

City of Sherwood

Planning Commission Meeting

October 20, 1986, 7:30 p.m.

Senior/Community Center 855 N. Sherwood Blvd.

Agenda

- 1. Election of Chairperson
- 2. Continuation of a request for a Minor Land Partition, by Walter Novak, to divide one lot into three, located in the N.E. corner of the Tualatin-Sherwood and Edy Road intersection. (Response to the questions raised at the 9-29-86 meeting will be provided).
- 3. PUBLIC HEARING

Request for a Minor Plan Map Amendment/Zone Change for the Village Green Apartments to change the designation from Community Commercial (CC) to High Density Residential, (HDR).

- 4. Status of the Smith Farm Estates revised site plan request.
- 5. Discussion of the proposed Old Town Overlay Zone.



June 23, 1986

R.G. Pike Sabre Construction 6712 N. Cutter Circle Portland, OR 97208

RE: SITE ON TUALATIN-SHERWOOD ROAD/EDY ROAD

In response to your questions concerning access for the above referenced site, we have reviewed access directly onto Tualatin-Sherwood Road. The County's comments are as follows:

- No direct access to Tualatin-Sherwood Road or Edy Road. Access should be through Marshall Industrial Park when that site develops, and temporarily through Paper Transportation if approved by the City.
- 2) Right-of-way dedication of a minimum of 45' from centerline of Edy Road and Tualatin-Sherwood Road frontage, including adequate corner radius. The County reserves the right to require additional right-of-way pending the results of the Environmental Impact Study for the construction of the roads.
- 3) We request that you look at constructing an access street from the site's east property line to the proposed Marshall access at the west property line.

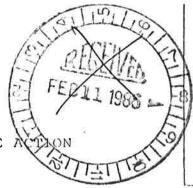
I hope these comments answer any questions you may have.

Sincerely,

Paula Calvin Associate Planner

... a

JN C: Carol Connell City of Sherwood



CITY OF SHERWOOD

APPLICATION FOR LAND USE A

Staff Use

CASE NO.	2271-45
FEE	2500
RECEIPT	NO. 83
DVJæ	8-13-86

Type of Land Use Action Requested
Type of hand ose Action Requisited
Annexation Plan Amendment Variance Planned Unit Development Conditional Use Minor Partition Substitution Design Review Other
Owner/Applicant Information NAME ADDRESS PHONE Applicant: Sabre Const. Co P.O. Box 4527 Portland 97208 563-285-1777 Owner: Walter M. Novak Et.Al. 14600 S. W. 72-11 AUG. 503-639-6151 Contact for Poirriand on. 97223 Additional Info: R.G.Pike P.O. Box 4527 Portland 97208 563-285-1777 PRESIDENT - SABRE CONSTRUCTION COMPANY.
Property Information
Street Location: North EASTERLY CORNER EDY ROAD & TURLATING SHERWOOD HWY. Tax Lot No. MAP No. 25 128 A Acreage 16.01 Existing Structures/Use: None Existing Plan Designation: CITY OF SHERWOOD - ZOHED G.I. WASH, COUNTY - UHZONED FARMLAND.
Proposed Action
Proposed Use <u>GENERAL INDUSTRIAL</u> Proposed Plan Designation <u>SAME</u> Proposed No. of Phases (one year each) Two Standard to be Varied and How Varied (Variance Only)
Purpose and Description of Proposed Action: To Divide THE 16.01 Acres into 3 - 6 + Acre larcels Accessed by Private Read-Now Existing - Access OFF Edy Road, Rather Than Edy on Thatating SHERWOOD NEHR THE JUNCTION OF THOSE ROADS, SEE COPY OF SURVEY OF PROPOSED Access ROAD ATTACHED.



August 12, 1986

MEMORANDUM

FROM: SABRE CONSTRUCTION COMPANY - R.G. PIKE, PRESIDENT

TO: CITY OF SHERWOOD

RE: MINOR LAND PARTITION - PLAN COMPLIANCE REVIEW

TAX MAP - 2S128A TAX LOT - 502

SUBJECT: GENERAL STATEMENT REGARDING FINDINGS CRITERIA - COMPREHENSIVE PLAN

1. ROAD OR STREET REQUIREMENT

This has been reviewed by the Washington County Road Department (See copy of letter from Ms. Paula Calvin dated 6/23/86 - attached). Because of the uncertainty regarding the completion date of streets in the proposed Marshall Subdivision to the east it would be necessary to access the property via the Paper Transportation access road - off Edy Road. This will require City of Sherwood approval following which we would obtain from the owner of the Paper Transportation access way, a perpetual access easement as shown on the attached survey. For and in consideration of such easement we would apply a levelling course of crushed rock plus a 3" layer of asphaltic concrete applied in two lifts. The finished road would be a minimum of 24'0" wide over the existing rock sub-base. We would then provide for a permanent right of way through the middle lot of partitioned Tax Lot 502, on the west side, to access the north and south parcels. (Please review drawings attached). At some later date a connection could be made to the Marshall Subdivision by constructing some 220' of road in the dedicated street provided for in the Marshall Subdivision plot; however, the overall traffic picture would continue to be improved by the Paper Transportation connection.

City of Sherwood August 12, 1986 Page 3

e) Preparer: R.G. Pike

6712 N. Cutter Circle

P.O. Box 4527

Portland, OR. 97208

6. CITIZEN & AGENCY INVOLVMENT

Copies of Lot Book searches are attached.

7. GROWTH MANAGEMENT

The property lies within the City of Sherwood.

8. LAND USE

16.1 acres presently used for agricultural purposes and zoned for future light industrial by the City of Sherwood. There are no structures on the property. A single family residence is located near the South West corner and the Paper Transportation Building is about 170' west of the West property line at a point 160' South of the Northwest property corner. There is a sewer easement as shown on the Sketch Map provided.

9. ENVIRONMENTAL RESOURCES

There are no adverse soil conditions on this site. Natural drainage is indicated by direction arrows on the Sketch Map. No streams, wetlands, ponds or springs exist. The bulk of the acreage consists of pasture land with two relatively small stands of fir and brush. There are no view sites, historic sites or rock outcroppings.

General orientation of buildings would be East-West.

To the best of my knowledge there are no immediate sources of Air, Water, Land or Noise Pollution.

RECREATIONAL RESOURCES

The nearest parks would be in the City of Sherwood.

TRANSPORTATION

The property fronts on two major arterials - Edy Road and the Tualatin-Sherwood Highway - both well maintained and both supporting a reasonably heavy volume of traffic.

The area is not served by bus and has no bikeways or pathways.

The extent of any planned public capital improvement programs is not known.

10. COMMUNITY FACILITIES

a) Water Mains exist in Edy Road and the Tualatin-Sherwood Road fronting the subject property.

Main sizes are more than adequate for fire protection sprinkler systems and hydrants.

- b) An 8" Sewer Main is shown on the Sketch Plan.
- c) Drainage no storm sewer system is installed but a natural drainage system complemented by 12" buried drain tile and open ditches effectively routes drainage to Hedges Creek to the East and thence to the Tualatin Marsh. Site presently has a reasonably high permeability level but the writer is not aware of any tests in this regard.
- d) Planned improvements would take the form of light manufacturing and/or warehousing facilities with related parking and landscaping.

11. PRIVATE UTILITIES

Electric power, gas and telephone are immediately available.

Schools would be the Sherwood Public School system.

If further information is required please contact me at 285-1777.

R.G. Pile, President

SABRE CONSTRUCTION COMPANY

enclosures

Submitted



SAFECO TITLE INSURANCE COMPANY

OF OREGON

LOT BOOK REPORT

9900 SW Greenburg Road Portland, Oregon 97223

P. O. Box 661

Beaverton, Oregon 97075 Telephone: (503) 684-4125

Date: 5/2/86

Order No.: W 33101

We have searched our Tract Indices as to the following described property:

See Attached Description Sheet.

and as of April 23, 1986 at 8:00 A.M.:

We find that the last deed of record runs to

YOUNG HERITAGE, an Oregon Limited Partnership

We also find the following apparent incumbrances within ten years prior to the effective date hereof:

- 1. The assessment roll and the tax roll disclose that the premises herein described have been specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for the last ten (10) or lesser number of years in which the farm use assessment was in effect for the land and in addition thereto a penalty may be levied if notice of disqualification is not timely given.
- 2. The premises herein described are within and subject to the statutory powers including the powers of assessment of the Unified Sewerage Agency of Washington County.



Order No. W 33101

Page No. 2

LOT BOOK REPORT - Continued

3. Real Estate Contract, including the terms and provisions thereof.

Dated:

April 20, 1981

Recorded:

April 21, 1981

Recorders Fee No.:

81013348, Records of Washington County

Vendor:

WILLIAM R. YOUNG and MARY YOUNG, husband and wife.

Vendee:

MAC EQUIPMENT COMPANY, OREG., LTD., an Oregon limited

partnership.

Covers Other Property Also.

The Vendee interest in said Real Estate Contract was assigned by instru-

ment;

Dated:

November 18, 1985

Recorded:

November 27, 1985

Recorders Fee No.:

85047334, Records of Washington County

To:

P.M. MARSHALL COMPANY

4. Real Estate Contract, including the terms and provisions thereof.

Dated:

June 16, 1981

A memorandum of which was;

Recorded:

June 29, 1981

Recorders Fee No.:

81022282, Records of Washington County

Vendor:

MAC EQUIPMENT COMPANY, OREG., LTD., an Oregon Limited

Partnership

Vendee:

WALTER M. NOVAK

The Vendee interest was assigned by mesne assignments and by instrument;

Dated:

December 22, 1982

Recorded:

March 3, 1983

Recorders Fee No.:

83007252, Records of Washington County

To:

WALTER M. NOVAK, SANDRA ANN RAGEN and WALTER BOWERS NOVAK, as trustees under a Trust Agreement dated

December 22, 1982

The Vendor's interest in said Real Estate Contract was assigned by

instrument;

Dated:

November 18, 1985

Recorded:

November 27, 1985

Recorders Fee No.:

85047333, Records of Washington County

To:

P.M. MARSHALL COMPANY

48 42



Order No. W 33101

Page No. 3

LOT BOOK REPORT - Continued

An easement created by instrument, including the terms and provisions thereof.

