treatment is required meeting the approval of the City of Sherwood Engineering Department and Clean Water Services. The storm sewer is required to be installed to accommodate project development. The surrounding streets and parcels are already developed and have storm sewer service. Therefore, storm sewer will not be required to be extended to property lines to accommodate adjacent parcels.

The Engineering Department recommends that the capacity of the existing storm sewer receiving runoff from the subject development shall be verified. If undersized, the existing storm sewer shall be upsized to accommodate the subject property. Public storm sewer outside of the public right-of-way will be located within a dedicated public easement.

Clean Water Services has reviewed this proposal and provided comments that include requiring a CWS Storm Water Connection Permit be obtained prior to plat approval and recordation. As part of that Permit the applicant will be required to submit the materials outlined in the CWS Memo dated May 13, 2014(Exhibit D). The memo outlines conditions that will need to be followed in order to fully comply with this criterion. A "Sensitive Area" is near the site. The applicant should comply with the conditions as set forth in the Service Provider Letter No. 13-002074.

FINDING: As discussed above, staff cannot confirm at this time that the standard has been met. If the applicant submits a revised plan that complies with the following conditions, this standard will be met.

RECOMMENDED CONDITION: Prior to approval of the final plat, receive a Clean Water Services Storm Water Connection Permit Authorization that meets the requirements of the CWS Memorandum dated May 8, 2014.

RECOMMENDED CONDITION: Prior to approval of the public improvement plans, submit to the Engineering Department for review and approval a stormwater report identifying adequate space in the facility. The public improvement plans must include detention and treatment of all stormwater on the site in compliance with Clean Water Services standards.

RECOMMENDED CONDITION: Prior to approval of the public improvement plans, show all existing and proposed easements on the plans. Any required storm sewer, sanitary sewer and water quality related easements must be granted to the City.

RECOMMENDED CONDITION: Prior to approval of the final plat, comply with the conditions as set forth in the Service Provider Letter No. 13-002074. (Exhibit B)

16.116 Fire Protection Required Improvements

When land is developed so that any commercial or industrial structure is further than two hundred and fifty (250) feet or any residential structure is further than five hundred (500) feet from an adequate water supply for fire protection, as determined by the Fire District, the developer shall provide fire protection facilities necessary to provide adequate water supply and fire safety.

John Wolff of Tualatin Valley Fire and Rescue provided general comments on May 12, 2014 (Exhibit F). Compliance with TVF&R will be required at time of detailed development plan review. The applicant concurs.

FINDING: This standard is satisfied for this stage of the development. However, the applicant cannot fully comply without the following condition.

RECOMMENDED CONDITON: Prior to approval of the public improvement plans, submit revised plans that provide adequate turning radius, hydrant location, fire flow, and adherence in compliance with TVF&R standards as verified by an acceptance letter from TVF&R.

16.118 Public And Private Utilities

A. requires that installation of utilities be provided in public utility easements and shall be sized, constructed, located and installed consistent with this Code, Chapter 7 of the Community Development Code, and applicable utility company and City standards.

B. Requires that public utility easements shall be a minimum of eight feet in width unless a reduced width is specifically exempted by the City Engineer. An eight (8) foot wide public utility easement (PUE) shall be provided on private property along all public street frontages. This standard does not apply to developments within the Old Town Overlay.

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

D. Requires franchise utility conduits to be installed per the utility design and specification standards of the utility agency.

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

The City of Sherwood Broadband manager has submitted comments that conduit is necessary as part of this development. As part of the public improvement plan review and approval, the applicant will be required to show conduits for all public and private utilities.

FINDING: As discussed above, this standard is not met but can be conditioned below.

RECOMMENDED CONDITION: Prior to building permit approval, install conduit and vaults per the City of Sherwood telecommunication design standards.

16.118.030 Underground Facilities

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

FINDING: All existing and proposed utilities are proposed to be underground, therefore this standard is met.

D. Division VIII, ENVIRONMENTAL RESOURCES

16.142 – Parks and Open Space

16.142.030 Single-Family or Duplex Residential Subdivisions

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

1. **Required yards or setbacks.**
2. **Required visual corridors.**

3. Required sensitive areas and buffers.
4. Any area required to meet a standard found elsewhere in this code.

C. The open space shall be conveyed in accordance with one of the following methods:
1. By dedication to the City as public open space (if acceptable to the City). Open space proposed for dedication to the City must be acceptable to the City Manager or the Manager's designee with regard to the size, shape, location, improvement, environmental condition, and budgetary and maintenance abilities;
2. By leasing or conveying title (including beneficial ownership) to a corporation, homeowners' association or other legal entity, with the City retaining the development rights to the open space. The terms of such lease or other instrument of conveyance must include provisions (e.g., maintenance, property tax payment, etc.) suitable to the City.
D. The density of a single-family residential subdivision shall be calculated based on the net buildable site prior to exclusion of open space per this Section.

As indicated previously in this narrative, the applicant is proposing to provide a combination of public and private open space that complies with the PUD standard for at least 15 % open space which is greater than the five percent open space requirement of this provision.

FINDING: As discussed above, this standard can be met as conditioned below.

RECOMMENDED CONDITION: Prior to final plat approval, provide documentation, to be recorded with the plat, dedicating the tracts of open space to either the Homeowner's Association, or to the City as open space unless another acceptable alternative for open space is provided.

16.142.040 <u>Visual Corridors</u>
New developments located outside of the Old Town Overlay with frontage on Highway 99W, or arterial or collector streets designated on the Transportation Plan Map, attached as Appendix C, or in Section VI of the Community Development Plan, shall be required to establish a landscaped visual corridor. The required width along a collector is 10 feet and 15 feet along an arterial. In residential developments where fences are typically desired adjoining the above described major street the corridor may be placed in the road right-of-way between the property line and the sidewalk.

B. Landscape Materials
The required visual corridor areas shall be planted as specified by the review authority to provide a continuous visual and/or acoustical buffer between major streets and developed uses. Except as provided for above, fences and walls shall not be substituted for landscaping within the visual corridor. Uniformly planted, drought resistant street trees and ground cover, as specified in Section 16.142.060, shall be planted in the corridor by the developer. The improvements shall be included in the compliance agreement. In no case shall trees be removed from the required visual corridor.

C. Establishment and Maintenance

Designated visual corridors shall be established as a portion of landscaping requirements pursuant to Chapter 16.92. To assure continuous maintenance of the visual corridors, the review authority may require that the development rights to the corridor areas be dedicated to the City or that restrictive covenants be recorded prior to the issuance of a building permit.

D. Required Yard

Visual corridors may be established in required yards, except that where the required visual corridor width exceeds the required yard width, the visual corridor requirement shall take precedence. In no case shall buildings be sited within the required visual corridor, with the exception of front porches on townhomes, as permitted in Section 16.44.010(E)(4)(c).
The streets proposed with this development abuts SW Meinecke, and a 10 ft. visual corridor is necessary.

FINDING: As discussed above, this standard is not met but can be met with the following condition.

RECOMMENDED CONDITION: Prior to final development approval, submit landscape plans that includes the visual corridors located on SW Meinecke.

16.142.050- Trees Along Public Streets or on Other Public Property

A. Trees Along Public Streets

Trees are required to be planted by the land use applicant to the following specifications along public streets abutting or within any new development. Planting of such trees shall be a condition of development approval. The City shall be subject to the same standards for any developments involving City-owned property, or when constructing or reconstructing City streets.

1. **Tree location: Trees shall be planted within the planter strip along newly created or improved streets. In the event that a planter strip is not required or available, the trees shall be planted on private property within the front yard setback area or within public street right-of-way between front property lines and street curb lines.**

FINDING: The applicant's proposal shows the street trees on the plans but not the species of tree and thus the number cannot be verified. The applicant proposes that they will be from City's Recommended Street Trees list. The trees are shown in the planter strip separating the street from the sidewalk. This standard has not been met, but can be conditioned below in order to fully comply.

2. **Tree size: A minimum trunk diameter of two (2) inches DBH and minimum height of six (6) feet.**

FINDING: The applicant's proposal does not show the size of proposed street trees. While it cannot be verified that this standard is met, it could be met as conditioned below.

RECOMMENDED CONDITION: Prior to public improvement plan approval, submit a street tree planting plan as part of the public improvements that show the variety of trees that will be a minimum of 2 inches DBH and 6 feet high. Plant street trees for each lot prior to a certificate of occupancy for the home on the lot.

3. Tree spacing: A minimum of one (1) tree for every twenty-five (25) feet of public street frontage, or two (2) trees for every buildable lot, whichever yields the greater number of trees. Double fronting lots shall have a minimum of one (1) street tree for every twenty-five (25) feet of frontage. Corner lots shall have a minimum of three (3) street trees.

16.142.070 Trees on Property Subject to Certain Land Use Applications

A. Generally

The purpose of this Section is to establish processes and standards which will minimize cutting or destruction of trees and woodlands within the City. This Section is intended

to help protect the scenic beauty of the City; to retain a livable environment through the beneficial effect of trees on air pollution, heat and glare, sound, water quality, and surface water and erosion control; to encourage the retention and planting of tree species native to the Willamette Valley and Western Oregon; to provide an attractive visual contrast to the urban environment, and to sustain a wide variety and distribution of viable trees and woodlands in the community over time.

B. Applicability

All applications including a Type II - IV land use review, shall be required to preserve trees or woodlands, as defined by this Section to the maximum extent feasible within the context of the proposed land use plan and relative to other codes, policies, and standards of the City Comprehensive Plan.

D. Retention requirements

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

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

Each net development site shall provide a variety of trees to achieve a minimum total tree canopy of 40 percent. The canopy percentage is based on the expected mature canopy of each tree by using the equation πr^2 to calculate the expected square footage of canopy for each tree. The expected mature canopy is counted for each tree regardless of an overlap of multiple tree canopies.

The canopy requirement can be achieved by retaining existing trees or planting new trees. Required street trees can be used toward the total on site canopy required to meet this standard. The expected mature canopy spread of the new trees will be counted toward the needed canopy cover. A certified arborist or other qualified professional shall provide the estimated tree canopy of the proposed trees to the planning department for review.

The site does not have many existing trees. The applicant proposes to retain several of the trees that are located on the undevelopable portions of the site with the exception of two trees that the applicant requests removal due to the location of the storm sewer easement. The applicant proposes street trees in order to comply with the canopy requirement and any other trees as identified or planted within the open space areas. The applicant has done some preliminary calculations and believes that there is more than enough tree canopy with the street trees to meet this standard.

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

RECOMMEND CONDITION: Prior to final development plan approval, submit a landscape plan that identifies a tree canopy of at least 40% on the site.

VII. RECOMMENDATION

Based on a review of the applicable code provisions, agency comments and staff review, staff finds that the Planned Unit Development and Subdivision do not fully meet the applicable review criteria. However, the applicable criteria can be satisfied if specific conditions are met. Therefore, staff **recommends that the Planning Commission forward a recommendation of APPROVAL with conditions** of **Cedar Brook PUD (PUD 14-01, and SUB 14-01)**. Recommended conditions are as follows:

A. <u>General Conditions</u>

1. Compliance with the Conditions of Approval is the responsibility of the developer or its successor in interest.

2. Approval of this Preliminary PUD does not constitute approval of a final development plan for the PUD or approved phases of the PUD.

3. Final Development plans for the PUD or phases of the PUD shall substantially comply with the preliminary plan dated March 6, 2014 and prepared by Emerio Design, and must comply with the conditions in this approval in addition to any other conditioned deemed necessary to ensure compliance with the development code and this approval.

4. Development and construction on the site shall conform substantially to the preliminary plat development plans submitted by Emerio Design except as modified in the conditions below, (and shall conform specifically to final construction plans reviewed and approved by the City Engineer, the Building Official, Clean Water Services, Tualatin Valley Fire and Rescue, Tualatin Valley Water District and Washington County). All plans shall comply with the applicable building, planning, engineering and fire protection codes of the City of Sherwood.

5. The developer is responsible for all costs associated with any remaining public facility improvements and shall assure the construction of all public streets and utilities within and adjacent to the plat as required by these conditions of approval, to the plans, standards, and specifications of the City of Sherwood. The developer shall also provide to the City financial guarantees for construction of all public streets and utilities within and adjacent to the plat, as required by the engineering compliance agreement.

6. 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.

7. The continual operation of the property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code and Municipal Code.

8. Placement of construction trailers on the subject property shall require a Temporary Use Permit per Section 16.86 of the SZCDC.

9. 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.

10. Retaining walls within public easements or the public right-of-way shall require engineering approval. Retaining walls with a height of 4 feet or higher located on private property will require a permit from the building department.

11. Retaining walls great than four (4) feet in height shall have a geotechnical engineer provide stamped design calculations and details drawings required for retaining wall construction. The retaining wall details shall include at a minimum; wall profile, wall cross section at highest point of wall, wall reinforcing geotextile requirements, wall drainage system, and wall backfill requirements. Retaining wall drainage systems shall either discharge to a public storm drainage system, or discharge on-site in such a manner as to not negatively impact adjacent downslope properties.

B. <u>General and Specific PUD Detailed Final Development Plan requirements:</u>

1. A detailed final development plan shall be submitted for review and approval within 1 year of the preliminary PUD approval.

2. Submit an architectural pattern book that provides an illustrative guide for the development including a measurement or checklist system to facilitate review, include information for each building type that describes massing, facades, elevations, roof forms, proportions, materials and color palette, doors, windows, siding, entrances, porches, light fixtures and other ornamentation, or accents, and a fencing plan that addresses the relationship between public space and maintaining individual privacy subject to § 16.58.020.

3. Provide the CC & Rs that document how the areas of open space will be monitored and maintained by the Home Owner's Association.

4. Submit plans that show that the porches do not encroach on any of the clear vision area.

5. Submit plans and elevations of the townhomes that provide for doors, porches, balconies, windows or architectural features to provide variety in the façade.

6. Submit plans that show the design of the pedestrian pathway within Tract B to include landscaped buffers between the properties of at least three feet on each side.

7. Submit plans that show the perimeter screening separating the single family residential zones from the multi-family residential zones.

8. Submit a parking plan that details and describe the dimensions of the parking spaces and any deviation from the parking space standards.

9. Submit landscape plans that includes the visual corridor located on SW Meinecke.

10. Submit a landscape plan that identifies a tree canopy of at least 40% on the site.

C. <u>Prior to issuance of grading or erosion control permits from the Building Department</u>:

1. Submit detailed grading and erosion control plans. An Erosion Control Permit will be required. Areas of Disturbance must be clearly identified on submitted construction plans.

2. The Developer's engineer is required to provide a site specific drainage plan to temporarily collect, route, and treat surface water and ground water during each construction phase. The construction plans shall specifically identify how the storm drainage system and erosion sediment control measures will be phased during construction, such that at any time during construction the approved plans shall be capable of providing full erosion and sediment control, collection, routing and treatment of storm water runoff and ground water. No site construction will be allowed to take place if the storm drainage system and erosion sediment control measures are not installed per plan and functioning properly.

3. Obtain a 1200C Erosion Control Permit through the Building Department for all the disturbed ground, both on and off site that is in excess of one acre in addition to meeting all CWS Design and Construction Standards. The applicant shall follow the latest requirements from DEQ and CWS for NPDES 1200-C Permit submittals. A copy of the approved and signed permit shall be provided to the City prior to holding a pre-construction meeting or commencing any construction activity.

