

City of Sherwood
Planning Commission

AGENDA

November 18, 1987
7:30 P.M.

PLANNING MEETING WILL BE HELD AT THE SCHOOL DISTRICT BOARD ROOM
LOCATED AT THE INTERMEDIATE SCHOOL, 400 N. SHERWOOD BOULEVARD

- I. Call to Order
- II. Approval of Minutes, October 21, 1987
- III. Status Report from Bilet Products
- IV. Approval request of the Smith Minor Land Partition
- V. Public Hearing
 - A. Approval request of the Smith Major Plan Amendment
- VI. Approval request of the Fisher Minor Land Partition
- VII. Approval request of the Fisher Roofing Site Plan
- VIII. Discussion of Commercial Zoning Reclassifications

STAFF REPORT

TO: City of Sherwood
Planning Commission

DATE TYPED: October 29, 1987

FROM: Carole W. Connell
The Benkendorf Associates

FILE NO: MLP 87-03

SUBJECT: Request for a Minor Land Partition to Divide a Four and a Half (4.5) Acre Parcel on Pacific Highway 99 into Two parcels.

I. PROPOSAL DATA

Applicant: Mr. Harold Roth
21800 S.W. Pacific Highway
Sherwood, Oregon 97140

Owner: Richard & Ruth Smith
21800 S.W. Pacific Highway #37
Sherwood, Oregon 97140

Location: Located at 21800 S.W. Pacific Highway and further described as Tax Lot 800, Map 2S-1-30D.

II. BACKGROUND DATA

The subject request is to divide tax lot 800 so that the portion on the south side of the Smith Farm Estates entry road is partitioned from the existing parcel. The owner is requesting continued commercial use of the new parcel, estimated to be just under one acre, and rezone the remaining three and a half (3.5) acres residential. The park entry road is a natural division for the partition request. The parcel is occupied by the Smith Farm Estates sales office south of the entry drive and is vacant on the north side.

III. SHERWOOD CODE PROVISIONS

- A. Chapter 2 Section 2.109 General Commercial (GC) zone.
- B. Chapter 4 Section 4.100 Application Content
- C. Chapter 7 Section 7.500 Minor Land Partitions
- D. Sherwood Comprehensive Plan

IV. FINDINGS OF FACT

- A. The subject request is to divide tax lot 800, map 2S-1-30D into two parcels. The property is 4.5 acres in size and is physically divided by the Smith Farm Estates entry road. The request creates a 3.5 acre parcel and a parcel about one acre in size.

- B. The property is zoned General Commercial (GC). The minimum lot size in a GC zone is 10,000 square feet. The proposed partition creates two parcels that well exceed the minimum. The GC zone requires a 70 foot lot width which each proposed parcel exceeds. If the northern portion is rezoned, the parcel will comply with the Medium Density Residential High (MDRH) standards.
- C. Access to the southern parcel is available from the park entry road known as Smith Blvd. Access to the larger parcel is also available from Smith Blvd. and possibly Pacific Highway.
- D. Sewer and water facilities are available from Smith Farm Estates service lines.
- E. The southern parcel is currently occupied by Mr. Roth's sales office. The Sherwood Planning Commission approved a site plan for that property but all improvements have not been made. The City is in the process of obtaining a bond for the improvements. Sewer and water connections have not been made.
- F. Notice of this request has been provided to the Tualatin Fire District and The Oregon Department of Transportation, and they have indicated there are no conflicts with their interests.
- G. The City finds the following in response to the approval requirements for a minor land partition:
 - 1. No roads or streets are being created by this request.
 - 2. The partition complies with the General Commercial zoning standards.
 - 3. Adequate sewer and water services and other public facilities are available to the site.
 - 4. The partition request will allow development of adjoining land in accordance with the code.

IV. CONCLUSION AND RECOMMENDATION

Based on the Background Data and Findings of Fact, staff recommends **approval** of the request to partition Tax Lot 800 into two parcels subject to the following condition:

- 1. The applicant shall prepare a legal survey and sketch of the partition drawn to scale that must be reviewed and approved by city staff prior to recordation with Washington County.

271-64SR

CITY OF SHERWOOD
APPLICATION FOR LAND USE ACTION

Staff Use

CASE NO. _____
FEE \$125.00 _____
RECEIPT NO. _____
DATE _____

Type of Land Use Action Requested

- | | |
|---|---|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Conditional Use |
| <input type="checkbox"/> Plan Amendment | <input checked="" type="checkbox"/> Minor Partition |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Planned Unit Development | <input type="checkbox"/> Design Review |
| | <input type="checkbox"/> Other _____ |

Owner/Applicant Information

NAME	ADDRESS	PHONE
Applicant: Harold Roth	21800 SW Pacific Hwy. Smith Farm	Est. 625-6165
Owner: Richard F., Ruth Troxel Smith	21800#37 SFE, Sherwood,	625-2535

Contact for
Additional Info: Either or both of the above

Property Information

Street Location: 21800 SW Pacific Hy. Sherwood. Ore.
 Tax Lot No. 800 & 801 Acreage: less than 1 Ac.
 Existing Structures/Use: Mfg. home, use by Roth as office
 Existing Plan Designation: General Commercial

Proposed Action

Proposed Use: Sales Office for Mfg. Homes
 Proposed Plan Designation: Same---General Commercial
 Proposed No. of Phases (one year each): NA
 Standard to be Varied and How Varied (Variance Only): NA

Purpose and Description of Proposed Action: Same use as now---
 sales office for manufactured homes. Mfg. home now on ppty .
 and used as office. See map--colored yellow Numbered 1 (one)

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.