Dated:

Recorded:

July 2, 1984

Recorders Fee No.:

August 17, 1984 84032687, Records of Washington County

In Favor of:

CITY OF SHERWOOD

For:

Right of way

Affects:

Exact location unknown

We have also searched our General Index for judgments and state and federal tax liens against the above named grantees and find the following:

None.

We also find the following unpaid taxes and city liens:

NOTE A: Taxes for the fiscal year 1985-86, paid in full

Amount:

Map:

\$53.28

Account No .:

Key 1233212 2S1 28A 00502

Levy Code:

088-10

THIS IS NOT A TITLE REPORT, since no examination has been made of the title to the above described property. Our search for apparent incumbrances was limited to our Tract Indices, and therefore above listings do not include additional matters which have been disclosed by an examination of the record title. We assume no liability in connection with this Lot Book Service and will not be responsible for errors or omissions therein. The charge for this service will not include supplemental reports, rechecks or other services.

SAFECO TITLE INSURANCE COMPANY

By: Marianne Lyles, Title Officer

mlw



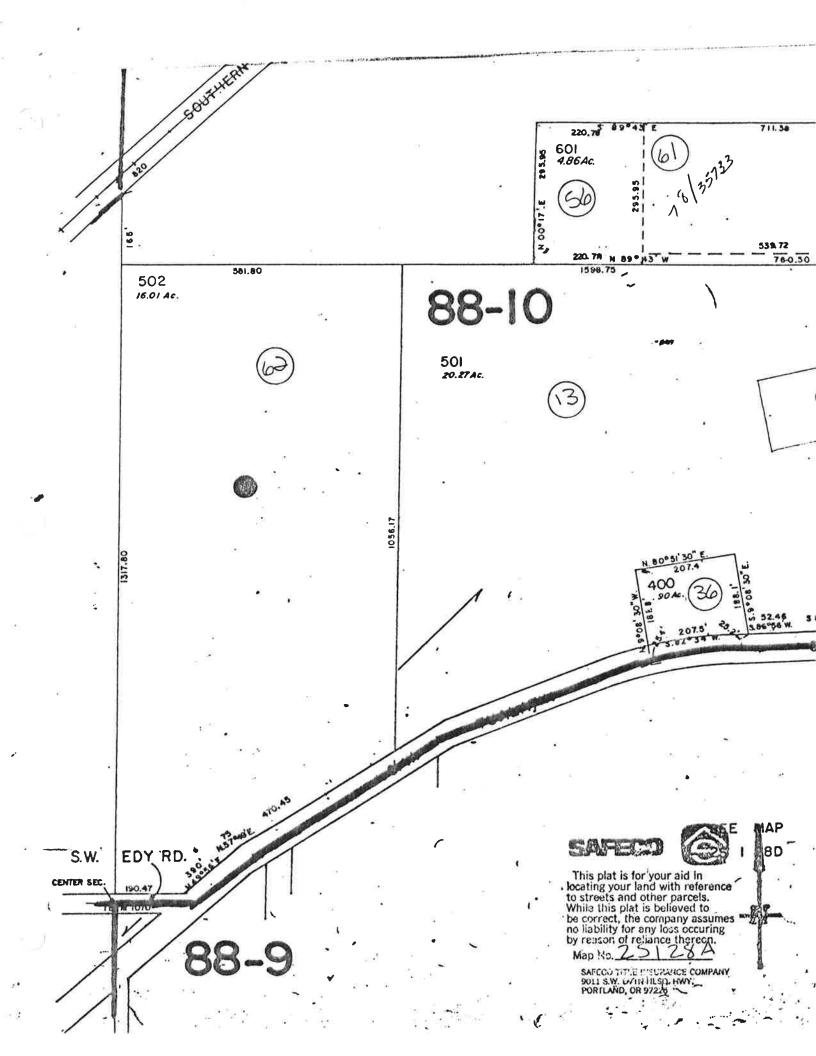
Order No. W 33101

DESCRIPTION

A tract of land in the Northeast Quarter of Section 28, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, being described as follows:

Beginning at a 5/8 inch iron rod in the center of County Road No. 1070 (Edy Road) which was set in County Survey No. 4029, October 6, 1950, said iron was set to replace a stone set for the center of Section 28, in County Survey No. 1470, January 24, 1901, said iron rod bears North 00° 34' 09" East, 2649.29 feet from the south quarter corner of Section 28, and from said iron rod a 5/8 inch iron rod bears North 00° 11' 21" West, 19.91 feet; running thence from said beginning iron rod, North 00° 26' 01" East, 1317.80 feet to a 1/2 inch iron pipe which bears 0.80 feet West of a fence corner; thence South 89° 41' 39" East, 581.80 feet; thence South 00° 26' 01" West, 1056.17 feet to center of County Road No. 492 (Tualatin-Sherwood Road); thence along the center line of said road South 56° 43' 18" West, 470.45 feet to the intersection with the center line of County Road No. 1070 (Edy Road); thence South 89° 53' 13" West, 190.47 feet to the point of beginning.

EXCEPT that portion conveyed to the City of Sherwood by instrument recorded October 24, 1985, as Recorders Fee No. 85042489, Records of Washington County, Oregon.



SABRE CONSTRUCTION - Roadway Description - (Page 1 of 2) -

A strip of land for road purposes situated in the northwest 1/4 of Section 28, T.2 S., R.1 W. of the Willamette Meridian, Washington County, Oregon, being a part of Tax Lot 300 and a part of a P. G. E. Easement Recorded in Book 483, Page 289, Deed Records, Washington County, Oregon, being more particularly described as follows, to-wit:

Beginning at a point in the northerly right of way line of Edy Road, which point bears South 89°31'42" West 390.70 feet and North 1°22'07" East 18.91 feet from the center of said Section 28, T.2 S., R.1 W. of the Willamette Meridian. From said place of beginning; thence along the centerline of a 24.00 foot roadway, being 12.00 feet on each side of the following courses and distances; North 1°22'07" East 784.19 feet to a point of curve; thence northeasterly along said centerline on a curve to the right having a radius of 116.00 feet thru a central angle of 88°20'23" a distance of 178.85 feet to a point of tangent; thence continuing along said centerline North 89°42'30" East 268.94 feet to the terminus of said roadway on the westerly line of Tax Lot 500, which is the north-south centerline of said Section 28. T.2 S., R.1 W. of the Willamette Meridian.

Also that part of the following lying in said Tax Lot 300 and said P. G. E. Easement.

Beginning at the herein mentioned point of beginning in the northerly right of way line of Edy Road; thence North 1°22'07" East along the centerline of said roadway, 47.85 feet to the true place of beginning; thence leaving said centerline North 88°37'53" West 12.00 feet to a point of curve in the westerly right of way line of said 24.00 foot roadway; the radial line of said curve bears North 88°37'

SABRE CONSTRUCTION - (Page 2 of 2) -

53" West from said point of curve; thence southwesterly along a curve to the right having a radius of 50.00 feet thru a central angle of 87.59'07" a distance of 76.78 feet to a point in the northerly right of way line of Edy Road; thence North 89°41'17" East along said right of way line 93.66 feet to a 5/8" iron rod; thence continuing North 89°41'17" East along said right of way line 30.40 feet to a point; thence leaving said right of way line, northwesterly along a curve to the right having a radius of 50.00 feet thru a central angle of 92°00'53" a distance of 80.30 feet to a point of tangent; thence North 88°37'53" West 12.00 feet to the centerline of said roadway; thence South 1°22'07" West 4.36 feet to the true place of beginning.

REGISTERED
PROFESSIONAL
LAND SUBVEYOR

OREGUN MAY B. 1998 ANDREW J. PARIS JR

239

0.00

ca25

8.53

		- C Parago	V 0
25128D 00000 CTL: LOC:21875 DAHLKELM SEO: 65750 V142255 MAP: 00PR UTINAM PAULINE (AME 1.33AC SAR ROLL SEO: 65750 V142255 MAP: 00PR 1.33AC SAR ROLL SEO: 65750 V142255 MAP: 00PR SHERWOOD OF 350689 1	LAND BLD-YAL ASSESSED OOPR VAXABLE	22 100 AD VALOREN 24 100 ET PAID 44 100 ET PAID 64 600 CURRENT VAX	1:188:83
23\280 0000 0000	LAND YALED TAXABLE	14:000 CONFUT TATE	1:308:81 T TAXE 135:80
251280 00002 CTL: LOC:21775 DAHLKE LN SY JV:42236 MAP: DOPR UTT: NUMBER, DOUGLAS \$ 9.95AL SER. ROLL SER: 65738 0000 10090176	LAND OLD-YAL OOPA TAXABLE	18:500 AD YALDREM SECOND SET TAX MED. 700 EUNNEMI TAX	1:166:58
251280 00700 PCA: 1002 DIST: 088-09 B8 09 KEY: 00547607 CTL: LOC: UTL: AREAIC2SR ROLL SEG: 657397100000 MAP: HOOPR UTL: AREAIC2SR ROLL SEG: 657397100000 MAP: HOOPR PEABODY, ETHAN A RUTH A 8.99AC SALE 0881 81029664 V CT 9 B BRADEN, HERBERT H 21700 EU DAHLKEHN SHERWOOD OR 97140	LAND *ALLESTED TAXABLE	\$3.000 AD VALOREM S3.000 MET TAX S3.000 VE DISCOUNT CURRENT TAX *** DELINGUEN	1:110:44 1:10:44 1:077:33
251280 00500 CTL:2000 PCA: 1012 DAHLE IN: 088-09 H 88 09 MAP: 00PR KYY: 00507616 CTL:2000 LOC:21700 DAHLE IN: 6540 H: 00000 MAP: 00PR UTI:	LAND BLD-YAL ASSESSED COPA YAXABLE	\$1,000 AD VALDREN 100,500 STATE AND 100,500 STATE AND 100,500 CURRENT VAN	2.106.31 2.006.31 1.946.31
251280 00900 CTL: PCA: 1012 DANLE LN: 088-09 H 88 000 HAP: HOOPE LN: 00547623 CTL: COCI21960 DANLE LN: 0547623 CTL: COCI21960 DANLE LN: 054762 SALE 0000 09240128 CTL: 00000 09240128 CT	LAND BLD-YAL LAXABLED TAXABLE	SE TOO AP VALOREM	1:8]7:35
MARKET 60437047600 MARKET 60437047600 LAND 2079,133600 BLD 8455-01 6032776000 BASE-02 278334.00 BASE-03 971303.00 BASE-04 27834.00 BASE-05 971303.00 BASE-05	-04 -04 -09 131,797,1	000 BP-FEAT 3.00 BASE-05 19 97.88 SE DISCOUNT 3,9	96000.00 53,920.23
æ.	*s	,	
·			

