

PLANNING COMMISSION MEETING

June 16, 1986

8:00 P.M.

Sherwood Senior/Community Center

- I. Call Meeting to Order
- II. Minutes of May 6, 1986
- III. Public Hearings
 - A. Variance request by Dan Westcott to construct a garage that exceeds the allowed size.
 - B. Conditional Use Permit request by Jerry Bond to allow an auto repair shop on Edy Road.
- IV. Site Plan approval request by Jerry Bond to build an auto repair shop on Edy Road.
- V. Minor Land Partition request by Sharon Bigham for the Cochran property on Murcock Road.
- VI. Community Development Code Revisions (to be distributed the week of June 9).



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

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Sherwood Planning Commission will hold a public hearing on the following matters. The meeting will start at 7:30 p.m. on Monday, June 16, 1986 in the Senior/Community Center, 855 No. Sherwood Blvd.

BOND CONDITIONAL USE PERMIT

A request by Jerry and Judy Bond for a Conditional Use Permit to construct an automotive repair shop and office on SW Edy Rd., 2S1 30A : 2000.

WESTCOTT VARIANCE

A request by Dan Westcott, 220 E. Lincoln, to build a garage that exceeds the allowed maximum of 720 square feet. The proposed garage is 1,068 square feet.

The Commission invites testimony from interested citizens on these matters.

Polly Blankenbaker
City Recorder

Publish June 5 and June 12, 1986

PLANNING COMMISSION

RESOLUTION AND ORDER NO. 86-3

A RESOLUTION AND ORDER ADOPTING FINDINGS WITH RESPECT TO THE APPLICATION OF THE CITY OF SHERWOOD FOR A CONDITIONAL USE PERMIT TO ALLOW CONSTRUCTION OF AN AUTO REPAIR SHOP ON EDY ROAD NEAR SIX CORNERS INTERSECTION, GRANTING APPROVAL OF SAID APPLICATION WITH CONDITIONS, AND FIXING AN EFFECTIVE DATE (#2271-41)

WHEREAS, the Planning Commission finds that conditional use permit application #2271-41 was the subject of review and public hearing held on June 16, 1986 by the Planning Commission after due and legal notice to interested persons; and

WHEREAS, the Planning Commission has received and considered the staff report and recommendations on the application, heard and considered the testimony received at the public hearing, and has found as follows:

- (a) The property is more particularly described on Exhibit A, marked "Description" and by this reference incorporated herein.
- (b) The site was zoned Community Commercial in April, 1986 by the City. The proposed use of the property is fully compatible with the Comprehensive Plan and Development Code.
- (c) The findings of the staff and its recommendations should be adopted as set forth in its report attached hereto as Exhibit B, and the application should be approved subject to the conditions stated on page 9 of the staff report.

NOW, THEREFORE, THE PLANNING COMMISSION RESOLVES AS FOLLOWS:

That the application be and is hereby approved, subject to the conditions set forth above, for a conditional use permit to construct and operate an auto repair shop on the premises described on Exhibit A.

PASSED: By the Planning Commission this 16 day of June, 1986

David S. Crowell
Chairman

ATTEST:

Carole W. Conwell
Secretary to the Planning Commission

STAFF REPORT

TO: City of Sherwood
Planning Commission

DATE TYPED: June 2, 1986

FROM: Carole W. Connell, Consulting City Planner
Benkendorf & Associates

FILE NO: 2271-40

SUBJECT: Request for a Variance to Construct a Garage that Exceeds the Maximum Allowed Size

I. PROPOSAL DATA

Applicant: Dan Westcott
220 E. Lincoln Street
Sherwood, Oregon 97140

Owner: Same as above

Request: To construct a residential garage that exceeds the maximum allowed garage size of 720 square feet by 258 square feet.

Location: 220 E. Lincoln Street, further described as Tax Lot 902,
Map 2S-1-32AC.

II. BACKGROUND DATA

The subject property is 1.25 acres and includes an existing residence and a garage. Surrounding land uses are residential. The applicant has stated that the existing garage is not long enough for parking cars inside. Two cars and a boat are now parked outside. The land slopes slightly to the south and moderately to the east.

There are evergreen trees at the driveway entrance and along the west side of the driveway towards the existing garage.

III. SHERWOOD COMPREHENSIVE PLAN & CODE PROVISIONS

- A. Sherwood Comprehensive Plan
- B. Community Development Code
 - 1. Section 4.00 Plan Compliance Review Process
 - 2. Section 7.00 Public Notice Requirements
 - 3. Section 2.07 Low-Density Residential (LDR)
 - 4. Section 5.00 General Supplementary Regulations and Exceptions
 - 5. Section 8.00 Variance

IV. FINDINGS OF FACT

- A. The subject property is zoned Low-Density Residential (LDR).
- B. A garage currently exists on the subject property.
- C. Section 5.01A1a states an accessory building shall have no more than 720 square feet of ground floor area. The proposed garage, including the existing garage combined with a new garage, has 978 square feet of floor area.
- D. The subject property is 1.25 acres in size and is larger than most lots in the area.
- E. The proposed garage is intended to be used for vehicles and the existing garage will be attached for storage and hobby use.
- F. The following is a response to the five variance criteria in Section 8.03 of the Code:
 - 1. The subject site is exceptionally large compared to other lots in the area.

2. The variance is not necessary for the preservation of a property right. A standard two-car garage averages 22' x 24' or 528 square feet in size. A standard one-car garage is about 24' x 14' or 336 square feet. The proposed two-car garage is 672 square feet and totals 978 square feet when combined with the existing garage. The applicant is able to build a garage without a variance.
3. The authorization of the variance will not be materially detrimental to the purposes of the Code or the area in which the property is located. The proposed location of the garage is practical. Further, the new garage should eliminate outdoor storage of vehicles.
4. The desire for a larger garage than allowed is self-imposed and is not necessary.
5. The hardship is self-imposed and does not arise from a violation of the ordinance.

H. The Code requires that all of the above required findings are true in order to grant the variance.

V. CONCLUSION AND RECOMMENDATION

Based on the Background Data, the Findings of Fact and the variance criteria, staff recommends **denial** of this request.

Staff Use

CITY OF SHERWOOD

APPLICATION FOR LAND USE ACTION

CASE NO. 2271-40
FEE 150⁰⁰
RECEIPT NO. _____
DATE _____

Type of Land Use Action Requested

- | | |
|---|--|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Conditional Use |
| <input type="checkbox"/> Plan Amendment | <input type="checkbox"/> Minor Partition |
| <input checked="" 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:	DAN WESTCOTT	220 E LINCOLN ST SHERWOOD	692-0180 WK
Owner:	SAME		625-5250 Home
Contact for			
Additional Info:	_____		

Property Information

Street Location: 220 E LINCOLN ST
 Tax Lot No. 902, Map 25-1-92AC Acreage 1.25
 Existing Structures/Use: _____
 Existing Plan Designation: _____

Proposed Action

Proposed Use GARAGE
 Proposed Plan Designation _____
 Proposed No. of Phases (one year each) 1
 Standard to be Varied and How Varied (Variance Only) ACCESSORY BUILDING TO BE LARGER THAN 720 SQ FT.

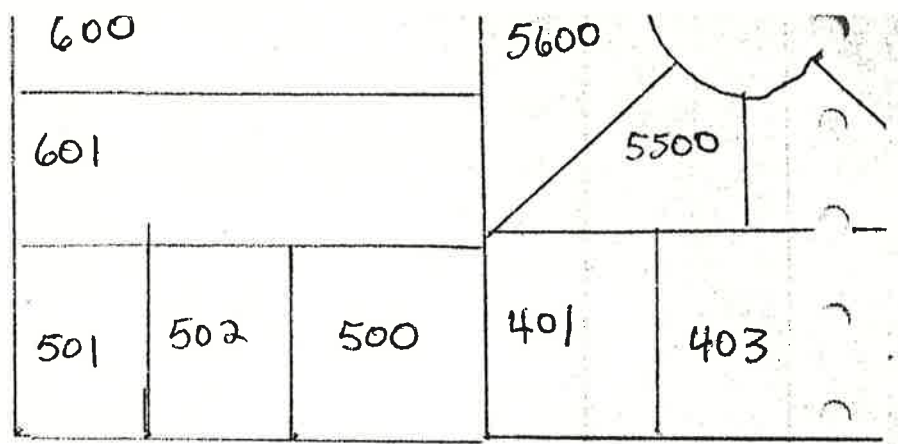
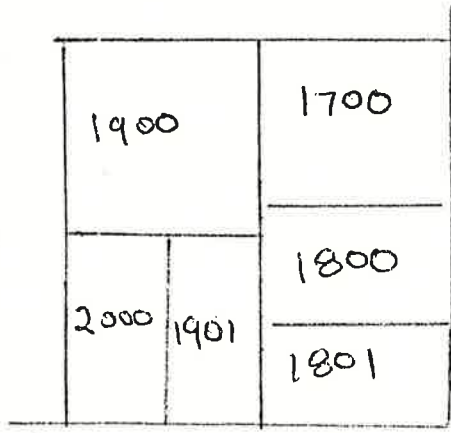
Purpose and Description of Proposed Action: I have a small garage with 396 sq ft which I'd like to add on 672 sq ft.

LAN WESTCOTT
220 E LINCOLN ST
625-5250 HOME
692-0180 WK.

