



P.O. Box 167  
Sherwood, Oregon 97140  
625-5522 625-5523

City of Sherwood  
Planning Commission

AGENDA

March 16, 1987  
855 No. Sherwood Blvd.  
7:30 P.M.

- I. Call to Order
- II. Approval of Minutes, January 19, 1987
- III. Public Hearing
  - a. Request for a Conditional Use Permit to operate a produce sales stand, by Mrs. Emilie S. List
- IV. Request for approval of a Minor Land Partition on Edy Road, by Mr. Sylvester Meigs.
- V. Request for approval of a revised Site Plan for a Sales Office at Smith Farm Estates, by Mr. Hal Roth.
  - a. Update on Greenway trail construction
- VI. Consideration of Hwy. 99 Annexation
- VII. Discussion Items
  - a. Pride Disposal Appeal
  - b. Attrell Chapel Alterations
  - c. Council adoption of the Old Town Overlay Zone



### III. SHERWOOD CODE PROVISIONS

- A. Chapter 4, Section 4.300 Conditional Use
- B. Chapter 3, Section 3.200, Public Notice Requirements
- C. Chapter 2, Section 2.105, High Density Residential (HDR)

### IV. SHERWOOD COMPREHENSIVE PLAN POLICIES

- A. Environmental Resources (Section V)
  - 1. Actually and potentially productive agricultural and forest uses land in the planning area should be preserved until the need for its conversion to urban uses can be demonstrated.
  - 2. Incentives for the continuation of agricultural and forest uses in lands that are not needed for urban uses should be continued and/or developed.

### V. FINDING OF FACT

- A. The subject property is about 12 acres in size and is zoned High-Density Residential (HDR). The request is to operate a produce stand on a portion of the site.
- B. The use of the parcel historically and today is a single-family residence and cultivated crops. The site is relatively flat, with a slight slope to the southwest towards Cedar Creek. There is heavy vegetation on the subject site and adjoining parcels.
- C. Surrounding land uses and streets include a mobile home park to the south; residential and Edy Road to the west; vacant land and Hwy. 99 to the east; and residential and commercial uses to the north.
- D. The Sherwood Community Development Code permits agricultural uses as a Conditional Use.
- E. Access to the parcel is available from Hwy. 99 and Edy Road. The produce stand is visible and accessible from the highway. The parcel has three highway access driveways. A bicycle/pedestrian path is adjoining the highway. Small directional signs are located on the property, guiding customers in and out of the site.
- F. There are no designated recreational resources adjoining the site, but the Cedar Creek Greenway is in the area.

- G. Tri-Met bus service is available at the Six Corners intersection.
- H. There is a 10" water line and an 8" sanitary sewer line in Edy Road. A City sewer main is located in the nearby Cedar Creek. Mrs. List is participating in a LID and the property is currently served by a well and septic drainfield system.
- I. Commercial zoning adjoins the site on the north and east sides. Residential zoning adjoins the site on the south and west sides. The subject site lies directly across Hwy. 99 from the large, vacant commercial site identified as Sherwood Plaza II.
- J. Two Comprehensive Plan policies encourage preservation of agricultural uses until there is a need for urban conversion.
- K. The following is in response to the five required findings of fact for a conditional use:
- a. Mrs. List is currently participating in a city LID for future connection to water and sewer. The existing well and septic system are adequate for the proposed use. There will be no public restrooms constructed on site. The site is served by City Police and the Tualatin Fire District. The site has three authorized state access permits onto Hwy. 99.
  - b. The proposed use conforms to the applicable zone standards.
  - c. It is efficient and economical for neighbors to be able to co-op their farm goods with Mrs. List. Mrs. List needs assistance to maintain her property and the produce stand makes it economical for someone to cultivate the land and sell the products. Customers from all over the metro area come to Sherwood to purchase fresh farm goods.
  - d. A produce stand has existed on the site on a seasonal basis for many years. It is appropriate to continue this use until there is a demand and need for conversion to urban use.
  - e. Surrounding properties will not be adversely affected by the uses. Mrs. List has had no complaints about this low intensity use.