4. Submit a tree protection plan showing how the trees to be retained will be protected throughout the construction of the site.

5. Install tree protection fencing around trees to be retained on site. The tree protection fencing shall be inspected and deemed appropriate by the arborist to be reviewed by the Planning Department.

6. Any existing wells, septic systems and underground storage tanks shall be abandoned in accordance with Oregon state law, inspected by the City Plumbing Inspector and provide verification of such to the City Engineer.

7. A demolition permit shall be obtained from the Sherwood Building Department prior to demolishing or moving any structures.

8. In the event there is engineered fill on any public roads or lots, the applicants' soils engineer and testing lab shall obtain and record compaction tests and submit results for the review and approval of the City Engineer.

D. <u>Prior to approval of the public improvement plans:</u>

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 March 6, 2014 and prepared by Emerio Design with the following modifications:

   a. Design the proposed SW Cedar Brook Way extension to have 36 feet of paved surface (curb face to curb face) with 5-foot wide landscape strips and 8-foot wide sidewalks on each side within a 64-foot wide right-of-way unless a design modification request is approved by the City Engineer.

   b. Comply with the recommended conditions as found in the Street Modification Approval memo submitted by the Engineering Department, Exhibit J.

2. Submit to the Engineering Department for review and approval a stormwater report meeting design standards of both the City of Sherwood and Clean Water Services and the Clean Water Service Provider letter dated March 14, 2014, (Exhibit B).

3. Provide an 8-foot wide public utility easement over the right of way of all street frontages. Tract 'G' containing the proposed private alley shall have a private utility easement over its entirety.

4. All easements (public or private) associated with the development shall be recorded with the County and transfer to a 2-year maintenance bond.

5. A cross section for each type of street improvement shall be prepared that illustrates utility locations, street improvements including grade and elevation, and sidewalk location including grade and elevation per current construction standards. Cross sections shall be included in the plan set and submitted to the City Engineer for review and approval.

6. Submit public improvement plans that demonstrate the placement of all existing and proposed utilities underground.

7. Submit public improvement plans to the Engineering Department, with a copy of the landscaping plan to the Planning Department, for review and approval.

8. All public easement dedication documents must be submitted to the City for review, signed by the City and the applicant, and recorded by the applicant with the original or a certified copy of the recorded easements on file at the City prior to release of the public improvement plans.

9. Submit the final plat for review to the Planning Department.

10. Submit plans so that all water infrastructure will meet City standards and be approved by the Sherwood Water Department.

11. The sanitary sewer system design and installation shall be in conformance with City design and construction standards in order to be accepted by the City.

12. Submit to the Engineering Department for review and approval a stormwater report identifying adequate space in the facility. The public improvement plans must include detention and treatment of all stormwater on the site in compliance with Clean Water Services standards.

13. Show all existing and proposed easements on the plans. Any required storm sewer, sanitary sewer and water quality related easements must be granted to the City.

14. Submit revised plans that provide adequate turning radius, hydrant location, fire flow, and adherence in compliance with TVF&R standards as verified by an acceptance letter from TVF&R.

15. Submit a street tree planting plan as part of the public improvements that show the variety of trees that will be a minimum of 2 inches DBH and 6 feet high. Plant street trees for each lot prior to a certificate of occupancy for the home on the lot.

E. <u>Prior to Approval of the Final Plat:</u>

1. The submittal by the applicant for final plat review and approval shall include but not be limited to the following: a final plat application; final plat review fee; narrative identifying how the required conditions of approval have or will be met; three copies of the final plat; and any other materials required to demonstrate compliance with the conditions of approval.

2. Approval of the public improvement plans by the Engineering Department, and signature of a compliance agreement must be complete prior to release of the plat to the County for review. In addition, prior to final plat approval, either all on-site work must be complete or the improvements bonded or guaranteed with a cash deposit.

3. Receive a Clean Water Connection Permit Authorization that meets the requirements of the CWS Memorandum dated May 8, 2014.

4. The final plat shall show the following:

a. The Community Development Director as the City's approving authority within the signature block of the final plat.

b. Private access easements, utility easements and/or special use easements as required for the development of the site. A plat note shall reference an easement and maintenance agreement or similar document, to be recorded with the plat, for the joint maintenance of any common private utility lines, common driveway improvements, or other common amenity or perimeter fencing. The language of such plat note and associated document shall be reviewed and approved by the Planning Department.

c. Provide documentation to be recorded with the plat, dedicating the tracts of open space to either to the Homeowner's Association, or to the City as open space unless another acceptable alternative for open space is provided.

5. Submit a tree inventory and planting plan for the street trees and trees within the open space areas in order to be fully compliant with §16.142.060.

6. Submit revised plans that provide adequate turning radius, hydrant location, fire flow, and adherence in compliance with TVF&R standards as verified by an acceptance letter from TVF&R.

7. The public improvement plans must be approved and bonded for prior to the City's approval of the final plat.

8. Design the public street intersections to meet sight distance requirements. Provide certification by a registered Oregon Professional Engineer that the constructed public street intersections meet sight distance requirements.

F. <u>Prior to Issuance of a Building Permit:</u>

1. Prior to issuance of any building permits, the public improvements must be complete and accepted by the City Engineer, and the final plat(s) must be recorded. An approval letter from the Engineering Department, accepting all public improvements, shall be issued prior to issuance of building permits.

2. Prior to issuance of any building permits, the developer shall provide a geotechnical investigation report if required by the Building Official.

3. Prior to issuance of building permits, an electronic version of the final plat must be submitted to the Planning Department.

4. Submit a recorded copy of the CC & Rs.

5. Design, construct or pay a fee in lieu of 125% of the estimated construction costs for the trail extension from SW Cedar Brook way to the connection at the Wyndam Ridge subdivision trail.

6. All easements (public or private) associated with the development shall be recorded with the County and transfer to a 2-year maintenance bond.

7. Install conduit and vaults per the City of Sherwood telecommunication design standards.

G. <u>Prior to Final Occupancy of the Subdivision:</u>

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

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

3. Plant the required street trees for each lot prior to a certificate of occupancy for the home on the lot.

4. Install the landscaping according to the landscape plan prior to the issuance of the occupancy permits or pay a security bond for 125% of the cost of the landscaping payable to the City. If the landscaping is not completed within six months, the security may be used by the City to complete the installation.

5. Construct and install the pathway and other open space amenities described in the final development plan.

6. Install the perimeter screening separating the residential zones of the single family homes with the multifamily development to the east.

H. <u>On-going Conditions</u>

1. All rain, storm, and other surface water runoff from roofs, exposed stairways, light wells, courts, courtyards, and exterior paved areas shall be disposed of in compliance with local ordinances and state rules and regulations, in a manner that will not increase runoff to adjacent properties. The approved points of disposal include storm sewer laterals to a public system or other storm sewer system as approved by the City Engineer.

2. Joint mailbox facilities shall be installed prior to the City signing the Letter of Acceptance for the development. Joint mailbox facilities must be installed per U.S. Postal Service's "*Developers' Guide to Centralized Box Units*". The Developer shall provide a signed copy of the U.S. Postal Services "*Mode of Delivery Agreement*". Submittal of this agreement shall be required prior to a pre-construction meeting taking place.

3. The developer shall coordinate location of garbage and recycling receptacles with Pride Disposal.

4. The continual operation of the property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code.

5. Decks, fences, sheds, building additions and other site improvements shall not be located within any easement unless otherwise authorized in writing by the City Engineer.

6. Fences separating lots from adjacent pedestrian access way may not exceed 42" in height unless the fences are setback with at least three (3) feet of landscaping from the pedestrian easement.

7. Comply with the Clean Water Services Service Provider Letter throughout the development of the site.

8. Restrict and maintain on-site landscaping, utilities, and any other obstructions in the sight distance triangles to provide adequate sight distance at access locations to SW Street A and SW Cedar Brook Way and Tract G, the private alley.

9. Dust shall be controlled within the development during construction and shall not be permitted to drift onto adjacent properties.

10. Noise shall be kept at the minimum level possible during construction. The developer shall agree to aggressively ensure that all vehicles working in the development shall have adequate and fully functioning sound suppression devices installed and maintained at all times.

11. All construction sites shall be maintained in a clean and sanitary condition at all times. Construction debris, including food and drink waste, shall be restricted from leaving the construction site through proper disposal containers or construction fencing enclosures. Failure to comply with this condition may result in a "Stop Work" order until deficiencies have been corrected to the satisfaction of the Community Development.

VIII. EXHIBITS

A. Applicant's materials submitted on March 6, 2014, and revised on April 14, 2014
B. Wetland Delineation Report submitted by applicant and dated March 14, 2014
C. Allison Holden comments submitted via email on May 25, 2014
D. City of Sherwood Engineering comments dated May 12, 2014
E. Clean Water Services letter submitted on May 8, 2014
F. Tualatin Valley Fire and Rescue letter submitted May 13, 2014
G. Pride Disposal comments submitted May 12, 2014
H. Applicant's submittal to the Parks Board concerning Tract K dated May 5, 2015
I. Bicycle Master Plan Figure 6-1 from the City of Sherwood Transportation System Plan
J. Street Design Modification request by the applicant dated April 29, 2014

End of Report

Exhibit A

1. **Application Materials from Applicant - Binder**
   1 - Preliminary Plat and Landscape Plans
   2 - Building Elevations, Photos, Perspectives and Open Space Improvements
   3 - Other Developments in Sherwood
   4 - Vicinity Map, Zoning Map, Title Report and Tax Maps
   5 - Brownstone Text amendment and Zone Change Adopting Ordinances, Reports and Findings
   6 - Sherwood Street Standards, Utilities and Sherwood Transportation Plan
   7 - Sherwood Parks Master Plan Potential Future Acquisition Map
   8 - Pre-Application Meeting Notes
   9 - Neighborhood Meeting Notes and Notice to Neighbors
   10 - Wetland Delineation Report and Clean Water Services (SPL) Service Provider Letter
   11 - Traffic Report by Charbonneau Engineering
   12 - Off-Site Water Quality Facility and Drainage Report by Emerio Design
   13 - Geotechnical Soils Report by Northwest GEO Consultants
2. **Pattern Book**
3. **Full Size Plan Set**

All items may be reviewed electronically at the following web address:

https://www.sherwoodoregon.gov/planning/project/cedar-brook-pud

Oregon
John A. Kitzhaber, MD, Governor

Department of State Lands
775 Summer Street NE, Suite 100
Salem, OR 97301-1279
(503) 986-5200
FAX (503) 378-4844
www.oregonstatelands.us

State Land Board

John A. Kitzhaber, MD
Governor

Kate Brown
Secretary of State

Ted Wheeler
State Treasurer

March 14, 2014

Randy Meyers
Brownstone Real Estate
P.O. Box 2375
Lake Oswego, OR 97035

Re: Wetland Delineation Report for the Proposed Kennedy Court Townhomes Site, Washington County; T2S R1W Sec. 30CD, Tax Lot 13400; WD #13-0369

Dear Mr. Meyers:

The Department of State Lands has reviewed the wetland delineation report prepared by Schott and Associates for the site referenced above. Based upon our review, we concur with their conclusions that, within the study area, no wetlands or waterways were identified. Please replace all copies of the preliminary wetland map with the final Department-approved map, Revised Figure 4.

This concurrence is for purposes of the state Removal-Fill Law only. Federal or local permit requirements may apply as well. This concurrence is based on information provided to the agency. The jurisdictional determination is valid for five years from the date of this letter, unless new information necessitates a revision. Circumstances under which the Department may change a determination are found in OAR 141-090-0045 (available on our web site or upon request). In addition, laws enacted by the legislature and/or rules adopted by the Department may result in a change in jurisdiction; individuals and applicants are subject to the regulations that are in effect at the time of the removal-fill activity, or complete permit application. The applicant, landowner, or agent may submit a request for reconsideration of this determination in writing within six months of the date of this letter.

Thank you for having the site evaluated. Please phone me at 503-986-5232 if you have any questions.

Sincerely,

Peter Ryan, PWS
Wetland Specialist

Approved by

Kathy Verble, CPSS
Acting Wetlands Program Manager

Enclosures

ec: Martin Schott, Schott and Associates
City of Sherwood Planning Department
Mike Turaski, Corps of Engineers
Amber Wierck, Clean Water Services
Charles Redon, DSL

Exhibit B

MA# 13-0369

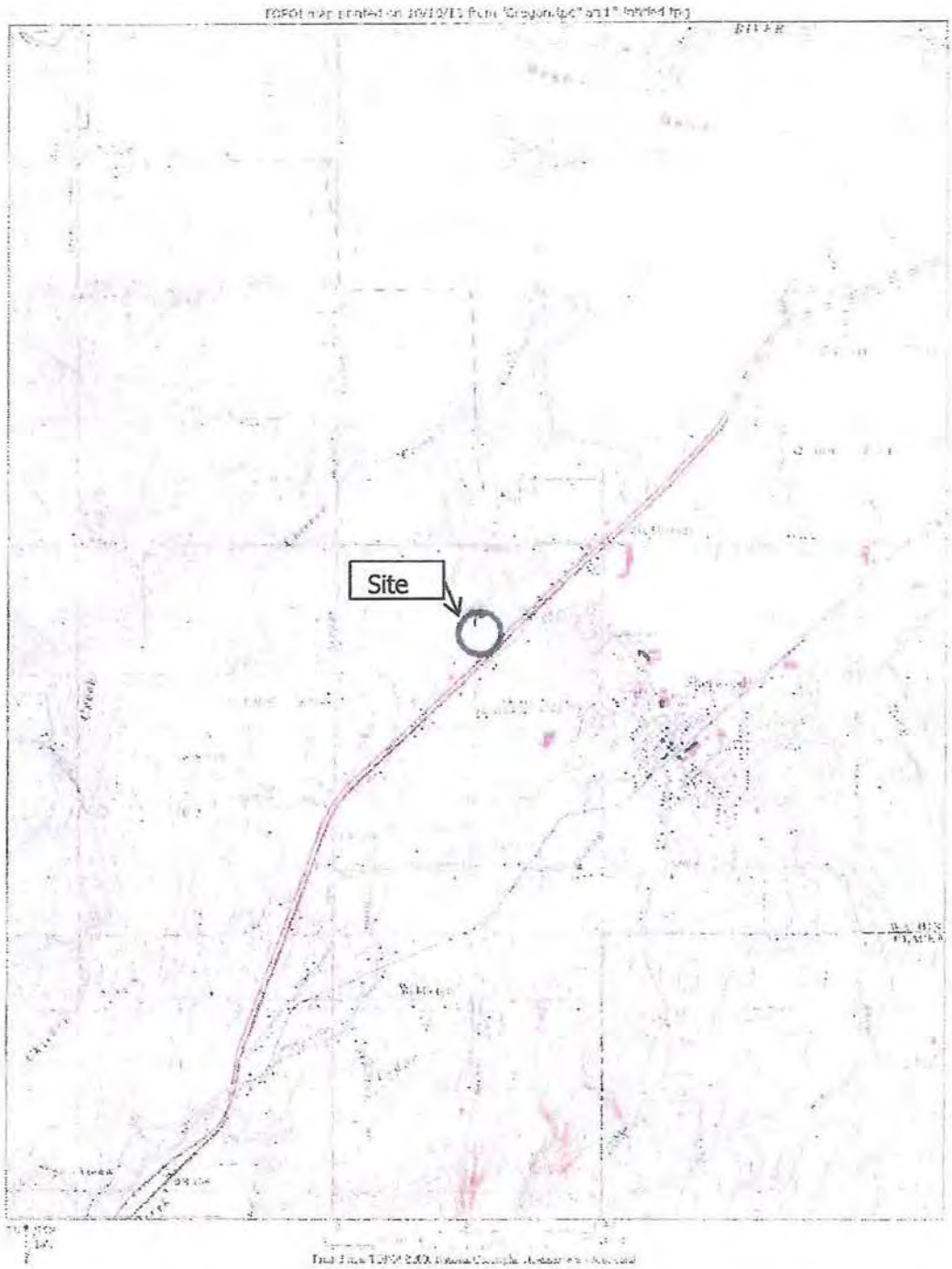


Figure 1-Site Vicinity Map
Kennedy Court
S&A 2270

Schott & Associates
P.O. Box 589
Aurora, OR. 97002
503.678.6007

DSL WD # 13-0369
Approval Issued 3/14/2014
Approval Expires 3/14/2019

Revised

Figure 4-Aerial Photo with sample plot (SP) and photo point (PP) locations Kennedy Court S&A 2270	Schott & Associates P.O. Box 589 Aurora, OR. 97002 503.678.6007

