



Home of the Tualatin River National Wildlife Refuge

MEMORANDUM

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To: Chair Jean Simson and Sherwood Planning Commission

From: Eric Rutledge, Associate Planner

RE: LU 2021-006 SP / VAR Sherwood Blvd. Multifamily

Date: July 19, 2022

Background:

The Sherwood Planning Commission (Commission) held the initial evidentiary hearing on the subject application on July 12, 2022. The Commission heard presentations by staff and applicant, followed by testimony from the public. Prior to closing the record on the hearing, the Commission asked staff and the applicant for more information on the following four items:

- Building façade changes that would provide more visual interest and a better pedestrian experience along the front and sides of the building.
- A potential sidewalk on the north side of the shared driveway serving the site and Stewart Terrace Apartments
- Enhanced landscaping along the east shared property line to mitigate against the impacts of additional people and vehicles on the site
- Applicable tree preservation code and staff analysis regarding on-site trees

Building facade

The Commission provided feedback on the building design and asked the applicant to provide revised elevations that would improve the pedestrian scale of the building. The Commission also asked the applicant to provide additional architectural detail on the sides of the building. The applicant will be providing 2-3 revised elevations that respond to Commission feedback. The elevations will be forwarded to the Commission via email and posted to the City website when they are received.

Sidewalk on north side of driveway

Public testimony was received regarding the proposed shared access driveway with Stewart Terrace Apartments. The primary concern is the inbound traffic turning left into the new apartment site and crossing the outbound traffic of the shared driveway.

Staff clarified during the hearing that the proposed design is similar to many other parking lot and access drive configurations whereby the turning vehicle is required to use a turn signal and yield to any oncoming traffic traveling straight in the opposite direction. There is also an existing sidewalk on the south side of the driveway that provides safe and convenient access from the Stewart Terrace Apartment site to SW Sherwood Blvd (Figure 1). Finally, the current flow of traffic allows vehicles to turning into the new apartment site from the shared driveway to see any pedestrians along the north side of the driveway before they turn. If the traffic pattern was reversed, vehicles leaving the new apartment site to turn right onto the shared driveway will have a blind spot for cars and pedestrians because of the location of the trash enclosure on the Stewart Terrace site. A clear vision area cannot be established at this location for cars turning right out of the site onto the shared driveway.



Figure 1: Existing driveway with sidewalk on south side

Regarding a sidewalk on the north side of the driveway, the existing easement and driveway are approximately 30 ft. wide at the site entrance and adjacent to the proposed development site. The easement appears to narrow as it straightens out to serve only the Stewart Terrace property. SZCDC § 16.96.020 requires two-way driveways serving multifamily developments to be a minimum of 24 ft. wide, resulting in an excess width of approximately 5 - 6 ft. of space within the drive aisle adjacent to the development site.

While adequate space exists for a new sidewalk, the applicant does not control all of the land necessary to make the connection between the right-of-way and the existing sidewalk system with the Stewart Terrace property. This gap is located in front of the trash enclosure on the Stewart Terrace property. As the applicant cannot be required to make improvements to an off-site property that is not covered by an easement, the Commission can only require a sidewalk on the north side between the right-of-way and the start of the drive aisle serving the new apartment site. Residents of Stewart Terrace would be required to walk in front of the trash enclosure and then cross the new entrance to the apartment site in order to get to SW Sherwood Blvd. on the north side. Because a safe and convenient sidewalk already exists on the south side of the drive aisle, staff does not recommend a shortened sidewalk on the north side.

Enhanced landscaping on east property line

Public testimony was received regarding the poor condition of the existing fence along the shared property line and the potential impact of new vehicles and people on the site to the existing residents of Stewart Terrace. The applicant has requested a variance in this location to reduce the landscaping buffer between the parking area and the property line from 10 ft. to 2 ft.

The applicant has agreed to install a new 6 ft. tall vinyl fence along the shared property line to replace the existing wooden fence and provide a solid and continuous screen between the properties. As discussed during the hearing, the applicant is prohibited from installing anything taller than a 6 ft. tall fence based on current City code.

