

# MANDEL FARM ZONE/PLAN MAP AMENDMENT

**DATE:** September 17, 2015

**SUBMITTED TO:** City of Sherwood  
Planning Department  
22560 SW Pine Street  
Sherwood, Oregon 97140

**APPLICANT:** Venture Properties  
4230 Galewood Street, Suite 100  
Lake Oswego, Oregon 97034  
Attention: Kelly Ritz



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**EXHIBITS:**

- Exhibit A: Preliminary Development Concept Sketches
- Exhibit B: County Tax Map and Trio
- Exhibit C: Application Form
- Exhibit D: Pre-Application Meeting Notes
- Exhibit E: Neighborhood Meeting Documentation
- Exhibit F: Transportation Analysis
- Exhibit G: Economic Opportunity Analysis

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# MANDEL FARM PLAN/ZONE MAP AMENDMENT

**SUBMITTED TO:** City of Sherwood  
Planning Department  
150 East Main Street, 4th Floor  
Hillsboro, OR 97123

**OWNER:** 2007 Mandel Family Trust,  
David Mandel and Randy Kieling  
16990 SW Richen Park Circle  
Sherwood, OR 97140

**APPLICANT:** Venture Properties  
Kelly Ritz  
4230 Galewood Street, Suite 100  
Lake Oswego, OR 97034

**APPLICANT'S  
CIVIL ENGINEER/  
LAND SURVEYOR/  
PLANNER/NATURAL  
RESOURCES** AKS Engineering & Forestry, LLC  
12965 SW Herman Road, Suite 100  
Tualatin, OR 97062  
Contact: Mimi Doukas, AICP, RLA ([mimid@aks-eng.com](mailto:mimid@aks-eng.com))  
Phone: (503) 563-6151

**ECONOMIC ANALYST:** PNW Economics  
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**TRANSPORTATION ENGINEER:** Lancaster Engineering  
Mike Ard  
321 SW 4<sup>th</sup> Avenue, Suite 400  
Portland, OR 97204

**SITE LOCATION:** 21340 SW Elwert Road  
Southeast corner of the intersection of SW Edy Road and  
SW Elwert Road

**ASSESSOR'S INFORMATION:** Taxlot 2S130CB 00250

**SITE SIZE/ZONE:** Approximately three acres of a 21.28 acre parcel

**CURRENT ZONE:** Neighborhood Commercial (NC)

**PROPOSED ZONE:** Medium Density Residential Low (MDRL)

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## I. EXECUTIVE SUMMARY

This application includes a Comprehensive Plan Map Amendment and Zone Change for an approximately three-acre portion of a +/-21.28 acre property located at 21340 SW Elwert Road in the City of Sherwood to apply a Medium Density Residential Low (MDRL) designation. The property sits at the southeast corner of the intersection of SW Edy Road and SW Elwert Road. The parent property has three zoning designations: Medium Density Residential High (MDRH), Medium Density Residential Low (MDRL), and Neighborhood Commercial (NC). The three acres zoned Neighborhood Commercial is the portion affected by this Comprehensive Plan Map Amendment and Zone Change. The mapped Open Space is an overlay zone for the vegetated corridor, as regulated by Clean Water Services for wetlands and drainageways. The drainageway bisects the property from south to north, releasing to Chicken Creek to the north. The property has one existing single-family home along SW Elwert Road.

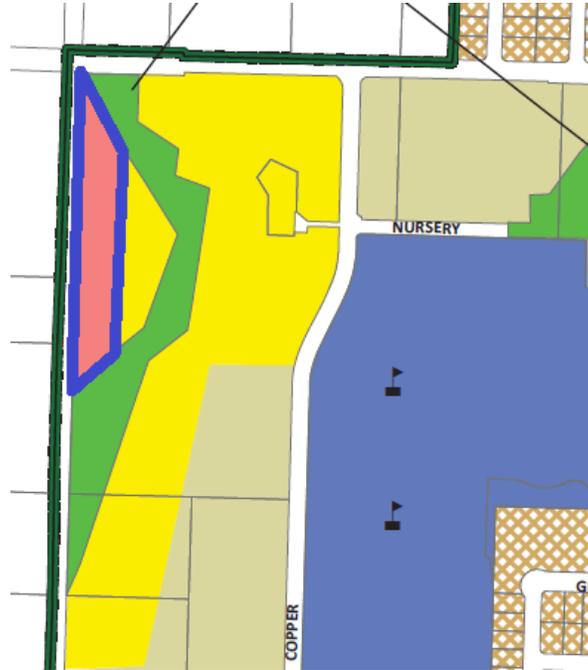
This written narrative, together with preliminary plans and other documentation included in the application materials, establishes that the application is in compliance with all applicable approval criteria. This documentation represents substantial evidence and provides the basis for the Planning Commission to approve the application.

## II. SITE DESCRIPTION

As noted above, the property sits at the southeast corner of the intersection of SW Edy Road and SW Elwert Road. The site consists of approximately three acres of a 21.28 acre parcel, on tax lot 2S130CB 00250. There is a drainage area that bisects the property from south to north with an Open Space Overlay. The property has gentle topography outside of the drainageway and is in active farm use with nursery stock and field crops. The portion of the property involved in this application is the section in the Neighborhood Commercial zoning district, which is located on the west side of the property, abutting SW Elwert Road, extending approximately 130 feet to the east, and bounded to the north and south by the drainageway.