## VI. CONCLUSION AND RECOMMENDATION

The proposed use has adequate services, complies with the Comprehensive Plan as an appropriate interim use, and conforms with the Conditional Use criteria. Staff recommends approval of the request subject to the following conditions:

- A. Construction of a permanent building is not permitted.
- B. Free standing or sandwich board signs are not permitted.
- C. There shall be no outdoor lighting.
- D. There shall be no paving on the site.
- E. There shall be no parking permitted on Highway 99.

September 11, 1986

Emilie List  
21235 S.W. Pacific Hwy.  
Sherwood, OR 97140

RE: Request to Rezone a 2.7 Acre Portion of Lot 1300: 30D,  
from HDR to CC

Dear Mrs. List:

As you know, on September 10, 1986, the Sherwood City Council denied your request for the captioned rezone. The vote was: 1 for, 3 against, and 1 abstention.

Having been present at the meeting, you are also aware that the Council generally favored some device whereby the "Grama's Place" type of operation can continue on your property. The Council felt, however, that a rezoning left the concerns of access, traffic safety and future use of the land, too open-ended.

Therefore, the Council directed that a specific text amendment to the Community Development Code be included as part of the current comprehensive revisions to the Code. Presently "...agricultural uses, including commercial building and structures", are permitted as conditional uses in four of the five City residential zoning categories. The Council directed that this clause be included in the HDR category also.

I anticipate that the revised overall Code will be adopted in the next few weeks. The Planning Commission has recommended approval, and the Council held the required public hearing on September 10. At such time a new Code, including the new provision in the HDR Zone, becomes law, you or your tenant, can apply to the Planning Commission for a conditional use permit. At the same time, you can ask the Council for a reduction in fees, if you so wish.

At the conditional use phase the exact scope of the operation , the terms of access and parking, any site improvements, and other factors will be set.

In the interim, the business can continue in its present configuration.

Sincerely,

James Rapp  
City Manager

cc: Mayor & Council  
Carole Connell, Consulting City Planner  
Planning Commission

CITY OF SHERWOOD

APPLICATION FOR LAND USE ACTION

Staff Use

CASE NO. CU87-1  
FEE Waived  
RECEIPT NO. —  
DATE 2-12-87

Type of Land Use Action Requested

- Annexation
- Plan Amendment
- Variance
- Planned Unit Development
- Conditional Use
- Minor Partition
- Subdivision
- Design Review
- Other \_\_\_\_\_

Owner/Applicant Information

	NAME	ADDRESS	PHONE
Applicant:	<u>Emilie S. List</u>	<u>21235 SW Pacific Hwy</u>	<u>625-7837</u>
Owner:	<u>Same</u>		
Contact for			
Additional Info:	<u>—</u>		

Property Information

Street Location: 21235 SW Pacific Hwy  
 Tax Lot No. 25-1-30D Tax lot 1300 Acreage 12 acres  
 Existing Structures/Use: Existing residence + temporary building + farm use  
 Existing Plan Designation: High Density Residential (HDR)

Proposed Action

Proposed Use Continued but expanded produce stand  
 Proposed Plan Designation no change  
 Proposed No. of Phases (one year each) NA  
 Standard to be Varied and How Varied (Variance Only) NA

Purpose and Description of Proposed Action:

To operate a year around produce stand including a temporary structure and gravelled parking area.



**STAFF REPORT**

**TO:** City of Sherwood  
Planning Commission

**DATE TYPED:** February 25, 1987

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

**FILE NO:** 2271-51

**SUBJECT:** Request for a Minor Land Partition

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**I. PROPOSAL DATA**

**Applicant:** Sylvester Meigs  
Route 4 Box 234A  
Sherwood, Oregon

**Owner:** Same as Above

**Request:** Minor Land Partition request to divide a 4.58 acre parcel into two lots.

**Location:** Located on Edy Road, west of Six Corners and further described as Tax Lot 2203, Map 2S-1-30.

**II. BACKGROUND DATA**

The purpose of the request is to create a separate lot for the existing residence and possibly sell the remaining acreage.