	ROLL: PARCEL NUMBER ORDER WASHINGTON COUNTY PROPERTY VALUES FOR 1985-86	REAL PROPERTY	10/14/85 PAGE 481	
	ROLL-CONTROL			
+	251280 01000 PCA 5032 DISTI 088-09 H 88 09 MAPI NOOPR 171 00547206 CILI LOCIZOGO CIPOLE RO SY JV100000 MAPI NOOPR 170 MARY 5040 SW CIPOLE RD ARCHITECTURE ACCURATE AC	LAND	400 AD VALDREM 12.	
	70000 SW CIPOLE NO 97140 ADDITIONAL TAX LEABILITY SALE 0000 02140061		CUARENT YAR 12:	8
- %	25129A 00100 PCA: 6002 0181: 088-10	LAND	2.2A Hanniay da DOA.5	10

824

<u>}:?}</u>

110000

ROLL I PARCEL NUMBER GROER	N T Y PROPERTY VALUES FOR 1985	-86 REAL PROPER	TY	10/14/85	PAGE 4817
2512860509102 CTL:5000 UTI:00547402 CTL:5000 EFTILEBERG DONALDE 13825 TUAL-SHEWDOD RD SHERWOOD ON 97140	CA1 3012 915T: 088-10 AREA1Y-2 ROLL 0510 559 255 5.19A SALE 0578 78021983 255 5.19A	26267 MAP: MOOPR LLD-VAL - ASSESSED C TARABLE	14.7	AD VALOREM WET VAN SE DISCOUNT CURRENT VAN	
25128C 00103 REY: 0090164 CTL: UTI: MORRISON ACREME CORP 35017 ACREM BLVD	CAI 3002 01511 088-10 OCI APEA:Y-Z ROLL SEG: 65715 JV: \$ COTT ACCEPTANCE CORP. 12/84	00217 MAPI 00007 LAND TAXABLE - 84047757		AD VALOREM VAT TAX VAT TAX CURRENT TAX *** DEL INQUENT	\$:\$ \$:\$\$ ranel ^{29:3} \$
25128C 00200 KY1 0054741 CTL: UT1 UT2: HELVIN QUEENIE AL T RA HIRE ENIERPISES LTD BY GHSMAN, ALICE L TUALATIN ON 97062	CA: 3002 DIST: 088-10 20 AREA:Y-2 ROLL SEG: 65716 JV: 21 5 5 AL 2 27 5 Y AL 2 27 5 Y AL 2 27 5 Y AL 2 28 6 AL 2	25570 MAPI 00002 LAND TAXABLE 0000 70025569 EEST LTD		AD VALOREM NET TAX VE DISCOUNT CUMRENT YAX *** DELINGUENT	TARES ***
25128C 00201 KEY1 00935862 CTL1 UT11 BRUNE INVESTMENT COMPANY BY ALLEED SYSTEMS COMPANY 13985 SW TUAL-SHERWOOD RD SHERWOOD OR 97140	CAL 3012 BIST: 088-10 AREA:Y-Z ROLL SEG: 65717 SEE MOBILE HOME ROLL 749A CO 40438 8/27/84 8/2/84 0 AND O AMD 0 35-114 81/82 CO 79 LESS 11AC 10 049 V 88 M	30528 MAPI MOOPR LAND C	1558:700	ÉŨAŘĹŇŤŤĬŇĸ ⊕	\$\$;215;34
BRUNE HOWARD E 122 CONDOLEA DRIVE LAKE OSWEGO OR 97034	AREA: Y-2 ROLL SEG: 65718 VI 65786 6 OF E 0553 8/15/85 0 AND 0 AND 0 8 - 008 82-83 83-84 AV 9 0 AND 0 83-7835 71/82 80 80 9	25570 HAPI NOOPR -ASSESSED 1084-1088 82-83 83-84 2 846 81/82	\$3:200 \$2:200	AD VALOREM NET TAX SE DISCOUNT CURRENT TAX	1:383:28 1:534:36
WELLOWS, LARRY SCHUTTE, HANK O BOX 381	201 3012 BIBY: 088-10 AREALY-2 ROLL SEG: 65719 B O/ E REC 82-83 6/17/82 SALE	84747 MAPI MODPR BLD-YAL - ASSESSED TAXABLE		AD VALOREM HET TAX SED ISCOUNT CURRENT TAX	
25128C 00301 CTL1 KEY1 00547439 CTL1 UTIL UTIL UTIL UTIL UTIL UTIL UTIL UTIL	74: 3012	14488 MAPI NOOPR BLD-YAL BLD-YAL BLD-YAL B NEC 82-83 6/17/82 TAXABLE	1813 888	AD VALOREM VET VAX VET DISCOUNT CURRENT VAX	33 : 783 : 33 24 . 668 : 33
25128C 00302	CA: 3012 DIST: 088-10 88	10 LAND	10,000	AD VALOREM	2,551.22

i i i fed

KEY: 00547448 UTI: UELLOWS LAMRY SCHUETTE HAMR LAKE OSWEGO LAKE OSWEGO	0121 LOG	2,00AC	ROLL SEGI	45721 JV:77240 MAP: NOOPR BALE 0000 10330422	TAXABLE P	188:288	MET TAX YE DISCOUNT CURRENT YAX THEUDONI JED ***	2.551.22 TAKES
25128C 00400 88 KEYI 00547457 VINDIER LEATHER BOX 502	616: E66	OVAC CODE	DIST: 088-09 ROLL SEG: SPLET	65722 V 29409 MAP: NOOPR SALE 0000 04670110 V	LAND *ASSESSED TAXABLE	188	AD VALOREM WET TAX YE DISCOUNT CURRENT TAX	2:13 2:88
25128C 00400 88 REY: 01047290 UT1: FRONTIER LEATHER BOX 502 SHERWOOD	1117:	SAPRACY-CODE	D157: 086-10 ROLL \$EQ: SPLIFEG:	5723 V.29109 MAP: NOOPR	LAND *ASSESSED TAXABLE	11:\$88	AD VALOREM NET TAX SEDISCOUNT CURRENT TAX	986 - \$1 956 : \$7
25128C 00500 KEY1 00547466 UT1: CEREGHINO, JOHN 14100 SW TUALATI SHERWOOD	UT 2 1	114100 TUAL AMEGICZEM 10 0546 ADDITIONAL T	DIST: 088-09 -SHERWOOD RD ROLL SEG! AN LIABILITY	SH JV:56404 MAPI HOOPR 63724 JV:56404 MAPI HOOPR CHIONED FARM LAND-POTENTIAL SEE MOBILE HORE ROLL	LAND *ASSESTED TAXABLE	33 : 900 33 : 900	AD VALOREM HET TAX YE DISCOUNT CURRENT TAX	\$42.81 \$42.81 10.25 \$20.31
KIMWOOD CORPORAT	CTL: PCA CTL: LOC UT2: ION DR 97424	22.12AC	DISTI OBE-10 - SHERWOOD AD ROLL SEGI OMATION 031224 V WD B		LAND *ASSESSED TAXABLE	\$\$1:488 \$\$1:488	AD VALOREM WET TAX IL DISCOUNT CURRENT TAX	14:337:36
25128C 00600 K(Y1 00547475 U111 BILES, JOE HAZ PO BOK 5395		11 18888 TUAL 18 18 18 18 18 18 18 18 18 18 18 18 18 1	DIST: 088-09 - SHERWOOD RD ROLL SEQ:	SY 200000 RAP: NOOPR 5726 THE TUAL-SHERWOOD RD	LAND BLD-YAL ASSESSED TAXABLE	11:188 12:188	AD VALOREM VET TAX DISCOUNT CURRENT TAX	878:84 652:84
MCPOLAND, JAMES X 111CH, GENALD 205 S SHERWOOD B P O ROX 353	PCA CTLI LOC UT21 IDA M J LVD OR 97140	11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016 11016	0151: 088-09 -3HERWOOD RD ROLL SER! (5H 2V100003 MAP: DOPR 5727 WAS - 83027850	LAND BLD-YAL ASSESSED TAXABLE	\$4.00 \$6.00 \$4.00	AD VALOREM VET TAX VE DISCOUNT CURRENT TAX	1:234:06