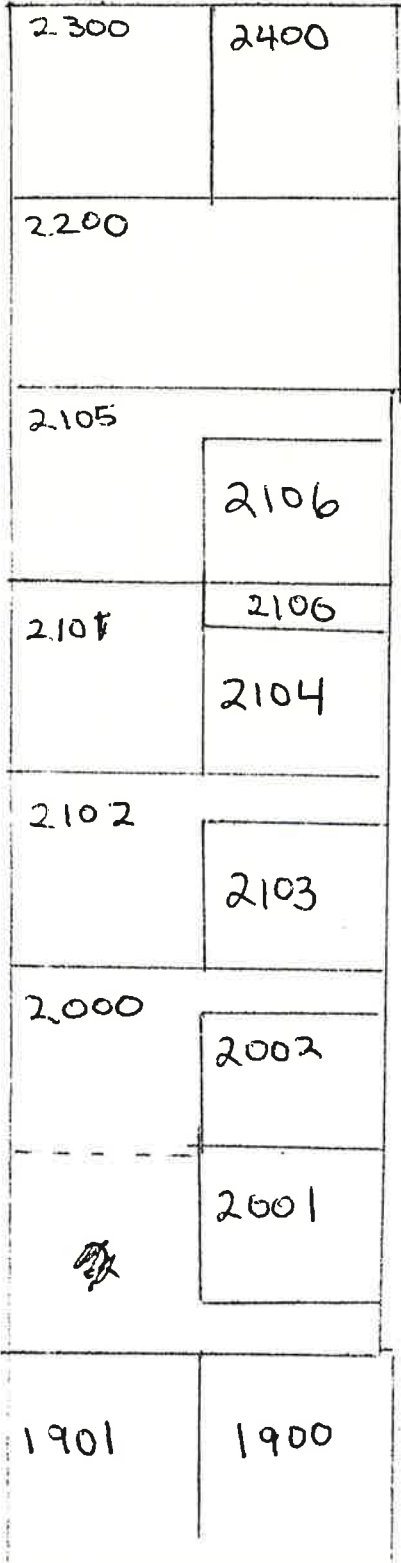
my lot is much larger than most other lots in the area. I bought the property because of its size, not to develop more houses, but to work the ground, be self sufficient with produce, and have a place for children, dogs, and birds to play. Therefore, a larger garage will not look out of place. The old garage is an odd size considering where the over-head door is placed. You drive into 18' of length, not 22'. It's useless as intended. But the building is sound, and good for storage. By adding on, instead of building completely new, it would be the best utilization of space and appearance. With the present slope of my driveway, adding on 28 feet towards Lincoln St fits in perfect. If I have to move ten feet away from existing garage to build a new building, the slope of my driveway would be increased, looking odd with the natural lay of the land. I need a two car garage to protect my belongings and have room for hobbies. I also need room for fruit, nut, and garden produce activities. The total floor square footage will be 978 sq. ft, larger than code allows, but not much bigger.



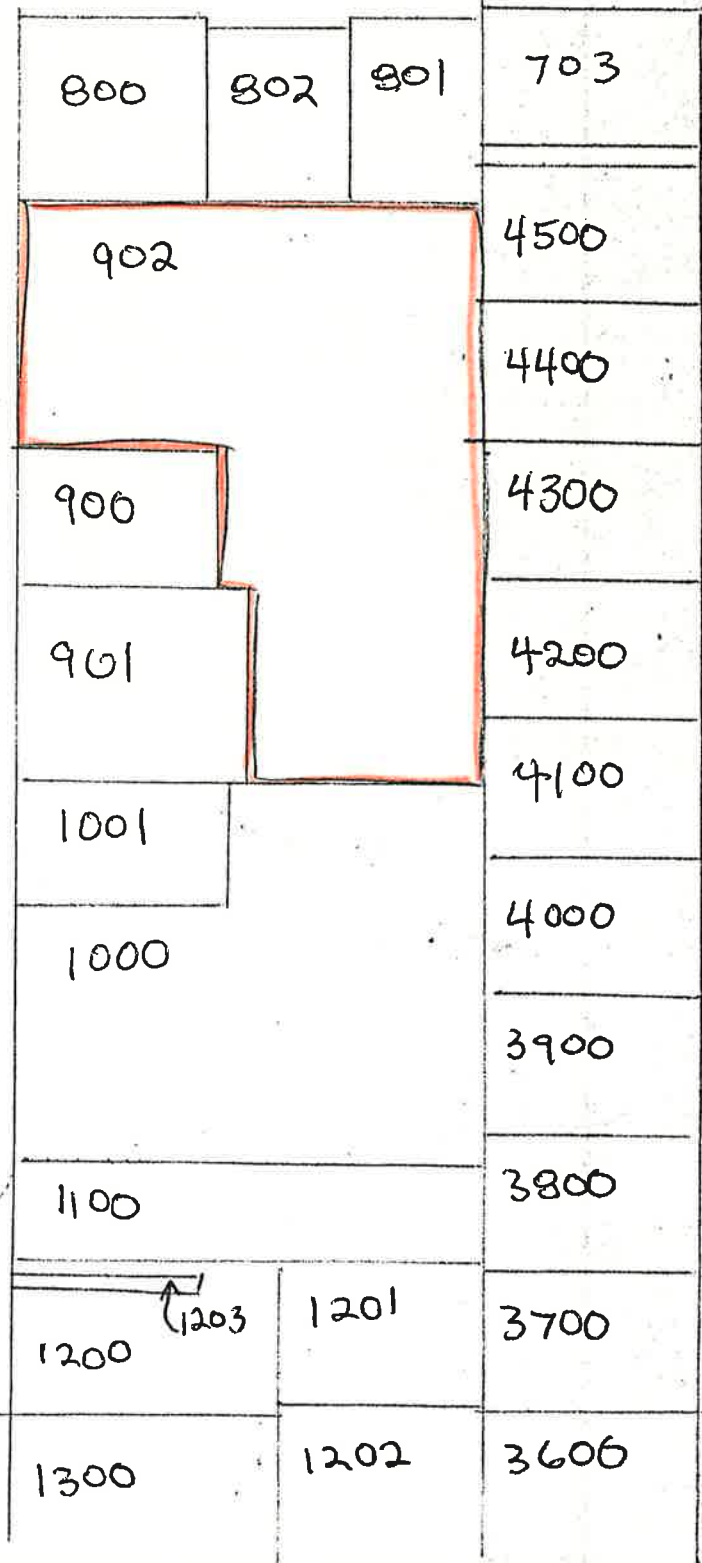
1" = 100ft



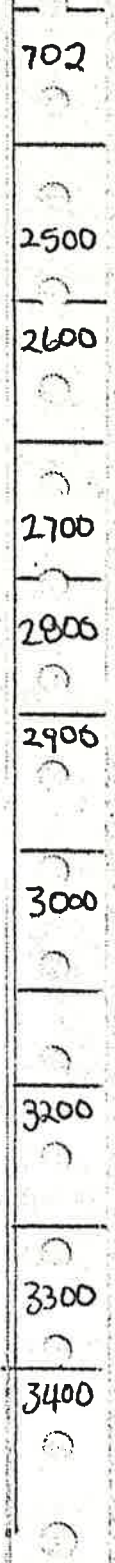
SE WILLAMETTE



SE WINDY ST



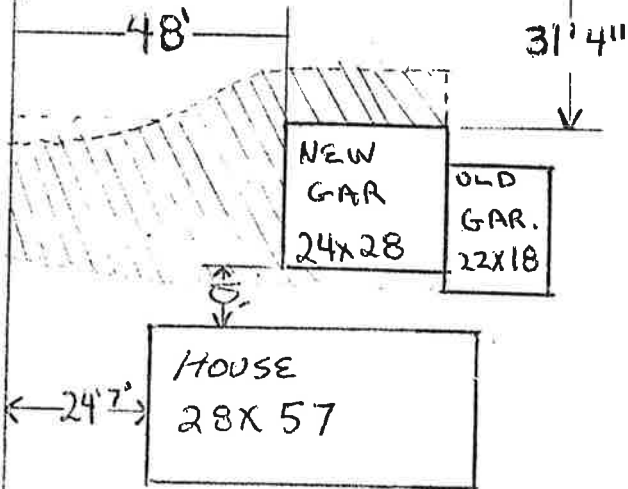
SE NORTON AVE



800

802

801



450

440

PORTIONS OF LOTS 3 AND 4,
 BLOCK 5, SHERWOOD ACRES,
 IN SECTION 32, TOWNSHIP
 2 SOUTH, RANGE 1 WEST OF
 THE WILLAMETTE MERIDIAN,
 WASHINGTON COUNTY, ORE.
 LOT # 902

430

DAN WESTCOTT
 220 E. LINCOLN ST.
 625-5250

420

LINCOLN ST

900

901

410

1001

1000

STAFF REPORT

TO: City of Sherwood
Planning Commission

DATE TYPED: June 3, 1986

FROM: Carole W. Connell, Consulting City Planner
Benkendorf & Associates

FILE NO: 2271-41

SUBJECT: Request for a Conditional Use Permit to allow construction of an
Auto Repair Shop in the Community Commercial zone.

I. PROPOSAL DATA

Applicant: Bond's Automotive
Route 3, Box 278
Sherwood, Oregon 97140

Owner: Jerry Bond
Rt. 3, Box 278
Sherwood, Oregon 97140

Representative: Charles L. Hoar
H & H Engineering Services, Inc.
Route 3, Box 159-A-3
Sherwood, Oregon 97140

Location: 20XXX S.W. Edy Road near the intersection of "Six Corners" and
further described as Tax Lot 2000, Map 2S-1-Section 30 A.

II. BACKGROUND DATA

1. The subject property is vacant and was zoned Community Commercial by the City in April, 1986. Surrounding land uses include a single-family residence zoned Community Commercial (CC) to the east; a single-family residence to the west; vacant and residential uses to the north all zoned residential; Edy Road and several commercial uses to the south, zoned Community Commercial which also adjoin Highway 99W. The residence to the east is presently for sale. The subject property has been used as residential and for growing hay.

III. Sherwood Comprehensive Plan and Code Provisions

A. Community Development Plan Policies

1. Commercial Land Use Findings - from the Comprehensive Plan

- a. In 1977 commercial development comprised only seven (7) percent of the land within the city limits and four (4) percent of the Planning Area.
- b. Commercial development is concentrated in the two principle areas of Six Corners and downtown.
- c. Sherwood has had to rely on the nearby communities of Tualatin and Tigard for many commercial services.
- d. The Sherwood area is formally suited for various kinds of non-retail enterprises. Given the current shortage of suitable non-retail sites and inquiries to the City for additional space, an additional five acres are suggested by 1985 and an additional 25 acres is suggested by the year 2000.

2. General Objectives of Commercial Zones

- a. To provide for commercial activities which are suitable to regional, community and neighborhood demand.
- b. To locate commercial activities with safe and convenient access by consumers.
- c. To encourage the location of commercial uses in well-planned commercial centers.

3. Commercial Policies and Strategies - from the Comprehensive Plan

- a. Commercial activities will be located so as to most conveniently serve customers.**

Response: The proposed site for commercial use as an automotive repair shop is conveniently located on an arterial road in the Six Corners commercial area.