### **III. SHERWOOD CODE PROVISIONS**

- A. Chapter 2, Section 2.104 Medium Density Residential High (MDRH).
- B. Chapter 4, Section 4.100 Application Content
- C. Chapter 6, Section 6.300 Streets
- D. Chapter 7, Section 7.500 Minor Land Partition
- E. Sherwood Community Development Plan

### **IV. FINDINGS OF FACT**

- A. The subject property is 4.58 acres in size and is currently one tax lot. The parcel is zoned Medium Density Residential High (MDRH). There is a residence and an accessory building on the lot.
- B. Topography on the parcel is varied. On Edy Road and in an area around the house the land is generally level. The remainder of the parcel slopes into Cedar Creek to the southeast where the terrain is steep and wooded.
- C. Surrounding land uses are both utilized and planned for residential use.
- D. Access to the existing and proposed parcels is from Edy Road. The parcel is currently served by City water and there is a septic system on site. The parcel is part of the Edy Road L.I.D. The area is served by the Sherwood City Police and the Tualatin Fire District. Washington County and the Fire District have been notified of this request.
- E. The Cedar Creek floodplain/greenway bisects the site in a southeast direction. The existing house is outside of the floodplain.
- F. The MDRH zone requires a minimum lot size of 5000 square feet. The proposed lot associated with the house is to be 28,975 square feet, and the remaining lot will be nearly 4 acres in size. The proposed division is in compliance with the required setbacks of the zone.

## **V. CONCLUSION**

The following is in response to the required partition findings of fact specified in the code:

- A. The partition request does not require the creation of a road or street because the proposed parcel has the required 25 feet of frontage on Edy Road. The remaining acreage has direct access onto Edy Road.
- B. The proposed partition complies with the intent of the Comprehensive Plan and the provisions of the MDRH zone.
- C. The existing residence will continue to be served by City water and a septic system. This is not a development proposal requiring additional services.
- D. The proposed partition will not effect development potential of the remaining acreage, which has direct access onto Edy Road.
- E. The greenway/floodplain provisions have no effect on the existing residence or the remaining acreage at this time.

## **VI. RECOMMENDATION**

Based on the Findings of Fact and the Conclusion, staff recommends **approval** of the partition subject to the following conditions:

- A. The owner of the parcel shall enter into a non-remonstrance agreement with the City for future public improvements associated with the parcel.
- B. A final partition sketch and survey shall be reviewed by the City prior to recordation at the County to assure compliance with the original approval.
- C. The owner shall provide an easement from the existing residence to the sewer line.

## STAFF REPORT

TO: City of Sherwood                      DATE TYPED: February 26, 1987  
    Planning Commission

FROM: Carole W. Connell                  FILE NO:        DR 87-01  
      Consulting Planner

SUBJECT: Request for a Revised Site Plan

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### I. PROPOSAL DATE

Applicant:        Mr. Hal Roth  
                  Westside Homes  
                  21800 SW Pacific Hwy.  
                  Sherwood, OR 97140

Owner:            Mrs. Ruth Smith

Request:          Revision of an original Site Plan approval to  
                  locate a sales center and office near the  
                  entry of Smith Farm Estates adjacent to Hwy.  
                  99W.

Location:         21800 SW Pacific Highway, on a portion of Tax  
                  Lot 800, Map 2S 1 30D.

### II. BACKGROUND DATE

On August 19, 1985 the Sherwood Design Review Board approved a site plan for a Mobile Home Sales Center on a parcel between Smith Farm Estates and Pacific Highway. The approval expired one year later because construction of the facility did not occur. The applicant is requesting reconsideration of the plan, which has been revised.

### III. FINDINGS OF FACT

- A. A site plan was approved by the City, with conditions, on August 19, 1985. See attached staff report and plan. The approval expired August 19, 1986.
- B. Since Mr. Roth moved out of Smith Farm Estates, he has been illegally operating a sales office in the residential development. When he lived there his operation was considered a home occupation.