The applicant is also proposing to install Green Spire Euonymus shrubs from 3-gallon containers along the property line between the curb and the new fence. Green Spire Euonymus is considered a fast growing shrub that reaches a mature height of 6 – 8 ft. Readily available container sizes range from 1 – 3 gallons, however, 5-gallon containers also appear available online. Staff recommends requiring the new plantings at the 5-gallon container size in order for the hedge to reach maturity and provide the desired buffer on a shorter timeframe.

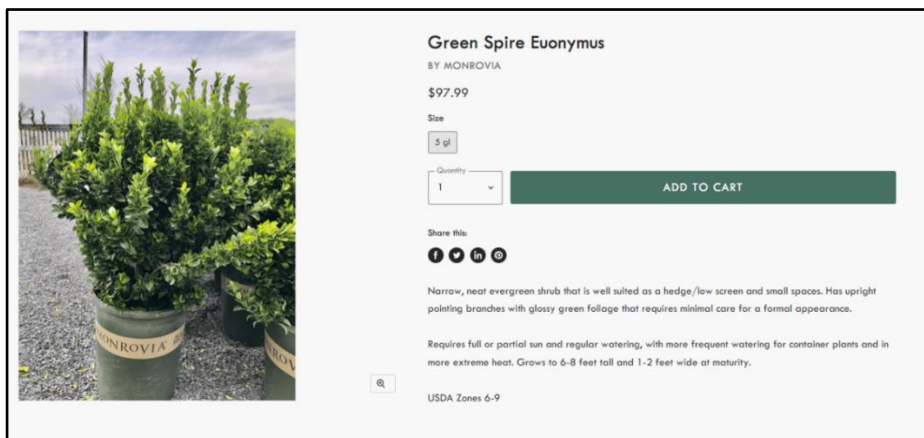


Figure 2: Green Spire Euonymus at 5-gallon container size, available at www.brickee.com

Public testimony was received regarding the removal of on-site trees. Of particular concern is the 52 in. DBH Freeman Maple located at the southwest corner of the property. The Commission asked staff to provide feedback on the tree preservation code as it relates to on-site trees.

SZCDC 16.142.070(D) regulates tree removal and retention for properties in land use review. Trees may be removed to accommodate the proposed development including buildings, parking, walkways, grading etc., however, the applicant is required to provide a 30% tree canopy over the site through new plantings.

SZCDC 16.142.070(D)(4) allows the City to require preservation of certain trees under certain criteria if preservation is also “feasible and practical both within the context of the proposed land use plan and relative to other policies and standards of the City Comprehensive Plan”. The criteria for preservation include:

- a) *The trees are within a Significant Natural Area, 100-year floodplain, City greenway, jurisdictional wetland*
- b) *The trees are necessary to keep other identified trees or woodlands on or near the site from being damaged or destroyed due to windfall, erosion, disease or other natural processes, or*
- c) *The trees are necessary for soil stability and the control of erosion, for managing and preserving surface or groundwater quantities or quality, or for the maintenance of a natural drainageway,*
- d) *The trees are necessary in required buffers between otherwise incompatible land uses, or from natural areas, wetlands and greenways, or*
- e) *The trees otherwise merit retention because of unusual size, size of the tree stand, historic association or species type, habitat or wildlife preservation considerations, or some combination thereof, as determined by the City.*

None of the criteria above apply to the subject site with the exception of (e), which allows trees to be preserved because of their unusual size or historic association. Staff has carefully considered this criterion and does not believe the on-site trees, including the Freeman Maple, warrant protection under the criterion. The Freeman Maple is located under the power lines and has been topped by the utility company throughout the years. As a result the tree has stunted growth and irregular form. While the trunk of the tree is large (52 in. DBH), the height of the tree is approximately 15 – 20 ft. tall.

Based on the analysis above, staff does not recommend preservation of any on-site trees. The applicant is required to install new trees to reach a 30% canopy over the site.



Figure 3: Freeman Maple in foreground, Douglas Fir trees in background

Application Timeline:

- July 12 Initial hearing
- July 26 Continued hearing date
- August 9 Planning Commission Decision Required
- August 11 Issue Notice of Decision
- August 25 Appeal period end
- September 15 - 30 Appeal hearing before City Council
- September 30 120-day deadline and NOD

Additional Exhibits for Record:

- Exhibit C14 – Additional testimony from Bonnie Harris