David E. Roth

Applicant's Signature

10/14/87

Ruth Inge Smith R.F. Smith

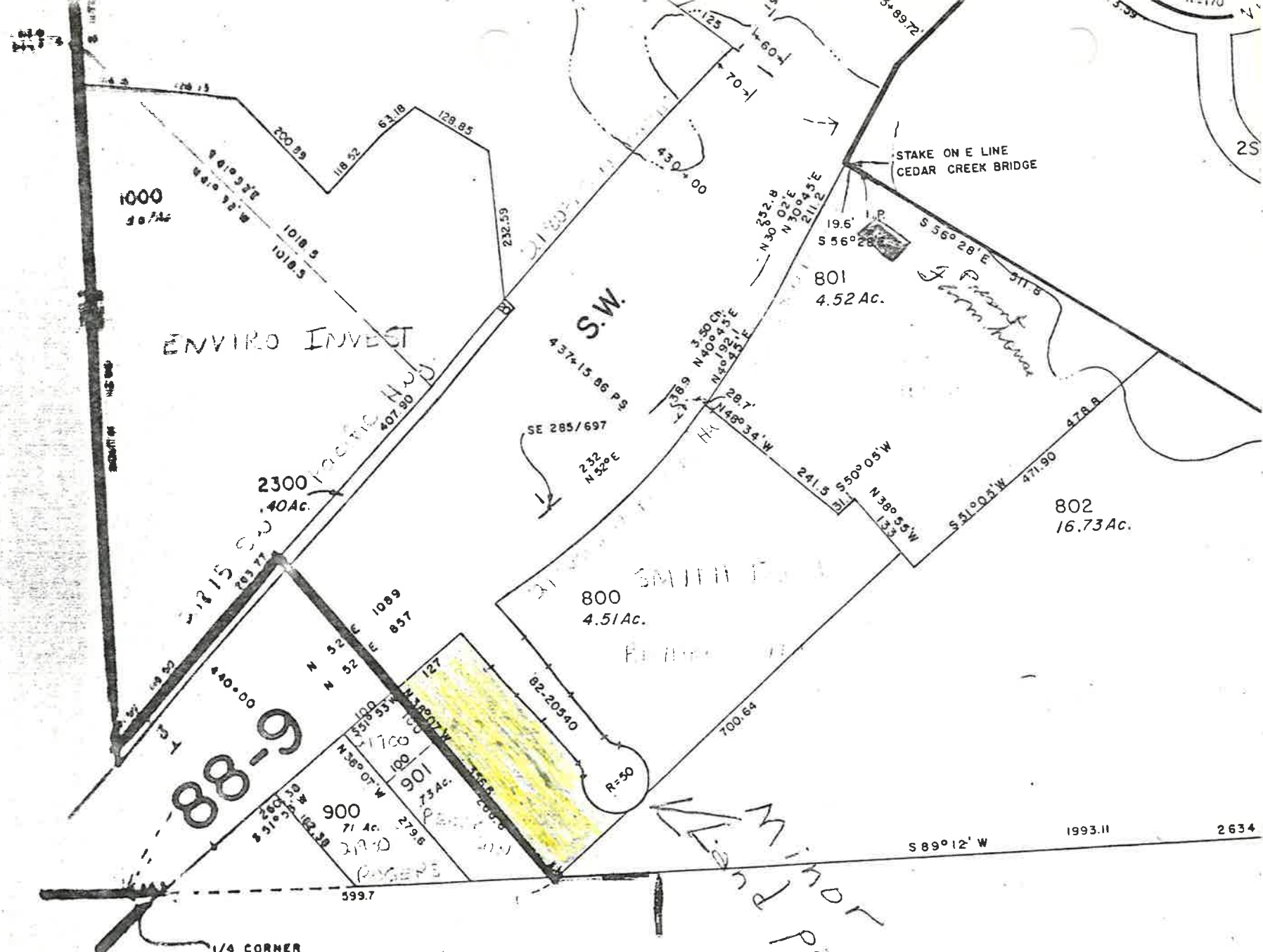
Owner's Signature

10/14/87

To Be Submitted With The Application

To complete the application submit nine (9) copies of the following:

1. A brief statement describing how the proposed action satisfies the required findings criteria contained in the Comprehensive Plan for the action requested. (Attachment B)
2. Applicable existing conditions and proposed development plan information and materials listed in Part 3 Chapter 4 TABLE 4.04 of the Comprehensive Plan. The information in TABLE 4.04 which is applicable to a given application shall be determined during a preapplication conference with the Planning Department.



1000
20.7 Ac.

ENVIRO INVEST

2300
40 Ac.

88-9

900
71 Ac.

800
4.51 Ac.

801
4.52 Ac.

802
16.73 Ac.

STAKE ON E LINE
CEDAR CREEK BRIDGE

*Present
Farm House*

SEE MAP
2S 1 31A

Minor partition

1/4 CORNER

S 89° 12' W

1993.11

2634

Pacific Hwy

S.W.

SMITH

Field

SE 285/697

232
N 52° E

800

4.51 Ac.

R=30

19.6'

801
4.52 Ac.

802
16.73 Ac.

599.7

700.64

471.90

471.90

S 51° 03' W

N 38° 55' W

N 38° 55' W

N 50° 05' W

241.5

N 48° 34' W

N 40° 45' E

N 40° 45' E

N 30° 45' E

N 30° 45' E

N 30° 45' E

N 30° 45' E

N 30° 45' E

N 30° 45' E

N 30° 45' E

N 30° 45' E

STAFF REPORT

TO: City of Sherwood
Planning Commission

DATE TYPED: October 29, 1987

FROM: Carole W. Connell, Consulting Planner
The Benkendorf Associates Corp.

FILE NO: PA 87-01

SUBJECT: Request for a Major Plan Map Amendment from General Commercial (GC) to Medium Density Residential High (MDRH).

I. PROPOSAL DATA

Applicant: Mr. Francis Gavin
21800 S.W. Pacific Highway #12
Sherwood, Oregon 97140

Owner: Richard and Ruth Smith
21800 S.W. Pacific Highway
Sherwood, Oregon 97140

Location: 21800 S.W. Pacific Highway, adjoining Smith Farm Estates and further described as Tax Lots 800 and 801, Map 2S-1-30D.

II. BACKGROUND DATA

The requested amendment includes all of Tax Lot 801 and the portion of Tax Lot 800 northeast of Smith Blvd. This request is premised on the approval of a minor land partition segregating Tax Lot 800. The portion of Tax Lot 800 south of Smith Blvd. is to remain General Commercial. The request is to amend the zoning from General Commercial (GC) to Medium Density Residential High (MDRH) in order to construct an additional phase to the Smith Farm Estates mobile home park.

At the time the Sherwood Comprehensive Plan was acknowledged by LCDC, the subject property was zoned Office Commercial (OC). Subsequently, in 1985, the Smith's requested a zone change to GC in anticipation of a demand for retail/commercial use. The demand never materialized and now the lessee of Smith Farm Estates, Mr. Cornelius Kool, is interested in constructing a new phase to the adjoining residential project.

III. SHERWOOD CODE PROVISIONS

- A. Chapter 2, Section 2.104 Medium Density Residential High (MDRH) zone.
- B. Chapter 2, Section 2.109 General Commercial (GC) zone.
- C. Chapter 3, Section 3.200 Public Notice Requirements.

- D. Chapter 4, Section 4.100 Application Content.
- E. Chapter 4, Section 4.200 Plan Amendments.