- C. The requested use complies with the General Commercial (GC) Zoning on the site. The proposal exceeds the 10,000 square foot lot minimum and complies with the required setback and height limitations.
- D. The sales office originally was located closer to the highway, with two model units, a parking lot and landscaping on the remainder of the lot. The proposed revisions include:
1. Relocate the office to the back of the parcel for a convenient sewer hook up.
  2. Potentially add two additional model units on the site.
  3. Omission of the walkways.
- E. The following conditions were applied to the original approval:
1. No occupancy permit shall be granted for the use of any structure until all on-site improvements are completed or a bond for the cost of those improvements is posted along with a schedule for completing the improvements.
  2. Prepare and implement an on-site grading, paving and drainage plan to the satisfaction of the City Engineer.
  3. Undertake no outdoor storage unless specifically approved by the Design Review Board.
  4. Parking lot screening on the south shall be of a width and height as described in the code.
  5. Parking lot location in relation to Smith Blvd. is approved, given that screening on the east shall consist of dense, low plantings within the proposed two-foot-wide planter area, as approved by the City Building Official.
  6. The driveway width shall be 38 feet wide, as shown on the applicant's site plan.
  7. Besides the landscape areas shown on the applicant's site plan, a ten-foot-wide lawn shall be maintained on both east and west property boundaries. It is understood that the balance of the site will be graveled to accommodate frequent moving of the mobile homes.

8. The applicant shall submit a parking lot layout plan consistent with code requirements.
9. The site plan modifications and additions required by the code and Conditions 4-9 shall be approved by the City Building Official before issuance of any building or sign permits.
10. The free-standing sign is approved for the location shown on the site plan dated 8/16/85 only. All other existing free-standing signs on the site shall be removed before the new sign is erected. The new sign shall be of construction type submitted; word, non-illuminated, 4 ft. by 8 ft. sign face, beginning no more than 4 ft. above grade.

#### IV. CONCLUSIONS AND RECOMMENDATION

Based on the original approval and conditions, and compliance with the GC Zone, staff recommends **Approval** of the revised site plan with the following conditions:

- a. All previous conditions apply.
- b. Walkways shall be incorporated into the revised site plan as indicated on the original plan.

PLANNING STAFF REPORT

FILE COPY

**TO:** City of Sherwood  
Design Review Board

**DATE TYPED:** August 8, 1985

**FROM:** Benkendorf & Associates  
John Brosy, Consulting City Planner

**HEARING DATE:** August 19, 1985

**SUBJ:** Design Review Application  
RVW Homes - Mobile Home Sales Center and Sign

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**I. PROPOSAL DATA**

**Applicant:** RVW Inc., Gary Wolfe, partner and Ruth and Richard Smith, property owners

**Request:** RVW Inc., seller of manufacturing housing, proposes to use a portion of the land in front of the Smith Farm Estates mobile home subdivision for their sales facility. Three double-wide homes would be placed on the site, plus walkways, landscaping around the units, lawn, and a paved parking lot. The buildings would be "show homes," with one portion of one home used for the sales office.

**Location:** Westerly side of Smith Blvd., south side of the Pacific Hwy. Frontage Road, Tax Lot 800, Map 2S-1-30D.

**II. BACKGROUND DATA**

The property owned by the Smith family between the Smith Farm Estates and Pacific Hwy., until recently, had the OC--Office Commercial Plan designation. On June 9th, Planning Commission recommended a change to GC, General Commercial. This change was approved by City Council June 26, 1985. The GC Plan designation allows mobile home sales as an outright use.

The subject property, approximately one-half acre, is relatively flat, except the site slopes steeply down to a drainage ditch on the far north, adjacent to the frontage road.

The design review application was submitted by RVW Homes. To support the request, the following information has been submitted:

- o Complete material submitted for previous Comprehensive Plan Change Request (Hal Roth letter attached)
- o Proposed Site Plan (attached)
- o Colored renderings of buildings and sign, large scale (available at design review meeting)
- o Application form (attached)

### **III. FINDINGS OF FACT**

The property to the west is zoned MDRH, Medium-High Density Residential. The property on the south is MDRL, Medium-Low Density Residential. A city water well is approximately 200 feet to the south. Pacific Hwy. is a major arterial and Smith Blvd. is a residential access street in the Sherwood Comprehensive Development Plan.

#### **A. GC Plan Designation Standards**

Minimum lot area is 10,000 sq. ft., and minimum lot width at the building line is 70 ft. in the GC plan areas. This site exceeds both minimums. The front yard setback standard is 20 ft., adjacent to MDRL property. The plan indicates a 25-foot setback from the frontage road. The setback standard from Smith Blvd. is 15 ft. The plan indicates 18 ft. The side yard (west) standard is 5 ft., and the plan allows 10 ft. The rear yard (south) standard is 20 ft. The plan indicates 18 ft. Building heights will be well below the GC designation maximum of two stories or 30 ft. The development will all be one-story structures.