OLL S PARCEL NUMBER ORDE	4		ROLL-CONTROL AL CONTINUATION	REAL PROPERTY		10/14/85	PAGE 4816
\$128# 00101 00 01 \$11 00547279 Clus \$1. breath, Joseph A \$05 1 Cleole RD \$15 0 Cleole RD \$15 0 Cleole RD \$15 0 Cleole RD	£88;		WAZENESSO SARALSUS-POTENTIAL	LAND BLO-YAL - ASSESSED OOPR YAXABLE	11:088 48.408	APAYALARIN YURALAROYNI	1.014.4
STERNOSTER CTL: TIL STERNOSTER CTL: ALBREATH J HARV LIFE E SOLSTE CIFOLE NO.	1583 ATA		V 18 19 19 0 MAP, NOOPR	LAND TAXABLE	1:388	AP TYALOREM TENTOSEPT TAX	\$8:] 24:4
128M 00102 00 01 512 00547322 CIL: 11 00547322 CIL: 11 12 12 12 12 12 12 12 12 12 12 12 12 1	PSA:	AMAZONE SUBJECT TO PENALTY	47 11 1	LAND BLD-YAL ASSESSED OOPR YAXABLE	73,208	STATELOUNT	1,396
\$1268 00103 EY: 00547297 CTL: ALBREATH, JOSEPH . M.E.	[88]	5052 DISTI 088-02 AREALCZER ROLL SEGI LOS IT COMPLINED LO	JVI67210 MAPI NOOPR 1703 VIGTZ10 MAPI NOOPR UNIONED FARM LAND-POTENTIAL B.44AC FROM CODE 88-02.	LAMP TAXABLE TAXABLE		AD VALOREM VE DISCOUNT CORRENT YAX	130:1 122:1
STERM 00104 (Y: 01236237 CTL: ALBREATH, JOSEPH A ET A SMIROL, JMCOM A ET A OBJI SV CASCADE AVENUES OBJI SV CASCADE AVENUES	PCA1 LOCI	6002 DISTI 086-10 ARÇAICZSR ROLL SEGI 65 MZÖHEĞ (ARMLAND-POTENTIAL ALE 0781 B1023368 WD	BACE SOBOBLESS VE -02 1704 JV167210 HAPI HOOPR 1704 JV167210 HAPI HOOPR 1704 JV167210 HAPI HOOPR 1704 JV167210 HAPI HOOPR	ASSESSED A	\$:788 \$:788	AD VALOREM MITO ISCOUNT CURRENT VAN MARKE DOWN O'S OF A POST OF A	german destructions of the
\$1288 00200 {Y 00547540	1963 TH (AREA CZSR ROLL SEGI 65	1705 JV:00000 MAP: NDOPR FARM ZONE SUBJECT TO PENALT	LAND PASSESSED TAXABLE	¥:\$88	AD VALOREM WITD SCOUNT CURRENT VAX	134:5 TANE 330:1
\$1288 00300 {Y: 00547339	PCA1 LOCI	ALE 0000 11240747	1704267 MAPI NOOPR UNIZONED FARMLAND POTENTIAL SEE MOBILE HOME ROLL	LAND ASSESSED TAXABLE		AD VALOREM BIT TAR SE DISCOUNT CURNENT YAX	83:38 63:4
51288 00301 671 00547368 CTL! 10NE, MICHARD F 5545 SW EDY RD	[88]	1012 EDY ROLL SEG: 4	H 907 07/85 - 85027941	LAND BLO-YAL ALSESSED TAXABLE	12:188	AD VALOREM VET DISCOUNT CURRENT YAK	2,064.

; 78 ; 93

76

000

000

1:Y3

::::

4825

4.83 3.94

SHERWOOD	OR 97140	1.8208545"	15889818 1 00	U 04/85 - 850					
251288 00400 K(Y: 00547377 U11 TAYLOR, LLOYD B PG DOX 1861 LAKE 05WEGO	CTL: UT ARLETTE OR 97034	PCA: 13032 LOC: 13032 Angla: CER	PISTI 088-10 V ROLL SEGI TAX LIABILITY	6370#JV152194 \$70#JV152194	MAPI NOOPR HLAND POTENTIAL 7330392	LAND ASSESSED TAXABLE	1:588	AP VALOREM US DISCOUNT CURRENT VAX	\$3:18 61:88
251288 00401 REY! 01032260 UTILCE!, EDWAR GOODRICH. JEREM 13939 WEDY RD SHERWOOD	5351	LOCI ASSALVA	POLL SEGI EDWARD/JAME ET 85028356 1 UD	0 H 65709 4123460 AL 07/85 - 850	MAP: 00002 26356	LAND BLD-YAL *Alsessee * TARABLE	167:188 712:288	AP VALOREM VI DÍSCOUNT CURRENT VAX	18:362:38
251288 00402 K(Y: 01166222 U111 TAYLOR, LLOYD A TAYLOR LLOYD A TAYLOR LLOYD A TAYLOR LLOYD A TAYLOR LLOYD A TAYLOR LLOYD A TAKE USWEGO			DIST: 088-10 ROLL SEG:	0 69710 JV:32195 63710 BALE 0477 1	MAPI NOOPR 1560897 WD	LAND BLD-YAL AASS SED TAXABLE	100	AD VALOREM MET TAX YE DISCOUNT CURRENT YAX	\$:831:83 1.990:34
251288 00405 REY: 01181660 U11: TAYLOR, CLOYD D PO BOX 1661 LAYE USWEGO			D \$1: 088-1(ROLL \$EQ:	D H 65711 JV:23460 5ALE 1177 BI	MAPI NOOPR 0023460 LE	LAND BLD-YAL ASSESSED TAXABLE	134:488	AD VALOREM OF TAX OF TAX CURRENT YAX OF THE THE TAX OF THE TAX OF THE TAX OF THE TAX OF THE TAX OF TA	#: F : 88

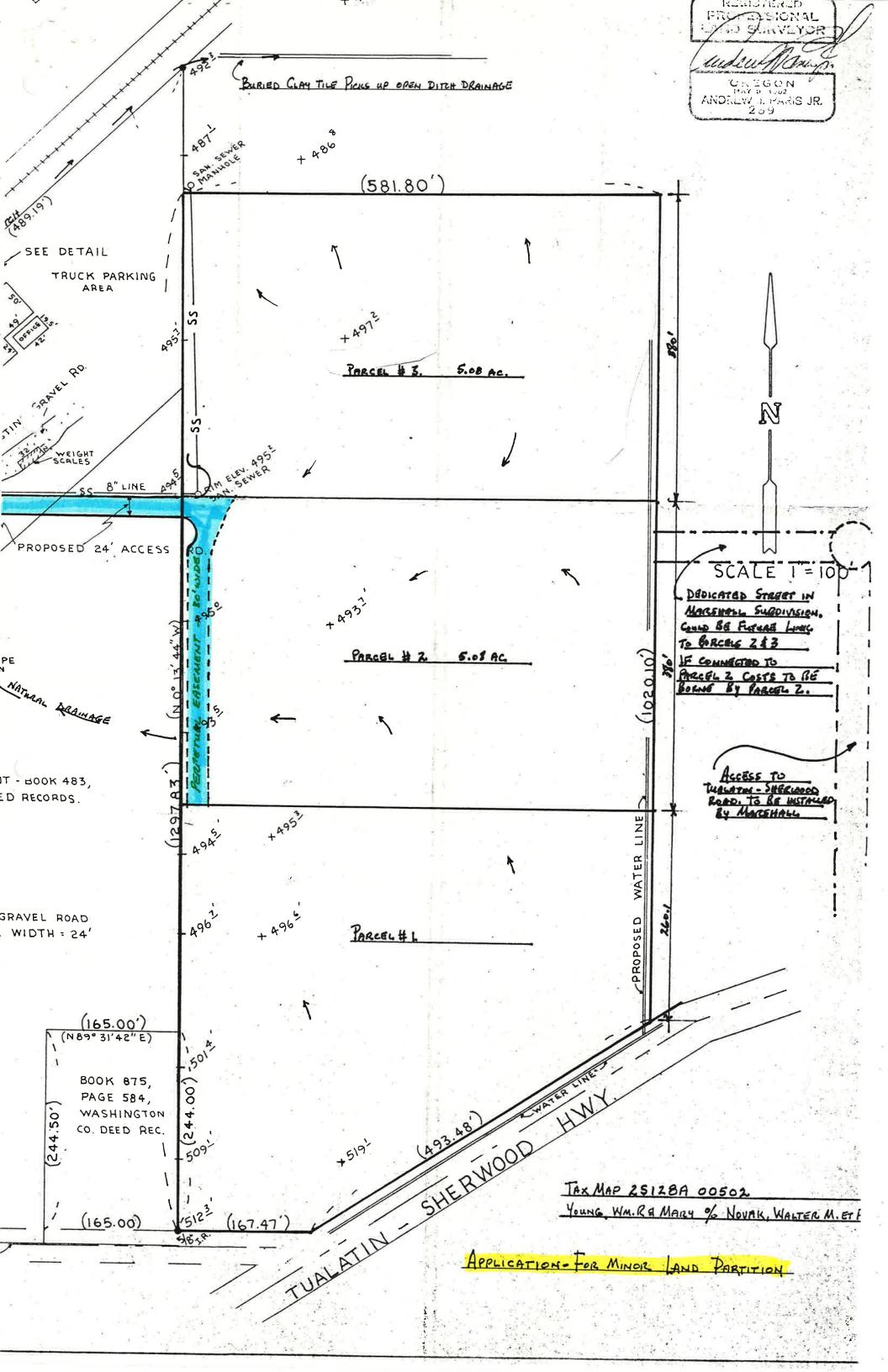
OLL: PARCEL NUMBER ORDER ASH ING YOU	UN	T Y PR	OPERTY VALUES	FOR		L-CONTROL	REAL PROPERTY		10/14/65	100
\$1288.00547180 CTL: \$1:00547180 CTL: \$1:0547180 CTL: \$	PCA	SOSZ AREA: CZSR 16 60AC ADÓITIONAL	DIST: 084-09 ROLL SEQ: TAX LIABILITY	6568 Y	SE DOOGO STONED FARM ONE - MAE	LAND-POTENTIAL	LAND *ASSESSED TAXABLE		LUMBER! INA	
\$1280 504000 CTL1 \$1 00547100 CTL1 HAYEZ & ATTRED SHERWOOD RD HERWOOD TO THE	LOC	1012 13025 TUA AREAICZSR 20AC - MAE	PIST: 088-1: L-SHENWOOD HD ROLL SEG:	438	74100000 ALE 0000 BI	RAPI NOOPR	LAND BLD-YAL *ASSESSED TAXABLE	\$3:988 \$3:388	AD VALOREM UET VALOREM UET VALOREM UET VALOREM CURRENT VAX	1,326.3
128A 00501 [Y: 01224678 CTL: [1] UT2: OUNG, WILLIAM R MARY MARSHALL P M O BOX 287 UALATIN OR 97062	PCA	AREA:C258 .08 AC UNZUNED FAR 8/84 - 8403 CODE SPLIT	DIST: 088-0' ROLL SEG: MLAND-POTENTS: 3399	454# AL.	JV100000	MAPI 00003				
S128A 00501 01 Y1 01231955 CTL: UT 2 OWG, WILLIAM R MARY AC EQUIPMENT CO OREG LTD D BOX 278 UNLATIN OR 97062	PCA	5032 AREA: C25R 20.19AC UH20NED FAR SALE 0000	PIST: 088-10 ROLL \$EG: NAME = MAE MLAND POTENTI 1013348 CT	0 4549 AL Å	DETTONIE T	MAP: NOOPR	ASSESSED TAXABLE	V 2	AD VALOREM VET DISCOUNT CURRENT YAX	78
EYT 01233212 CTL: OUNG, WILLIAM R AND MARY NOVAK, WALTER M AND AGEN, SANDRA EY AL-TRUSTE!	LÖC	AREA: C25R 16.01AC UNZONED FAR SALE 1282	ROLL SEG:	0 4549 AL A	JY:00000 ONE MAE DDITIONAL T	MAP: NOOPR	LAMD *ASSESSED TAXABLE	£:188	AD VALOREM WET TAX TE DISCOUNT CURRENT YAX	*
S128A 00600 EYI 00547215 CTL: TI ASELEY, WILLIAM /CHRISTII COLUMBIA HARDWOOD AND OULDING CO 2700 SW HALL BLYD 1GARD OR 97225	ESE MA	15032 120283 18641.c284 1864110HAL	DIST: 088-1 POLE RD ROLL SEG: TAX LIABILITY	.35		MAPI 00005 LAND-POTENTIAL DAGGE I AC B			AD VALOREM NET TAX VI DISCOUNT CURRENT TAX	2:206:3 2,148:3
SIZBA 000532 CTL: TI UTZ: HEMOR DEVELOPMENT CO O BOX 328 OR 97132	28â	1 3012 AREALY-2 4.86AC SHEMON BEYE SHEEDY, KEE B/BJ - 840 SALE 0884	ROLL SEGI	4569	0/84 - 8403 RENE D ODE CHANGE	MAP: 00005 9453 88-9 TO 88-10	TAXABLEED	388:388	THE DECIMANE	
128A 00700	PCA	19983 511	POLE RD	9 H	3 175224	MAPI NOOPR	LAND BLD-YAL	113:388	AP YALDATE	Marketin 4 041