IV. SHERWOOD COMMUNITY DEVELOPMENT PLAN

A. Residential Land Use Findings

1. Residential growth in Sherwood has been slow since 1970 due to inadequate sewer and water services and the recession.
2. Developed residential uses in Sherwood are currently characterized by single family units and low density multi-family developments. The current (1980) residential mix is 74% single family and 26% multi-family. The regional target is for a mix of 65% single family and 35% multi-family. The 1987 mix has probably changed little from the 1980 figure.
3. Three major categories of need are apparent from the housing survey and regional market trends associated with the Comprehensive Plan:
 - a. A diversity of affordable housing opportunities for moderate and middle-income households is needed including a larger proportion of smaller single and multi-family units.
 - b. A need exists for the implementation of measures within the City's authority to help keep housing costs down.
 - c. An assisted housing strategy is needed to provide for the housing needs of Sherwood's low and moderate income large family; female-headed, elderly and handicapped households.
4. Based on the selected set of alternative growth assumptions contained in the Plan, Sherwood will require 976 new units by 1985 and 3,262 new units by the year 2000.

B. General Residential Objectives

1. Seek to provide housing which meets local needs with regard to style, price, density, quality and energy efficiency.

C. Residential Policies and Strategies

1. Residential areas will be developed in a manner which insure that the integrity of the community is preserved and strengthened.
 - a. Higher density residential development will be located so as to take advantage of existing major arterial and collector streets; nearby shopping, parks, mass transit and other major public facilities and services.
 - b. New housing will be located so as to be compatible with existing housing.

2. The City will insure that an adequate distribution of housing styles and tenures is available.
 - a. Mobile housing will comprise up to 25% of the total dwelling units in the Planning Area. (The Plan states that this policy shall be reviewed every two years).
3. The City will insure the availability of affordable housing and locational choice for all income groups.
 - a. The City will reduce housing costs by allocating land for smaller lot single family uses, mobile home parks and subdivisions, by minimizing the costs associated with required public improvements, expediting the development review process, and assuring that an adequate supply of buildable land is available for all residential categories of use.
4. The MDRH designation is intended to provide for a variety of medium density housing styles, designs, and amenities in keeping with sound site planning. Included in the designation are multiplexes, low density apartments and condominiums and row housing. Mobile home parks may be allowed as conditional uses. This designation is applicable in the following general areas:
 - a. Where related institutional, public and commercial uses may be appropriately mixed or are in close proximity to compatible medium density residential uses.
 - b. Where a full range of urban facilities and services are provided in conjunction with development.
 - c. Where medium urban densities can be maintained and supported without significant adverse impacts on neighborhood character or environmental quality.

D. General Commercial Objectives

1. To encourage the location of commercial uses in well-planned commercial centers
2. To locate commercial activities with safe and convenient access by consumers.

E. Commercial Policies and Strategies

1. Commercial uses will be developed so as to complement rather than detract from adjoining uses.
2. Strip commercial development will be avoided and the number and locations of commercial use accesses will be limited along major streets.

F. General Commercial (GC) Designation

This designation is intended to provide for primarily wholesale commercial uses which may not be appropriate in central retail areas or within residential neighborhoods. This designation is applicable in the following general areas:

1. Where uses may be separated from primarily retail and personal service land uses.
2. Where impacts on residential uses can be minimized.
3. Where adequate off street parking, good pedestrian access and access onto major streets is or can be made available
4. Where a full range of urban facilities and services are available or can be provided in conjunction with development.

G. Parks and Open Space Plan Features

1. Greenways

An open space system consisting of the floodplains of Cedar Creek and Rock Creek will be acquired and preserved for public use as passive open space and natural drainageways. Creek greenways will be linked to a regional greenway along the Tualatin River. A principal use of the greenways will be to provide for linkages between parks and major activity centers. Continuity between the Cedar Creek and Rock Creek greenways will be made by using connections through the school property on North Sherwood Blvd.

2. Finance, Acquisition and Maintenance of Recreational Areas and Facilities

The City will acquire portions of the proposed greenways according to the following procedures:

- a. Require the dedication of the greenway portions of proposed new development as part of the standard on-site or public park and open space requirements.

V. FINDINGS OF FACT

- A. Approval of this request, including only a portion of Tax Lot 800, is dependent upon approval of the Smith Minor Land Partition. The subject zone change includes two lots totaling about eight (8) acres.
- B. The subject property was originally zoned Office Commercial and in 1985 was rezoned General Commercial. The request is to zone it Medium Density Residential High.

- C. The property is occupied by a single family residence and is surrounded by residential and MDRH zoning to the southeast, the park sales office, GC and MDRH zoning to the south, Pacific Highway and HDR zoning to the northwest and Cedar Creek, multi-family residential and HDR zoning to the northeast.
- D. The subject property includes a portion of Cedar Creek, a wooded ravine and floodplain, designated as greenway park and open space in the Comprehensive Plan. There is an average 6% slope on the property.
- E. Because the subject property is greater than four (4) acres in size, this request is a Major Plan Map Amendment and also requires a public hearing before the City Council.
- F. Access to the subject parcel is available from Smith Blvd. and Pacific Highway. There is also a short, paved frontage road which parallels Pacific Highway and the subject property, which is a portion of the Old Highway 99 and is Highway 99 right-of-way.
- G. Public facilities adjoining the site include sewer and water service located in Smith Farm Estates. There is a twelve (12) inch water line that extends from the park down Smith Blvd. and is stubbed at Pacific Highway. There is a an eight (8) inch sewer line serving the park that may not be sufficient for additional development on the subject property. Drainage from future development on the site would likely be directed into Cedar Creek.
- H. There are no significant natural features on the site. The site was farmed for many years and has some 20 to 30 large Douglas fir trees near Cedar Creek.
- I. There are no known easements on the property.
- J. The MDRH zoning would allow approximately 120 residential units on the subject property.
- K. **Plan Analysis**
 - 1. Residential growth has not met the original Plan projections of 976 new units by 1985. There is a need to increase the supply of smaller single and multi-family units, and provide housing for the elderly.
 - 2. The majority of housing units in Sherwood are single-family conventional homes. Expansion of Smith Farm Estates will meet the City's objective to provide housing which meets local needs with regard to style, price, quality, and energy efficiency. Smith Farm Estates is a popular, quality mobile home park that provides affordable, energy efficient dwelling units.
 - 3. The MDRH zoning could be compatible with the existing park and the neighboring Glen Eagle Apartments. The proposed zoning would provide for higher density residential development adjoining a major arterial, Pacific Highway and the Six Corners shopping area.