Mapping Method & Precision Statement:
Base map downloaded from Google earth,
Sampling points mapped by hand using
visible land marks (+/- 20')

45.00
5.00
1.00

Relinquishment Deed

Right of Way Files 6962001 - 6962011

Relinquishment No. 6962000A
Jurisdictional Transfer Agreement No. 726
Meinecke/Handley @ 99W Section
Pacific Highway West
Washington County, Oregon

In order to complete the terms of Cooperative Improvement & Preliminary Engineering and Construction Finance & Abandonment and Retention Agreement No. 726, dated May 28, 2002, between the **STATE OF OREGON, by and through its Department of Transportation**, hereinafter called "State", and **CITY OF SHERWOOD, by and through its Elected Officials**, hereinafter called "City", State does hereby relinquish unto City its right, title and interest in relocated S.W. Handley Street, relocated Meinecke Road and relocated Smith Road, or portions thereof, as provided for in said agreement, BUT ONLY SO LONG AS USED FOR PUBLIC ROAD PURPOSES. IF SAID RIGHT OF WAY IS NO LONGER USED FOR PUBLIC ROAD PURPOSES, IT SHALL AUTOMATICALLY REVERT TO STATE. The area being relinquished is described in the legal description and accompanying map, marked Exhibit "A" and Exhibit "B" respectively, attached hereto and by this reference made a part hereof.

The property above described is transferred subject to the rights of any utilities located within said property and further subject to the rights of the owners of said existing facilities if any there be, to operate, reconstruct, and maintain their utility facilities presently located within said property.

The Oregon Transportation Commission, by a duly adopted Delegation Order No. 3, dated June 18, 2003, and Sub-delegation Order No. 4, dated July 7, 2005, and Letter of Authority paragraph No. 13, dated February 22, 2002, authorize the State Right of Way Manager to sign this Relinquishment for and on behalf of the Commission.

By Richard R. Dunlap
Richard R. Dunlap
Acting State Right of Way Manager

Date: 3/18/08

STATE OF OREGON, County of Marion

Dated March 18, 2008. Personally appeared Richard R. Dunlap, who being sworn, stated that he is the Acting State Right of Way Manager for the State of Oregon, Department of Transportation, and that this document accurately reflects action taken by the Oregon Transportation Commission. Before me:

Dale R. Shafer
Notary Public for Oregon
My Commission expires 11/01/2011

OFFICIAL SEAL
DALE R SHAFER
NOTARY PUBLIC-OREGON
COMMISSION NO. 420777
MY COMMISSION EXPIRES NOV. 01, 2011

RETURN TO
OREGON DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY SECTION
355 CAPITOL STREET NE, ROOM 420
SALEM OR 97301-3871

Right of Way Files 6962001 - 6962011

Relinquishment No. 6962000A
Jurisdictional Transfer Agreement No. 726
Meinecke/Handley @ 99W Section
Pacific Highway West
Washington County, Oregon

Title as hereinabove relinquished and as shown on accompanying legal description and map, Exhibit "A" and Exhibit "B", is hereby accepted by City of Sherwood as completion of said agreement between State and City dated May 28, 2002.

Accepted on behalf of City of Sherwood

By Rose E. Schultz

Date 4-30-08

File 6962000A
Drawing 1A-23-7
3/12/2008

To Be Relinquished To City Of Sherwood

That certain real property consisting of 11 parts situated in Sections 30 and 31, Township 2 South, Range 1 West, W.M., Washington County Oregon:

Part 1 being that property designated as Parcels 2, 3, 4, 5 and 6 and acquired by the State of Oregon, by and through its Department of Transportation, in that Stipulated Final Judgment dated October 17, 2002, entered as Circuit Court Case No. C021244CV, Washington County, Oregon.

Part 2 being that property acquired by the State of Oregon, by and through its Department of Transportation, in that Final Judgment dated November 3, 2003, entered as Circuit Court Case No. C021312CV, Washington County, Oregon.

Part 3 being that property described in that Deed to the State of Oregon, by and through its Department of Transportation, recorded May 21, 2002 as Microfilm Document No. 2002-058710 of Washington County Book of Records;

Part 4 being that property described in that Special Warranty Deed to the State of Oregon, by and through its Department of Transportation, recorded August 18, 2002 as Microfilm Document No. 2002-094895 of Washington County Book of Records;

Part 5 being that property described in that Warranty Deed to the State of Oregon, by and through its Department of Transportation, recorded April 29, 2002 as Microfilm Document No. 2002-050820 of Washington County Book of Records.

Part 6 being that property acquired by the State of Oregon, by and through its Department of Transportation, in that Final Judgment dated March 18, 2003, entered as Circuit Court Case No. C021243CV, Washington County, Oregon;

Part 7 being that property acquired by the State of Oregon, by and through its Department of Transportation, in that Stipulated Final Judgment dated April 29, 2003, entered as Circuit Court Case No. C021660-CV, Washington County, Oregon.

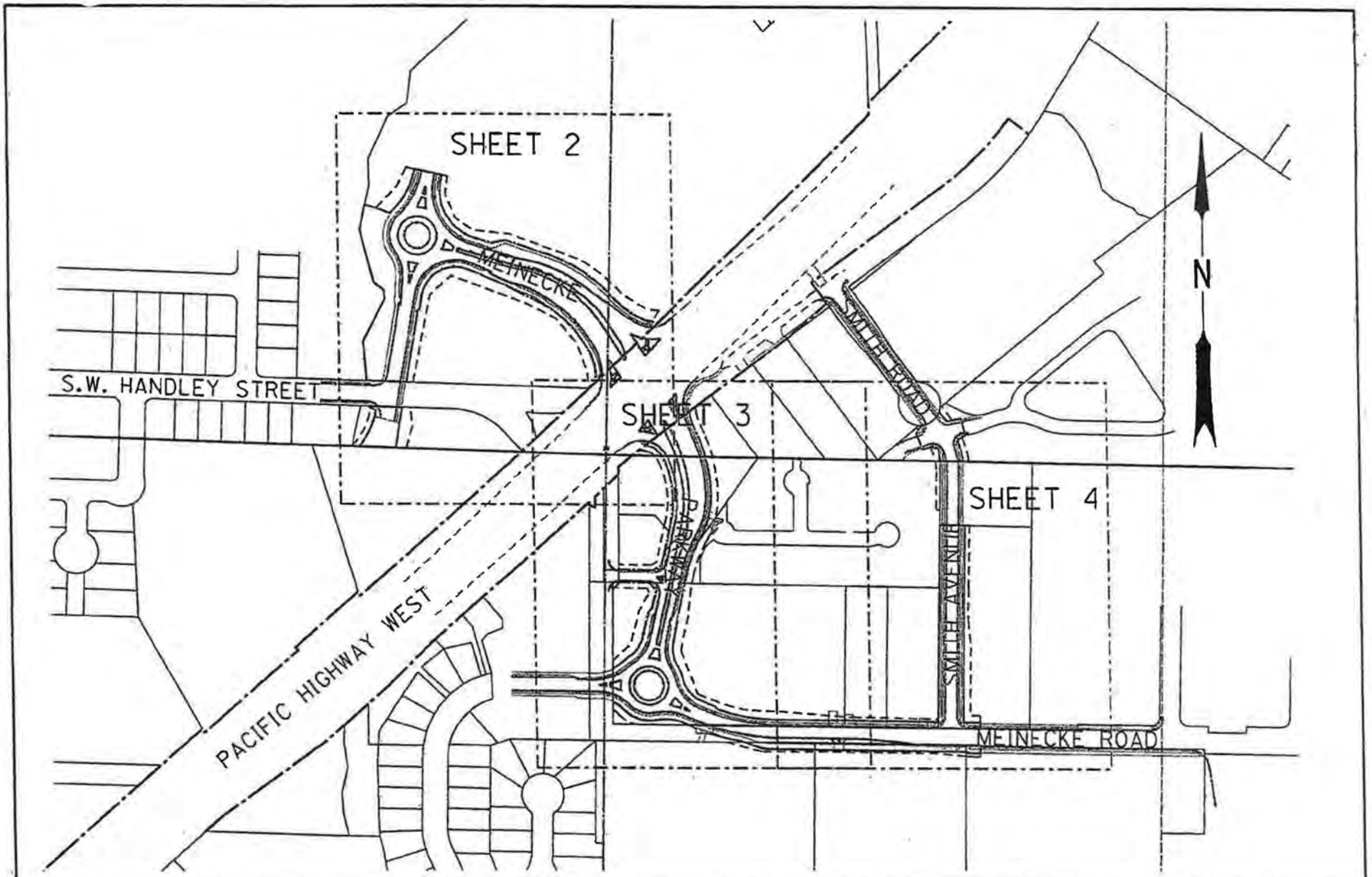
Part 8 being that property described in that Deed to the State of Oregon, by and through its Department of Transportation, recorded June 4, 2002 as Microfilm Document No. 2002-063993 of Washington County Book of Records;

Part 9 being that property designated as Parcel 1 and that permanent easement designated as Parcel 2, and acquired by the State of Oregon, by and through its Department of Transportation, in that Stipulated General Judgment dated January 4, 2005,

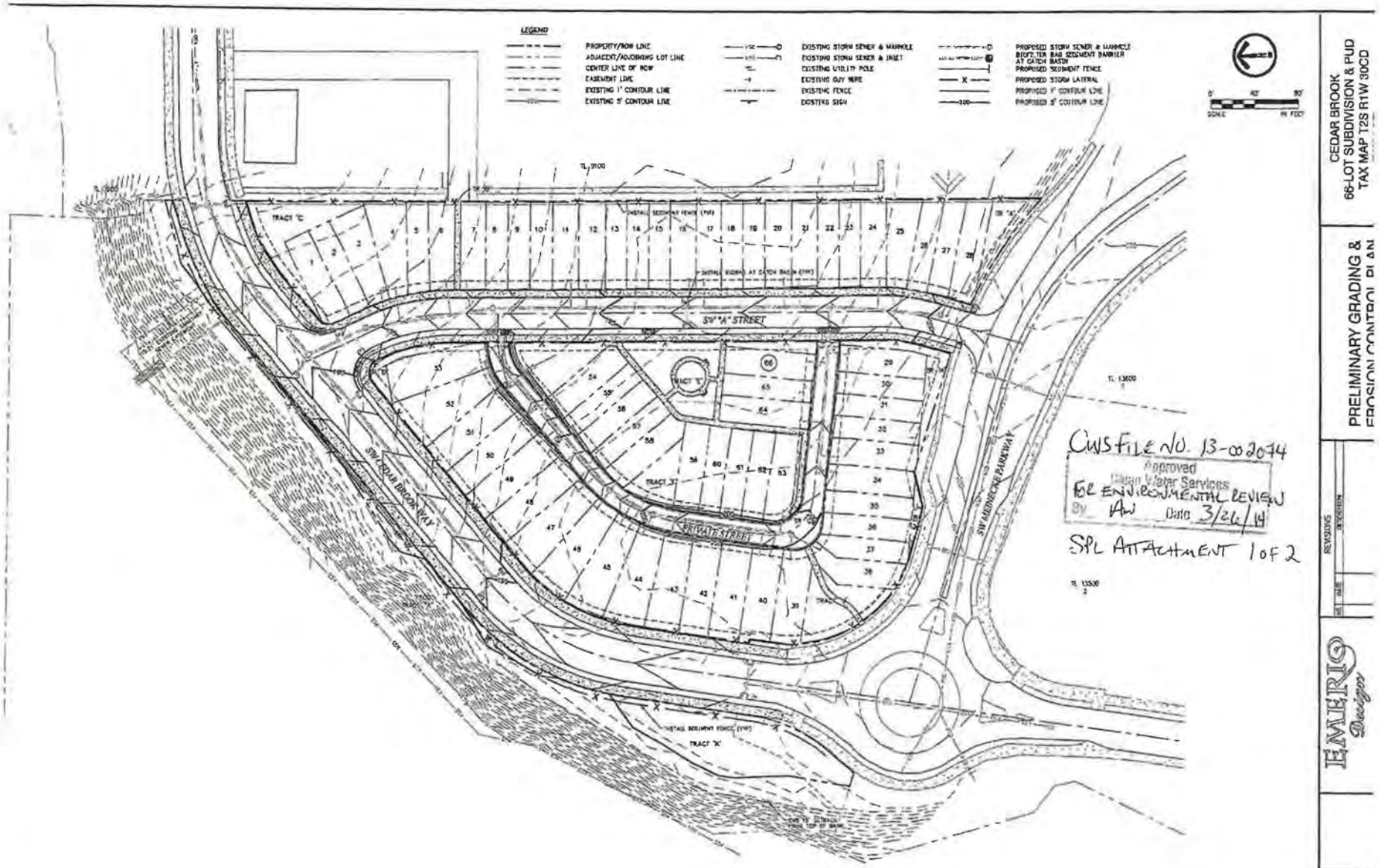
entered as Circuit Court Case No. C021659CV, Washington County Oregon; and recorded January 24, 2005 as Microfilm Document No. 2005-008029 of Washington County Book of Records.

Part 10 being that property described in that Warranty Deed to the State of Oregon, by and through its Department of Transportation, recorded as Microfilm Document No. 2002-21557 of Washington County Book of Records

Part 11 being that property designated as Parcel 1 and those permanent easements designated as Parcels 2 and 3 and described in that Warranty Deed to the State of Oregon, by and through its Department of Transportation, recorded December 6, 2002 as Microfilm Document No. 2002-148476 of Washington County Book of Records.



