

AN ORDINANCE ADOPTING FINDINGS WITH RESPECT TO THE APPLICATION OF MARWIL DEVELOPMENT CORPORATION dba MARWIL HOMES (CU-81-02) FOR A CONDITIONAL USE PERMIT APPROVING THE USE OF MANUFACTURED HOUSING UNIT AS DISPLAY AND SALES OFFICE TO BE ERECTED IN SHERWOOD PLAZA, GRANTING APPROVAL OF SAID APPLICATION WITH CONDITIONS, AND FIXING AN EFFECTIVE DATE

---

THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1: The Council adopts as its findings of fact the findings set forth in the City Staff Report dated September 3, 1981, a copy of which is attached hereto marked Exhibit A, under the headings "Basic Facts" and "Findings". The Council further finds the relevant criteria to be those specified in the Staff Report.

Section 2: The Council further finds that pursuant to the prescribed procedures, the application for a conditional use permit was the subject of a review and public hearing by the Planning Commission on September 15, 1981. Subsequent to that hearing the Planning Commission voted to recommend approval of the application, a copy of the Planning Commission's recommendation being attached hereto marked Exhibit B.

Section 3: The Council further finds that after due and legal notice a public hearing was held on October 14, 1981 before an impartial council, and at said hearing all parties interested were afforded an opportunity to be heard and to present and rebut evidence. At said hearing the Council received in evidence, among other documents and testimony, The City Staff Report, Exhibit A, and the Planning Commission's decision, Exhibit B.

Section 4: After due consideration of the application the recommendation of the Planning Commission, the Staff Report, and the evidence adduced, the Council adopts the recommendations set forth in the Staff Report, Exhibit A.

Section 5: The application is approved to permit the use of a manufactured house as a display model for real estate sales in Sherwood Plaza, subject to the following conditions:

- (a) The applicant shall submit landscaping plans and architectural sketches of the first two display units for approval by the Design Review Board, and all subsequent units shall be inspected by the building inspector for compliance with Chapter 2, §4.02 of the Community Development Code, prior to granting an installation permit.
- (b) The conditional use permit shall be revocable by the City Council at any time the applicant is in violation of any city code provision as a result of such conditional use. The conditional use permit shall be renewed annually by the applicant, in writing, on the date of the initial permit approval.

- (c) Moving and installation of the manufactured house units shall comply with all applicable permit procedures of the City of Sherwood prior to use.

Section 6: The applicant, in addition to the foregoing conditions of approval, shall file prior to any further action by the city, a signed, written statement with the City Recorder that the applicant accepts, approves and agrees to be bound by the foregoing conditions of this approval.

Section 7: This ordinance shall become effective on the 31st day after its enactment by the City Council.

PASSED:

By the Council, by unanimous vote of all members present, after being read by caption three times, this 18 day of November, 1981.

Polly Blankenbaker  
Polly Blankenbaker, City Recorder

APPROVED:

By the Mayor this 20 day of November, 1981.

Clyde List  
Clyde List, Mayor

STAFF REPORT

September 3, 1981

CASE NO: CU-81-02  
SUBJECT: Conditional Use for a Manufactured Housing Sales Office and Display.  
LOCATION: Sherwood Plaza Shopping Center.  
APPLICANT: Marwil Homes

APPLICABLE STANDARDS FOR REVIEW

Action on a conditional use request shall comply with required findings criteria contained in Chapter 2 Section 6.00 of the Community Development Code (see attached).

BASIC FACTS

Growth Management

METRO: Urban (Within the Urban Growth Boundary)

WASH. COUNTY: Urban

CITY: Urban (Within City)

Land Use

Plan Designation: CC (Community Commercial)

Acreage: Placement of a 1,260 sq. ft. Manufactured home on an approximately 3,375 sq. ft. leased area in the shopping center.

Environmental Resources

Topography: Flat to gently sloping 0-3%

Soils:

Type: Hillsboro Silt Loam

Limitations: None

Agricultural Capability: Class I

Recreation Resources

Not Applicable

Community Facilities and Services

Water: 12" main in N. Sherwood-on site service lines.

Sewer: 8" line on N. Sherwood - on site service lines.

Drainage: 12" storm sewer in N. Sherwood Blvd. - developed on site system with available catch basins.

Public Safety: Sherwood Police, Tualatin Fire District.

Private Utilities: Gas, power, telephone services are available.

Transportation

Vehicle Access: N. Sherwood Blvd. (80' RW, 48' PV)

Two 24' ingress - egress and one 15' ingress - egress pairs.