4. This proposal is consistent with City policy to reduce housing costs by allocating land for smaller lot single-family uses, mobile home parks and subdivisions.
5. The subject property complies with the intent of the MDRH zone to be in close proximity of compatible residential uses and where adequate services are available.
6. The subject property does not meet the general commercial objectives of: a) locating in well-planned commercial centers; b) complimentary adjoining uses; and c) avoiding strip commercial development.
7. The subject property does not closely comply with the intent of the GC zone to: a) provide for wholesale uses which may not be appropriate in residential neighborhoods; b) minimize the impact on residential uses; and c) provide adequate pedestrian access.
8. The Plan states that the floodplain of Cedar Creek will be preserved for public use by dedicating those lands to the public. This is required at the time of a proposed development.

L. Conformance with Plan Change Criteria

1. In 1985, the City argued that the GC zoning was preferable to the OC zoning and was in conformance with the map and text portions of the Comprehensive Plan. Today it can be argued that residential zoning is even more compatible with the Plan and the adjoining residential properties. Further, the request decreases strip commercial development. The proposed amendment complies with the intent of the Plan to increase low to middle income housing opportunities, which have not been built as projected.
2. The public is best served by granting the map amendment at this time. No public interest is served by keeping the site vacant. The Smith's have requested zone changes in anticipation of prospect purchasers, which to date have not materialized. The expansion of Smith Farm Estates is a proposal ideally suited to the site and would best serve the public interest.
3. The aforementioned findings of fact have consciously considered that: a) the various characteristics of the site are more conducive and suitable for residential use; b) land use, improvements and density would concur with adjoining uses; c) property values would be enhanced if a residential development is built; d) additional residences would promote additional personal, service, and other economic enterprises; e) access could be controlled and provided through the existing development; and f) the floodplain will be protected and the public need for healthful, safe, and aesthetic surroundings will be assured by the review of a development site plan.

M. The LCDC, Tualatin Fire District, and The Oregon Department of Transportation have been notified of this request and have indicated no conflict with their interests.

VI. CONCLUSION AND RECOMMENDATION

Based on the Background Data and Findings of Fact, staff recommends **approval** of the Smith's request to designate the subject property Medium Density Residential High (MDRH).

271-65SR

Staff Use

CITY OF SHERWOOD

APPLICATION FOR LAND USE ACTION

CASE NO. _____
FEE \$550⁰⁰ _____
RECEIPT NO. _____
DATE _____

Type of Land Use Action Requested

- Annexation
- Plan Amendment, *major*
- Variance
- Planned Unit Development
- Conditional Use
- Minor Partition
- Subdivision
- Design Review
- Other _____

Owner/Applicant Information

NAME	ADDRESS	PHONE
Applicant: <i>Francis Gavin</i>	<i>21800 S.W. Pacific Hwy S7E #</i>	<i>625-7113</i>
Owner: <i>Richard F. & Ruth Irene Smith</i>	<i>" " " # 37</i>	<i>625-7535 / 625-7751</i>

Contact for Additional Info: *Francis Gavin or Ruth Smith - F. Gavin is Agt. Ingr. for Cornelia Kord who holds the 50 yr. lease from the Smiths (S7E)*

Property Information

Street Location: *21800 S.W. Pacific Hwy.*

Tax Lot No. *800-801* Acreage *9.03*

Existing Structures/Use: *One residence*

Existing Plan Designation: *General Commercial*

Proposed Action

Proposed Use: *Expansion of S7E*

Proposed Plan Designation: *Med Hi Density Residential*

Proposed No. of Phases (one year each): *NA*

Standard to be Varied and How Varied (Variance Only): *NA*

Purpose and Description of Proposed Action: *The expansion of the present S7E - The Farm House on the East Edge of the plat toward the creek which is now a rental may be moved from its present location if feasible to do so.*

21800 SW Pacifica Highway
Smith Farm Estates No.37
Sherwood, Ore. 97140
Oct. 14, 1987

Planning Commission
Sherwood City Hall
90 NW Park Ave.
Sherwood, Ore.

Attention: Carol Connell, City Planner

The accompanying application for a designation change from General Commercial to Medium High density Residential in Tax Lots 800 and 801 excepting less than one acre in Tax Lot 800 which is to remain General Commercial but is being requested for a minor land petition. The latter lies parallel to Smith Blvd. and extends from 99W on the North to the fence on the South which begins that portion known as Smith Farm Estates.

It should be noted that except for the latter strip of land bordering Smith Blvd. on the West, that all of Tax Lots 800 and 801 were originally designated as Medium High Residential in the original Comprehensive Plan which had been approved. That small parcel ~~too~~ was designated as Medium High Density Residential until recently.

This request is being made by the owners of the land, Richard F. Smith and Ruth Troxel Smith of the above address in tandem with Harold Roth and Cornelia Kool. At the time that this property was designated from Medium High Density Residential to General Commercial, there was a transaction pending with Crossings of Tacoma, Washington, as well as, the Retirement Residence of King City, Oregon for the possibility of establishing a Retirement Home on portions of Tx. Lts. 800 and 801 in Sherwood and a sales office on the West side of Smith Blvd. at the entrance of Smith Farm Estates. Due to the fact that the owners of the King City residence concluded that such a residence in Sherwood would place themselves in direct competition with themselves; and the fact that Crossings of Tacoma had made a financial commitment to Meridian Park and the pending development of a Charbonneau Retirement Center, is no longer feasible.

Meanwhile, Mr. Kool, leasee of Smith Farm Estates has made an urgent request that a lease be executed by the Smiths in favor of Mr. Kool's taking over the whole of Tax Lots 800 and 801 except that portion of less than one acre on the West side of Smith Blvd. and now occupied by Harold Roth for a sales office; Mr. Roth wishes to continue at his present location, perhaps moving North, closer to the highway later. Should Mr. Roth wish to terminate his lease in the distant future, that portion of General Commercial could be conceivably converted for use as a convenience store, doctor's office, etc; support services for the Smith Farm Estates, as well as Sherwood proper.

As pointed out in the application, this park is considered by

some lenders as the finest of its kind in the state. It is the owner's and leasee's desire to continue this quality of park and operation.

Contrary to the news of other park tenants being evicted or in distress, Smith Farm Estates enjoys a 50 year lease (now 5 yrs. old the 13th of November '87) with Mr. Kool and his heirs, assuring a continuous and harmonious relationship. Likewise, our heirs, son Mark and daughter Linda-Lane were reared on the property and they expect to continue the relationship.