- b. Commercial uses will be developed so as to complement rather than detract from adjoining uses.**

Response: Redesignating this site commercial will help to avoid continued strip commercial development on Highway 99W and encourage commercial development clustered around Six Corners. The proposed non-retail use will not conflict with the primarily retail uses in the nearby shopping center. The proposed use is not appropriate in the downtown core business and shopping area. Commercial use on this parcel will not conflict with existing commercial uses on the east side of Edy Road or with the surrounding primarily vacant lands.

- c. The Community Commercial designation is primarily intended to provide areas for retail and service uses which are of a type and size to serve community-wide needs consistent with sound site planning.**

Response: The site is centrally located and easily accessible for commercial use. The size of the parcel and proposed use will not create undue congestion or produce substantial conflicts with the established land use pattern. Adequate urban services are available, as is space for off-street parking and pedestrian-ways.

4. Growth Management Policies - from the Comprehensive Plan

- a. Focus growth in areas contiguous to existing development rather than "leap frogging" over developable property.
- b. Encourage development within present city limits, especially on large passed-over parcels.

Response: The proposed development is contiguous to existing commercial development and increases the clustering of services in the Six Corners area.

B. Sherwood Community Development Code Provisions

1. Chapter 2, Section 6.00 Conditional Uses

Required Findings: No conditional use request shall be granted unless each of the following is found.

- a. That all public facilities and services to the proposed development, including but not limited to sanitary sewers, water, transportation access, storm drains, electrical distribution, park and open space and public safety are adequate or that the construction of any required improvements needed to provide adequate services and facilities is guaranteed by binding agreement between the developer and the City.
- b. Approval is in conformity with applicable planning designation area standards.
- c. There is a demonstrable public need for the use of the type and kind in question.
- d. That the public need is best served by allowing the Conditional Use for the particular piece of property in question as compared to other available property.

- e. That surrounding property will not be adversely affected by approval of the request, or that the adverse effects of the use on the surrounding uses, the neighborhood or the City as a whole, are sufficiently ameliorated by the conditions imposed. Air, land or water degradation, noise, glare, heat, vibration, or other conditions which may be injurious to public health, safety or welfare must meet the Environmental Performance Standards contained in Section 4.02 of this Chapter.

Conditions Which May Be Imposed: In permitting a conditional use or modification of an existing conditional use, there may be imposed, in addition to those standards, regulations, and requirements expressly specified in this Chapter any additional conditions which are necessary to protect the best interest of the surrounding property, neighborhood, the City as a whole and the intent and considerations expressly listed in this Chapter. These conditions may include but are not limited to the following:

- a. Provisions for Improvement of Public Facilities Including:
 - 1) Sanitary sewers
 - 2) Storm drainage
 - 3) Water lines
 - 4) Fire hydrants
 - 5) Street improvements, including curbs, and
 - 6) Sidewalks
- b. Increasing the required lot size or yard dimensions
- c. Controlling the location and number of vehicular access points to the property.
- d. Increasing street width.
- e. Limiting the number, size and location of signs.
- f. Limiting the coverage or height of buildings.
- g. Requiring landscaping, fencing, diking, screening or berms.
- h. Increasing the number of off-street parking or loading spaces and area.
- i. Submittal of final detailed plans indicating conformance to conditions.
- j. Land dedication or money in lieu of dedications for public purposes.

- k. Underground utilities.
- l. Lands or other suitable security to insure requirements are met.
- m. Police building security conditions.
- n. Amount, location and type of lighting.

2. Chapter 1, Section 4.00, Plan Compliance Review Process

3. Chapter 1, Section 7.00, Public Notice Requirements

4. Chapter 2, Section 2.11, Community Commercial Planning Designation Area

IV. FINDINGS OF FACT

- A. The subject property is a vacant 2.71-acre parcel and is zoned Community Commercial. An automotive repair business is a Conditional Use in the Community Commercial zone. The property is inside the Sherwood city limits. The southern lot line currently extends to the center of Edy Road.
- B. The subject parcel has most recently been used for hay growing. The parcel is relatively flat with no steep slopes, flood plains, streams or wetlands.
- C. Access to the parcel is available from Edy Road, designated a minor arterial street. A minor arterial right-of-way is 70 feet. Edy Road is currently 20 feet wide in a 40 foot right-of-way. Fifteen feet of the applicant's frontage should be dedicated, as well as the 20 foot portion of the lot that now extends to the center of Edy Road.
- D. The property is owned by Jerry Burge and, pending approval of this request, will be sold to Jerry and Judy Bond.
- E. There are no designated recreational resources in the area.
- F. Tri-Met bus service is available at the Six Corners intersection. There are no bikeways or pathways planned on Edy Road.

- G. A 10" water main is currently installed in Edy Road on the north side of the road fronting the subject property. An 8" sewer line also exists on the south side of the road. Both lines have been sized for future growth.
- H. There is no storm drainage system in the area. There is an existing drainage ditch on the north side of Edy Road. Drainage naturally occurs to the north. The applicant will permit catch basins to drain into the existing Edy Road drainage ditch.
- I. The proposed use of the property is an automobile repair shop on a portion of the lot, with the majority to be retained for agricultural purposes. The proposed land use is as follows:

Building	3,750 sq.ft.
Driveway	3,900 sq.ft.
Parking	1,800 sq.ft.
Landscaping	9,180 sq.ft.
Vehicle Storage	11,640 sq.ft.
Right-of-way Dedication	2,215 sq.ft.
Farming***	<u>82,620</u> sq.ft.
Total Acreage	115,205 sq.ft. (2.645 Acres)

- J. Approval of the Conditional Use is void in one year if no substantial construction has taken place.
- K. The following is in response to the required Findings of Fact for a Conditional Use Permit:
 - 1. Sewer and water service are available to the site. Edy Road provides transportation access, although right-of-way dedication is needed. There is no storm drainage system in Sherwood. A drainage ditch exists in Edy Road. There are no designated park sites in the area.

2. The subject site is zoned Community Commercial (CC). Automobile repair is a Conditional Use in the zone. The proposed building complies with the zone lot dimension, setback and height requirements. Further, since Edy Road is designated an arterial street, a 15 foot landscaped visual corridor is required by the Code, (Section 4.04). The details of the corridor landscaping are reviewed as a part of the Site Plan review process.
3. The Comprehensive Plan identifies a shortage of non-retail commercial sites and recommends an addition of 30 acres by the year 2000. This site and proposed use contribute to the identified need. The proposed site is conveniently located on an arterial street in the Six Corners designated commercial area. The proposed use is not appropriate in the downtown area. The subject site is located so as to avoid continued strip development on Highway 99W.
4. The Comprehensive Plan identifies a need for additional non-retail commercial sites and states that Sherwood has had to rely on the communities of Tualatin and Tigard for many commercial uses. The subject site was recently rezoned from residential to Community Commercial because of the need for automobile repair shops in the Six Corners area. Other areas zoned Community Commercial, outside of downtown Sherwood, are developed, unavailable for the use, or too expensive.
5. The surrounding property will not be adversely affected by approval of this request. Land is zoned Community Commercial to the east and the south. A single-family residence is west of the site and vacant and residential uses are to the north. Land to the north and west is zoned medium to high-density residential. Commercial use on this site will not conflict with existing commercial uses to the south and east, or with primarily vacant land to the north and west. Required landscaping will mitigate any impact to future residential uses. The use must comply with the Environmental Performance Standards of Section 4.02.

L. Electric, natural gas and telephone lines are available to the site.

- M. A statement has been provided certifying that the proposed commercial use will not violate the Environmental Performance Standards of Section 4.02.

V. CONCLUSION AND RECOMMENDATION

Based upon the Background Data, the Sherwood Comprehensive Plan and Code Provisions, and the Findings of Fact as stated above, staff recommends **approval** of the request subject to the following conditions:

1. Provide right-of-way dedication to Edy Road for a total of 35 feet from the centerline.
2. Sign a waiver not to remonstrate against the formation of a Local Improvement District to improve Edy Road to the County's ST-4 standard.
3. As a part of site plan approval, provide a 5 foot concrete sidewalk along the Edy Road frontage, a commercial driveway within the road right-of-way as approved by the County Engineer, and adequate roadway drainage.
4. Comply with the Visual Corridor Requirements for an arterial street.
5. Comply with all Design Review Requirements.
6. Comply with all Fire District Requirements.

CITY OF SHERWOOD

APPLICATION FOR LAND USE ACTION

Staff Use

CASE NO. _____

FEE _____

RECEIPT NO. _____

DATE _____

Type of Land Use Action Requested

- | | |
|---|---|
| <input type="checkbox"/> Annexation | <input checked="" type="checkbox"/> Conditional Use |
| <input type="checkbox"/> Plan Amendment | <input 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: BOND'S AUTOMOTIVE	ROUTE 3, BOX 278, SHERWOOD, OREGON,	503-625-7447
Owner: Jerry Bond	Route 3, Box 278, Sherwood, Oregon 97140	
Contact for		
Additional Info: Charles L. Hoar	H & H Engineering Services, Inc.	
30650 N.E. Bell Road	Sherwood, Oregon 97140	503-625-5056

Property Information

Street Location: 20XXX S.W. EDY ROAD, SHERWOOD, OREGON 97140

Tax Lot No. 2000, NE 1/4 SEC 30, T2S, R1W, W.1/4 Acreage _____

Existing Structures/Use: Vacant/Farm use

Existing Plan Designation: Community Commercial (CC)

Proposed Action

Proposed Use AUTOMOTIVE REPAIR SHOP AND OFFICE

Proposed Plan Designation Community Commercial

Proposed No. of Phases (one year each) One

Standard to be Varied and How Varied (Variance Only) _____

Conditional Use Permit to build and operate an Automotive Repair Shop, no Body and fender work is planned.

Purpose and Description of Proposed Action: Review od attached data to allow Applicant to submit final plans for permitting. Construction and operation to commence as soon as possible after approval of this application.

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.

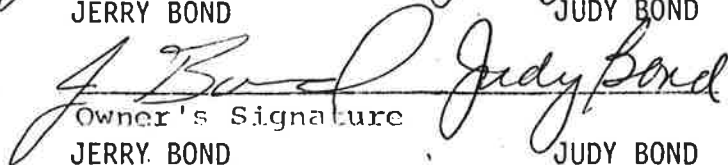
I further acknowledge that I have read the applicable standards for review of the land use action I am requesting and understand that I must demonstrate to the City review authorities compliance with these standards prior to approval of my request.