#### **B. Community Design Standards**

Section 9.03 of the Sherwood Community Development code is titled "Community Design Standards and Criteria," and pertains to this application. The pertinent sections are:

##### **1. Landscaping**

The RVW Company intends to landscape the three buildings as they would appear in a landscaped, residential neighborhood setting. Low shrubs and lawn would be planted to help stabilize the bank near the frontage road. Planters would border the Smith Blvd. side of the site.



The portion of the site not used for parking, walkways, mobile homes or planting beds would be covered with lawn. Shrubs and tree types are not specified in the proposed site plan.

A ten-ft. wide landscape buffer is required adjacent to rights-of-way, and is indicated on the Site Plan. The parking area of the site plan is within the ten-ft. buffer. This intrusion into the buffer is not allowed (Section 9.03A7b2). A narrow planter is indicated, but only scales to 2 ft. in width. Due to the local nature of Smith Blvd., the narrowness of the parcel and the standardized mobile home dimensions, modification of the 10-ft. buffer standard may be justified at this parking lot if dense low-lying shrubs are placed in the planter indicated on the Site Plan.

Section 9.037b3 pertains to buffering the south side of the parking lot (none is shown on the plan). In this case, a ten-ft. landscaped buffer and a six-ft. fence or landscape screen is required, stepping down to 2½ ft. within 15 ft. of the Smith Blvd. right-of-way (9.037b5). The 10-ft. strip can be accommodated on this site.

**C. Offstreet Parking and Loading**

At the date of writing of this staff report, the parking lot design had not been forwarded by the applicants. The applicants intend to pave the 40 x 80 ft. lot illustrated on the plans. Marking of the parking area will be required (9.03B1f).

Section 9.03B3a2 requires one offstreet parking space per 1,000 sq. ft. of floor area, plus one per every two employees. The proposed parking area will accommodate at least nine parking spaces. There are 4,984 sq. ft. and 2 employees proposed at this site, requiring a minimum of seven spaces.

**D. Signs**

A large, color rendering of the proposed sign will be reviewed at the Design Review Board meeting.

**E. Ingress and Egress**

Section 9.03D3a1 requires that the two-way driveway shall be no wider than 24 ft. The site plan shows a width of 38 ft.

#### IV. REVIEW CRITERIA

Chapter 2, Section 9.00 of the Sherwood Community Development Code sets forth the standards applicable to this request.

#### V. STAFF RECOMMENDATION AND CONCLUSIONARY FINDINGS

Based on the findings of fact and conclusionary findings set forth below, staff recommends approval with conditions of the proposed site development plan for of Tax Lot 800, Map 2S-1-30D.

- A. The proposed development is generally consistent with the overall purpose and the specific standards for Community Design.
- B. Maintenance of structures, landscaping and other on-site features is the sole and continuing responsibility of the property owner.
- C. The proposed development does not affect an identified needed housing type.
- D. The Design Review Board can establish conditions of approval to assure that the intent of the Design Standards are met. Staff suggests that the following conditions be imposed:
  1. No occupancy permit shall be granted for the use of any structure until all on-site improvements are completed or a bond for the cost of those improvements is posted along with a schedule for completing the improvements.
  2. Prepare and implement an on-site grading, paving and drainage plan to the satisfaction of the City Engineer.
  3. Undertake no outdoor storage unless specifically approved by the Design Review Board.
  4. ~~The building setback to the south shall be 20 ft., as required in the code.~~ <sup>(condition removed)</sup> - Site is 180 ft. deep. Does not abut a res. zone on south. No specific rear yard setback (south) is required. <sup>South.</sup>  
5. Parking lot screening on the south shall be of a width and height as described in the code and in this report.
  6. Parking lot location in relation to Smith Blvd. is approved, given that screening on the east shall consist of dense, low plantings within the proposed two-foot-wide planter area, as approved by the City Building Official.
  7. ~~The two-way driveway shall be reduced to 24-ft. width, and the~~  
(changed by DRB to read) (don't type)  
The driveway width shall be 38 ft. wide as shown on the applicant's site plan.

planters widened to accommodate this change.