This Park is growing principally through Park resident's referrals and Mr. Roth's efforts. Mr. Roth was, and still is responsible for selecting new occupants and Francis and Gladys Gavin do a fine job of managing the Park for Mr. Kool. The comraderie and harmonious manner in which these people live was recently exhibited by a party the Park tenants initiated for the Gavin's 33rd anniversary at a dinner given in their honor and attended by a good number of the Park tenants, Judy and Hal Roth, as well as the Pedersen's, (Thor and Martha) who are neighbors joining the Estates to the West.

I am just in receipt of a notice for the Park activities in which the Park people expect to participate: Go as a group to the Kiwanian hobo stew dinner; proceeds benefitting the handicap camp, Youth Groups (Sherwood), Senior Scholarships etc.----- A Holloween Pie Party at the Gavins; ladies' coffee in Nov. at the Gavins; a Yankee Pot Roast Dinner in Portland; another Ladies' Coffee at Gavin's in December; a party at the Clunas' Oct. 23rd and a Christmas Party Dec. 20, at the Sherwood Senior Center.

The people shop with the local merchants here in Sherwood and use whatever facilities are available in Sherwood. They also support such activities as the Robinhood Festival; the First Annual Onion Festival, as well as the local churches. Neil Dickenson and Jack Gruver and others deliver Meals-on-Wheels; Irv Walsh served on the Robinhood Festival Board etc. . Many others support Sherwood functions, having had prior experience and expertize and now the time and finances to be supportive.

So satisfied with the Park are the Smith's, that we sold our home on Tigard's Bull Mt. and have moved into the Park ourselves. I expect to join and work with the Sherwood Chamber of Commerce, having worked as a volunteer for years with the local schools. Our only complaint is that we should have made the move sooner. This is a caring, congenial community.

When we applied some years ago for using our property as a manufactured home park, we promised that we'd sponsor a business and residences in which Sherwood could be proud. We think we've lived up to that promise and will continue to do so. The "Proof is in the pudding".

Respectfully,

Richard F. and Ruth Troxel Smith

Copies: to City, Park tenants and neighbors.

Smith

3.

It has just been brought to my attention that in converting the specified locations in Tax Lots 800 and 801 from General Commercial to Medium High density Residential, that it will free up Commercial space for those already waiting for such a designation.

RTS

JIM FISHER ROOFING & CONSTRUCTION, INC.

ROUTE 5 BOX 333A
NEWBERG, OREGON 97132
(503) 538-6420 (503) 620-1324

October 28, 1987

TO: Planning Commission

REGARDS: To parcel of land of .777 acres at south
corner of N.E. Oregon and Ash Street.

After we had already purchased this piece of property,
it had been brought to our attention it had never been
partitioned off. If my understanding is correct, Southern
Pacific Railroad should have already partitioned off
this property prior to selling it to us.

I would ask you to please accept this request to approve
this land as a minor land partition. It is my understand-
ing this property complies with all city requirements and
zoning.

Jim Fisher Roofing & Construction, Inc. has been working
out of Sherwood Lumber yard on a sublease for the past
five years and our goal is to develop this property for
our own roofing yard and office. Our dream is to build
landscape and develop it to be attractive and add to the
City of Sherwood.

Sincerely,



Jim Fisher
President

JF/lt

STAFF REPORT

TO: City of Sherwood
Planning Commission

DATE TYPED: October 30, 1987

FROM: Carole W. Connell
The Benkendorf Associates Corp.

FILE NO: MLP 87-04

SUBJECT: Request for a Minor Land Partition to Divide a Portion of Southern Pacific RR Right-of-way into Two Parcels.

I. PROPOSAL DATA

Applicant: Mr. Jim Fisher
1100 W. Sheridan Street
Newberg, Oregon 97132

Owner: same as above

Location: Located on the southwest side of Oregon Street directly across from the Ash Street intersection and behind Sherwood Lumber, further described as Lot 190-A1, Map 2S-1-32BD.

II. BACKGROUND DATA

The subject property has already been legally divided and recorded with Washington County. The previous owner, Southern Pacific Railroad, apparently partitioned the property and then sold a portion of it to Mr. and Mrs. Jim Fisher. The partition was discovered by the City through a title company lien search during the sale. Mr. Fisher has subsequently submitted a request for the City to officially approve the partition.

III. SHERWOOD CODE PROVISIONS

- A. Chapter 2, Section 2.110 Light Industrial Zone
- B. Chapter 4, Section 4.100 Application Content
- C. Chapter 7, Section 7.500 Minor Land Partitions
- D. Sherwood Comprehensive Plan

IV. FINDINGS OF FACT

- A. The subject partition segregates 33,200 square feet (.76 acres) from a larger piece of Southern Pacific Railroad right-of-way identified as lot 190-A1 on Oregon Street.

- B. The property is zoned Light Industrial (LI). The minimum lot size is 10,000 square feet. The proposed partition creates two parcels that exceed the minimum. The LI zone also requires a 100 foot lot width and each parcel complies.
- C. Access to the new parcel is from Oregon Street, a city street. Access to the larger parcel is still available from Pine and potentially Oregon. The Comprehensive Plan designates Oregon a collector street, requiring 54 feet of right-of-way. Oregon Street now has 40 feet of right-of-way. An additional seven (7) feet needs to be dedicated from each side of Oregon. The applicant has indicated that the seven (7) feet will be dedicated.
- D. Sewer and water facilities are available to the new parcel. There is an eight (8") inch sewer line in Oregon Street and a ten (10") inch water line at Oregon and Ash Streets. Site drainage will flow into the existing ditch along Oregon Street. The applicant will be installing a culvert under the proposed driveway.
- E. The segregated parcel owned by Mr. Fisher is vacant. Although the site is already in the process of being cleared in preparation of construction of an office, storage shed and paving for his roofing business. Subject to approval of the partition, the applicant is requesting site plan approval for the business improvements.
- F. The subject parcel is surrounded by a single family residence and a large storage building to the northeast, a large metal building and residences to the northwest, Sherwood lumber to the southwest and the railroad and an industrial storage yard to the southeast. Zoning is Medium Density Residential High (MDRH) on the north side of Oregon and Light Industrial (LI) on the south side.
- G. The Tualatin Fire District has been notified of this request and has indicated there are no conflicts with their interests.
- H. The City finds the following in response to the approval requirements for a minor land partition:
 - 1. No roads or streets are being created by this request.
 - 2. The partition complies with the Light Industrial lot size requirements.
 - 3. Adequate sewer and water service is available to the site.
 - 4. The partition request will allow development of adjoining land in accordance with the code.