Bike and Pedestrian Access: 8' bike path and sidewalk on N. Sherwood - on site sidewalks.

Transit: On N. Sherwood Blvd.

FINDINGS

1. General Findings

A. The applicant proposes to set up a manufactured housing unit as a sales office and display unit in the unpaved area in the southwest corner in the Sherwood Plaza Shopping Center.

B. The proposed unit(s) are to be approximately 1,260 sq. ft. and sited in an oversized area of approximately 3,375 sq. ft.

## REQUIRED FINDINGS

### CONDITIONAL USE

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.

1. C. The applicant intends to replace the homes with new display units every 6 to 8 weeks.
- D. On August 12, 1981 the Council interpreted the Community Development Code CC designation area to include the proposed office and display as a conditional use.

2. Required Findings

"Adequacy of Services"

Water and Sewer: The proposed use does not require water or sewer service since it is intended to be moved periodically. A water outlet for landscaping is to be provided by Sherwood Plaza.

Drainage: The applicant intends to channel roof drains to existing catch basins in the parking areas.

Public Safety Services: are available to the shopping center.

Private Utilities: The applicant states that power and telephone services are available.

Transportation: The office use could be expected to generate approximately 15 trip ends per day. The additional traffic generated by this use was anticipated in the full development of the center by the transportation network plan. On site ingress and egress is adequate. The five required parking spaces are available to the proposed use. Bike and pedestrian access to the site is adequate.

"Conformity with Planning Designation Area Standards"

The Council has determined that the proposed use is similar to conditional uses in the CC (Community Commercial) designated future expansion area. The Sherwood Plaza Shopping Center meets code standards subject to Design Review.

"Public Need"

The applicant states that his product is important to the provision of quality low cost housing to residents of the area. The display in the shopping center would greatly aid the applicant in exposing the product to the public. Recent planning applications involving proposed manufactured home development attest to the recent demand for the applicants product.

"Effects on Surrounding Property"

The applicant states that he intends to landscape the leased area not occupied by the structure. The use would be subject to Design Review Board approval of a landscaping plan, external architectural features and general site layout.

The problem of incompatibility in structural design between shopping center buildings and the proposed manufactured home displays has not been addressed by the applicant. The applicant should be required to demonstrate that display units meet the minimum design standards of Chapter 3 Section 4.02 of the Community Development Code prior to the granting of an installation permit by the building inspector.

Due to the unique nature of the use and the need for temporary structures the issuance of a revocable conditional use permit subject to annual review and approval by the Council is desirable to assure that the use is compatible with surrounding development.

STAFF RECOMMENDATIONS

Based on the above finding the staff recommends approval of the request with the following conditions.

1. That the applicant submit landscaping plans and architectural sketches of the next two display units for approval by the Design Review Board and further, that all subsequent units be inspected by the building inspector and found to be in compliance with Chapter 2 Section 4.02 of the code prior to the granting of an installation permit.
2. That the conditional use permit be revocable by the City Council at any time that the conditions of approval or any other city code provision is found to be violated by the use. And further that the applicant shall obtain a renewal of the original permit annually by a letter of request on the date of initial permit approval.
3. That the moving and installation of the display units comply with all applicable permit procedures of the City of Sherwood prior to occupancy.



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

TAX LOT: 29C : 200(p)

CASE NO: CU-81-02

DATE: September 18, 1981

NOTICE OF DECISION


To: Marwill Homes                      Sherwood Plaza  
    11825 SW Greenburg Rd.        P.O. Box 5487  
    Tigard, Ore.                        Portland, 97228      City Council

The Planning Commission of the City of Sherwood, Oregon, decided to recommend approval of your application for mobile home sales office and display on September 15, 1981.

The decision was based on the following major findings:  
    The findings in the attached staff report dated September 3, 1981.

The following conditions were placed on approval of the application:

1. That the applicant submit landscaping plans and sketches of the next two display units for approval by the Design Review Board.
2. That the conditional use permit be revocable by the City Council at any time that the conditions of approval or any other city code provision are found to be violated by the use. And further, that the applicant shall obtain a renewal of the original permit annually by a letter of request on the date of initial permit approval.
3. That the moving and installation of the display units comply with all applicable permit procedures of the City of Sherwood prior to occupancy.

  
\_\_\_\_\_  
Gene Stewart, Chairman  
Planning Commission

STATUS OF PLAN COMPLIANCE REVIEW

X Additional Required Action

X City Council

Meeting date: October 14, 1981

\_\_\_ Design Review Board