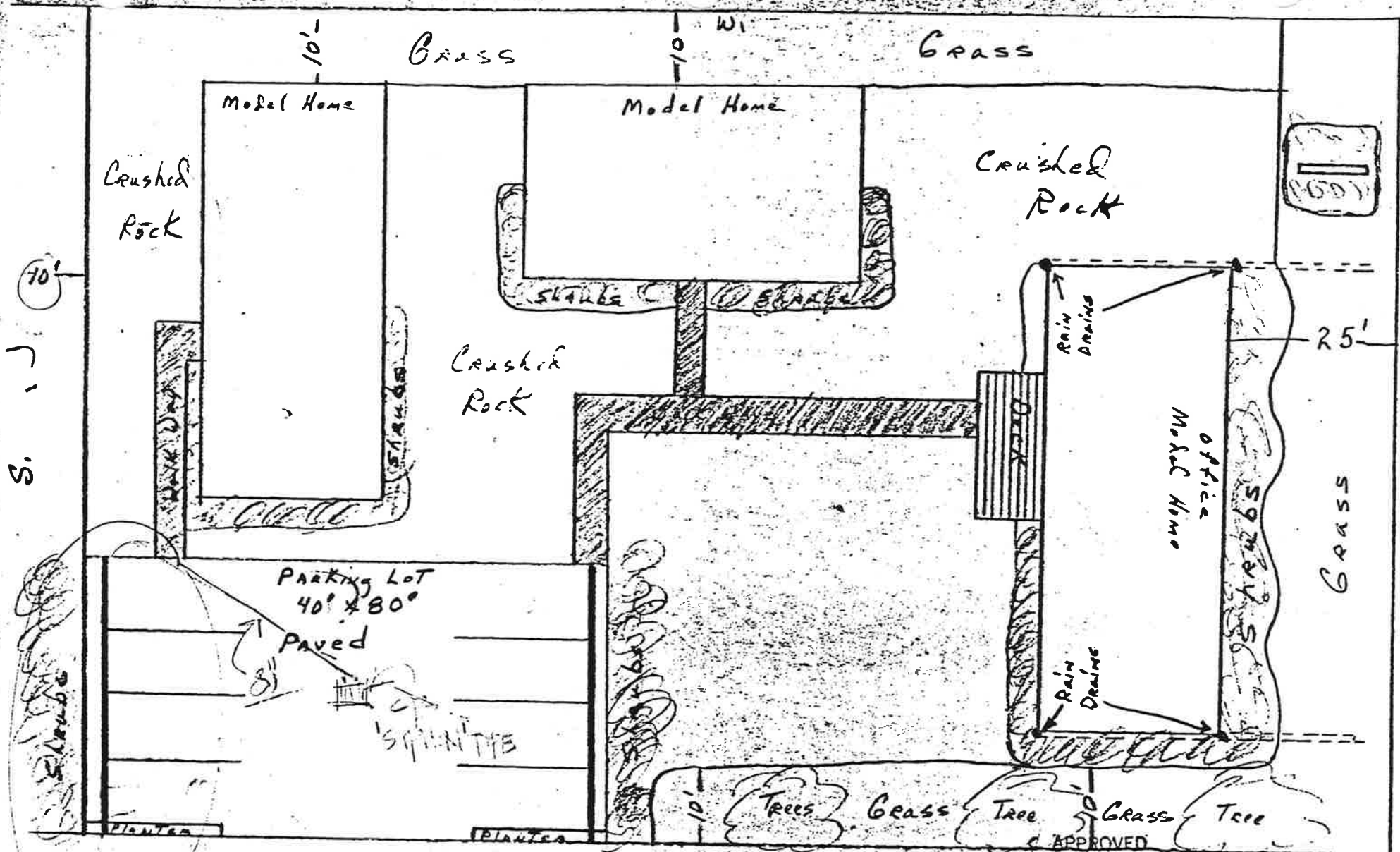
8. ~~All non-specified areas of the Site Plan shall be planted with lawn grass and maintained as lawn.~~
9. The applicants shall submit a parking lot layout plan consistent with code requirements.
10. The Site Plan modifications and additions required by the code and Conditions 4-9 shall be approved by the City Building Official before issuance of any building or sign permits.

11.

↓ Pam-  
(don't type)

→ (Changed by DRB: to read): Besides the landscape areas shown on the applicants' site plan, a ten ft. wide lawn shall be maintained on both east and west property boundaries. It is understood <sup>that</sup> the balance of the site will be gravelled to accommodate frequent moving of the mobile homes.