V. CONCLUSION AND RECOMMENDATION

Based on the Background Data and Findings of Fact, staff recommends approval of the request to approve the subject minor land partition as currently recorded by Washington County subject to the following conditions:

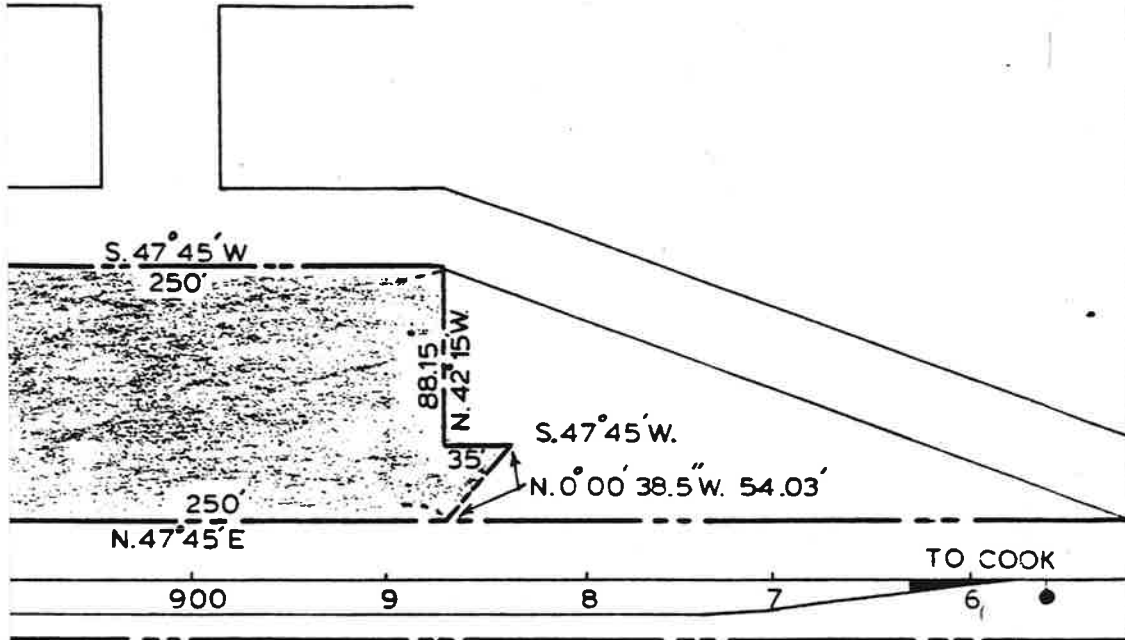
1. The owner shall dedicate seven (7) feet of road right-of-way to Oregon Street.
2. The owner shall enter into a non-remonstrance agreement with the City agreeing to participation in any public improvements associated with the site.

271-66SR

757.75

A-6807

P-757.75-L
N.C. R/W



SEC.32 T.2S. R.1W. W.M.

Southern Pacific
Transportation Company

NEWBERG BR.
SHERWOOD
SELL PROPERTY
JIM FISHER ROOFING

AC.)

SCALE	1" = 100'	OREGON DIVN.
VA. SEC	23 SHEET 6	DRAWN BY JLN CHECKED BY
ROUTE NO	P W-757.75	DRAWING NO A-6807
DATE	MAY 18, 1987	SHEET NO
REV. SECT		FILE DRAWN

STAFF REPORT

TO: City of Sherwood
Planning Commission

DATE TYPED: November 5, 1987

FROM: Carole W. Connell
The Benkendorf Associates Corp.

FILE NO: DR 87-05

SUBJECT: Request for Site Plan Approval to Construct an Office, Storage Shed and Loading Area for a Roofing Business.

I. PROPOSAL DATA

Applicant: Mr. Jim Fisher
1100 W. Sheridan Street
Newberg, Oregon 97132

Owner: same as above

Location: Located on the southwest side of Oregon Street directly across from the Ash Street intersection and behind Sherwood Lumber, further described as Lot 190-A1, Map 2S-1-32BD.

II. BACKGROUND DATA

The subject application is dependent upon the approval of a minor land partition. Clearing of the site has already occurred, but there have been no building permit requests. Further site work is pending approval of this application.

III. SHERWOOD CODE PROVISIONS

- A. Chapter 2, Section 2.110 Light Industrial Zone
- B. Chapter 4, Section 4.100 Application Content
- C. Chapter 5, Community Design and Appearance
- D. Sherwood Comprehensive Plan

IV. FINDINGS OF FACT

- A. A roofing business is considered an outright use in a Light Industrial (LI) zone. The subject property is 33,200 square feet in size and the minimum lot size in a LI zone is 10,000 square feet. The LI zone requires a 100 foot lot width, and a thirty five (35) foot height limit because of the adjoining Medium Density Residential High (MDRH) zone. There are no setback requirements where the parcel adjoins an industrial zone to the rear and on both sides, but there is a forty (40) foot building setback from the adjoining MDRH zone on the opposite side of Oregon Street. The proposed office structure is about forty five (45) feet from the MDRH zone line, measured from the center of the street. The proposed plan complies with all of the LI zone requirements.

- B. Access to the site is proposed by a thirty (30) foot wide driveway onto Oregon Street directly across from the Ash Street intersection. The required seven (7) feet of dedicated right-of-way to Oregon Street is illustrated on the plan, but no street improvements are proposed. The applicant plans to construct a four (4) foot wide sidewalk along the property's Oregon Street frontage. There is about 250 feet of street frontage.
- C. Sewer and water facilities are available to the site. There is an eight (8) inch sewer line in Oregon Street and a ten (10) inch water line at Oregon and Ash Streets. Site drainage will flow into the existing ditch along Oregon Street from two (2) catch basins on site.
- D. The vacant site is flat and tree covered on the north end with an estimated nineteen (19) evergreen trees. No trees have been removed. Grading of the site will result in a six (6) inch rise to the back of the lot to improve drainage.
- E. There is a one story wood framed office structure planned to be located in the treed area. At the opposite end there is proposed a three-sided, metal covered storage shed. The remainder of the site is to be paved for adequate truck maneuvering. In the future the applicant plans to build a one story metal shop in the northeast corner.
- F. The code requires that 10% of a parking area be landscaped. There are four (4) parking spaces proposed next to the office and an additional three (3) in the back corner of the lot. Seven spaces are required based on the number of company employees. Both of the parking areas are adjacent to the existing trees. The parking spaces will be striped and bordered by railroad ties.
- G. The code requires a ten (10) foot wide landscaped corridor along the Oregon Street frontage. The applicant proposes a ten (10) foot wide berm landscaped with Spruce trees planted ten (10) feet on center.
- H. The code permits outdoor storage of materials if screened by a 6 foot high sight-obscuring fence. The applicant proposes a six (6) foot chain link fence around the entire site, to be slatted on the northeasterly and northwesterly property lines. The landscape berm along Oregon will provide additional screening.
- I. A ground-mounted sign is planned next to the driveway on Oregon Street. A sign permit will be required when the details of a sign proposal are submitted to the City.
- J. The following is in response to the required findings for site plan approval:
 - 1. The proposed development meets the applicable Light Industrial zone and Community Design standards of the code.
 - 2. The proposed development can be adequately served by necessary services.