OREGON DEPARTMENT OF TRANSPORTATION RIGHT OF WAY RELINQUISHMENT EXHIBIT B SHEET 1 OF 4	Section	Meinecke/Handley@99W (AM Program)	Scale	NTS
	Highway	Pacific Highway West	Date	March, 2008
	County	Washington County	File	6962000A
			See Drawing 1A-23-7	



CEDAR BROOK
66-LOT SUBDIVISION & PUD
TAX MAP T2S R1W 30CD

PRELIMINARY GRADING &
EROSION CONTROL PLAN

REVISIONS

EMERIO Designs

SHEET
7

From: Allison Holden <allisonsholden@yahoo.com>
Sent: Sunday, May 25, 2014 10:35 AM
To: Michelle Miller
Subject: Cedar Brook PUD

Dear Ms. Miller:

I recently received the public notice in the mail regarding the Cedar Brook PUD. As a resident of the Miller's Landing neighborhood, to which the proposed development would be directly adjacent, I have some concerns regarding the impact this new housing tract could have on our local school enrollments. As I'm sure you are well aware, the class sizes at Edy Ridge keep rising--the school is bulging at the seams. How would Edy and Laurel Ridge accommodate the hundreds more children that could accompany these additional 66 homes, on top of the 35 homes that are already currently under construction across from the schools? It seems to me that this development could very well push class sizes up to the over enrollment levels of the Beaverton school district! I know that many families living in Sherwood reside here largely in part because of the excellent education available in the Sherwood schools. How will this level of quality be maintained if we keep pushing the student population up at this rapid rate? I am not sure if you are the correct person to address these questions; if not, I would appreciate if you would point me in the right direction.

Thank You,
Allison Holden

Engineering Land Use Application Comments

To:	Michelle Miller, Senior Planner
From:	Craig Christensen, P.E., Engineering Associate II
Project:	(PUD 14-01/SUB 14-01) Cedar Brook
Date:	May 12, 2014

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 and Clean Water Services (CWS), in addition to requirements established by other jurisdictional agencies providing land use comments. City of Sherwood Engineering Department comments are as follows:

Sanitary Sewer

Sanitary sewer shall be installed to accommodate project development. The surrounding properties are either open space or have already been developed and have sanitary sewer service, therefore sanitary sewer will not be required to be extended to property lines to accommodate adjacent parcels.

Public sanitary sewer outside of the public right-of-way will be located within a dedicated public easement.

Water

Water lines shall be installed to accommodate project development.

A 12-inch water line shall be installed along the frontage of SW Cedar Brook Way and SW Meineke Parkway.

No public water line shall be installed within the Private Street. Lots along the Private Street shall obtain water service from either SW “A” Street, SW Cedar Brook Way or SW Meineke Parkway.

All water infrastructure shall meet the standards of the City of Sherwood and be reviewed and approved by the Sherwood Water Department (Public Works Department) prior to issuance of an Engineering Compliance Agreement.

Storm Sewer

Water quality treatment is required meeting the approval of the City of Sherwood Engineering Department and Clean Water Services.

Storm sewer shall be installed to accommodate project development. Surrounding streets and parcels are already developed and have storm sewer service. Therefore, storm sewer will not be required to be extended to property lines to accommodate adjacent parcels.

The capacity of the existing storm sewer receiving runoff from the subject development shall be verified. If undersized, the existing storm sewer shall be upsized to accommodate the subject property.

Public storm sewer outside of the public right-of-way will be located within a dedicated public easement.

Transportation

Construct street improvements and dedicate right-of-way to extend SW Cedar Brook Way from the northeastern corner of the subject property to connect to the round-about at SW Meineke Parkway. The proposed SW Cedar Brook Way extension (Neighborhood Street) shall have 36 feet of paved surface (curb face to curb face) with 5-foot wide landscape strips and 8-foot wide sidewalks on each side within a 64-foot wide right-of-way unless a design modification request approved by the City Engineer allows otherwise.

Adequate street, street lighting, street signage and sidewalk facilities shall be constructed to serve the subject development meeting the approval of the Sherwood Engineering Department.

The City of Sherwood Transportation System Plan has identified a trail connection between the existing trail along the east line of “Wyndham Ridge” subdivision and SW Cedar Brook Way. The proposed trail is located within the southwest corner of the subject property and within the City owned property to the west. The developer shall construct the aforementioned trail meeting the approval of the City of Sherwood Engineering Department and Clean Water Services. Upon request, City Transportation System Development Charges credits are available for required trail construction located outside of the subject property.

Grading and Erosion Control:

City policy requires that prior to any grading, a permit shall be obtained from the Building Department for all grading on the private portion of the site. In addition, an

approved grading and erosion control plan is also required prior to any grading and to obtain a Storm Water Connection Permit from Clean Water Services.

Other Engineering Issues:

Sensitive lands (wetlands, waterways and vegetation corridors) shall meet the standards of Clean Water Services and the requirements of the Service Provider Letter.

The design of the private street shall meet the approval of Tualatin Valley Fire and Rescue including turning movements to SW “A” Street.

An 8-foot wide public utility easement (PUE) is required adjacent to the right-of-way of all street frontages.

Tract ‘G’ containing the proposed private street shall have a private utility easement over its entirety.

All easements (public or private) associated with the development shall be recorded with the County prior to City approval of the public improvements and transfer to a 2-year maintenance bond.

Developer shall obtain a NPDES 1200-C permit prior to any construction work.

Developer shall obtain all required permits/approvals prior to construction of the proposed trail.

Sherwood Broadband utilities shall be installed along SW Cedar Brook Way as per requirements set forth in City Ordinances 2005-017 and 2005-074.

End of Engineering Land Use Review Comments.

Clean Water Services

MEMORANDUM

Date: May 8, 2014

To: Michelle Miller, Senior Planner, City of Sherwood

From: Jackie Sue Humphreys, Clean Water Services (the District)

Subject: Cedar Brook Planned Unit Development, PUD 14-01, 2S130CD13400

Please include the following comments when writing your conditions of approval:

PRIOR TO ANY WORK ON THE SITE AND PLAT RECORDING

A Clean Water Services (the District) Storm Water Connection Permit Authorization must be obtained prior to plat approval and recordation. Application for the District's Permit Authorization must be in accordance with the requirements of the Design and Construction Standards, Resolution and Order No. 07-20, (or current R&O in effect at time of Engineering plan submittal), and is to include:

a. Detailed plans prepared in accordance with Chapter 2, Section 2.04.2.b-l.

b. Detailed grading and erosion control plan. An Erosion Control Permit will be required. Area of Disturbance must be clearly identified on submitted construction plans. If site area and any offsite improvements required for this development exceed one-acre of disturbance, project will require a 1200-CN Erosion Control Permit. If site area and any offsite improvements required for this development exceed five-acres of disturbance, project will require a 1200-C Erosion Control Permit.

c. Detailed plans showing each lot within the development having direct access by gravity to public storm and sanitary sewer.

d. Provisions for water quality in accordance with the requirements of the above named design standards. Water Quality is required for all new development and redevelopment areas per R&O 07-20, Section 4.05.5, Table 4-1. Access shall be provided for maintenance of facility per R&O 07-20, Section 4.02.4.

Exhibit E

2550 SW Hillsboro Highway • Hillsboro, Oregon 97123
Phone: (503) 681-3600 • Fax: (503) 681-3603 • cleanwaterservices.org

e. If use of an existing offsite or regional Water Quality Facility is proposed, it must be clearly identified on plans, showing its location, condition, capacity to treat this site and, any additional improvements and/or upgrades that may be needed to utilize that facility.

f. If private lot LIDA systems proposed, must comply with the current CWS Design and Construction Standards. A private maintenance agreement, for the proposed private lot LIDA systems, needs to be provided to the City for review and acceptance.

g. Show all existing and proposed easements on plans. Any required storm sewer, sanitary sewer, and water quality related easements must be granted to the City.

h. A "Sensitive Area" is in the vicinity of the site. Applicant shall comply with the conditions as set forth in the Service Provider Letter No. 13-002074, dated March 26, 2014.

i. Any proposed offsite construction activities will require an update or amendment to the current Service Provider Letter for this project.

CONCLUSION

This Land Use Review does not constitute the District's approval of storm or sanitary sewer compliance to the NPDES permit held by the District. The District, prior to issuance of any connection permits, must approve final construction plans and drainage calculations.

May 13, 2014

City of Sherwood
22560 SW Pine St
Sherwood, OR 97140

Re: Cedar Brook PUD

Thank you for the opportunity to review the proposed site plan surrounding the above named development project. Tualatin Valley Fire & Rescue endorses this proposal predicated on the following criteria and conditions of approval:

1) **FIRE APPARATUS ACCESS ROAD EXCEPTION FOR AUTOMATIC SPRINKLER PROTECTION:** When buildings are completely protected with an approved automatic fire sprinkler system, the requirements for fire apparatus access may be modified as approved by the fire code official. (OFC 503.1.1) ***Note: If residential fire sprinklers are elected as an alternate means of protection and the system will be supported by a municipal water supply, please contact the local water purveyor for information surrounding water meter sizing.***

2) **AERIAL FIRE APPARATUS ACCESS:** Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway. Fire apparatus access roads shall have a minimum unobstructed width of 26 feet in the immediate vicinity of any building or portion of building more than 30 feet in height. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. (OFC D105) ***Building heights are not shown at this phase of the plan. This condition is in place should buildings exceed 30 feet in height.***

3) **FIRE APPARATUS ACCESS ROAD WIDTH AND VERTICAL CLEARANCE:** Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (12 feet for up to two dwelling units and accessory buildings), and an unobstructed vertical clearance of not less than 13 feet 6 inches. Where fire apparatus roadways are less than 26 feet wide, "NO PARKING" signs shall be installed on both sides of the roadway and in turnarounds as needed. Where fire apparatus roadways are more than 28 feet wide but less than 32 feet wide, "NO PARKING" signs shall be installed on one side of the roadway and in turnarounds as needed. Where fire apparatus roadways are 32 feet wide or more, parking is not restricted. (OFC 503.2.) ***The fire district does not endorse the design concept wherein twenty feet of unobstructed roadway width is not provided. The "private street" as shown does not meet this minimum standard.***

4) **FIRE APPARATUS ACCESS ROADS WITH FIRE HYDRANTS:** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet. (OFC D103.1)

5) **NO PARKING SIGNS:** Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, "No Parking" signs shall be installed on one or both sides of the roadway and in turnarounds as needed. Roads 26 feet wide or less shall be posted on both sides as a fire lane. Roads more than 26 feet wide to 32 feet wide shall be posted on one side as a fire lane. Signs shall read "NO PARKING - FIRE LANE" and shall be installed with a clear space above grade

Exhibit F

level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background. (OFC D103.6)

6) **SURFACE AND LOAD CAPACITIES:** Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 60,000 pounds live load (gross vehicle weight). You may need to provide documentation from a registered engineer that the design will be capable of supporting such loading. (OFC D102.1)

7) **TURNING RADIUS:** The inside turning radius and outside turning radius shall be not less than 28 feet and 48 feet respectively, measured from the same center point. (OFC 503.2.4 & 103.3)***The porkchop diversion on Meinecke Parkway and A Street as shown does not allow for minimum turning radius. The first parking place shown on A street and Cedar Brook Way would have to be eliminated to meet minimum turning radius.***

8) **PAINTED CURBS:** Where required, fire apparatus access roadway curbs shall be painted red and marked "NO PARKING FIRE LANE" at approved intervals. Lettering shall have a stroke of not less than one inch wide by six inches high. Lettering shall be white on red background. (OFC 503.3)

9) **SINGLE FAMILY DWELLINGS - REQUIRED FIRE FLOW:** The minimum available fire flow for single family dwellings and duplexes served by a municipal water supply shall be 1,000 gallons per minute. If the structure(s) is (are) 3,600 square feet or larger, the required fire flow shall be determined according to IFC Appendix B. (OFC B105.2) ***Please provide a current fire flow test of the nearest fire hydrant demonstrating available flow at 20 psi residual pressure as well as fire flow calculation worksheets. Please forward copies to both TVF&R as well as your water purveyor. Fire flow calculation worksheets as well as instructions are available on our web site at www.tvfr.com.***

10) **FIRE HYDRANTS – COMMERCIAL BUILDINGS:** Where a portion of the building is more than 400 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the building, on-site fire hydrants and mains shall be provided. This distance may be increased to 600 feet for buildings equipped throughout with an approved automatic sprinkler system. (OFC 507.5.1)

11) **FIRE HYDRANTS – ONE- AND TWO-FAMILY DWELLINGS & ACCESSORY STRUCTURES:** Where a portion of a structure is more than 600 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the structure(s), on-site fire hydrants and mains shall be provided. (OFC 507.5.1)

12) **FIRE HYDRANT NUMBER AND DISTRIBUTION:** The minimum number and distribution of fire hydrants available to a building shall not be less than that listed in Appendix C, Table C 105.1.

Considerations for placing fire hydrants may be as follows:

- Existing hydrants in the area may be used to meet the required number of hydrants as approved. Hydrants that are up to 600 feet away from the nearest point of a subject building that is protected with fire sprinklers may contribute to the required number of hydrants.
- Hydrants that are separated from the subject building by divided highways or freeways shall not contribute to the required number of hydrants. Heavily traveled collector streets only as approved by the fire code official.
- Hydrants that are accessible only by a bridge shall be acceptable to contribute to the required number of hydrants only if approved by the fire code official.

13) **PRIVATE FIRE HYDRANTS:** To distinguish private fire hydrants from public fire hydrants, private fire hydrants shall be painted red. (OFC 507.2.1, NFPA 24 & 291)

14) **FIRE HYDRANT DISTANCE FROM AN ACCESS ROAD:** Fire hydrants shall be located not more than 15 feet from an approved fire apparatus access roadway. (OFC C102.1) ***The parking space shown at A street just north of Tract E would need to be eliminated to allow for NO PARKING at the fire hydrant shown.***

15) **REFLECTIVE HYDRANT MARKERS:** Fire hydrant locations shall be identified by the installation of reflective markers. The markers shall be blue. They shall be located adjacent and to the side of the centerline of the access road way that the fire hydrant is located on. In case that there is no center line, then assume a centerline, and place the reflectors accordingly. (OFC 510.1)

16) **PHYSICAL PROTECTION:** Where fire hydrants are subject to impact by a motor vehicle, guard posts, bollards or other approved means of protection shall be provided. (OFC 507.5.6)

17) **CLEAR SPACE AROUND FIRE HYDRANTS:** A 3 foot clear space shall be provided around the circumference of fire hydrants. (OFC 507.5.5)

18) **ACCESS AND FIRE FIGHTING WATER SUPPLY DURING CONSTRUCTION:** Approved fire apparatus access roadways and fire fighting water supplies shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. (OFC 1410.1 & 1412.1)

19) **PREMISES IDENTIFICATION:** Buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet numbers. Numbers shall be a minimum of 4 inches high with a ½ inch stroke. (OFC 505.1)

20) **ANGLE OF APPROACH AND DEPARTURE:** The angles of approach and departure for fire apparatus roads shall not exceed 8 Degrees. (OFC 503.2.8, NFPA 1901)

ADDITIONAL COMMENTS: The above listed criteria are preliminary potential applicable conditions that MAY apply to this project.

If you have questions or need further clarification, please feel free to contact me at 503-259-1504.