The <sup>free-standing</sup> sign ~~location~~ is approved for the location shown on the site plan dated 8/16/85 only. All other existing signs of the site shall be removed before <sup>free standing</sup> the new sign is erected. The ~~free-standing~~ new sign shall be of construction type submitted; wood, non-illuminated, 4 ft. by 8 ft. sign face, beginning no more than  $\frac{1}{2}$  4 ft. above grade.



Water To Drain Towards  
Parking lot

Area Approximately  
 110 x 180

CITY OF SHERWOOD

\_\_\_\_\_  
 Authorizing Signature

\_\_\_\_\_  
 Title

\_\_\_\_\_  
 Authorizing Signature

\_\_\_\_\_  
 Title

9-19-85  
 Date

Approved 8-19-85

OK JLB -  
 w/ move  
 prty. area  
 10' from line -  
 JLB 8/23/85

E

AUG 22 1985



DISPOSAL COMPANY

P. O. Box 839 • Sherwood, OR 97140 • 684-7849

February 6, 1987

City of Sherwood  
PO Box 167  
Sherwood, Or. 97140

RE: Pride Disposal Company  
Case #: 2271-51  
ATTEN: Planning Commission

We want to appeal your decision per your letter dated January 22, 1987 for the landscaping strip being completed by June 1, 1987.

Pride Disposal Company

*Michael L. Liebman*

"Serving Your Community's Entire Needs"



P.O. Box 167  
Sherwood, Oregon 97140  
625-5522 625-5523

February 5, 1987

Mr. Leonard Attrell  
16795 Leander Drive  
Newberg, OR 97132

Subject: Attrell's Sherwood Chapel

Dear Mr. Attrell:

We have reviewed the building alteration plans for the Sherwood Chapel and have determined the proposed changes do not represent a substantial alteration to the exterior appearance of the site. Therefore, site plan review is not required by the Sherwood Planning Commission. However, when and if additional improvements are requested, specifically in place of the existing residence to the northeast, we foresee the need for site plan review and request that you build that review time into your plans.

Sincerely,

A handwritten signature in cursive script that reads "Carole W. Connell".

Carole W. Connell  
Consulting City Planner

# **APPROVED MINUTES**

**PLANNING COMMISSION MEETING**

**March 16, 1987**

**I. Call to Order:** Meeting was called to order by Chairman Glen Warmbier. Those present were: Marian Hosler, Glen Warmbier, Walt Hitchcock, Jim Scanlon, Ken Shannon, Glenn Blankenbaker, Grant McClellan and Clarence Langer, and Planning Consultant Carole Connell.

**II. Approval of Minutes, January 19, 1987:** Glen Warmbier asked if anyone wanted to add anything or make a change in the minutes. Mrs. Connell said that there had been a request to add into the minutes that the location of the recreation hall at Smith Farm Estates would be up to park management. Clarence moved to accept the change, Ken Shannon seconded. Motion passed.

**VI. Consideration of Hwy. 99 Annexation**

Mr. Jim Rapp, City Manager, addressed the Commission on the 99W annexation. He stated the City now has a copy of the annexation petition and wanted to get it to the Council at the April meeting. The petition includes 9 tax lots and 7 owners. Mr. Rapp said that Lot 700, Nels Anderson property, was not included in the petition. The Edwards also did not sign the petition. Mr. Rapp recommended they include both Edwards and Nels Anderson even if they did not sign. Mr. Rapp said both properties receive City water.

Mr. Warmbier asked if anyone attending wished to speak about this annexation. There was no one.

Mr. Hitchcock moved to include lot 700 in the overall annexation package and to forward to the City Council with approval of recommendations the entire package of the 99W annexation and waterline issue. Mr. Shannon seconded. Motion carried.

**III. Public Hearing:**

**a. Request for Conditional Use Permit to operate a produce sales stand, by Mrs. Emilie S. List**

It was noted that Mr. Wachlin leases the land from Mrs. List and sells the produce at the stand on the highway. Property includes 12 acres. Carole Connell gave a background report. Staff recommended approval with Conditions.