3. The owner of the property is the owner of the business to be located on the subject site. Mr. Fisher has guaranteed that for his business reputation the site will be well maintained and managed.
4. The proposed development has preserved all existing natural vegetation to enhance site development.

V. CONCLUSION AND RECOMMENDATION

Based on the Background Data and Findings of Fact, staff recommends approval of the request subject to the following conditions:

1. Prior to receipt of an occupancy permit, all improvements shall be installed in accordance with the approved site plan. If not, a bond or cash deposit to cover the expense of remaining improvements shall be submitted to the City.
2. If approved, the site plan shall remain valid for one year.

271-67SR

Memorandum

November 12, 1987

TO: City of Sherwood
Planning Commission

FROM: Carole W. Connell, Consulting Planner *CWC*
The Benkendorf Associates

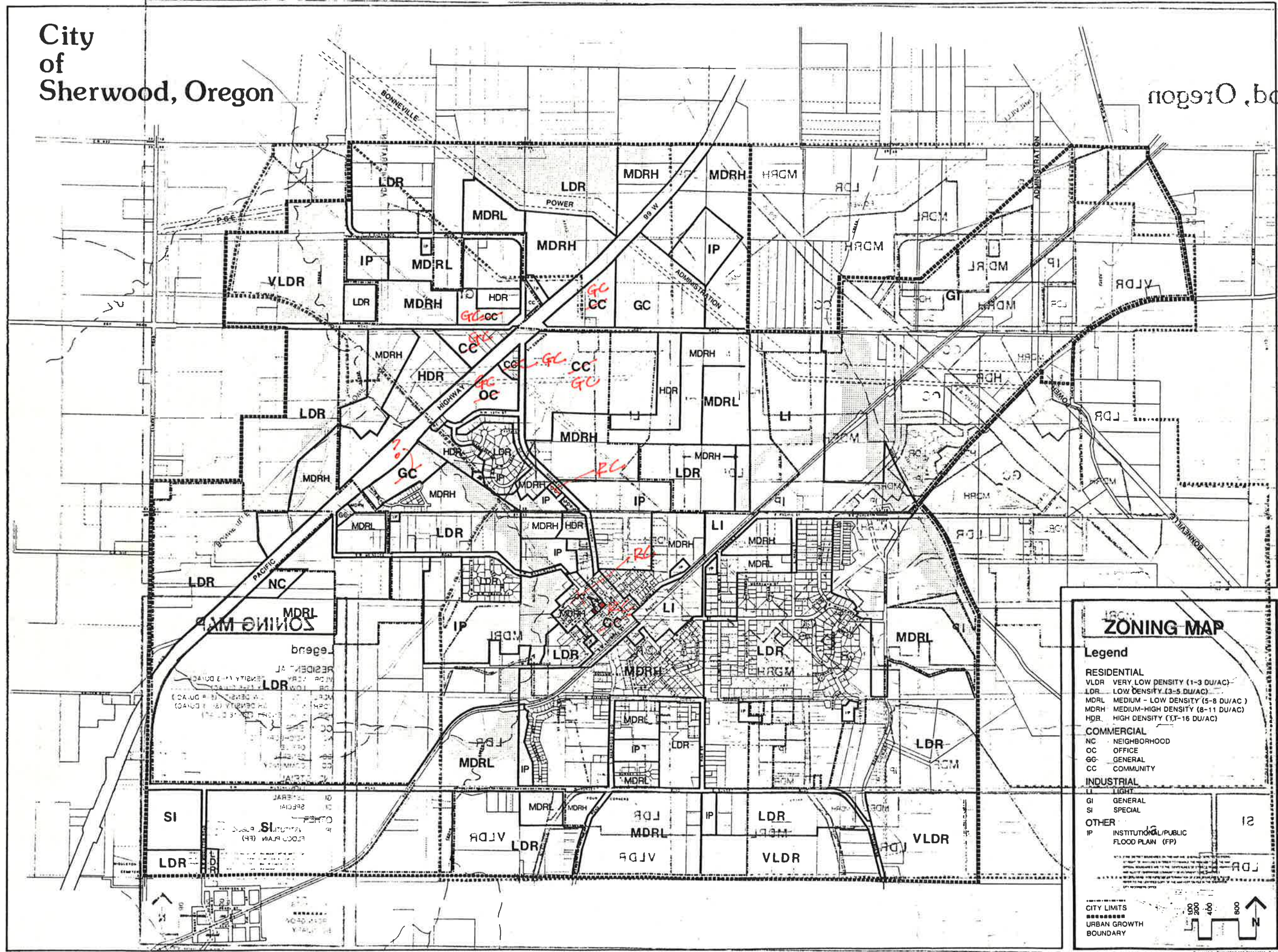
RE: Reclassification of Certain Commercial Zones

The second step following text changes to the commercial zones is to make map changes in accordance with the new zones. Attached is a first cut attempt for your review. Please be prepared to discuss this at the next meeting.

CWC:bb

City of Sherwood, Oregon

City of Sherwood, Oregon



ZONING MAP
 Legend
 RESIDENTIAL
 VLDR VERY LOW DENSITY (1-3 DU/AC)
 LDR LOW DENSITY (3-5 DU/AC)
 MDRL MEDIUM - LOW DENSITY (5-8 DU/AC)
 MDRH MEDIUM-HIGH DENSITY (8-11 DU/AC)
 HDR HIGH DENSITY (11-16 DU/AC)
 COMMERCIAL
 NC NEIGHBORHOOD
 OC OFFICE
 GC GENERAL
 CC COMMUNITY
 INDUSTRIAL
 LI LIGHT
 GI GENERAL
 SI SPECIAL
 OTHER
 IP INSTITUTIONAL/PUBLIC
 FLOOD PLAN (FP)

ZONING MAP

Legend

RESIDENTIAL
 VLDR VERY LOW DENSITY (1-3 DU/AC)
 LDR LOW DENSITY (3-5 DU/AC)
 MDRL MEDIUM - LOW DENSITY (5-8 DU/AC)
 MDRH MEDIUM-HIGH DENSITY (8-11 DU/AC)
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 GC GENERAL
 CC COMMUNITY

INDUSTRIAL
 LI LIGHT
 GI GENERAL
 SI SPECIAL

OTHER
 IP INSTITUTIONAL/PUBLIC
 FLOOD PLAN (FP)

CITY LIMITS
URBAN GROWTH BOUNDARY

Scale: 0, 200, 400, 800 feet
 North arrow pointing up.