Sincerely,

John Wolff

John Wolff
Deputy Fire Marshal

Copy: TVF&R File

P★R★I★D★E
DISPOSAL COMPANY
P.O. Box 820 Sherwood, OR 97140
Phone: (503) 625-6177 Fax: (503) 625-6179

May 12, 2014

Michelle Miller
Senior Planner
City of Sherwood
22560 SW Pine St
Sherwood, OR 97140

Re: Cedar Brook Way & SW Meinecke Pkwy

We have reviewed the site plan for the above mentioned development. With the following stipulations, Pride Disposal will be able to service this development and have signed off on the attached site plan.

All residents on Street A (units #1-28) will be serviced in front of their home on the east side of A street. The site plan indicates there will be no parking on the east side of A street. This will need to be the case in order for us to access and collect on street A. This side of the road should have signage up to indicate no parking.

All residents on the east and northeast side of Private Street (units #54-66) will need to have their receptacles on the private street for collection.

It is unclear if the residents on the west and southwest side of the Private Street (units #29-53) are intended to have collection on the Private Street or on Meinecke Pkwy and Cedar Brook Way. Either option will work for us.

Any and all units serviced on the Private Street will need to have addresses posted on and visible from the private street. The site plan indicates there will be no parking curbside on the private street. This will need to be the case in order for us to access and collect on the Private Street. This road should have signage up to indicate no parking.

If you have any additional questions, feel free to contact me.

Sincerely,

Kristin Leichner
Pride Disposal Company
kristinl@pridedisposal.com
(503) 625-6177 *124

Exhibit G

SUB 14-01/
Case No. PUD 14-01
Fee 10,213
Receipt #981646
Date 3-6-14
TYPE I

City of Sherwood Oregon
Home of the Tualatin River National Wildlife Refuge

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: _____

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

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

Owner/Applicant Information: ANDY TIEMANN
Applicant: DR HORTON, INC 4380 SW MACADAM AVE, Phone: 503-752-0843
Applicant Address: SUITE 100, PORTLAND, OR 97239 Email: AETIEMANN@DRHORTON.COM
Owner: DUTCH VENTURES LLC, C/O BROWNSTONE HOMES Phone: 503-358-4460
Owner Address: 12755 SW 69TH AVE PORTLAND, OR 97223 Email: RANDY@BROWNSTONEHOMES.NET
Contact for Additional Information: ANDY TIEMANN 503-752-0843

Property Information:
Street Location: SW CEDAR BROOK WAY & SW MEINECKE PARKWAY
Tax Lot and Map No: TL 13400, MAP 2S1-30CD
Existing Structures/Use: VACANT
Existing Plan/Zone Designation: HDR HIGH DENSITY RESIDENTIAL
Size of Property(ies) 5.77 ACRES

Proposed Action:
Purpose and Description of Proposed Action: PLANNED UNIT DEVELOPMENT AND SUBDIVISION

Proposed Use: 66 ATTACHED & DETACHED UNITS

Proposed No. of Phases (one year each): ONE TOTAL

Continued on Reverse

LAND USE APPLICATION FORM

SUB 14-01/

Authorizing Signatures:

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

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

Applicant's Signature — Date: 3-3-14

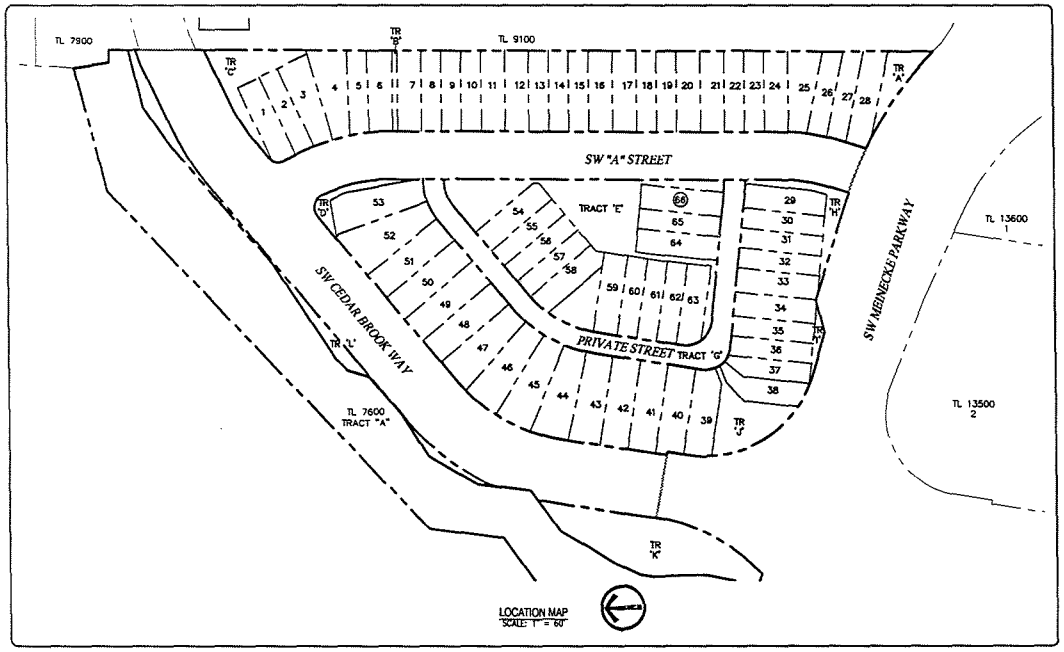
Owner's Signature — Date: 3-3-14

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

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

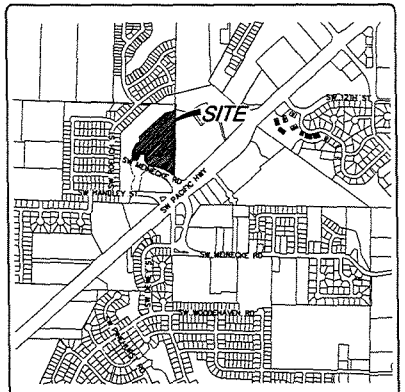
*** Note** that the required numbers of copies identified on the checklist are required for completeness; however, upon initial submittal applicants are encouraged to submit only 3 copies for completeness review. Prior to completeness, the required number of copies identified on the checklist and one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

CEDAR BROOK
66-LOT SUBDIVISION AND PLANNED UNIT DEVELOPMENT
SHERWOOD, OREGON



LEGEND

- PROPERTY/ROW LINE
- ADJACENT/ADJOINING LOT LINE
- CENTER LINE OF ROW
- EASEMENT LINE
- EXISTING CURB
- EXISTING STORM SEWER & MANHOLE
- EXISTING STORM SEWER & INLET
- EXISTING SANITARY SEWER & MANHOLE
- EXISTING WATERLINE & SERVICE
- EXISTING WATER VALVE & BOX
- EXISTING FIRE HYDRANT
- EXISTING OVERHEAD UTILITY LINE
- EXISTING UTILITY POLE
- EXISTING GUY WIRE
- EXISTING ELECTRICAL JUNCTION BOX
- EXISTING MAIL BOX
- EXISTING 1' CONTOUR LINE
- EXISTING 5' CONTOUR LINE
- EXISTING FENCE
- EXISTING SIGN
- EXISTING TREE TO BE REMOVED
- EXISTING TREE TO REMAIN
- PROPOSED STORM SEWER & MANHOLE
- PROPOSED STORM SEWER & CATCH BASIN
- PROPOSED STORM LATERAL
- PROPOSED SANITARY SEWER & MANHOLE
- PROPOSED SANITARY LATERAL
- PROPOSED WATER METER
- PROPOSED SEDIMENT FENCE
- PROPOSED 1' CONTOUR LINE
- PROPOSED 5' CONTOUR LINE



VICINITY MAP
N.T.S.

DRAWING INDEX

1. COVER SHEET
2. EXISTING CONDITIONS
3. AERIAL PHOTOGRAPH AND NEIGHBORHOOD CIRCULATION
4. SITE PLAN WITH HOUSES AND PARKING
5. PRELIMINARY PLAT
6. PRELIMINARY UTILITY PLAN
7. PRELIMINARY GRADING & EROSION CONTROL PLAN
8. DENSITY CALCULATION MAP
9. STREET TREE PLAN
10. LANDSCAPE PLAN FOR CENTER PARK
11. LANDSCAPE PLAN FOR WESTERLY PARK

PROJECT CONTACTS

OWNER: D.R.HORTON
4380 SW. MACADAM AVENUE, SUITE 100
PORTLAND, OREGON
CONTACT: ANDY TIEMMAN
503-222-4151 EXT. (P)
866-641-8295 (F)

PLANNING/ENGINEER: EMERIO DESIGN
6101 SW MURRAY BLVD, SUITE 147
BEAVERTON, OREGON 97008
CONTACT: RYAN O'BRIEN
(503) 780-4061 (C)
OR NEIL FERNANDO
(503) 746-8812 (P)

CLEAN WATER SERVICES: 2550 SOUTHWEST HILLSBORO HWY
HILLSBORO, OREGON 97123
(503) 681-5101 (P)

CLEANWATER SERVICES PROJECT INFO

PROJECT #
QUARTER SEC
DOWNSTREAM MH

UTILITY CONTACTS

POWER: PORTLAND GENERAL ELECTRIC
9480 SW BOECKMAN ROAD
WILSONVILLE, OREGON 97070

WATER: CITY OF SHERWOOD
22560 SW PINE STREET
SHERWOOD, OR 97140
(503) 625-5522

GAS: NORTHWEST NATURAL GAS COMPANY
220 NW 2ND AVE.
PORTLAND, OREGON 97209

CABLE: FRONTIER/COMCAST
14200 SW BRIGADOON CT.
BEAVERTON, OREGON 97005

FIRE: TUALATIN VALLEY FIRE & RESCUE
7401 WASHO COURT, SUITE 101
TUALATIN, OREGON 97062
(503) 612-7010 (P)