Applicant's Signature

JERRY BOND

JUDY BOND

26 MAY, 1986


Owner's Signature

JERRY BOND

JUDY BOND

26 MAY, 1986

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.
2. Applicable existing conditions and proposed development plan information and materials listed in Part 3 Chapter 1 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.

CITY OF SHERWOOD

APPLICATION FOR LAND USE ACTION

Staff Use

CASE NO. _____
FEE _____
RECEIPT NO. _____
DATE _____

Type of Land Use Action Requested

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

Owner/Applicant Information

	NAME	ADDRESS	PHONE
Applicant:	BOND'S AUTOMOTIVE,	ROUTE 3, BOX 278, SHERWOOD, OREGON 97140	503-625-7447
Owner:	JERRY BOND		
Contact for			
Additional Info:	CHARLES L. HOAR, H & H ENGINEERING SERVICES, INC.		
	30650 N.E. BELL ROAD, SHERWOOD, OREGON 97140 503-625-5056		

Property Information

Street Location: 20XXX S.W. EDY ROAD, OREGON 97140

Tax Lot No. 2000, NE 1/4 SEC 30, T2S, R1W, W.81 Acreage 2.71 gross

Existing Structures/Use: Vacant/Farm useage

Existing Plan Designation: Community Commercial (CC)

Proposed Action

Proposed Use AUTOMOTIVE REPAIR SHOP AND OFFICE

Proposed Plan Designation Community Commercial (CC)

Proposed No. of Phases (one year each) ONE


Standard to be Varied and How Varied (Variance Only) _____

Purpose and Description of Proposed Action: Review of Plan to allow applicant to submit final plans for construction and use of a new Auto Repair Shop and Office, with landscaping, paving and fencing.

Authorizing Signatures

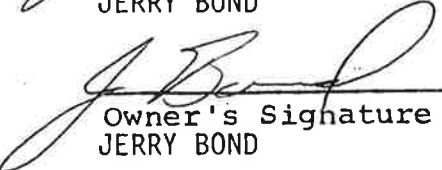
I am the owner/authorized agent of the owner empowered to submit this application and affirm that the information submitted with this application is correct to the best of my knowledge.

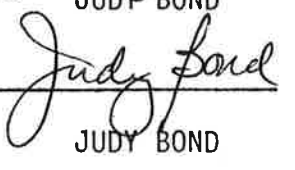
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Applicant's Signature
JERRY BOND


JUDY BOND

26 MAY, 1986


Owner's Signature
JERRY BOND


JUDY BOND

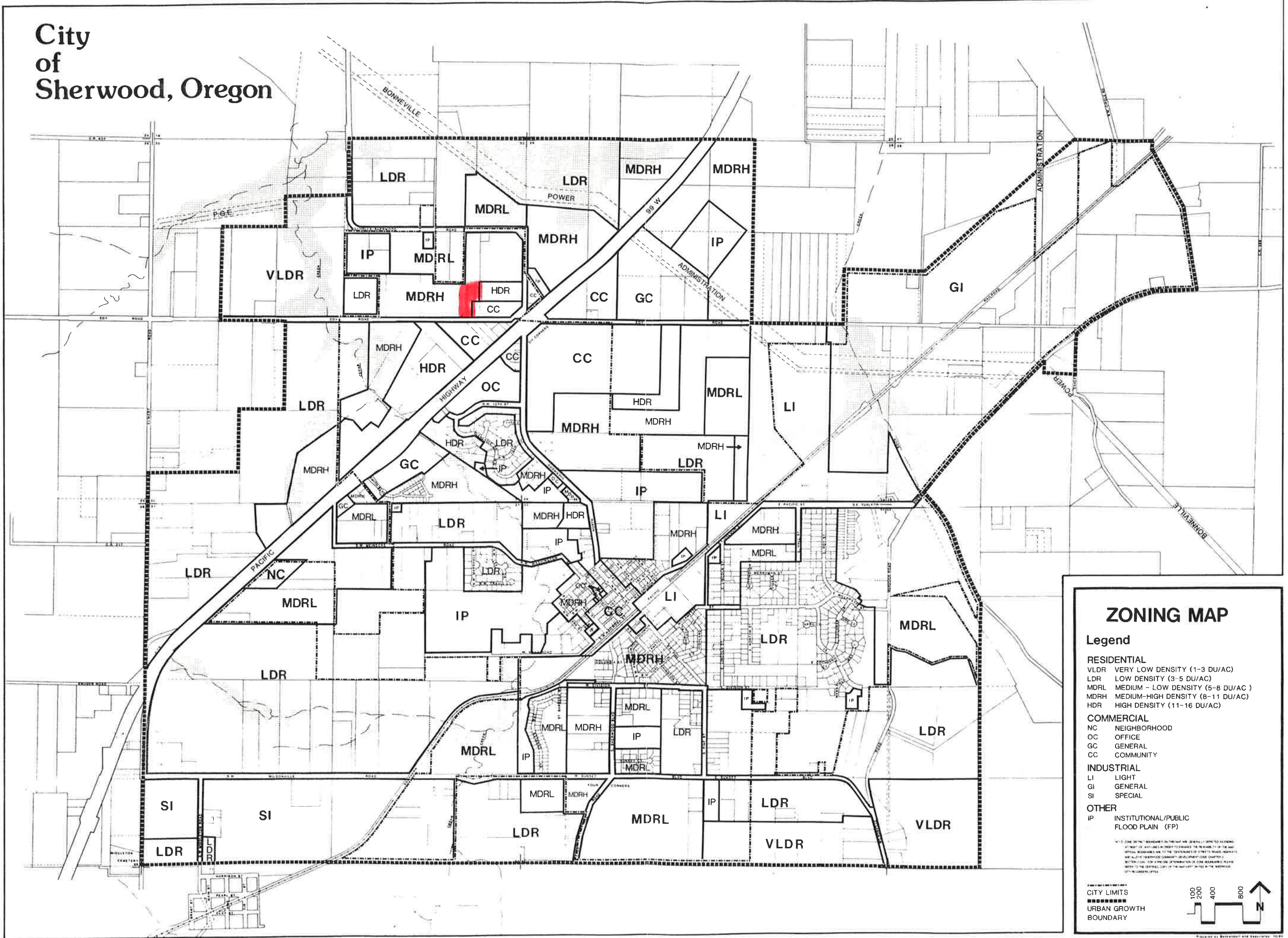
26 MAY, 1986

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1. A brief statement describing how the proposed action satisfies the required findings criteria contained in the Comprehensive Plan for the action requested.
2. Applicable existing conditions and proposed development plan information and materials listed in Part 3 Chapter 1 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.

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 PLAIN (FP)

NOTE: ZONE BOUNDARIES SHOWN ON THIS MAP ARE GENERALLY DERIVED FROM THE CITY OF SHERWOOD'S ZONING ORDINANCE. THE CITY OF SHERWOOD IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION SHOWN ON THIS MAP. THE CITY OF SHERWOOD IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION SHOWN ON THIS MAP. THE CITY OF SHERWOOD IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION SHOWN ON THIS MAP.

CITY LIMITS
 URBAN GROWTH BOUNDARY
 BOUNDARY

100 200 400 800

ATTACHMENT INDEX.....

- "A-1"...TAX MAP 2S-1-30A, N E ¼ SECTION 30, T2S R 1 W, W.M.
- "A-2"...TAX MAP 2S-1-30D, S E ¼ SECTION 30, T2S R 1 W, W.M.
- " B "...TITLE SEARCH REPORT (Four Sheets)
- " C "...PLOT PLAN AND VICINITY MAP (Sheets P-1 and P-2)
- "D-1"...LIST OF TAX LOT OWNERS...2S-1-30A
- "D-2"...LIST OF TAX LOT OWNERS...2S-1-30D
- "E-1"...FLOOR PLAN - PROPOSED BUILDING...Sheets A & B
- "E-2"...ELEVATIONS - PROPOSED BUILDING
- " F "...LANDSCAPING PLAN - PROPOSED
- " G "...SURVEY AND LEGAL DESCRIPTION
- " H "...ENVIRONMENTAL QUALITY REVIEW
- " J "...TOPOGRAPHICAL PLOT PLAN

DATA TO ACCOMPANY " APPLICATION FOR DESIGN REVIEW " AND "APPLICATION FOR CONDITIONAL USE ", BEFORE THE PLANNING COMMISSION OF THE CITY OF SHERWOOD, OREGON

IN ACCORDANCE WITH "The Comprehensive Plan of the City of Sherwood,'Community Development Code', Part 3, Section 4, Table 4.04."

EXISTING CONDITIONS
INVENTORY - (General
Information)

- Tax Map.....See Attachments "A-1" and "A-2"
- Current Preliminary Title Report, or Lot Book Search,See Attachment " B "
- Vicinity Map.....See Attachment "C-1"
- Record Owner, or Owners...Shown on Application
- Person preparing Existing Conditions Information:
Charles L. Hoar
H & H Engineering Services, Inc.
30650 N.E. Bell Road
Sherwood, Oregon 97140
503-625-5056

CITIZEN AND AGENCY
INVOLVEMENT

- List of Tax Lots.....See Attachment " D "

GROWTH MANAGEMENT

- Property relationship to City Limits. Immediate Growth Boundary and Urban Growth Boundary...See Attachment "C-1"

LAND USE

- Acreage.....2.71 (Includes area in existing Roadway)
- Comprehensive Plan Designation....."CC" - Community Commercial
- Existing Land Use...No buildings on existing Lot. General usage has been for minimal farm activity-(Growing Hay)
- Easements.....See Attachment "C-1"
- Survey See Attachment " G "
- Topographical survey...See Attachment " J "

ENVIRONMENTAL
RESOURCES

- Soil Information...No adverse or severe soil conditons are apparent
- Flood Plain...Lot in question is not in a designated flood plain
- Natural Drainage...There are no streams, wetlands, ponds or natural springs noticeable on the lot. The natural existing drainage pattern is to the rear of the lot, i.e., in a northerly direction
- Vegetation..presently stubble and regrowth from last crop of hay (1985). A few existing fruit trees, appearing to be beyond producing age are located in the area to be deeded to the City of Sherwood for the Highway Right-of Way (Minor Arterial requirements), and will have to be removed during construction efforts