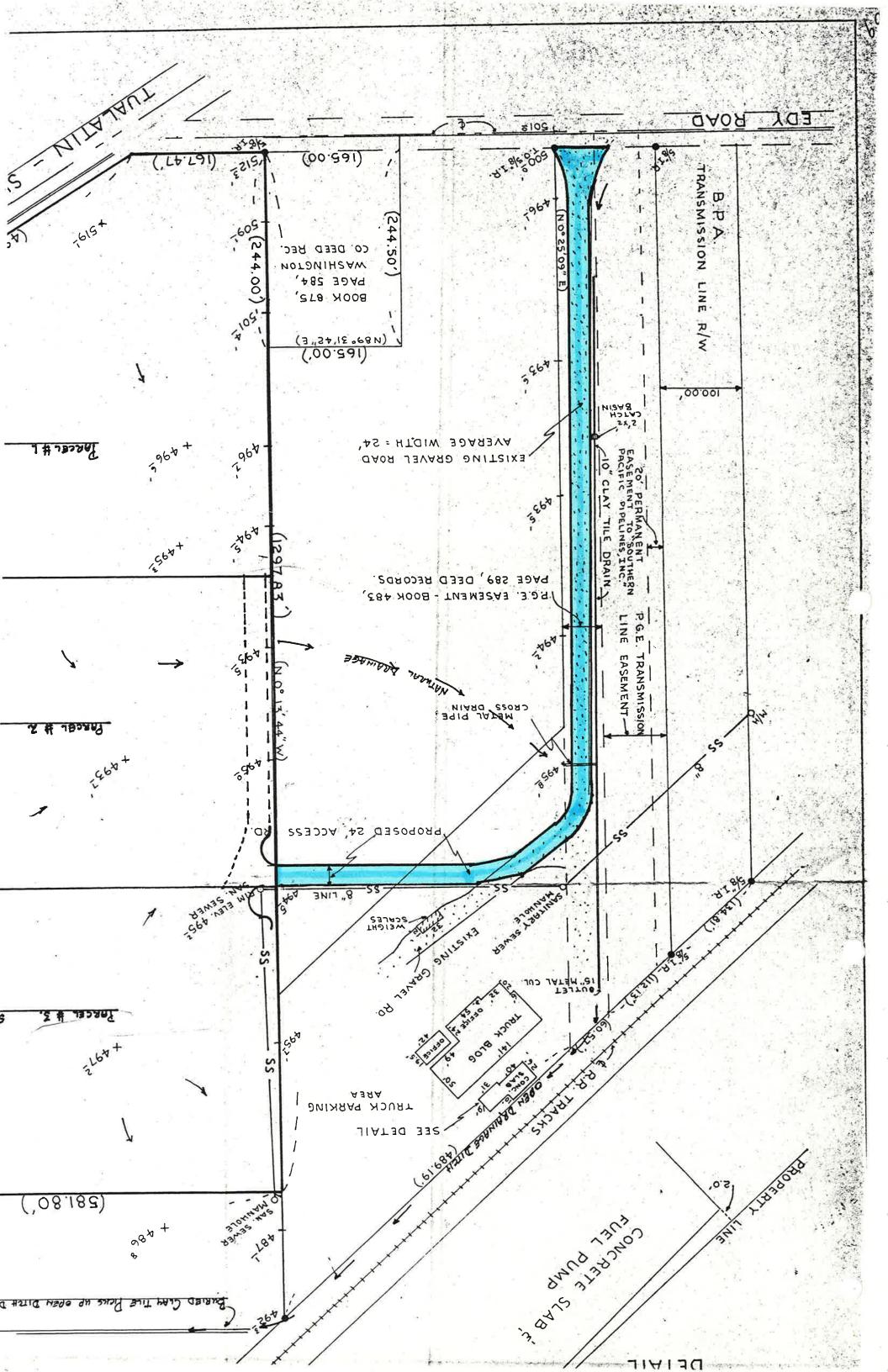
		*					
TREIT, MARLOWE C 19985 SW CIPOLE RD SHERWOOD OR 97140	2.62AC REC 1-21300 S	92-83 ₈₃ 7/1/82	SALE 0381 81021300 WD F		197.608	SE PISCOUNT CURRENT YAX	3.888:£\$
SHERWOOD OR WITHU			SALE 0000 06730406	LAND BLD-VAL *ASSESSED OOPR TAXABLE		AD YALDREM STATE PAID WET DISCOUNT CURRENT YAX	1,219.88 1,119.88 1,086.28
2512BA 00900 KEYI 00547242 CTLI UTI: GALBREATH, JOSEPH ALT AL I WADDILL, THELMA L AND JOHN 19915 SW CIPOLE RD SHERWOOD OR 97140			SW JV:00000 MAP: 00PR 65095 SALE 1180 80047253 I CT U	LAND BLD-VAL -ASSESSED DOPR TAXABLE	\$2.000 \$7.000 57.900	AD VALOREM STATE PAID NET TAX VI DISCOUNT CURRENT TAX	1,213,50 1,113,50 1,080.18
25128A 01000 KEYI 00547251 CTL: UTII CEREGHIMO GERDA DAVID E AND RUTH J FISHER TRUSTE! 1445 SW EDY RD	AREAICZSR 8.68AC ES ADDITIONAL	ROLL SEGI TAX LIABILITY	SALE 0370 YOUTEST VEST	TAXABLE	\$:588	AD VALOREM MET TAX VA DISCOUNT CURRENT TAX	93.84 93.84 93.02
251288 00100 00 01 KEY: 00547304 CTL: UT2: GALBREATH, JOSEPH A MADELINE JOHN D 1995 SW CEPOLE RD 1995 SW CEPOLE RD	PCA: 6002 LOC: AREA:C2SR 5.40AC CO ADDITIONAL SALE 0000 O		SAGOT JV:67210 MAP: NOOPR 65697 FOREST LAND - POTENTIAL ZONE - GEUÖSB	TAXABLE	188	AD VALOREM HET TAX 12 DISCOUNT CURRENT TAX	16.3 15.8
251288 00100 88 09 KEY1 00547260 CTL: UT1: GALBREATH, JOSEPH A. MADELINE JOHN D. 19935 SW CIPOLE RD 19935 SW CIPOLE RD SMERWOOD OR 97140			65698 JV.2909 MAP: MOOPR 65698 JV.2909 MAP: MOOPR 1AL ADD TIONAL TAY LIABILITY SALE 0000 08550678	LAND *ASSESSED TAXABLE	} ;888	AD VALOREM NET TAX SE DISCOUNT CURRENT TAX	62.88 60.89
251288 00101 KEY: 00547313 CTL: ' UT: 00547313 CTL: ' UT: 00547313 CTL: ' UT: 0121 GALBREATH, JOSEPH A MADELINE 1 19935 SW CIPOLE RD SHERWDOD OR 97140	PCA: 5022 LOC: AREA:C35R 1.07AC CODE SALE 0000	D157: 088-0	2 65699 JV:67210 MAP: NOOPR 67699 ZONE-SUBJECT TO PENALT	LAMA	388	AD VALOREM NET TAX TE DISCOUNT CURRENT TAX	18:33 9:31
MARKET 60% 058 100 BASE-01 6025 07100.00 BASE-06 77928 CO AD VALDREM 128,314,079.18	MARKET 603 BASE-02 BASE-07 STATE PAID 3.	278534-00 L	AND 2075,861,500 BLD BASE-08 971303.00 BASE- AASE-08 7,025,160.88 NET TAX	84 3960 1396 4 131,626,4	\$.00 \$ \$.00 2\$.15 \$%	DISCOUNT 3	196000.00

NE 1/4 SECTION 28 T S R IW W.M.