BENCH MARK INFORMATION

WASHINGTON COUNTY BENCH MARK #101
ELEVATION: 158.238

DESCRIPTION: SET IN CONCRETE FILLED WITH STEEL SOUTHEAST CORNER OF THE INTERSECTION OF ELWERT ROAD AND EDY ROAD

SITE DATA

AREA:	5.77 Ac.
ZONING:	HIGH DENSITY RESIDENTIAL
TAX MAP:	2S1 30CD
TAX LOT:	13400

CEDAR BROOK
66-LOT SUBDIVISION & PUD
TAX MAP T2S R1W 30CD
TAX LOT 13400
SHERWOOD, OREGON
EMERIO PROJECT NO. 130-005

COVER SHEET

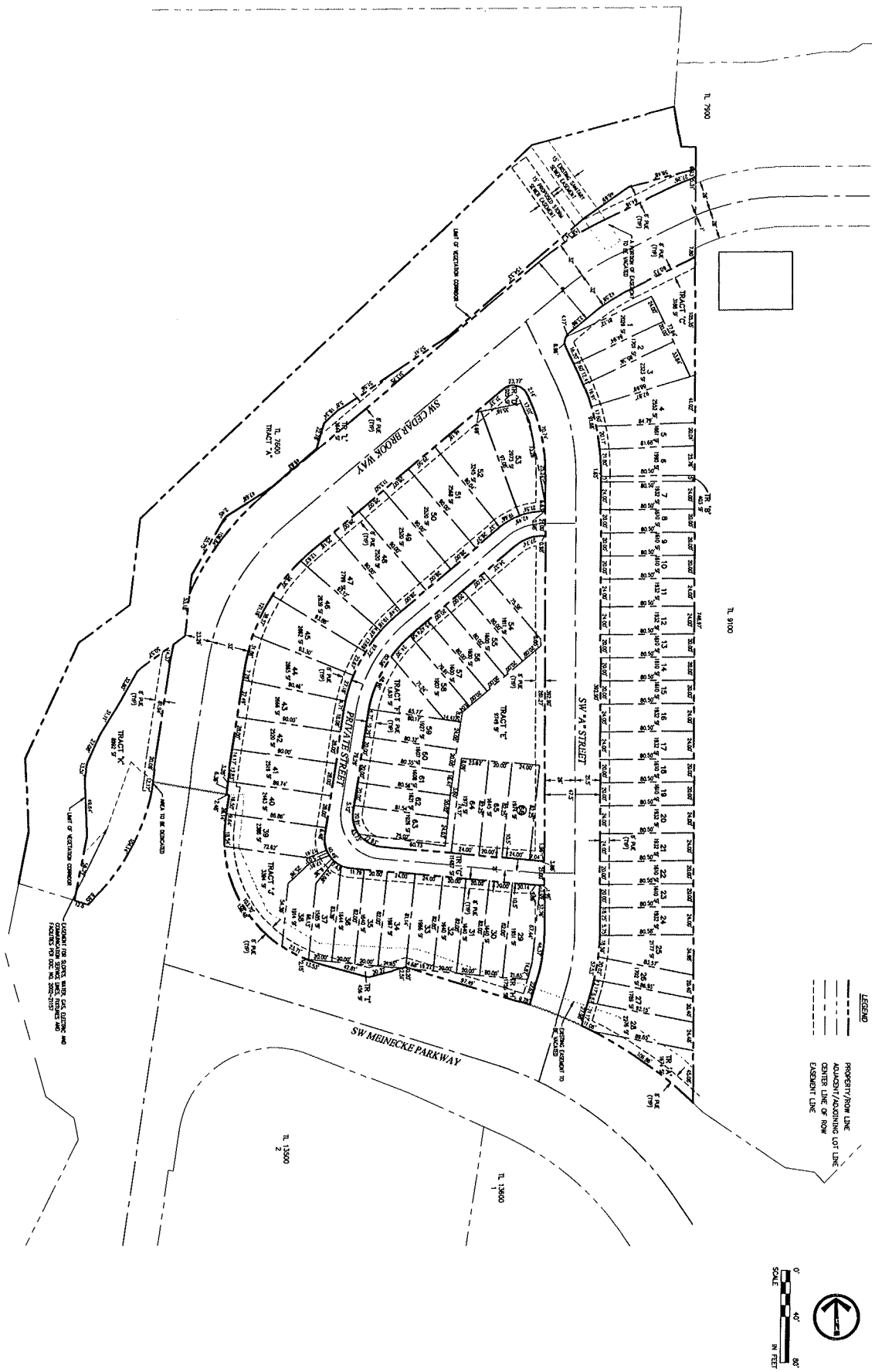
REVISIONS

NO.	DATE	DESCRIPTION

EMERIO Design
6107 SW MURRAY BLVD, SUITE 147
BEAVERTON, OREGON 97008
PH: (503)-746-8812

SHEET 1 OF 11

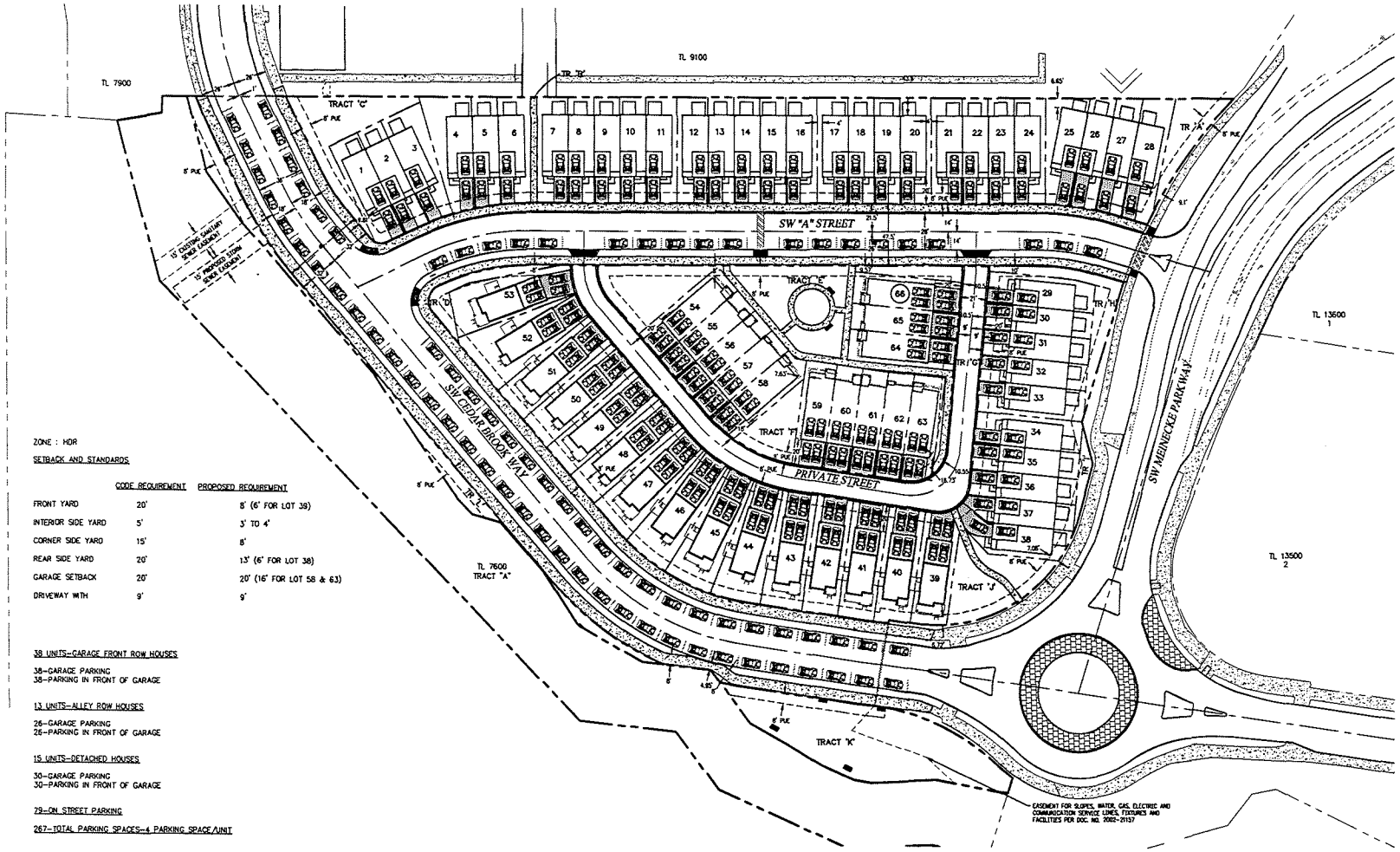
DESIGN START, Plotted: Apr 09, 2014 - 12:57am, P:\130-005 Cedar Brook\dwg\planning\130-005_01pcover.dwg



SHEET 5 OF 11		EMERIO Design 6107 SW MURRAY BLVD. SUITE 147 BEAVERTON, OREGON 97008 PH: (503)-746-8812	REVISIONS NO. DATE DESCRIPTION	PRELIMINARY PLAT	CEDAR BROOK 66-LOT SUBDIVISION & PUD TAX MAP T2S R1W 30CD TAX LOT 13400 SHERWOOD, OREGON

DESIGN STAFF, Plotted: Apr 09, 2014 - 12:58am, P:\150-005 Cedar Brook\dwg\planning\150-005_05ppll.dwg

EMERIO PROJECT NO. 150-005



ZONE : HDR

SETBACK AND STANDARDS

	CODE REQUIREMENT	PROPOSED REQUIREMENT
FRONT YARD	20'	8' (6' FOR LOT 38)
INTERIOR SIDE YARD	5'	3' TO 4'
CORNER SIDE YARD	15'	8'
REAR SIDE YARD	20'	13' (6' FOR LOT 38)
GARAGE SETBACK	20'	20' (16' FOR LOT 58 & 63)
DRIVEWAY WITH	9'	9'

38 UNITS-GARAGE FRONT ROW HOUSES

38-GARAGE PARKING
38-PARKING IN FRONT OF GARAGE

13 UNITS-ALLEY ROW HOUSES

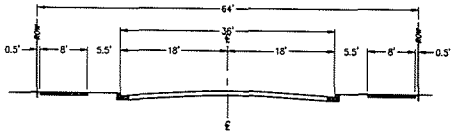
26-GARAGE PARKING
26-PARKING IN FRONT OF GARAGE

15 UNITS-DETACHED HOUSES

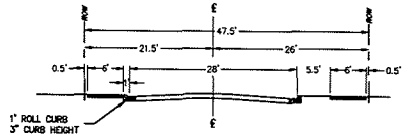
30-GARAGE PARKING
30-PARKING IN FRONT OF GARAGE

29-ON STREET PARKING

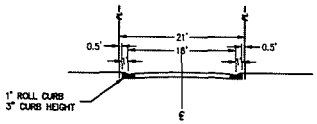
267-TOTAL PARKING SPACES-4 PARKING SPACE/UNIT



TYPICAL SECTION OF CEDAR BROOK WAY
SCALE :1"=10'



TYPICAL SECTION OF PUBLIC STREET "A"
SCALE :1"=10'



SECTION OF PRIVATE ALLEY
SCALE :1"=10'

CEDAR BROOK
66-LOT SUBDIVISION & PUD
TAX MAP T2S R1W 30CD
TAX LOT 13400
SHERWOOD, OREGON

EMERIO PROJECT NO. 150-005

SITE PLAN WITH
HOUSES AND PARKING

REVISIONS

NO.	DATE	DESCRIPTION

EMERIO Designs
6107 SW MURRAY BLVD. SUITE 147
BEAVERTON, OREGON 97008
PH: (503)-746-8812

SHEET 4 OF 11

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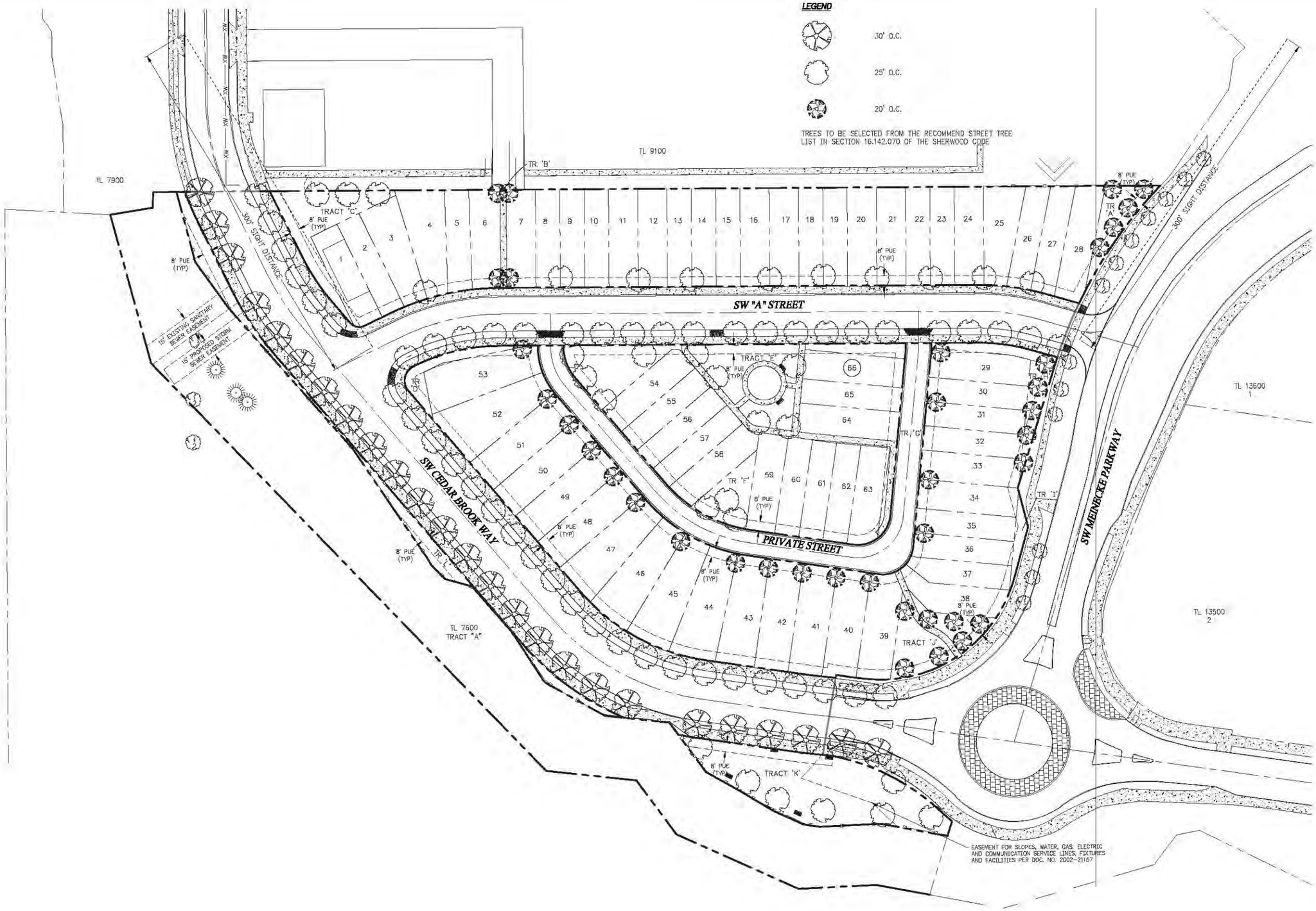


CEDAR BROOK
66-LOT SUBDIVISION & PUD
TAX MAP T2S R1W 30CD
TAX LOT 13400
SHERWOOD, OREGON

EMERIO PROJECT NO. 150-005

STREET TREE PLAN

REVISIONS

NO.	DATE	DESCRIPTION

EMERIO Designs
6107 SW MURRAY BLVD. SUITE 147
BEAVERTON, OREGON 97008
PH: (503)-746-8812

SHEET 9 OF 11

DESIGN STAFF, Plotted: Apr 08, 2014 - 12:59am, P:\150-005 Cedar Brook\dwg\planning\150-005_09ptre.dwg

Exhibit H

SCALE 0' 150' 200' IN FEET

N

SHEET 1 OF 11

EMERIO Design
6107 SW MURRAY BLVD. SUITE 147
BEAVERTON, OREGON 97008
PH: (503)-746-8812

REVISIONS		
NO.	DATE	DESCRIPTION

AERIAL PHOTOGRAPH AND NEIGHBORHOOD CIRCULATION

CEDAR BROOK
66-LOT SUBDIVISION & PUD
TAX MAP T2S R1W 30CD
TAX LOT 13400
SHERWOOD, OREGON

DESIGN STAFF, Plotted: Apr 03, 2014 – 5:49pm, P:\150-005 Cedar Brook\dwg\planning\exhibit\150-005_01aerial.dwg

EMERIO PROJECT NO. 150-005

CEDAR BROOK
66-LOT SUBDIVISION & PUD
TAX MAP T2S R1W 30CD
TAX LOT 13400
SHERWOOD, OREGON

EMERIO PROJECT NO. 150-005

PRELIMINARY GRADING & EROSION CONTROL PLAN

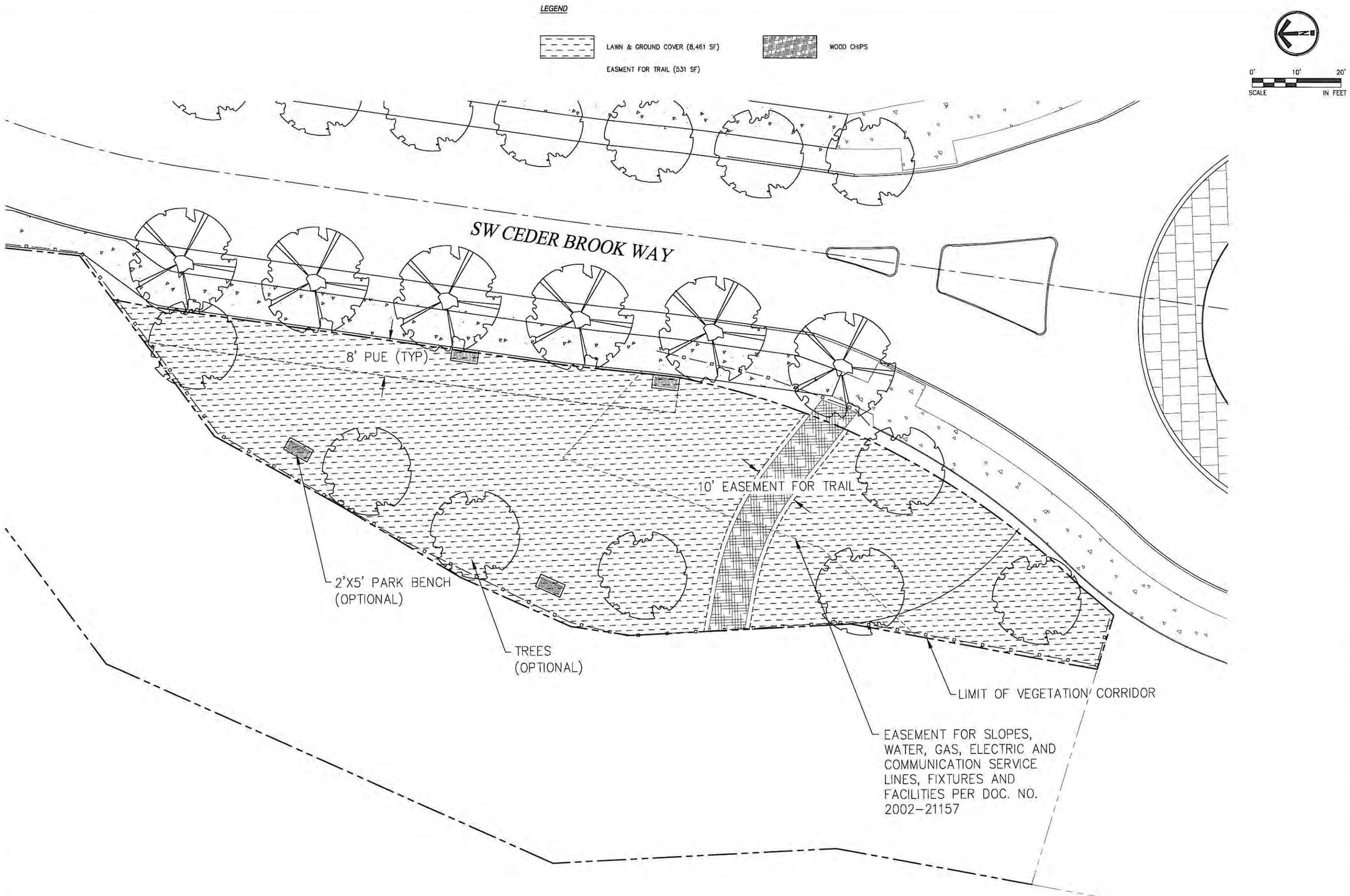
REVISIONS

NO.	DATE	DESCRIPTION

EMERIO Designs
6107 SW MURRAY BLVD. SUITE 147
BEAVERTON, OREGON 97008
PH: (503)-746-8812

SHEET 4 OF 11

DESIGN STAFF, Plotted: Apr 02, 2014 – 3:00pm, P:\150-005 Cedar Brook\dwg\planning\exhibit\150-005_04exhibit.dwg



CEDAR BROOK
66-LOT SUBDIVISION & PUD
TAX MAP T2S R1W 30CD
TAX LOT 13400
SHERWOOD, OREGON

LANDSCAPE PLAN
FOR WESTERLY PARK

REVISIONS

NO.	DATE	DESCRIPTION

EMERIO Designs
6107 SW MURRAY BLVD, SUITE 147
BEAVERTON, OREGON 97008
PH: (503)-746-8812

SHEET 1 OF

Cedar Brook (PARK ESTIMATE FOR SDC CALCULATIONS)
Engineer's Estimate of Land & Construction Costs
April 28, 2014
Sherwood, Oregon

EMERIO Design

Date 5/2/14

Does NOT Includes 5' wide trail in park.