- ENVIRONMENTAL QUALITY - Air, Land, Water and Noise Pollution.....None in the immediate area, other than traffic noise from the existing right-of-way on S.W. Edy Road
- RECREATIONAL RESOURCES - There are no recreational resources designated within the immediate area of applicant's lot. All lots adjacent to, or within 1000 feet of the lot are designated Community Commercial, or Residential-Medium High Density.
- TRANSPORTATION
- Street Locations.....See Vicinity Map on Attachment "C-1"
 - Traffic Volume.....Moderate to medium during the morning and evening "rush hours"; otherwise light to moderate. S.W. EDY Road in the area of Applicant's lot is currently within the Sherwood City Limits
 - Access Points.....All access to Applicant's lot will be from S.W. EDY Road
 - Street Condition..S.W. EDY Road is currently a 40 foot wide roadway. It is paved with asphaltic concrete and is in good condition. Paving is approximately 20 feet wide, and is centered in the right-of-way.
 - Capital Improvements...S.W. EDY Road is planned to be a "Minor Arterial". As such it will need a 70 foot Right-of-Way. This need will be met in the area of Applicant's lot by the dedication to the City of Sherwood of a 15 foot wide strip of land along the front of Applicant's lot. This will provide the necessary width for the street improvement when the property owners on the other side of S.W. EDY Road dedicate their 15 foot strip to the City.
 - Public Transit....."Tri-Met bus service is available across Hiway 99W, at the Six Corners Shopping Mall; approximately ¼ mile distant from Applicant's lot.
 - Bikeways/Pathways.....None in the immediate area

COMMUNITY FACILITIES
AND SERVICES

- Water - Currently installed in S.W. EDY Road is a 10 inch water main on the North side of the street. A check with City of Sherwood Public Works indicates that the line was sized for the projected growth in the area, based on the Comprehensive Zoning Plan.
- Sanitary Sewer - A Sanitary Sewer main is currently installed in S.W. EDY Road on the south side of the street. It is an 8 inch main, and has been sized for present and planned growth
- Drainage - Currently there are no Storm Drains installed in S.W. EDY Road. Installation is in the plans of the City of Sherwood at some future date. Applicant has stated his intention to provide the City of Sherwood with a "Non- remonstrance" agreement for the future installation of the Storm Drain Sewer, as well as the future improvement of S.W. EDY Road to the Minor Arterial Status. In planning his development, Applicant is providing catch basins and underground conduits to handle run-off from his proposed building and paved areas. These will drain to the exist-

ing drainage trench at the front of the lot. Provisions will be made in the design and installation of the underground conduits for their future connection to the planned Storm Drain System.

PRIVATE UTILITIES

- Power - Portland General Electric services S.W. EDY Road with the potential size and quantity Applicant projects for his needs. It is 480 Volt, 3 Phase; and immediately accessible to Applicant's lot.
- Natural Gas - Natural Gas service is available in S,W, EDY Road, and is provided by Northwest Natural Gas Company. The size of the main is 2 inch, and is adequate to service Applicant and others needs.
- Telephone - Telephone lines are immediately availbale to Applicant's lot. Application to General Telephone Company has been made, and service will be installed for construction and future service, should this application be approved

PROPOSED GENERAL DEVELOPMENT PLAN

- General Information - Plot Plan.....See Attachment "C-1" & "C-2"
- Name of Development....Auto Repair Facility for "BOND'S AUTOMOTIVE"
- Project Owner...Ownership of the lot will transfer from Mr. J. M. Burge to Mr. and Mrs. Jerry Bond should this application be approved.
Mr. and Mrs Bond currently live at Route 3, Box 278, Sherwood, Oregon 97140. Telephone - 503-625-7447
- Vicinity Map.....See Attachment "C-1"

CIVIL AND AGENCY INVOLVEMENT

- Mr. and Mrs. Bond, as well as Mr.Burge; have discussed the matter of this application with City of Sherwood officials. The prepared of these data has had discussions with the City Manager of Sherwood, the City's Public Works Director, and the Planning Consultant retained by the City. Their advice and direction has been most beneficial to Applicant in their search for available sites for their proposed Project; and to the Preparer in matters of proper procedures for investigation and preparation of the application

GROWTH MANAGEMENT

- Currently the lot for which Applicant requests Design Review and Conditional Use is completely within the boundaries of the City of Sherwood, and has recently been changed on the Comprehensive Plan by City Council action from Residential-Medium High Density to Community Commercial zoning designation, at Applicant's request. This is being done to permit Applicant to build a new Automotive Repair facility. If approved, the construction of the new facility and the move from the existing site of the business will permit the repair business to grow in size

from that at the existing location. Applicant's plan, as shown on attached Architectural Elevations, and the proposed Landscaping plan for the site (See Attachments "E-2" and " F "), express the ideas he plans to make the facility aesthetically balanced with the Medium High Density development, which in the future may be constructed on the adjacent acreage. With a scarcity of Community Commercial lots within the range of Applicant's budget within the Planned Development area of the City of Sherwood; and with Community Commercial zoning on the small lot immediately to the East of Applicant's lot, and on the opposite side of S.W. EDY Road; the proposed construction and activity, Applicant would fit well within the proposed/planned activity and growth for the area.

LAND USE

- Existing Lot.....See Attachment " G "
- Set-Backs...Set-back required by existing codes, as set forth by the City of Sherwood Comprehensive Plan, Part 3, Section 2.12.G are shown on Attachment "C-1"
Additional set-backs as required by the Tualatin Fire District are also included in the Attachment
- Buildable Acres...Applicant's Lot contains 2.71 acres. It must be noted however, that the Southerly lot line is at the Centerline of S.W. EDY Road, and this area must therefore beconsidered as part of the "Buildable Acreage". In considering this fact, the "Net Buildable Acreage is therefore, 2.645 Acres (115,205 sq.ft.).
The proposed use of this "Net Buildable Acreage" folows:

Building.....	3,750	sq.ft.
Driveway.....	3,900	"
Parking.....	1,800	"
Landscaping.....	9,180	"
Vehicles-in-work...	11,640	"
Right-of-way ded...	2,215	"
Farming***.....	82,620	"

TOTAL ACREAGE...115,205 sq.ft. (2.645 Acres)

- Location of structures..See Attachment "C-1"
- Easements.....See Attachment "C-1"

*** Area set aside for farming will be fenced from the front balance of the lot. (See Attachment "C-1"). As the business grows, it is projected that this area will be used for expansion to allow vehicle storage prior to, during and after work on them is done. Existing parking and storage areas may be converted to a building expansion program. In the meantime, the land will continue to be utilized as a small farm operation. All future plans for expansion will

be through requests for permits, etc., as expansion plans become firm.

COMMUNITY DESIGN STANDARDS

Landscaping

- A landscaping plan has been developed for the proposed site.....See Attachment " F " - Landscaping Plan
- Landscaped areas...The frontal portion of the lot will be landscaped with consideration given to "Visual Corridor" requirements
 - ...The side lot screening and/or planting between Applicant's lot and adjacent properties will be as follows:
 - On the West lot line...zoned Residential- Medium High Density, will have a ten foot landscaped "buffer zone" strip along the full length of the line back to the "farm area" fence. There will be a locked gate in a fence between the building and the west property line to allow emergency access, if required, to the rear of the building.
 - On the East lot line...zoned at the front portion of the lot for Community Commercial and at the rear portion of the lot as Residential-Medium High Density, will have a ten foot landscaped "Buffer zone" strip along the entire lot line to the "Farm area" fence. The driveway will be planted with screening type plants; the auto-in-work storage area will be fenced with a screening type fence, and a landscaped area straddling the fence will be planted with screening type shrubbery. This planting will also be a part of the customer parking area.
 - The front of the lot, along S.W. EDY Road will be planted with decorative plants and shrubs in compliance with the City of Sherwood Comprehensive Plan.
 - All areas will be planted to the best commercial standard practices.
 - Where possible, all existing plants and trees, (none appear to be of any value) will be incorporated into the landscaping plan.
 - Screening of the work-in-progress storage area will be accomplished with slatted fencing at heights in compliance with existing codes covering such screening.
- Parking areas...at the front entrance to the building for clients and customers; and behind the front screening fence at the main gate for employees. As shown above, the fence at the employee area will be planted with screening planting in an area approximately 160 sq.ft.. This then provides 160 sq.ft. total planting in the parking area which complies with the requirements set forth in the Comprehensive Plan.
- Maintenance...A permanent sprinkler system will be installed in all planted area, and provisions for full time maintenance of these areas will be provided.

- Parking area...all parking area will be striped, and wheel bumpers installed. Office parking will provide four regular spaces and one handicapped space. The employee parking area will provide four regular spaces.
- Drainage...the installation of storm drain "catch basins" and underground conduits as detailed in the "Community Facilities and Services" portion of these data (See Page Two) will be provided.
- Signs...all planned signs will be on drawings submitted for Plan Review and approval at that time. Sign details may be found on Attachment " F ".
- Special Considerations..."Farm Area" - across the line dividing the proposed original facility (at the "work-in-progress" storage area), a screening type fence (slats) will be installed. It will include a twenty five foot wide rolling gate to allow access to the "farm area. As future plans unfold, this fence will be moved toward the rear lot line until full development of the lot is completed. At that time, the fence will be on the rear lot line, and landscaped in accordance with the Comprehensive Code. As the side lot lines become part of the growth area, they will be fenced to match the original , and planted in accordance with the Comprehensive Plan.
- The area immediately behind the front screening fence, designated as "Work-inProgrsss" storage will not be paved during the original construction. As the expansion of the business (as planned) occurs; this area, and any additional parking/storage areas that may be required will be paved and stripped for any additional parking that may be required for additional employees.

ENVIRONMENTAL RESOURCES

Natural Resources
and Hazards

- TopographySee Attachment " G "
- Existing Trees.....See Attachment " G "
- Steams, Ponds and Wetlands.....None in the immediate area
- Natural Hazards....None in the immediate vicinity
- Significant Natural Areas....All land in the immediate vicinity is currently being farmed, or is in a planned "CC" (Community Commercial) Zone status and usage.
- Energy Conservation....Sun and wind exposures are as shown on Attachment "C-1". Building plans call for Heating of the office to be done with a "Heat Pump", and the shop spaces with "high efficiency" space heaters.

ENVIRONMENTAL QUALITY

- Statement from Registered Environmental Engineer is furnished as Attachment " H "

RECREATIONAL RESOURCES

- No recreational, park or open space is planned for the site. Eventually, the entire lot will be used for the Community Commercial purpose.