WASHINGTON COUNTY OREGON SCALE 1"= 200'







STAFF REPORT

TO: City of Sherwood

DATE TYPED: October 8, 1986

Planning Commission

FROM: Carole W. Connell, Consulting Planner

FILE NO: 2271-49

Benkendorf & Associates

SUBJECT: Request for a Minor Plan Amendment/Zone Change from Community

Commercial (CC) to High Density Residential (HDR)

I. PROPOSAL DATA

Applicant: Dewitt Montgomery

3633 S.E. Tenino

Portland, Oregon 97202

Owner: Same as above

Request: Minor Plan Map Amendment/Zone Change of 1.3 acres from CC to

HDR, currently fully developed and known as the Village Green

Apartments.

Location: The Village Green Apartments located at 435 North Sherwood

Blvd. and further described as Tax Lots 201, 202, 203, 300,

Map 2S-1-32BB.

II. BACKGROUND DATA

The purpose of this request is to revise the zoning designation to comply with the actual use of the property. The subject property is currently zoned Community Commercial (CC), and the existing apartments are a non-conforming use. Under the present zoning regulations, if more than 60 percent of the property is destroyed, the owner is unable to rebuild the apartments as they exist today. The CC zone, which extends from downtown to the subject parcel, only allows apartments above or behind a commercial use. The applicant applied for a new mortgage on the property and was unable to get approval because of the non-conforming use status. The property is fully developed.

III. SHERWOOD CODE PROVISIONS

.1

- A. Chapter 1, Section 3.00 Amendments
- B. Chapter 1, Section 4.00 Plan Compliance Review Process
- C. Chapter 1, Section 7.00 Public Notice Requirements
- D. Chapter 2, Section 2.10 High Density Residential (HDR)

IV. SHERWOOD COMMUNITY DEVELOPMENT PLAN

A. General Residential Objectives

- Encourage the formation of balanced neighborhoods with a mix of residential, commercial, institutional and recreational uses appropriate to local resident needs.
- 2. Seek to provide housing which meets local needs with regard to style, price, density, quality and energy efficiency.
- 3. Specify the purpose and density requirements for residential land use classifications used in the Comprehensive Plan.
- Policy 4: The City will create, designate and administer five residential planning designations specifying the purpose and standards of each consistent with the need for a balance in housing densities, styles, prices and tenures.

a. High Density Residential (HDR)

This designation is intended to provide for high density multi-family urban housing with a diversity in style, design and amenities in keeping with sound site planning principles in the following general areas:

- o Where related public, institutional and commercial uses may be mixed with or are in proximity to compatible high density residential uses.
- o Where a full range of urban facilities and services are available at adequate levels to support high density residential development.
- o Where direct access to major fully improved streets is available.
- o Where higher density development will not exceed land, air or water carrying capacities.

Response: The existing apartment complex consists of seven buildings, including 25 apartments, a swimming pool and parking. The

units continue to provide multi-family housing opportunities for Sherwood residents. The existing use is in compliance with the intent of the HDR zone which is "intended to provide for higher density multi-family urban housing with a diversity amenities of style, design and and other related compatible with a density not to exceed 21 dwelling units per net buildable acre."

There are 25 existing dwelling units. If the property were to be developed today, the HDR zone would allow up to 21 units, based on an estimated net site acreage of one acre. There is a variety of apartment units in the complex, available for both singles and families. The units are close to

institutional uses, the shopping center and a fully improved major street, North Sherwood Blvd. City sewer and water services are also connected to the complex.

B. Commercial Land Use Objectives

- 1. To provide for commercial activities which are suitable to regional, community and neighborhood demand.
- 2. To locate commercial activities with safe and convenient access by consumers.
- 3. To encourage the location of commercial uses in well-planned commercial centers.
- 4. Commercial uses will be developed so as to complement rather than detract from adjoining uses.
- 5. A new City Center commercial area will be located south of Six Corners.

6. Community Commercial (CC) Objectives

This designation is intended for the following general areas:

- a. Where retail and service uses can be centrally located in the community and/or are easily accessible on major fully improved streets from all areas of the City.
- b. Where the creation and/or expansion of planned commercial center(s) will not create undue congestion or produce substantial conflicts with the established land use pattern.
- c. Where concentrations of residential use are, or in the foreseeable future will be sufficient to support retail activity.

- d. Where adequate off-street parking and pedestrian ways are provided or can be provided in and near where development is to occur.
- e. Where a full range of urban services and facilities are available or can be provided in conjunction with development.

Response: Because of the extensive existing development in the immediate vicinity of the subject property, it is unlikely that this area will convert to a commercial center. Six Corners and the downtown core are the two areas in Sherwood specifically designated as commercial centers. The subject site is not defined in the Comprehensive Plan as a well-planned commercial center.

It is likely that the creation of a commercial center in this immediate area would cause substantial conflicts with the existing residential land use pattern. The development of a this area would cause commercial center in unnecessary competition with existing commercial centers. currently underutilized. The surrounding schools, small church and offices compatible with the existing are high density residential development.

V. FINDINGS OF FACT

- A. The subject property is 1.33 acres in size and consists of Tax Lots 201, 202, 203 and 300, Map 2S-1-32BB. The property is currently planned and zoned Community Commercial (CC). The site is fully developed with 25 apartments in seven buildings, a swimming pool and off-street parking.
- B. Surrounding land uses include a mixture of residential, institutional, small retail and office use, and a vacant parcel. Surrounding zoning is HDR, MDRH, IP, and CC.

- C. Because the subject property is under 4 acres in size, this request is a Minor rather than a Major Plan Map Amendment.
- D. Access to the parcel is available from N. Sherwood Blvd., which includes sidewalks. Sherwood Blvd. is an arterial street and requires 70 feet of right-of-way. Currently, there is 60 feet dedicated.
- E. There are no designated recreational resources on or adjoining the site. The Cedar Creek Greenway is about 600 feet west of the site.
- F. Tri-Met bus service is available at the Six Corners intersection.
- G. City sewer and water service is currently available to the existing units. The apartments are also served by Sherwood City Police and the Tualatin Fire District.
- H. The Comprehensive Plan policies identified in Section IV of this report describe residential objectives and the HDR zoning designation, and commercial objectives and the CC zoning designation.
- I. If approved, the proposal would result in a loss of 1.3 acres of commercial land and a gain of 1.3 acres of high density residential land. There would be no potential gain in housing, however, because the property is already developed. Because the existing development slightly exceeds the allowable density of the HDR zone, there will be no opportunity for additional units to be placed on the subject tax lots.
- J. LCDC, the Tualatin Fire District and Washington County have been notified of this proposal. Each of the above agencies stated they had no conflicts with the request.

VI. CONCLUSION

A. The subject property is not designated or appropriate as a future commercial center in Sherwood.

- B. The subject property is currently developed with 25 apartments, in conformance with the intent and use restrictions of the HDR zone. The development exceeds the allowable HDR density by four units.
- C. The proposed amendment is in conformance with the Comprehensive Plan text portions regarding residential land use and the HDR zone.
- D. It is in the public interest to clarify and correct the zoning of this site to both fit the established use and to protect the existing commercial centers in Sherwood.
- E. The existing land use pattern in the immediate vicinity of the subject property is a compatible mix of residential, institutional and small retail and office uses. There is no need for this area to convert to primarily commercial uses.
- F. The proposed amendment will allow an existing, established residential use in Sherwood to be expanded, or if destroyed, rebuilt.
- G. An additional 10 feet of right-of-way is needed for N. Sherwood Blvd., 5 feet from each side of the road.

VII. RECOMMENDATION

Staff recommends approval of the proposed Plan Amendment with the following condition:

1. There shall be dedicated to the City 5 feet of road right-of-way for N. Sherwood Blvd.

2271-49.sr

Staff Use

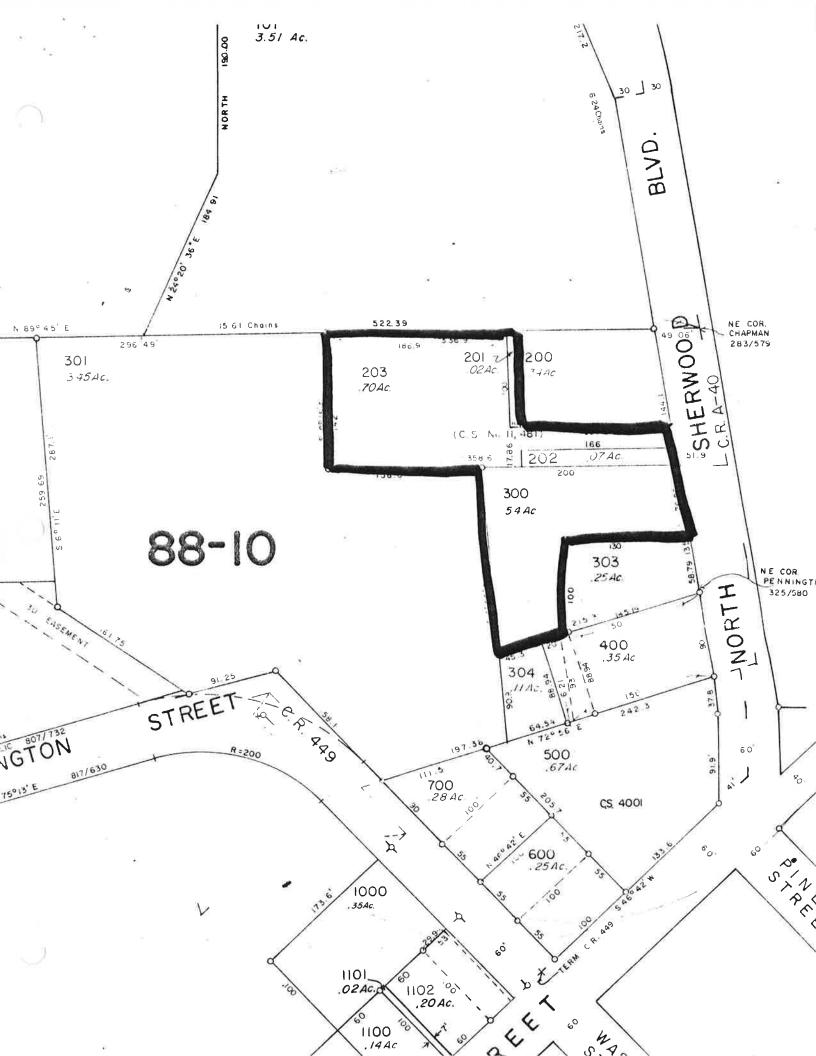
CTTY	OF	SHERWOOD	

APPLICATION FOR LAND USE ACTION

Purpose and Description of Proposed Action:___

CASE NO.2271-49
FEE 450RECEIPT NO.
DATE 9-25-86

Type of Land Use Action Requested
Annexation Conditional Use X Plan Amendment Minor Minor Partition Variance Subdivision Planned Unit Development Design Review Other
Our or Appliant Information
Owner/Applicant Information ADDRESS Applicant: De Will H. Montgomey 3633 SE Tenur Portland 777-303 Owner: Same
Contact for Additional Info: Same 777~3037
Street Location: 435 N. Sherwood Blue ZS-1-3ZBB Tax Lot No. 201, 202, 203, 300 Acreage App 1.33 Existing Structures (Use: 25 Apt 1/4/ts + Park 1/2 7 klds.
Tax Lot No. 201,202, 203, 300 Acreage APP 1.33
EXISTING STRUCTURES/OSE: ~ 5 1/pt VIII 5 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
Existing Plan Designation: Community Commercial (CC)
Proposed Action
Proposed Use Same as Existing: 25 Apt units + Pool in 76/ds Proposed Plan Designation HDR High Density Residential
Proposed Plan Designation HDR High Density Residential
Proposed No. of Phases (one year each)
Standard to be Varied and How Varied (Variance Only)
- 100 Variance regimen



REQUIRED FINDINGS

1. Our existing apartment complex, more than just being in compliance with the H.D.R. zone, furthers its goals. Section 2.10 A. <u>Purpose</u> says:

"This designation area is intended to provide for higher density multi-family urban housing with a diversity of style design, and amenities and other related uses compatible with a density not to exceed 21 dwelling units per net buildable acre."

We are within the density guidelines having only 25 units when the H.D.R. would allow 27.9. Our variety of apartments, including studio and 2-bedroom apartments and 2- and 3-bedroom duplex units, promotes a diversity of living situations and amenities leading to a tenant mix including singles and families.

2. This amendment's purpose is to change the zoning to conform to the present land use. I think the C.C. zone is misapplied here, and that the H.D.R. zone is more in character with the existing structures and neighboring facilities.

I think the public interest is well served by this change because, in the case of a fire, we would be unable to rebuild our apartments. Furthermore, there is no economic impetus to establish the type of mixed use commercial and apartment space called for in this C.C. zone. This would result in vacant space unable to be built upon until the zoning was changed.

There is not enough demand for the existing commercial and retail space as can be seen by vacancies at Six Corners. There is ample demand for medium-priced apartments as evidenced by our low vacancy and by the new M.D.R. building planned adjacent to our property.

3. The highest and best use for this land will continue to be as an apartment complex. There is an abundance of demand for our service. We are an existing complex that is in compliance with the purpose and specifications of the zone we wish to become. It is possible that property values and future economic enterprise in the area could be adversely effected by continuing with the misplaced zone.

Since there is no new development, there is no effect on the transportation or natural resources of the area.

PURPOSE AND DESCRIPTION OF PROPOSED ACTION:

Our proposal would change the zoning from C.C. to H.D.R. This change would conform the zoning to the existing use. No new development is proposed. The existing density (25 units/1.33 acres) of 18.79 units per acre is within the guidelines of H.D.R. There is adjacent property already zoned H.D.R.

Under the present zoning regulations, if more than 60 percent of our property was destroyed, we would be unable to rebuild. The zone only allows apartments over or behind commercial space. It is an extension of the zoning existing downtown and I believe it is misapplied here.

The present zoning interferes with out ability to get a new mortgage and adequate insurance.

AREAS NOT BEING ADDRESS:

Much of the information requested in Table 4.04 is pertinent to new development only. In this situation, no new building is being proposed and there are no changes to the environment or community facilities. Therefore, these questions are not being addressed.

LAND USE:

The total acreage is 1.33 acres. The property is made up of four tax lots: #201, #202, #203 and #300. They are .7, .54, .07 and .02 of an acre respectively.

The Existing Comprehensive Plan Designation is Community Commercial (CC).

The existing land use is a 25-unit apartment complex. There are seven buildings and a pool. The buildings are 28'x120', 28'x72', 28'x60', two 24'x60' and two 26'x62'.

There are no easements.

There is varied land use in the adjacent properties:

In Map #25 132AB:

Lot #800, 801, 900

Lot #1000

Lot #1100

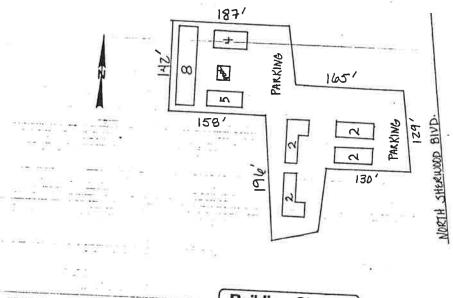
Lot #1200 and 1300

Playing fields and school buildings
Residential
Telephone company

In Map #25 132BA: Awaiting development Lot #100 HDR Apartment complex Lot #101 Insurance office Lot #200 Church and parking Lot #301 City park and floodplain Lots #302, 800 and 900 Residential Lot #303 Doctors' offices and parking Lots #304 and 400 Pizza outlet and retail shop Lot #500 Residential Lot #600 Residential Lot #700 Residential Lot #1000 Residential Lot #1102

EXHIBITS:

- 1. Tax Maps 25 132BA, 25 132AB
- 2. Preliminary Title Report
- 3. Vicinity maps showing properties within one-half mile and indicating subject property and its relationship to City Limits and Urban Growth Boundary
- 4. Names and addresses of owners of record
- 5. Lists of tax lots within 300-feet and the owner and address
- 6. Purpose and description of Proposed Change
- 7. Building Schedule



Building Sketch

October 9, 1986

TO: Planning Commission

FROM: Jim Rapp, City Manager

RE: Old Town Zoning

Attached find a draft ordinance establishing an Old Town "overlay" zone. This zoning was the priority recommendation contained in the 1983 Ragland Old Town Study (copies of which have been provided you). Old Town merchants and property owners have met to discuss the ordinance, and it has been reviewed by Mr. Ragland. Some minor changes have been made to the draft subsequent to my July 7 memorandum, as a result of these meetings.

Two public hearings and Commission actions are actually necessary. The first to approve the zoning text, and the second to approve the zone boundary, as shown on the attached map.



July 7, 1986

TO: Interested Parties

FROM: Jim Rapp, City Manager Jim C

RE: Old Town Overlay Zone

Attached find a draft zoning ordinance creating an Old Town (OT) overlay zoning district. The creation of this district was identified as the top priority of the 1983 Ragland/Hagerman (R/H) study of Old Town. The study's recommendations for the district are also attached.

Section references between the two attached are not the same, as the Community Development Code's numbering system is in the process of changing. All of the Ragland/Hagerman suggestions are incorporated "as-is" with the following exceptions:

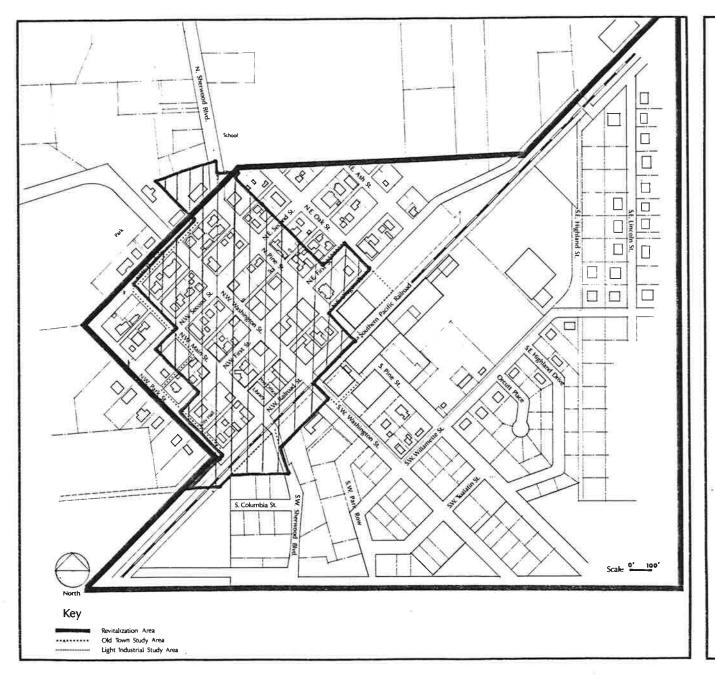
- Uses Home occupations have been expanded as suggested by the R/H study. In addition, boarding and rooming houses have been made a permitted use.
- 2. Lot Dimensions There was no recommendation for varying lot sizes in the R/H study. In the draft ordinance, the 4000 square foot commercial minimum proposed, is a 1000 square foot reduction from the current standard, and makes all but 3 or 4 lots in Old Town conforming.
- 3. Height The R/H study made no mention of height restrictions, except in a general way in the design guidelines. The 3 story limitation proposed in the ordinance is still higher than any current, or to my knowledge, past building in Old Town.
- 4. Off-Street Parking The R/H report suggested reductions in off-street parking requirements varying from 25% to 75%. To simplify matters the commercial off-street parking reduction proposed in the ordinance has been set at 50% across-the-board.

Also, the blanket exception for off-street parking has been extended to one additional half block (Block 5).

The ordinance also proposes an additional credit based on existing public, off-street parking. The R/H study did not directly address this provision, although it was suggested by the #3 and #15 priority projects recommended by R/H, which called for expanded parking.