ITEM	DESCRIPTION	QTY.	UNIT	UNIT PRICE	ESTIMATED TOTAL PRICE
Cost of Land					
1	Tract "K" (8,461 sf.) - Park area less the easemnt for the Trail	1	EA	$55,715.69	$ 55,715.69
				SUBTOTAL	**$ 55,715.69**
Erosion Control					
1	Silt Fence	300	LF	$ 2.25	$ 675.00
2	Inlet Protection	1	EA	$ 150.00	$ 150.00
3	Construction Entrance	1	EA	$ 1,200.00	$ 1,200.00
				SUBTOTAL	**$ 2,025.00**
Site Preparation					
1	Mobilization	1	LS	$ 2,500.00	$ 2,500.00
2	Clear & Grubb Park	1	LS	$ 3,500.00	$ 3,500.00
3	Grading	1	LS	$ 3,200.00	$ 3,200.00
				SUBTOTAL	**$ 9,200.00**
Landscape					
1	Irrigation including Backflow Device (Service by others)	1	LS	$ 6,000.00	$ 6,000.00
2	Soil Preparation	7,650	SF	$ 0.30	$ 2,295.00
3	Import & Place Topsoil & Amendments 6" Depth	150	CY	$ 25.00	$ 3,750.00
4	Sod Lawn	6,432	SF	$ 1.30	$ 8,361.60
5	Groundcover 1gal Plants	610	EA	$ 8.50	$ 5,185.00
7	90-Days Maintenance	1	LS	$ 1,800.00	$ 1,800.00
				SUBTOTAL	**$ 27,391.60**
	LAND COSTS & CONSTRUCTION TOTAL ESTIMATE				**$ 94,332.29**
Engineering (15% of total construction costs)					
1	Engineering Design Costs	1	LS	$ 14,149.84	$ 14,149.84
	LAND COSTS, CONSTRUCTION & ENGINEERING TOTAL ESTIMATE				**$ 108,482.13**
Additional Items (Path, Benchers and Site Furnishings)					
1	Benches on Concrete Pad	4	EA	$ 1,850.00	$ 7,400.00
2	Trash Receptacles on Concrete Pad	2	EA	$ 1,350.00	$ 2,700.00
3	Trees 3" cal (Park Only)	7	EA	$ 325.00	$ 2,275.00
8	60' x 8'w **Unit Paver** Path on Base rock	480	SF	$ 8.75	$ 4,200.00
				SUBTOTAL	**$ 16,575.00**

DKS *Associates*

TRANSPORTATION SOLUTIONS

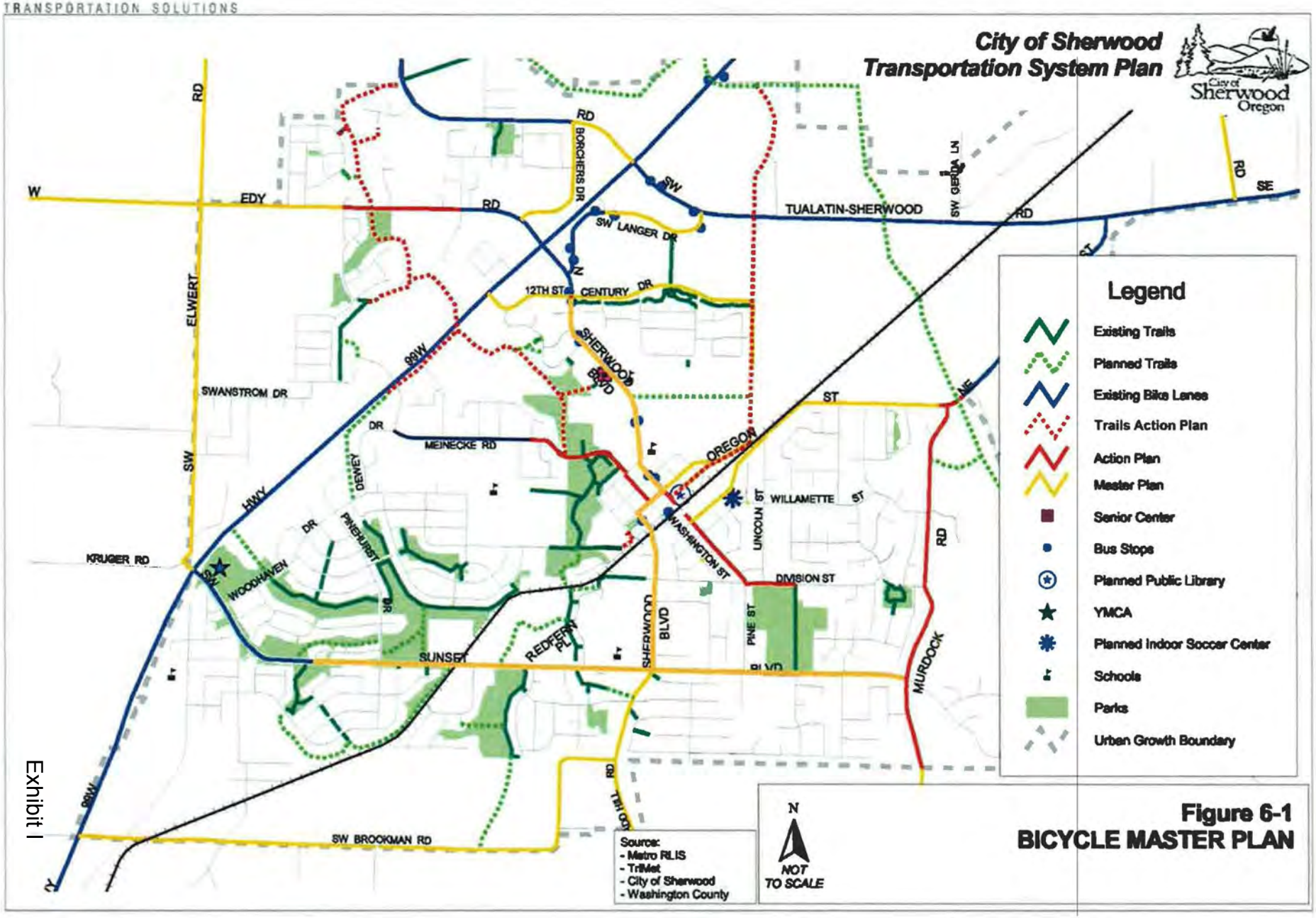


Figure 6-1
BICYCLE MASTER PLAN

Exhibit I

Exhibit I

EMERIO
Design
CIVIL ENGINEERS & PLANNERS

April 16, 2014

RE: Cedar Brook, 66-Lot Subdivision & PUD
Tax Map T2S R1W 30CD, Tax Lot 13400, Sherwood, Oregon
City File #: 4193 Date: March 26, 2014

Design Modification Request for private street, nonstandard bulb out, intersection of SW "A" Street and SW Meinecke Parkway (Layout and Spacing) and curb tight sidewalk on east side of SW "A" Street.

To: Bob Galati, P.E. – City Engineer
Through: Craig Christensen, P.E. – City Project Manager
From: Rafael Gaeta, P.E. – Project Manager / Design Engineer

Location of Requested Design Modification

1. Private Street
2. Nonstandard bulb out
3. Intersection of SW "A" Street and SW Meinecke Parkway (Layout and Spacing)
4. Curb tight sidewalk on east side of SW "A" Street

Current standards

1. **Private Street**
   The City of Sherwood Engineering Design and Standard Details Manual, Drawing Number RD-56A PRIVATE ACCESS ROADS, identifies the road width for a private road to be 12 feet for 1 or 2 lots and 20 feet for 3 to 5 lots.

2. **Nonstandard Bulb Out**
   Section 210.7.E states that the outside minimum curb radius of an eyebrow corner is 36 feet; minimum right-of-way radius is 48 feet. According to the attached RD-12 Standard Drawing dated June, 2013, the inside curb radius is also 36 feet.

3. **Intersection of SW "A" Street and SW Meinecke Parkway**
   a. **Layout**
      Section 210.6.A of the City of Sherwood Engineering Manual states that the interior angle at intersecting streets shall be kept as near to 90 degrees as possible and in no case shall it be less than 75 degrees. A straight horizontal alignment (no curves, no angle points) shall be used through the intersection and for a minimum of 25 feet each side of intersecting right-of-way lines.

8285 SW Nimbus Avenue, Suite 180 Beaverton, Oregon 97008 TEL: 503.515.5528 Fax: 503.639.9592

Exhibit J

b. Spacing

Section 210.6.E of the City of Sherwood Engineering Manual states that the minimum distance between intersections of Collector and Local roads shall be 400 feet.

4. **Curb tight sidewalk on east side of SW "A" Street**

   The City of Sherwood Engineering Design and Standard Details Manual, Drawing Number RD-1 STANDARD LOCAL & NEIGHBORHOOD STREET SECTONS, identifies that Landscape strips are required on both sides of the street.

Design Modification Being Requested

1. **Private Street**

   Lots 29 through 66 are served with a 20 foot wide private alley. Section 16.44.010.E.3 requires and alley either public or private if access on a street is not recommended by city staff. In this case, driveways on Cedar Brook Way and Meinecke Parkway are not recommended by city staff. The use of an alley is allowed with a PUD. This option was approved with the Arbor Terrace Row Houses located on the west side of Langer Farms Parkway between Century Drive and Langer Drive.

2. **Nonstandard Bulb Out**

   Because the private street will function as an alley, the bulb out standard for local streets does not apply. The alley inside curb radius at the 90 degree turn is 28 feet and the outside radius is 48 feet in accordance with fire department requirements. The outside curb is widened to allow swing distance for larger vehicles. Additionally, fire hydrants will be provided in accordance with fire department requirements.

3. **Intersection of SW "A" Street and SW Meinecke Parkway**

   a. **Layout**

   I am proposing the intersection of SW "A" Street and SW Meinecke Parkway along the curve of SW Meinecke Parkway.

   The existing traffic circle at the intersection of Meinecke and Cedar Brook Way creates design challenges. Driveway access close to the traffic circle is not practical. Therefore, all the driveways are interior to the site. Meinecke Parkway is a collector street and Cedar Brook Way is a local street, but designed as a neighborhood route with 64 feet of right-of way and 36 feet of pavement with 8 foot sidewalks. The property has an unusual shape which limits the development potential. Many alternative plans were prepared. The proposed plan was the best alternative to meet the minimum density requirement of 65 units. A through street is provided from Meinecke Parkway to Cedar Brook Way. The Meinecke entrance is a right-in and right-out intersection because the existing median island prevents left turns. The traffic study prepared by Charbonneau Engineering indicates the surrounding intersections currently operate at an adequate level of service and into the future. Traffic levels were studied to the year 2035 to comply with the Oregon Transportation Planning Rule (TRP) requirements and rules because the property was recently rezoned from commercial to HDR. This property is isolated with no adjacent developable property. Therefore no street stubs are necessary.

b. Spacing

The right-of-way distance from Street "A" to Highway 99 is 260 feet and 280 to the projection of the Cedar Brook right-of-way. Since Meinecke is a collector street, the intersection spacing is 400 feet. The Street "A" intersection is generally half way between Highway 99 and Cedar Brook Way. This access should not be moved closer to either Highway 99 or Cedar Brook Way. The city requested two accesses into the site. The fire department requested two accesses at opposite ends of the site. This is the reason for the access on Meinecke Parkway. Since Street "A" is limited to right-in and right-out access, conflicting turning movements will not occur. The 400 foot spacing is meant for 4-way intersections with full left turns which is not the case with the Street "A" access. The property has an unusual shape which limits the development potential. Many alternative plans were prepared. The proposed plan was the best alternative to meet the minimum density requirement of 65 units. A through street is provided from Meinecke parkway to Cedar Brook Way. The Meinecke entrance is a right-in and right-out intersection because the existing median island prevents left turns.

4. Curb tight sidewalk on east side of SW "A" street

The local Street "A" is requested to be modified by the use of rolled curbs and curb tight sidewalks on the east side in front of the one car garage row houses. This design eliminates the small planters between the sidewalk and the curb resulting from multiple driveways. Curb tight sidewalks were used successfully in Arbor Terrace off Langer Farms Parkway. The west side of this north/south road will not have driveway drops and the typical planter between the sidewalk and curb will be provided.

<u>Result of Meeting Standards</u>

1. Private Street

The proposed private street serves as an alley to access lots 29 – 66. Section 16.44.010.E.3 requires and alley either public or private if access on a street is not recommended by city staff. In this case, driveways on Cedar Brook Way and Meinecke Parkway are not be recommended by city staff. The use of an alley is allowed with a PUD. Allowing the use of an alley complies with Section 16.44.010.E.3.

2. Nonstandard Bulb Out

Because the private street will function as an alley, the bulb out standard for local streets does not apply. The inside radius of the roll curb is 28 feet and the outside radius is 48 feet incompliance with fire department requirements. Fire trucks can drive on the curbs because they will be only 3 inches in height. The 20 foot fire department width includes the one foot wide curbs. Additionally, fire hydrants will be provided in accordance with fire department requirements.

3. Intersection of SW "A" Street and SW Meinecke Parkway

a. Layout

The existing traffic circle at the intersection of Meinecke and Cedar Brook Way create design challenges. The property has an unusual shape which limits the development potential. Many alternative plans

were prepared. The proposed plan was the best alternative to meet the minimum density requirement of 65 units.

b. Spacing

Because of the existing traffic circle at the intersection of Meinecke and Cedar Brook and the properties unusual shape, the proposed plan is the best alternative to meet minimum density requirements of 65 units.

4. Curb tight sidewalk on east side of Street "A"

The proposed layout eliminates the small planters between the sidewalk and the curb resulting from multiple driveways. A landscape strip would push the houses back reducing the backyard setbacks. No room is available to move Street "A" to the west to create this 5 foot planter unless addition al lots are removed. This option is not possible because the minimum density will not be achieved. Landscaping is proposed between driveways behind the curb tight sidewalk.