TRANSPORTATION

- Existing streets are shown on Attachment "C-1"-Vicinity Map.
- Street Cross Section.....When design of the future "Minor Arterial" street improvement is accomplished, a cross section of the new street will be included. The planned improvement still has not been scheduled at this time. When improvements are scheduled, the design will conform to Washington County Minor Arterial Standards.
- Sidewalk...a side walk constructed to Washington County standards will be installed by Applicant during construction of the facility.
- Emergency Access... The planned driveway access provides adequate access to all area of the developed lot.
- Lot Access.....See Attachment "C-1"
- Traffic Volumes.... based upon 1979 Survey
1979.....1100 per day
1985.....2500 per day projection, 2000....6700 per day projection.
- Street Profile....See "Street Cross Section" above.
- Parking Plan.....See Attachment "C-1"

COMMUNITY FACILITIES AND SERVICES

- Water - Water Main location shown on Attachment "C-1"
- Sewer - Sewerage Main shown on Attachment "C-1"
- Drainage - To drainage trench at front of lot until Storm Drain System is installed, then to Storm Drain

PRIVATE UTILITIES

- Power - Power pole anticipated to be used by Portland General Electric is shown on Attachment "C-1"
- Exterior lighting for the facility is shown on Attachment "E-2"-Building Elevations
- Telephone - Telephone Service will probably be supplied from the same Power Pole as noted above
- Natural Gas - Northwest Natural Gas Main location is shown on Attachment "C-1"

ECONOMIC DEVELOPMENT

- Currently Bond's Automotive is staffed by Jerry and Judy Bond, the owners. Occasionally, as the work load requires, an additional employee is added to staff. Future growth plans indicate that Bond's Automotive will add a permanent additional employee within the year, and potentially another two full time employees within the next five years.
- Ratios....At present the employee per acre ratio is 1.14 : 1. Future ratios are: @ 1 year-1.51 : 1; and @ 5 years - 2.27 : 1.

- Capital Investment - At present Capital Investment anticipated for this project development is as follows:

- Land.....	\$ 45,000
- Site preparation.	25,000
- Building.....	35,000
- Equipment.....	10,000
TOTAL.....	<u>\$115,000</u>

- Community Comparison - Current comparable commercial businesses in the Sherwood area are located at the extreme southerly end of S.E. EDY Road, and a very small repair shop located in a Service Station on Pine Street in the "Old Town" area. Bond's Automotive currently has about 80% of its work load committed to "fleet service. The balance to individual needs of their clients. Discussions are currently being held with prospective clients concerning new "fleet service" work, and the individual client load is also anticipated to grow because of the new location of the business (closer to the center of commercial activity)

STRUCTURAL DESIGN AND
CONSTRUCTION CONSIDER-
ATIONS

- Proposed Structures - A Floor Plan of the proposed building is shown on Attachment "E-1" Sheet A. A detailed plan of the Office area and a Section through the Office wall are shown on Attachment "E-1" Sheet B. The Elevations are shown on Attachment "E-2", which also has the locations of the exterior lighting fixtures.

- Construction Materials - The building will be of wood frame construction on concrete footings and slab-on-grade. The walls and roof of the shop will be insulated, the walls and ceiling of the office will be insulated also. Interior walls of the shop are to be gypsum board with plywood waiscoat to prevent lower area damage. The common wall between the shop and office is to have a two hour fire rating, and all exterior walls to have a minimum of one hour fire rating. All walls, exterior to be 2x6, all interior walls to be 2x4. Types of exter-finish wall covering to be covered in final architech-tural drawings. Interior trim and decorations, likewise. Colors shall be selected to blend with the surrounding neighborhood and environment.

- Compatible design - the building has been planned for growth. the shop area as originally laid out will accommodate the original general repair work as is now conducted. Future growth indicates that the newly planned expansion area would become the repair area, and the now known repair area would become the "bench repair" shop where individual automotive components could be repaired or rebuilt as the need arises. The office is now sized large enough to accommodate the anticipated growth for some time to come.

The building, and future expansions have been planned to be compatible with the planned zoning for the area. It will be landscaped and fenced to provide the necessary screening and protection from the planned Residential-Medium High Density areas adjacent to the site.

- Energy Conservation...The building is to be constructed of 2x6 framing, and will be insulated to an R-30 rating. The roof structure will be similarly insulated. The shop area will be heated with high efficiency space heaters- at this time gas fired is under consideration; and the office will be air conditioned by means of a "Heat Pump" system.
- Hazard Protection/Resource preservation....There being no natural hazards in the area, and dedication of property for Minor Arterial Right-of-Way causes whatever existing trees and natural resources there are on the lot to be removed, there is not much resource conservation that can be accomplished, other than by adding meaningful and resourceful landscaping that will enhance the area in the future.
- Signs...The sign proposed for the exterior of the building is shown on Attachment " F " - Landscaping Plan. The Design Review Board is asked to review the sign size and design, and approve it along with the remainder of the building.
- Solid Waste Storage AreaLocation of the Haul-away solid waste container is shown on Attachment "C-1"- Plot Plan. Regularly scheduled waste disposal pick-up will be contracted after relocation of the business from the present site.
- Privacy....Note the paragraph at the top of this page concerning screening and privacy.
- Construction measures...Minimal construction noise will be evident. There is not a great deal of site development to be done, and the wood frame type construction is not a highly noise intensive operation.
- Fencing and Screening....Fencing and screening are shown on Attachments "C-1", "C-2" and " F ".

STAFF REPORT

To: City of Sherwood
Planning Commission

Date Typed: June 3, 1986

From: Carole W. Connell
Consulting City Planner
Benkendorf & Associates

File No. 2271-43

Subject: Request for a Minor Land Partition from one lot to two
located at 22030 S.W. Murdock Rd.

I. PROPOSAL DATA

Applicant: Sharon Bigham
P.O. Box 42
Sherwood, OR 97140

Owner: Estate of Fay Cochran

Location: 22030 S.W. Murdock Road, further described as Tax Lots 1200
and 1201, Map 2S1-33.

II. BACKGROUND DATA

The subject property is 46.12 acres in size. The property is currently used as a residence and farm. Up until January, 1984 the property was divided into three tax lots. Those lots became encumbered with substantial LID assessments in 1982. To relieve the burden, all lots were consolidated and the payments were deferred. Mrs. Cochran died in 1985 and the deferred payments are due from the heirs in August, 1986. The request to partition the property will allow them to sell a portion of the parcel to help make the payments. The request separates Parcel I from the balance of the property, Parcel II.

III. SHERWOOD COMMUNITY DEVELOPMENT CODE PROVISIONS

- A. Sherwood Comprehensive Plan
- B. Community Development Code
 - 1. Chapter 1, Section 4.00 Plan Compliance
 - 2. Chapter 2, Section 2.08 MDRL Zone
 - 3. Chapter 3, Section 3.00 Minor Land Partition

IV. FINDINGS OF FACT

- A. The subject property is 46.12 acres in size.
- B. The request divides the parcel into two parcels. Parcel I as proposed is 2.58 acres in size and Parcel II is 43.54 acres in size. The residence is located on Parcel I.
- C. The property is zoned Medium Density Residential Low. The minimum lot size in the MDRL zone is 5000 square feet.
- D. The subject property is irregular in shape.
- E. The following is a response to the required Findings of Fact in Section 3.00 of the Subdivision Code:
 - 1. The partition does not require the creation of a new street. Parcel I has existing access to both Murdock and Oregon streets. Parcel II has existing access to Murdock Road.
 - 2. The proposed partition complies with the Comprehensive Plan residential designation of the area. The proposed partition also complies with the MDRL lot size and dimensional requirements.
 - 3. The existing residence has an existing well and septic tank system. Both parcels are in the Rock Creek Water and Sewer LID and can be served by city services at the time of development.

4. The proposed division is naturally separated by a street and segregates the residence from the open land that has historically been farmed. The division will not hinder the future development of adjoining land.

F. Road Right-of-way dedications associated with the parcel were granted during the formation of the LID.

G. A future bicycle path is planned on Murdock Road and will adjoin Parcel I.

H. Parcel I is between the old Murdock Road and the new improved Murdock Road. The old Murdock Road is unimproved and not in the city's planned street system.

V. CONCLUSIONS AND RECOMMENDATION

Based on the Background Data and the Findings of Fact, staff recommends approval of the proposed minor partition with the following conditions:

A. The City Council shall approve a lien segregation of the LID assessments before the partition is recorded.

B. The applicant should consider vacating the old Murdock Road right-of-way.

C. The proposed legal description of the two parcels shall be approved by the city.

D. After receipt of the decision notice and compliance with the conditions, the applicant is responsible for recording the partition with Washington County.

2271-43SRT

Staff Use

CASE NO. _____
FEE 100.00
RECEIPT NO. _____
DATE May 30, 1986

CITY OF SHERWOOD

APPLICATION FOR LAND USE ACTION

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>SHARON BIGHAM, PERSONAL REPRESENTATIVE, P.O. Box 42, Sherwood, OR 97140</u>		
Owner: <u>ESTATE OF FAY COCHRAN, DECEASED</u>		Phone: <u>625-7247</u>
Contact for		
Additional Info: <u>Charles J. McClure, Attorney, 639-4108</u>		
	<u>9250 S.W. Tigard Ave., Tigard, Oregon 97223</u>	

Property Information

Street Location: 22030 S.W. Murdock Rd., Sherwood, Oregon 97140

Tax Lot No. 251-33-01200 & 251-33-01200 01 (Code Split) Acreage 46.12

Existing Structures/Use: Home/Farm

Existing Plan Designation: Medium Density Residential Low (MDRL)

Proposed Action

Proposed Use No Change

Proposed Plan Designation No change

Proposed No. of Phases (one year each) N/A

Standard to be Varied and How Varied (Variance Only) N/A

Purpose and Description of Proposed Action: See Attached

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.

Sharon Bigham

Applicant's Signature
Sharon Bigham, Personal Representative of
the Estate of Faye Cochran

May 30, 1986

Owner's Signature

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.
2. Applicable existing conditions and proposed development plan information and materials listed in Part 3 Chapter 1 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.