Mr. Hitchcock recommended allowing the applicants to erect a sign close to the road on the property in order to advertise. Marian Hosler moved to approve Staff Recommendations and the conditional use permit with the exception of Condition "B" to be replaced by a condition allowing the applicant two signs. Mr. Blankenbaker seconded. Motion carried unanimously.



**IV. Request for approval of a Minor Land Partition on Edy Road by Mr. Sylvester Meigs:**

Mr. Meigs described the location of the property. Carole Connell read the Findings of Fact from the Staff Report. Staff recommended approval subject to Conditions:

a. The owner of the parcel shall enter into a non-remonstrance agreement with the City for future public improvements associated with the parcel.

b. A final partition sketch and survey shall be reviewed by the City prior to recordation at the County to assure compliance with the original approval.

c. The owner shall provide an easement from the existing residence to the sewer line.

Glen Warmbier asked if there were any questions. There were none.

Mr. Warmbier asked that Ms. Connell explain to Mr. Meigs the nonremonstrance agreement. Mr. Meigs said he understood.

Mr. Blankenbaker moved to approve as recommended. Mr. Hitchcock seconded and motion carried unanimously.

**IV. Request for approval of a revised Site Plan for a Sales Office at Smith Farm Estates, by Mr. Hal Roth:**

Mr. Roth said that he could not get water and sewer to the site he had previously selected. So he has asked to move the office.

Carole Connell went over the staff report. Staff recommended approval with the conditions: that all previous conditions apply which were included in the original site plan and b. Walkways shall be incorporated into the revised site plan as indicated on the original plan.

Mr. Blankenbaker asked the wording be changed in condition #2 to read "to meet City Standards."

Glen Warmbier asked if walkways were really necessary. Carole Connell said they had been required before. Hal Roth said that there had been grassy areas between the homes and he decided to put in crushed rocks. With the crushed rocks, he didn't feel that walkways should be necessary.

Mr. Warmbier asked if there were further comments.

Mr. Roth asked to be able to stay in his office for 30 days longer in order to set up his new office. Mrs. Connell suggested April 15 as a deadline.

Marian Hosler moved to approve the revised site plan with the amended wording of Condition #2 and also to delete condition "B" requiring walkways. Also to include he be given until April 15, 1987 to move into the new office. Ken Shannon seconded and motion carried unanimously.

**a. Update on Greenway trail construction**

Mrs. Connell said she met with the Division of State Lands and Dept. of Fish & Wildlife officials on the Smith Farm Estate Flood Plain. She said that this area is special in that it has wildlife inhabiting the creek. The officials indicated that a bridge to the senior center would disturb the wetlands and be prohibited. They said it would require too much fill.

Mr. Warmbier informed the public that the Planning Commission cannot make proposals on this issue until a permit is approved by the Division of State Lands.

Marge Stewart noted that the walkway was designated before Smith Farm Estates was even put in.

**VII. Discussion Items:**

**a. Pride Disposal Appeal**

Mrs. Connell informed the Commission of the Council's decision to allow deferral of landscaping on Edy Road by Pride Disposal until up to 6 months after receipt of the final Engineering plans for Edy Road improvements.

**b. Attrell Chapel Alterations**

Mrs. Connell informed the Commission members that Attrell Chapel had come in with some building plans to do minor building changes. The code allows a little flexibility. In reviewing the proposal she did not feel it necessary that it be put before the Planning Commission but she wanted them to be informed of the changes that were to be made at the Chapel.

**c. Council adoption of the Old Town Overlay Zone**

Mrs. Connell informed Commission members that the Overlay Zone was adopted with the 2500 sq. ft. lot minimum. Home occupation was explained and she noted that boundaries were changed a little. Mrs. Connell passed out maps to the Commission members.

Mrs. Connell reminded members that the Council wanted them to look at the commercial zoning. She passed out a draft document to each member of the code language analysis. She asked that they read the material and that it would be on the agenda at the next meeting.

Mrs. Connell passed out information on a Land Use Training Seminar which would be held Monday, March 30 from 7 to 9:30 p.m.

There being no further discussion, Mr. Blankenbaker moved to adjourn. Grant McClellan seconded and meeting was adjourned at approximately 9:00 p.m.

Rebecca L. Burns  
Minutes Secretary

Planning Commission  
March 16, 1987