APPROVED MINUTES

**City of Sherwood
Planning Commission Meeting
November 18, 1987**

1. **Call to Order:** The meeting was called to order at 7:30 p.m. by Chairman Glen Warmbier. Those present were: Glenn Blankenbaker, Jim Scanlon, Marian Hosler, Walt Hitchcock, Ken Shannon, Clarence Langer, Jr., Grant McClellan, and Consulting Planner Carole Connell.
2. **Approval of Minutes, October 21, 1987:** Jim Scanlon moved to approve the minutes as written. Marian Hosler seconded and the minutes were approved unanimously.
3. **Status Report from Bilet Products:** Mr. William Blakeslee of Bilet Products addressed the Commission. He stated that Terry Obteshka tested again and found that the decibels had gone up 2-3 since the last test. Mr. Blakeslee explained that when the temperature is lower, the air is denser causing a rise in decibels. He said that when tested previously the temperature was in the 80's and this time it was in the 50's. Mr. Obteshka advised Mr. Blakeslee that DEQ did not have a mean temperature for testing. Mr. Blakeslee said that he had continued to do additional soundproofing in his hog facility. He stated that he had moved the nail gun work stations farther inside the building and had installed plastic curtains over the doorway. Mr. Blakeslee said that he has ordered an apparatus for the nail guns which is supposed to buffer the noise. The Commission felt that Mr. Blakeslee was making progress in his efforts to meet DEQ noise standards and asked him to report back in 30 days when the 60-day extension to meet DEQ standards ends.
4. **Approval request of the Smith Minor Land Partition:** Mrs. Connell reviewed the Background Data from the Staff Report. The staff recommended approval with a condition. Walt Hitchcock moved to approve the request for a minor land partition with the following condition. Jim Scanlon seconded and the motion carried unanimously.
 1. The applicant shall prepare a legal survey and sketch of the partition drawn to scale that must be reviewed and approved by City staff prior to recordation with Washington County.
5. **Public Hearing**
 - A. **Approval request of the Smith Major Plan Amendment:** Mrs. Connell read from the Findings of Fact from the Staff Report. The Staff recommended approval. She noted there were no comments from any of the agencies who were notified of the request. Mr. Warmbier opened the public hearing and called for proponent testimony. Mrs. Smith of Smith Farm Estates said she felt Smith Farms was a

very nice park and intended for it to remain as such. There was no further proponent testimony, therefore Mr. Warmbier called for opponent testimony. There was none and the public hearing was closed. Mr. Blankenbaker moved to accept the request as presented. Mrs. Hosler seconded and the motion carried unanimously.

6. **Approval request of the Fisher Minor Land Partition:** Mr. Al Olson of Sherwood Realty was present representing Mr. Fisher. Carole Connell advised that the land has already been partitioned and recorded as the applicant was not aware of the legal steps in partitioning property located in the City. Mrs. Connell reviewed the Background Data of the Staff Report. The Staff recommended approval with conditions. Mr. Olson stated that Mr. Fisher was aware of the conditions and was in agreement. Mr. Scanlon moved to approve the minor land partition with the conditions which follow. Mr. Hitchcock seconded and the motion carried unanimously.

1. The owner shall dedicate seven (7) feet of road right-of-way to Oregon Street.
2. The owner shall enter into a non-remonstrance agreement with the City agreeing to participation in any public improvements associated with the site.

Mr. Hitchcock asked the City Planner if Southern Pacific Railroad responded to the letter which was sent to them informing them of the illegal land partition. She answered that they did not respond directly, only that Mr. Fisher came in to apply for the approval.

7. **Approval request of the Fisher Roofing Site Plan:** Mrs. Connell reviewed the Findings of Fact from the Staff Report. Staff recommended approval with recommendations. Mr. Blankenbaker felt that the size of the spruce trees to be planted should be designated. Mrs. Hosler said that 5'-6' trees would be appropriate. Mr. Hitchcock suggested putting asphalt between the proposed sidewalk and the street, which would be about 3' of asphalt. Mr. Warmbier felt it would be safer not to put the sidewalks in at this time but that Mr. Fisher would be signing the nonremonstrance agreement which would insure his participation in street improvements with the City should that occur sometime in the future. Mr. Blankenbaker felt the sidewalks should be put down as proposed. Mr. Scanlon agreed. The issue of the sidewalks was discussed at length by the Commission. Mr. Warmbier called for a motion. Mr. Blankenbaker moved to accept the the site plan with the conditions listed with the addition of designating 5'-6' spruce trees for planting. Mr. Langer seconded. The motion was defeated by one vote. Walt Hitchcock moved that the plan be approved as presented except that sidewalks not be required and that 5'-6' spruce trees be planted. Marian Hosler seconded. He then amended his motion to include 5 inches of 3/4 in. gravel be placed in the area

between the asphalt and the berm. Marian Hosler agreed and the motion carried with one opposed. Conditions of approval as follows:

1. Prior to receipt of an occupancy permit, all improvements shall be installed in accordance with the approved site plan. If not, a bond or cash deposit to cover the expense of remaining improvements shall be submitted to the City. Sidewalks will not be required.
2. If approved, the site plan shall remain valid for one year.
3. 5'-6' spruce trees will be planted ten feet on center along the corridor of Oregon Street.
4. Five inches of 3/4" gravel shall be placed between the asphalt and the birm.

8. Discussion of Commercial Zoning Reclassifications:

Commission members reviewed the map with the rezoning designated and marked. They felt no action was appropriate without first knowing when the public hearings would be taking place. Carole Connell said she would confer with the City Manager about this and inform the Commission.

Mrs. Connell advised there was nothing on the schedule for December at this time and Commission members would be notified if there was to be a meeting in December.

There being no further business, the meeting was adjourned at 9:00 p.m.

Rebecca L. Burns
Minutes Secretary