ATTACHMENT TO COCHRAN MINOR PARTITION APPLICATION

PURPOSE AND DESCRIPTION OF PROPOSED ACTION

Up until January 20, 1984 the property was divided into three tax lots, which were Tax Lot Nos. 1200, 1300 and 100 on Maps 2S1-33, 2S1-33 and 2S1-32AA, respectively. Those lots became encumbered with substantial LID assessments in 1982. At that time, Donald Cochran and Faye Cochran, the owners of the property, obtained a homestead deferral of the assessments for Tax Lot 100, the property on which their house and outbuildings were located.

In 1982, Donald Cochran died, and it became burdensome for Mrs. Cochran to make the LID payments on Tax Lot Nos. 1200 and 1300. To relieve that burden, Faye Cochran consolidated all of the tax lots into one lot tax, 2S1-33-1200 and 2S1-33-1200 01 (Code Split), so that all of the LID payments could be deferred.

Faye Cochran died in 1985, and those deferred assessments amounting to over \$40,000 will be due August 15, 1986.

The devisees of Mrs. Cochran, her grandchildren, cannot under the present circumstances pay all of the deferred assessments that are coming due and continue to make the payments on the current assessments. They wish to attempt to sell the property, or sell one portion and keep the other portion, and satisfy the assessments. It will be easier to do so if the property is divided into two parcels. Therefore, we are requesting that the property be minor partitioned by simply undoing part of the consolidation that occurred in 1984, by separating former Tax Lot 100 (Parcel I on the attached map) from the balance of the property (Parcel II on the attached map).

THE MINOR PARTITION SATISFIES THE REQUIRED FINDINGS
CRITERIA IN THE COMPREHENSIVE PLAN

Criteria No. 1

"The partition requested does not require the creation

of a road or street."

No new road or streets are necessary or planned.

Criteria No. 2

"The Sketch Plan complies with the Comprehensive Plan and applicable Planning Designation Area regulations of the City then in effect."

The existing plan designation is medium density residential low (minimum lot size 5,000 square feet). The proposed lot sizes of the parcels to be partitioned are 2.58 acres and 43.54 acres.

Criteria No. 3

"There will exist adequate quantity and quality of water and an adequate sewerage disposal system to support permitted land uses."

The only water and sewage and disposal systems required are those for the existing home, which are now in place and consist of a well and a septic system. However, the property is served by water and sewer lines constructed within the Rock Creek Water and Sewer Local Improvement District and the Murdock Road Street and Sanitary Sewer Local Improvement District. The LIDs were formed in conjunction with the present zoning of the property to enable development of the property.

Criteria No. 4

"Adjoining land can be developed or is provided access that will allow its development in accordance with this ordinance."

There is nothing in this minor partition that would hinder the development of or access to adjoining land.

DESCRIPTIONS

PARCEL I

Beginning at the Northeast corner of Section 32, Township 2 South, Range 1 West, of the Willamette Meridian, in Washington County, Oregon, and running thence West along the North line of said Section 32, a distance of 233.7 feet to a point; thence South $12^{\circ} 30'$ East in the County Road 554.8 feet to a point on the North line of a certain tract of land conveyed to V. C. Cochran by deed as recorded on page 163 of Volume 222 of Washington County, Oregon, deed records; thence North $50^{\circ} 19'$ East along the North line of said Cochran tract 150.2 feet to an iron bolt said to be set 6.75 chains Southerly from the section corner; thence North $33^{\circ} 58'$ East along the Northerly line of a tract of land conveyed by the Federal Land Bank to the City of Sherwood by deed recorded in Book 157, page 490, records of Washington County, Oregon, 416.6 feet to an iron pipe at the Northeastly corner thereof; thence continuing North $33^{\circ} 58'$ East 121.0 feet to the North line of Section 33, Township 2 South, Range 1 West, Willamette Meridian; thence West 302.3 feet to the place of beginning.

ALSO:

The following described property except that portion described above and also excepting that portion located West of S.W. Murdock Road.

A tract of land in Section 32, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, described as follows:

Beginning at a point in SW Tualatin Sherwood Road, 13 rods and 5 feet West from the Northeast corner of said Section 32; thence continuing West in said road, 31 rods and 12 feet; thence South $0^{\circ} 28'$ West 16.45 chains to the Southeast corner of Block 4, SHERWOOD ACRES; thence North $51^{\circ} 23'$ East 14.73 chains to a point; thence North on the East line of Section 32; thence North to the Northeast corner of said Section 32, also being place of beginning.

EXCEPTING THEREFROM the following described property conveyed to the City of Sherwood:

A parcel of land situated in the N.E. 1/4 of Section 32, and the N.W. 1/4 of Section 33 T.2S., R.1W., W.M., City of Sherwood, Washington County, Oregon more particularly described as follows:

Beginning at the intersection of the northerly line of Section 33, T.2S., R.1W., W.M. and the southerly right-of-way line of S.W. Tualatin-Sherwood Road; thence N89°29'54"E, along said northerly line of Section 33, 34.85 feet; thence S34°07'42"W 544.50 feet to the beginning of a tangent 315.00 foot radius curve to the left; thence along the arc of said curve 190.45 feet through a central angle of 34°38'30"; thence tangent to said curve South 0°30'48" East 49.72 feet; thence South 89°29'12" West 5.00 feet to an angle point in the northeasterly line of S.W. Murdock Road; thence along said northeasterly line North 34°20'42" West 112.35 feet to a point; thence leaving the said northeasterly line of S.W. Murdock Road along the arc of a non-tangent 385.00 foot radius curve to the right (a radial line bears South 84° 00' 39" East from said point); thence along the arc of said curve 189.08 feet through a central angle of 28°08'21"; thence tangent to said curve North 34°07'42" East 243.49 feet; thence North 55°52'18" West 97.22 feet; thence North 8°00'53" East 40.00 feet; thence N34°13'18"W 110.78 feet to a point on the said southerly line of S.W. Tualatin-Sherwood Road; thence along the said southerly line South 89°03'40" East 113.82 feet; thence South 0°56'20" West 10.00 feet; thence South 89°03'40" East 63.97 feet to the beginning of a tangent 310.00 foot radius curve to the left; thence along the arc of said curve 157.67 feet through a central angle of 29°08'26" to the Point of Beginning.

PARCEL II

A tract of land in the Northwest quarter and in the Northeast quarter of the Southwest quarter and in the Northwest quarter of the Southeast quarter of Section 33, Township 2 South, Range 1 West of the Willamette Meridian, Washington County, Oregon, described as follows:

Beginning at an iron bolt on the West section line 6.75 chains South of the Northwest corner of said Section 33; thence South on the section line 13.25 chains to an iron bolt in the center of the County Road; thence North 77°10' East 16.04 chains to an iron pipe in the center of Rock Creek Ditch; thence Northeasterly on said ditch to a point 3 chains West on the Northeast corner of the Southwest quarter of the Northwest quarter; thence Southeasterly along said ditch 2089.2 feet to a point marking the South line of a 16.5 acre tract of swamp land lying Easterly on said ditch; thence East 28.27 chains, more or less, to the East line of the Northwest quarter of the Southeast quarter; thence North 7.84 chains, more or less, to the Northeast corner of the Northwest quarter of the Southeast quarter; thence West 20 chains to the Northwest corner of the Northwest quarter of the Southeast

quarter; thence North 20 chains to the Northeast corner of the Southeast quarter of the Northwest quarter; thence 20 chains to the Northwest corner of the Southeast quarter of the Northwest quarter; thence North 20 chains to the Northeast corner of the Northwest quarter of the Northwest quarter; thence West to a gas pipe 2.85 chains West of an iron pipe in the center of Rock Creek Ditch; thence South 34° West 8.12 chains to the point of beginning; Excepting 1.6 acres in the Northwest corner of said tract deeded to the City of Sherwood by deed recorded in Book 157 at page 490, Deed Records of Washington County, Oregon; Save and Except that part described in deed to Clarence Petersen, recorded in Book 292, page 227, Deed Records, Washington County, Oregon, being that part of the above described property lying Easterly and Northerly of the center line of County Road 1260 (Tonquin Road) as now located and traveled.

ALSO:

Beginning at an iron bolt in old road (Now Abandoned) Noted as on Section line 6.75 chains (445.5 ft.) South of the Northwest corner of Section 33, of Township 2 South, Range 1 West of the Willamette Meridian, in Washington County, Oregon; and running thence with the North boundary of the first tract described in deed to Federal Land Bank of Spokane, which is recorded at page 585 of Book 151 Record of Deeds for said County, North $34^{\circ}00'$ East 416.7 feet to an iron pipe; thence South $27^{\circ}21'$ East, 99.0 feet to an iron pipe; thence South $9^{\circ}51'$ West 175.6 feet to a stone marked C.S.; thence South $25^{\circ}51'$ West 117.4 feet to a stone marked C.S.; thence South $47^{\circ}51'$ West 268.7 feet to a pipe and thence North 200 feet to the place of beginning.

EXCEPTING THEREFROM the following described property conveyed to the City of Sherwood:


A parcel of land situated in the N.E. 1/4 of Section 32, and the N.W. 1/4 of Section 33 T.2S., R.1W., W.M., City of Sherwood, Washington County, Oregon more particularly described as follows:

Beginning at the intersection of the northerly line of Section 33, T.2S., R.1W., W.M. and the southerly right-of-way line of S.W. Tualatin-Sherwood Road; thence $N89^{\circ}29'54''E$, along said northerly line of Section 33, 34.85 feet; thence $S34^{\circ}07'42''W$ 544.50 feet to the beginning of a tangent 315.00 foot radius curve to the left; thence along the arc of said curve 190.45 feet through a central angle of $34^{\circ}38'30''$; thence tangent to said curve South $0^{\circ}30'48''$ East 49.72 feet; thence South $89^{\circ}29'12''$ West 5.00 feet to an angle point in the northeasterly line of S.W. Murdock Road; thence along said northeasterly line North $34^{\circ}20'42''$ West 112.35 feet to a point; thence leaving the said

northeasterly line of S.W. Murdock Road along the arc of a non-tangent 385.00 foot radius curve to the right (a radial line bears South 84° 00' 39" East from said point); thence along the arc of said curve 189.08 feet through a central angle of 28°08'21"; thence tangent to said curve North 34°07'42" East 243.49 feet; thence North 55°52'18" West 97.22 feet; thence North 8°00'53" East 40.00 feet; thence N34°13'18"W 110.78 feet to a point on the said southerly line of S.W. Tualatin-Sherwood Road; thence along the said southerly line South 89°03'40" East 113.82 feet; thence South 0°56'20" West 10.00 feet; thence South 89°03'40" East 63.97 feet to the beginning of a tangent 310.00 foot radius curve to the left; thence along the arc of said curve 157.67 feet through a central angle of 29°08'26" to the Point of Beginning.