<u>Reason Why Design Request Should be Approved</u>

1. Private Street

The proposed Private Street serves as an alley to access lots 29 - 66. Section 16.44.010.E.3 requires an alley, either public or private, if access on a street is not recommended by city staff. In this case, driveways on Cedar Brook Way and Meinecke Parkway are not be recommended by city staff. The use of an alley is allowed with a PUD and in compliance with Section 16.44.010.E.3.

2. Nonstandard Bulb Out

Because the private street is to function as an alley the bulb out standard for local streets does not apply. The inside radius of the roll curb is 28 feet and the outside radius is 48 feet incompliance with fire department requirements. The fire trucks can drive on the curbs because they will be only 3 inches in height. The 20 foot fire department width includes the one foot wide curbs. Additionally, fire hydrants will be provided in accordance with fire department requirements.

3. Intersection of SW "A" Street and SW Meinecke Parkway

a. Layout

A through street is provided from the existing Meinecke Parkway to Cedar Brook Way. The Meinecke entrance is a right-in and right-out intersection because the existing median island prevents left turns. The traffic study prepared by Charbonneau Engineering indicates the surrounding intersections currently operate at an adequate level of service and into the future. Traffic levels were studied to the year 2035 to comply with the Oregon Transportation Planning Rule (TPR) requirements and rules because the property was recently rezoned from commercial to HDR. This property is isolated with no adjacent developable property. Therefore no street stubs are necessary.

b. Spacing

A through street is provided from Meinecke Parkway to Cedar Brook Way. The Meinecke entrance is a right-in and right-out intersection because the

existing median island prevents left turns. The traffic study prepared by Charbonneau Engineering indicates the surrounding intersections currently operate at an adequate level of service and into the future. Traffic levels were studied to the year 2035 to comply with the Oregon Transportation Planning Rule (TPR) requirements and rules because the property was recently rezoned from commercial to HDR. This property is isolated with no adjacent developable property.

4. **Curb tight sidewalk on east side of Street "A"**
   This design eliminates the small planters between the sidewalk and the curb resulting from multiple driveways. Curb tight sidewalks were used successfully in Arbor Terrace off Langer Farms Parkway. The west side of this north/south road will not have driveway drops and the typical planter between the sidewalk and curb will be provided.

R Gaeta — 4.16.14

Rafael Gaeta, P.E. – Design Engineer — Date

Craig Christensen — 4-28-14

Craig Christensen, P.E. – City Project Manager — Date

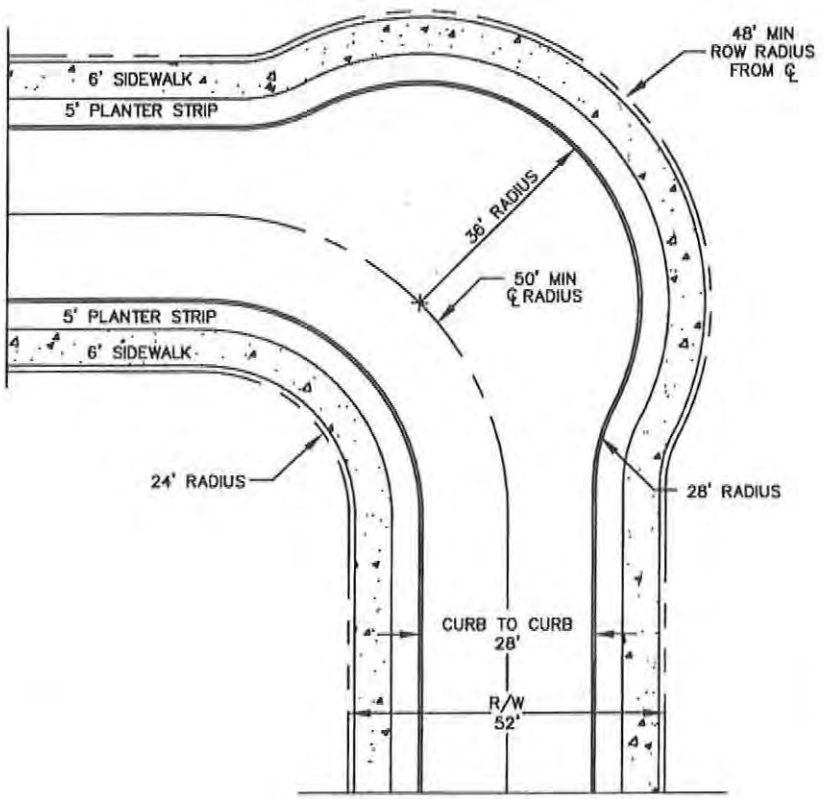
_ Approved

X Approved with Conditions (conditions below or on attached sheet)

_ Denied

Bob Galati — 4.28.14

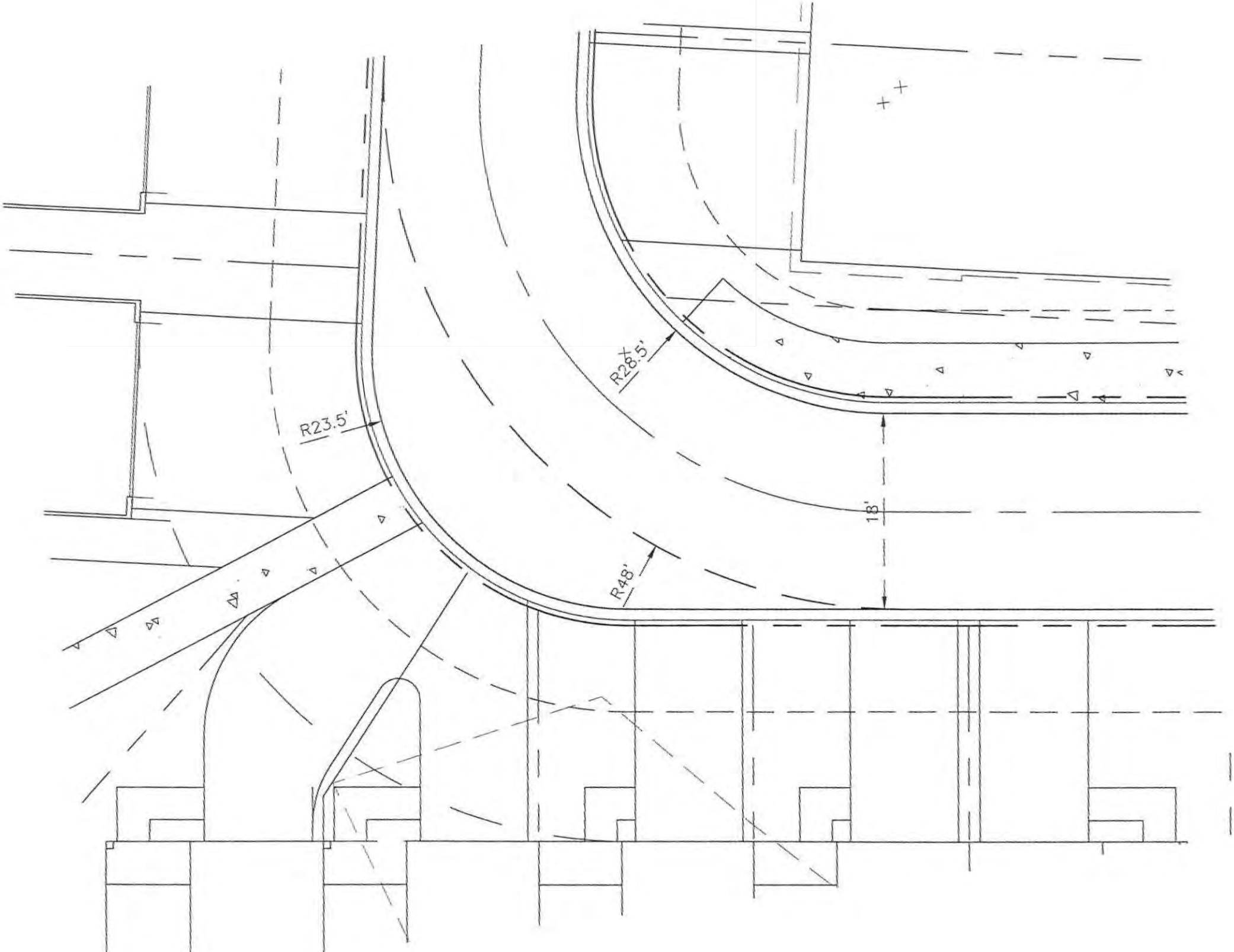
Bob Galati, P.E. – City Engineer — Date



NOTES

1. EYEBROWS ALLOWED ON LOCAL STREETS ONLY.
2. A STANDARD CATCHBASIN SHALL BE LOCATED ALONG THE EYEBROW CURBLINE FOR STREET STORM DRAINAGE.
3. PLANTER STRIPS ARE REQUIRED ON BOTH SIDES OF STREET.
4. PAVED WIDTH AND PLANTER STRIPS ARE MEASURED FROM FACE OF CURB.
5. STREET TREES AND STREET LIGHTS ARE REQUIRED AND SHALL BE LOCATED WITHIN THE PLANTING STRIPS.

City of Sherwood Oregon	STANDARD DRAWING TITLE		DRAWING NUMBER
	STANDARD LOCAL STREET EYEBROW		RD-12
	Any alteration of this drawing may not be associated in any way with the City of Sherwood Standard Drawings.	SCALE	DATE
		N.T.S.	JUN' 13


R28.5'
R23.5'
18'
R48'

City of Sherwood Oregon
Home of the Tualatin River National Wildlife Refuge

22560 SW Pine Street
Sherwood, Oregon 97140
Ph: 503-625-5522
Fax: 503-625-5524
WebSite: www.sherwoodoregon.gov

Memorandum

Date: April 28, 2014

Project: 4193 – Cedar Brook PUD

To: Bob Galati, P.E.

From: Craig Christensen, P.E.

Topic: Design Modification Requests.

Item #1 – Private Street

The developer has requested a 20-foot wide (back of rolled curb to back of rolled curb) private roadway within a 21-foot wide private tract (Tract 'G'). Due to the issues with the geometric layout of the property, it was determined during the planning phase that a private street serving the western side of the development was appropriate to reach required zoning density. However, the layout shown on the preliminary plan shows centerline curve radii of approximately 50 feet (15mph), 100 feet (20mph) and 38 feet at bulb out (see Item #2). The 50-foot radius curve occurs near the private street intersection with SW "A" Street (stop condition). The developer has proposed a rolled curb that would provide 18 feet gutter to gutter and 20 feet between back of rolled curbs. The rolled curb is proposed to have a height of 3 inches over 1 foot.

I believe that the request is acceptable with the following conditions:

- "No Parking" signs, speed limit signs and "Stop" signs should be posted for the private alley.
- Since there is not enough room within the Tract 'G' for the required street signs, a sign easement will be needed along the frontage of Tract 'G' for signs.
- The private street shall meet the approval of Tualatin Valley Fire and Rescue.
- The driveway apron and private street width will be widened as necessary to allow for emergency vehicular and truck movement into and out of the private street.
- There are 38 lots that will access the proposed private street. Visibility at the intersections of the private street with SW "A" Street is a concern, especially with parking near the intersections. The developer shall provide data showing that vehicles stopped on the private street waiting to turn onto SW "A" street have adequate visibility to turn onto SW "A" Street without incident.
- Since the proposed rolled curbs will be driven on regularly, the thickness of the curb and gutter shall be a minimum of 8-inches in thickness.
- Street trees shall meet the approval of the Sherwood Planning Department.
- The pavement structure shall be in accordance with that of a Local Street Classification on Sherwood Standard Drawing RD-20.
- A Maintenance Agreement meeting the approval of the Sherwood Engineering Department shall be recorded with the county with a copy being sent to the Sherwood Engineering Department.

Item #2 – Nonstandard Bulb Out

The developer has proposed a bulb out within the private street that will meet emergency access in place of the standard city bulb out (detail RD-12). Since this is a PUD with higher density the standard bulb out would make it considerably difficult to obtain densities since it is beyond the width of the standard right-of-way. The standard bulb out is meant more for standard single family home subdivisions in corner areas of the property to obtain access to the corner. The bulb out proposed appears to give adequate width for a vehicle to pull over for an emergency vehicle. Since the standard bulb out is impractical for use in this situation, I recommend acceptance of the request with the following conditions:

- The inside radius to the back of the rolled curb shall be 28-feet minimum.
- Advanced warning signage be installed due to the sharpness of the curve and potential lack of sight distance due to vehicular parking in the driveway of lot 63.
- The bulb out shall meet the approval of Tualatin Valley Fire and Rescue.

Item #3 – SW "A" Street/SW Meineke Parkway Intersection

The developer is proposing a right in/right out intersection between SW "A" Street and SW Meineke Parkway due to SW Meineke Parkway being a divided street. Due to the spacing of Highway 99 in relation to SW Cedar Brook Way, the 400-foot spacing between intersections can't be obtained for SW "A" Street to connect to SW Meineke Parkway. The proposed intersection does appear to give adequate sight distance for a vehicle stopped on SW "A" Street to see vehicles within the right turn lane of Highway 99 that are turning onto this section of SW Meineke Parkway. The intersection would have better sight distance looking east if it were further to the west, however, due to the layout of the developing parcel, it would be impractical. Therefore, I recommend approval of the intersection with the following conditions:

- The engineering plans shall show signage to direct that vehicles on SW "A" Street can only turn right onto SW Meineke Parkway.
- Any island within the intersection shall allow for emergency vehicle and truck turning movements (either by being outside of turning movements, being mountable, etc.).
- The curb return radii shall be in accordance with the Sherwood Engineering Design Manual (25 feet minimum).
- The intersection shall meet the approval of Tualatin Valley Fire and Rescue.

Item #4 – Curb Tight Sidewalk and Reduced Right-Of-Way on SW "A" Street.

The developer is proposing eliminating the landscape strip on the east side of SW "A" Street and reducing the right-of-way accordingly. The developer is also proposing using rolled curb on the east side of SW "A" Street and reducing the amount of right-of-way behind the sidewalks on SW "A" Street from 1 foot to 0.5 foot. The requested right-of-way reduction is from 52 feet (city standard) to 47.5 feet (proposed). I recommend approval of the requested design modifications to SW "A" Street with the following conditions.

- The landscape strip shown in the preliminary plan is 5.5 feet in width. The landscape strip shall be 5.0 feet in width.
- The buffer strip shall be 1.0 feet in width behind the sidewalk per standards. When combined with the change in the landscape strip, this condition will only widen the right-of-way from the

47.5 feet proposed by the developer to 48 feet. It appears that this can be accommodated without significant impact to the development.

- The thickness of the rolled curb and gutter should be a minimum of 8-inches in thickness.
- Since the sidewalk on the east side of SW "A" Street is abutting rolled (mountable) curb, the sidewalk shall have a minimum thickness of 6 inches.
- "No Parking" signs shall be located within the buffer strip behind the sidewalk.
- Street trees shall meet the approval of the Sherwood Planning Department.
- The preliminary plan currently shows the sidewalk at the southeastern corner of SW "A" Street and SW Cedar Brook Way with too narrow of a clear sidewalk distance to obstructions. Sidewalk shall have a minimum of 6 feet clear around "Stop" sign and sidewalk ramp.

Please review the design modification request and contact me with any conditions that you feel that we need to add. Once you are satisfied with the conditions of the design modification requests, please sign.

Thank you.