- 5. Off-Street Loading This requirement was also not suggested by R/H. It is the logical companion to any off-street parking reduction.
- 6. <u>District Boundaries</u> The boundaries proposed by the R/H study are for the most part the same as those proposed by the ordinance. Two light industrial parcels, (Sherwood Lumber and Marshall Technologies) have been excluded. One CC parcel that would be isolated by the OT zoning has been included, as have two vacant MDRH parcels on the district periphery.

Following review by Old Town merchants and property owners, and area businesses as a whole, this ordinance will be submitted to the Planning Commission and Council for review and adoption.



Sherwood Old Town Plan

Ragland / Hagerman Partnership Oon Barney & Associates Lord & Associates Inc.

Legend

Old Town (O.T.) Overlay Zone



Date

Figure No.

2.115 **OLD_TOWN_(OT)**

2.115.01 Purpose

The OT zoning district is an overlay district generally applied to commercially zoned property, and residential properties with the potential for commercial conversion, in the Smockville Subdivision, also known as Old Town. The OT zone recognizes the unique and significant characteristics of Old Town, and is intended to provide development flexibility with respect to uses, site size, setbacks, heights, and community design elements, in order to preserve and enhance the area's commercial viability and historical character.

2.115.02 Permitted Uses

The following uses are permitted outright, provided such uses meet the environmental performance standards contained in Section 5.803.

- A. Uses permitted outright in the OC zone, Section 2.106.02, the CC zone, Section 2.108.02, and the MDRH zone, Section 2.104.02, provided that uses permitted outright on any given property are limited to those permitted in the underlying zoning district, unless otherwise specified by Section 2.115.
- B. In addition to the home occupations permitted under Section 2.203.02, antique and curio shops, cabinet making, arts and crafts galleries, artists cooperatives, and bookshops, are permitted, subject to the standards of Sections 2.203 amd 2.115.
- C. Boarding and rooming houses, bed and breakfast inns, and similar accommodations, containing not more than five (5) guest rooms.
- D. Other similar commercial uses or similar home occupations, subject to Section 4.600.

2.115.03 Conditional Uses

The following uses are permitted as conditional uses, provided such uses meet the environmental performance standards contained in Section 5.803, and are approved in accordance with Section 4.300.

A. Uses permitted as conditional uses in the OC zone, Section 2.106.03, the CC zone, Section 2.108.03, and the MDRH zone, Section 2.108.03, provided that uses permitted as conditional uses on any given property are limited to those permitted in the underlying zoning district, unless otherwise specified by Section 2.115.

2.115.04 Prohibited Uses

The following uses are expressly prohibited:

A. Adult entertainment businesses.

2.115.05 Dimensional Standards

The dimensional standards of the underlying zoning districts shall apply, with the following exceptions:

A. Lot Dimensions

Minimum lot area (CC and OC zoned property only): 4000 square feet

B. Setbacks

Minimum yards (CC and OC zoned property only): None, including structures adjoining a residential zone, provided that Uniform Building Code, Fire District regulations, and the community design standards of this Code, not otherwise varied by Section 2.115, are met.

C. Height

The maximum height of structures on CC and OC zoned property shall be three (3) stories or forty (40) feet, whichever is less. Provisions for commercial structures adjoining residential zones, and for additional height as a conditional use, do not apply. Chimneys, solar and wind energy devices, radio and TV antennas, and similar devices may exceed the height limitation by twenty (20) feet.

D. Coverage

Home occupations permitted as per Section 2.203.02 and Section 2.115.02 may occupy up to fifty percent (50%) of the entire floor area of the principal building.

2.115.06 Community Design

Standards relating to off-street parking and loading, energy conservation, landscaping, access and egress, signs, parks and open space, on-site storage, and site design shall apply, with the following exceptions:

A. Generally

In reviewing site plans, as required by Section 5.100, the Commission shall utilize the design guidelines contained in the "Sherwood Old Town Revitalization Action Plan". These guidelines, which are made part of this Code by reference, and are attached as Appendix I, shall not be construed as absolute standards, but shall be generally applied, as per the authority established by Section 5.102.06, in order to preserve and enhance the unique and historic characteristics of the area.

B. Landscaping

- 1. Perimeter screening and buffering, as per Section 5.203.01, is not required for approved home occupations.
- 2. Minimum landscaped areas are not required for off-street parking for approved home occupations.
- 3. Landscaped strips, as per Sections 5.203.02 and 5.604.01, may be a minimum of five (5) feet in width, except when adjoining alleys, where landscaped strips are not required.
- 4. Fencing and interior landscaping, as per Section 5.203.02, are not required.

C. Off-Street Parking

1. Required residential, home-occupation, and commercial off-street parking spaces may be located on the same property as the use which the parking serves, or off-site within 500 feet of the use served. Off-site parking shall only be permitted if satisfactory evidence is

presented to the City, in the form of deeds, leases, or contracts, establishing control of the site for vehicle parking purposes.

- 2. Except as otherwise provided in Section 2.115, minimum standards for off-street parking spaces for commercial uses and home occupations shall be one-half (1/2) of the standards established under Section 5.302.02.B.
- 3. For Blocks 1 and 2, and the southern halves of Blocks 5 and 6, all on Washington County Assessors Map 2S1-32BC, off-street parking is not required.
- 4. Minimum requirements for off-street parking established by Section 2.115.06.C2, may be further reduced by a percentage equal to the number of public off-street parking spaces provided within the OT zone, compared to the total off-street parking for existing and proposed uses, as computed by the City, that would otherwise be required in the OT zone.
- 5. Up to fifty percent (50%) of required offstreet parking spaces may have minimum dimensions of eight (8) feet in width and eighteen (18) feet in length.

D. Off-Street Loading

Off-street loading spaces for commercial uses may be shared and aggregated in one or several locations in a single block, provided that the minimum area of all loading spaces in a block, when taken together, shall not be less than fifty percent (50%) of the minimum standard that is otherwise required by Section 5.303.01.B.

E. Signs

In addition to signs otherwise permitted for home occupations, as per Section 2.203.01, one (1) exterior sign, up to a maximum of sixteen (16) square feet in surface area, may be permitted for each approved home occupation.

APPROVED MINUTES

PLANNING COMMISSION MEETING October 20, 1986

- I. Call to Order: The meeting was called to order at 7:35 p.m. by Glen Warmbier. Members present were: Walt Hitchcock, Joe Galbreath, Marian Hosler, and Clarence Langer. Consulting Planner Carole Connell was also present.
- II. Election of Chairperson: Vice Chair Marian Hosler called for nominations for Chair as a result of David Crowell's resignation. Clarence Langer nominated Glen Warmbier. Mr. Warmbier was unanimously elected Chairman.
- III. Minor Land Partition, Walter Novak. Mr. Pike representing Mr. Novak explained he had been in touch with Mr. Marshall regarding Mr. Marshall's access road as requested by the Planning Commission. Mr. Marshall has a business in Phoenix, AZ and was not easy to reach; but Mr. Pike was able to speak with Mr. Marshall on October 20. Mr. Marshall was not too willing to discuss joint development of an access road because he felt it would destroy the economic development of his property. Mr. Marshall intended to proceed with his subdivision next year. Mr. Pike noted there is no guarantee that this would actually happen. Mr. Marshall did indicate that he would be applying for an extension to the subdivision approval.

Carole Connell suggested the 3 lots be developed with lot #3 as a flag lot having access to Tualatin-Sherwood Road right along the north property line abutting Marshall's property. If Mr. Marshall's subdivision approval expires, Mr. Pike can develop this road. If the Marshall subdivision is developed, the Novak property should get access from Marshall, as planned. Mr. Hitchcock questioned #3 of the recommendations that the 45 foot set back did not make sense. It was changed to a 15 foot building setback from the property line fronting Tualatin-Sherwood and Edy Roads.

Mr. Warmbier asked for further question and there were none. He asked if anyone else present wanted to speak on the issue. No one came forth. Mr. Hitchcock made a motion to approve the request, subject to the revised sketch and recommendations in the Staff Report with the previously noted change on #3. Marian Hosler seconded and the motion carried unanimously.

IV. Public Hearing - Request for Minor Plan Map Amendment/Zone Change - The Village Green Apartments are located at this site. Carole Connell read excerpts from the Staff Report. Staff recommended approval with one condition, that there shall be dedicated to the City 5 feet of road right-of-way for N. Sherwood Blvd.

Mr. Montgomery, representing the owners, agreed to the condition. Financing for needed improvements was denied because of the current zoning.

Planning Commission October 20, 1986

Mr. John Pauley, an adjacent property owner, asked if this change would effect his property, the Planning Commission assurred him that it would not. Mr. Pauley's property is zoned Commercial.

Mr. Galbreath moved to approve the petition. Clarence Langer seconded. Motion carried unanimously.

V. Smith Farm Estates: Was continued to another date as the applicants request.

VI. Discussion of Proposed Old Town Overlay Zone: Carole Connell explained that the Planning Commission would analyze the proposed code language that has been prepared and presented to the Planning Commission. The language is based on the Sherwood Old Town Plan, prepared by Dick Ragland.

Walt Hitchcock asked why this isn't done at the same time as Periodic Review. Carole explained that the City Council wanted to continue to work on a few planning projects during the year and that downtown parking and revitalization were of concern. projects separated.

There was much discussion between the members of the Commission. Some felt that the overlay plan would hurt some of the existing businesses.

Carole asked if there was an interest by the Planning Commssion to improve Old Town. She said that the purpose was to relax the zoning and codes in order to enhance development of the overlay area of Old Town.

Carole noted that Pages 20 and 21 in the downtown plan design be preliminary recommendations for changes to the code.

Walt Hitchcock would like to hear from some of the property owners who are going to execute this code, and he would like to hear from some of the merchants and what they would like to do. Carole asked that the Planing Commission think further about the proposal and at the next meeting the Planning Commission could hear from the City Manager and some of the Old Town merchants regarding the proposed zone.

Mr. Hitchcock moved to carry this over until next month. Marian Hosler seconded the motion. Motion carried.

Meeting was adjourned at 8:45 p.m.

Rebecca L. Burns Minutes Secretary