June 3, 1986

TO: Planning Commission
City Council

FROM: Jim Rapp, City Manager 
Carole Connell, Consulting Planner

RE: Redrafting of Community Development Code

Attached find the completed "second round" draft of a revised Zoning and Community Development Code. A first, less extensive draft, was presented to the Planning Commission earlier this year.

The revision is primarily intended to be "technical" in nature. The only policy modifications are those that have been indicated by some prior direction or action of the Commission or Council. A more sweeping, policy oriented review of the Code is being reserved for our LCDC mandated Periodic Review, which is due in the second half of 1987.

The few changes of a policy nature are:

1. Planned Unit Developments - The process has been consolidated and modeled on the steps involved in subdividing land (ie: preliminary and final platting).
2. Interpretations of Similiar Use - Decision making authority has been vested in the Commission. Previously it was an administrative decision.
3. Site Plan Application Content - An administrative waiver provision has been added to the process of determining application content.
4. Annexations - A formal rezoning process is now required when annexation occurs.
5. Parks SDC's - This has been applied to commercial and industrial, as well as residential uses.

Changes or additions previously adopted by ordinance or resolution, but not included in the "green" book, have been incorporated:

1. Special Industrial, and Institutional/Public Zones
2. Storm Drainage System Development Charge
3. Site Plan Review requirements
4. Planning Commission and Design Review Board
5. Creation of Official Zoning Map
6. Regulations for Adult Entertainment Businesses
7. Amendments and Additions to Planning Application Fees
8. Various minor text amendments made over the last few years.

By far the greatest changes have been rendered in areas where the look but not the intent of the Code has been altered. The Code has been entirely reformatted, reordered and a new section numbering system incorporated. Long sections that were more "philosophical" than regulatory have been shortened.

Poor grammar and defective section references have been corrected and common language adopted for similar words, phrases and sections. In and between several sections there were outright contradictions, and these have been eliminated. "Tie-ins" to other codes have been incorporated, particularly in terms of achieving greater consistency with UBC definitions.

Finally the redundancies, repetitions, and general "wordiness" of the existing Code has been edited down. Overall, the revised Code is 187 pages long, compared to the existing Code's 232 page length, even with the wide spacing and many section breaks in the revision.

This new version of the Community Development Code will put the Commission and Council in a better position to deal only with substantive policy issues in the course of Periodic Review in FY 87-88. Issues such as "overly restrictive" non-conforming use regulations, the need for different commercial zoning categories, a re-examination of City street and utility standards, and like policy questions raised over the last few years, were expressly not addressed in this technical "fix" of the Code.

The revised Code will be reviewed by the Commission in June and possibly into July. The goal is adoption by the Council in early August.

cc: Carole Connell

APPROVED MINUTES

**MINUTES OF
PLANNING COMMISSION MEETING
JUNE 16, 1986**

I. **Call to Order:** The meeting was called to order by Chairman David Crowell. Those present were: Grant McClellan, Marian Hosler, Glen Warmbier, David Crowell, Joe Galbreath, Mo Turner, and Planning Consultant Carole Connell.

II. **Approval of Minutes of May 6, 1986.** Minutes were approved.

III. **Public Hearings**

- A. Variance request by Dan Westcott to construct a garage that exceeds the allowed size.

Carole Connell read the Background Data from the Staff Report. She concluded recommending denial because of the variance criteria.

Mrs. Connell read a letter that there had been received from several neighbors asking that the garage not be approved. They had noted that his property was poorly maintained and they felt that more building would cause more mess.

Mr. Crowell asked if the applicant would like to present his case.

Mr. Dan Westcott of 220 E. Lincoln Street, Sherwood rose to speak.

He said he was sorry he was not aware that his neighbors felt the way they indicated in the letter. He said that he wished they had come to him rather than writing a letter to the Commission.

He noted that his lot was very large and he is very busy but that he tried to keep the grass mowed at least once a month in the large part of the lot. He also stated that the gravel and cement mixer which was beside the garage he had ordered when working on the house. He had ordered enough at that time to be used for the planned garage in order to save expense. This would all be cleared up after the garage was built. He also has lumber there which he plans to use for the garage.

He said that he decided to add to the original garage because it was economically more feasible. He stated he was trying to build a little at a time and have it paid for so he would not have to get a loan. He said he didn't want to do landscaping until his building

improvements were made so he wouldn't have to redo it. He asked for a copy of the letter which was given to him.

Mr. Crowell asked if anyone had questions.

Mr. Turner asked if he could use the old garage for anything besides a shop. Mr. Westcott stated that it was too small for a car and he couldn't build beside it because he had to have a 10 ft. setback from the house. He said he was a woodworker and he stored wood in the garage.

Mr. Warmbier asked if he would be using the garage commercially. Mr. Westcott said he would not.

Mr. Crowell asked if anyone else wanted to speak on behalf of the garage.

No one else asked to speak.

Mr. Crowell asked if anyone wanted to speak against the proposal.

No one wanted to speak against.

Mr. Warmbier asked if there would be a time frame involved. Mr. Westcott said it would probably take two to three months.

Mr. Crowell asked if he was going to build it himself. Mr. Westcott said he was.

Mr. Crowell asked for discussion by the Commission members.

Mr. McClellan said he was inclined to be in favor of the applicant primarily because of the unique size of the lot. He didn't see the purpose of lengthing his driveway to get a setback requirement.

David Crowell said he agreed.

Mr. McClellan said he thought it might improve the maintenance of the property if Mr. Westcott had more space to store things.

Mr. Galbreath said that something ought to be done for the neighbors.

Mr. McClellan stated that there didn't seem to be a connection between Mr. Westcott wanting to build an oversized garage and the maintenance of his property. Mr. Turner agreed that there was not a connection.

Mr. Turner said that if there was a fire hazard the neighbors should contact the police to have it cleared up.

Mr. Turner moved that the variance be approved.

Mr. McClellan seconded.

Mr. Galbreath and Mr. Warmbier opposed. All others approved and the motion carried.

B. Conditional Use Permit request by Jerry Bond to allow an auto repair shop on Edy Road.

Carole Connell stated that this plan had been before them on a plan amendment so she wasn't going to read all of the Background Data. She read the Conditional Use Section. She stated that Conditional Uses were listed on Page 5 of the Staff Report. She also read from the response to the required Findings of Fact for a Conditional Use Permit.

Conclusion was that the Staff recommended approval with recommendations.

Mr. Crowell asked to hear from the applicant.

Mr. Jerry Bond of Rt 3, Box 278 Sherwood rose to speak. He said he didn't understand why he had to put in a sidewalk. He said he would prefer to wait until after it is developed. He was afraid it would have to be moved anyway.

Mrs. Connell said it was a County requirement because it is a County Road.

Mr. Charlie Hoar of H & H Engineering, 30650 NE Bell Road, Sherwood rose to speak. He stated that the County will not issue an access permit off the county road unless a 5 foot sidewalk is put in.

Mr. Crowell asked if anyone else wanted to speak. No one wanted to speak. He then asked if anyone had any objections. No one had an objection.

Mr. Warmbier motioned to approve the Permit with staff conditions. Marian Hosler seconded the motion. Ayes were in favor unanimously.

Mr. Crowell informed the Commission that a Conditional Use Permit must be approved by Resolution, and he then read and signed the Resolution.

IV. Site Plan Approval request by Jerry Bond to build an auto repair shop on Edy Road.

Carole called attention to the design plan which was on the easel. Mr. Hoar said that the design now had landscaping which goes all the way along the fence and to the back of the property. Mrs. Connell said that technically they were not required to have landscaping and fencing but it would be preferred. She read from the Findings of Fact. She stated the Staff recommended approval with restrictions.

Mr. Crowell asked to hear from the applicant.

Mr. Hoar rose to speak on behalf of Mr. Bond. He noted that provisions were made to trap oil for the drainage because it is a repair shop. He said that the building would be wood frame structure. There would be fire extinguishers according to requirements. They have not decided if it would be metal or wood on the outside.

Mr. Crowell asked if anyone would like to speak in favor or if there were any questions.

Mr. Hoar noted that the noise level would be below standards.

There was more discussion and questions which were answered satisfactorily.

Mr. Warmbier motioned that they grant approval with restrictions and Marian Hosler seconded the motion. Ayes carried unanimously.

V. Minor Land Partition request by Sharon Bigham for the Cochran property on Murdock Road.

Carole read from the Background data. She then read from the Findings of Fact. She said that based on the Findings and Background data, the staff recommended approval with conditions. Mrs. Connell then read from the letter of recommendations which was received from Washington County. Because of the peculiarity of the recommendations, Mrs. Connell suggested that Commission approve or disapprove the partition with restrictions to resolve the County Road Recommendation issues.

Mr. Chuck McClure, attorney for Mrs. Bigham said he felt he should have had a copy of the letter. It was noted that it was just that day received at City Hall. Mr. McClure said they were just trying to salvage the home place not develop the property. He noted there were substantial taxes owed on the property which his client was unable to pay and by partitioning the land he hoped to be able to change the tax structure enabling the client to keep the homeplace. He said that time was important because taxes were due in August.

There was further discussion and it was decided that it would be necessary for the client to designate a right of way in order to comply with County recommendations.

Mr. Warmbier moved that they grant the partition with conditions and with the dedication of a required right-of-way. Mr. Galbreath seconded the motion and motion carried.

Community Development Code Revisions

Mrs. Connell said that City Manager, Jim Rapp had redrafted the Code Revisions, cleaned them up, and reduced the number of pages. Mrs. Connell asked if everyone had read them. No one had completely read the whole draft.

Mr. Warmbier said that he was concerned about having to pay for drainage system twice. Mrs. Connell said that was a good point to look into.

Mr. Crowell said that he felt they needed to go over the plans more thoroughly and asked if they should have a workshop for discussion and to study the draft and then make any recommendations.

Mrs. Connell recommended a study of the draft at the next meeting and also there would be a BGRS video titled "How to Make a Land Use Decision."

Mr. Warmbier moved the meeting be adjourned and Mr. Galbreath seconded the motion. Motion carried.

Rebecca L. Burns
Minutes Secretary