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## ZONING MAP



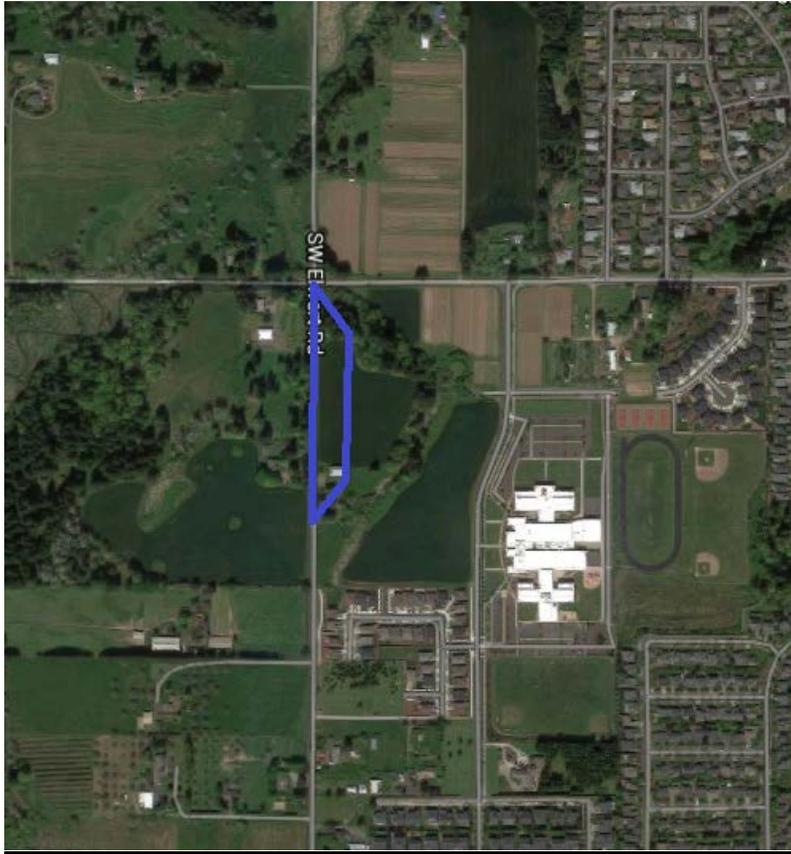
### SUMMARY OF PROPOSAL

The Applicant requests a Comprehensive Plan Map Amendment and Zone Change for the subject site located at 21340 SW Elwert Road (2S130CB 00250) from Neighborhood Commercial (NC) to Medium Density Residential Low (MDRL). This application is only for the Comprehensive Plan Map Amendment and Zone Change. A separate future application will be submitted for an 85-unit single-family subdivision and associated public improvements.

Sherwood Zoning and Community Development Code, Comprehensive Plan, Metro Plans, Transportation Planning Rule, and the Oregon Statewide Planning Goals are addressed within this narrative. As a Type V process, this application will include a public hearing before the Planning Commission who will forward a recommendation to the City Council for final decision. As required by the Sherwood code, this review includes a public notice and neighborhood meeting, which was held on July 21, 2015. A copy of the notice and meeting materials is included with this narrative under Exhibit E.

#### Comprehensive Plan and Zoning Map Amendment

The site is currently designated Neighborhood Commercial on the City's Comprehensive Plan. The Applicant is proposing to redesignate and rezone the site for residential development. The Applicant has examined the needs of the community and has determined that additional residentially zoned land is necessary to meet the community's needs. A detailed Economic Opportunities Analysis has been prepared in support of this application request and is attached as Exhibit G.



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## SURROUNDING USES

**Table A: SURROUNDING LAND USE**

<i>Location</i>	<i>Zoning Designation</i>	<i>Use</i>
North	AR-20	Farm Use
South	Open Space	Vacant
East	Medium Density Residential High	Farm Use
West	AR-20	Farm Use

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### III. APPLICABLE REVIEW CRITERIA

## ZONING AND COMMUNITY DEVELOPMENT CODE

### CHAPTER 16.04 - ESTABLISHMENT OF ZONING DISTRICTS

#### 16.04.010 - Districts

For the purposes of this Code, the City is hereby divided into the following zoning districts:

Very Low Density Residential	VLDR
Low Density Residential	LDR
Medium Density Residential-Low	MDRL
Medium Density Residential-High	MDRH
High Density Residential	HDR
Neighborhood Commercial	NC
Office Commercial	OC
Office Retail	OR
Retail Commercial	RC
General Commercial	GC
Light Industrial	LI
General Industrial	GI
Flood Plain Overlay	FP
Institutional/Public	IP
Old Town Overlay	OT

**Response:** The current Zone of the subject site is Neighborhood Commercial (NC). The Applicant is requesting to change the Zone to Medium Density Residential-Low (MDRH).

#### 16.04.020 - Official Map

Zoning district boundaries are shown on the Official Plan and Zoning Map of the City. This Map is made part of this Code by reference, and shall be kept on file in the City Recorder's office. Any future changes to the zoning of land within the City shall be appropriately depicted on the Plan and Zoning Map and certified as to the date of amendment. The Official Plan and Zoning Map shall be the first and final reference point for verifying other land use mapping and in determining actual zoning district boundaries. A dated reproduction of the Official Plan and Zoning Map is attached as Appendix A.

**Response:** According to the Official Plan and Zoning Map of the City, the current Plan and Zone for the subject site is Neighborhood Commercial. The Applicant is requesting to change the Plan and Zone to Medium Density Residential-Low.

### CHAPTER 16.12 - RESIDENTIAL LAND USE DISTRICTS

The residential districts are intended to promote the livability, stability and improvement of the City's neighborhoods.

#### 16.12.010 - Purpose and Density Requirements

- C. Medium Density Residential (MDRL)

The MDRL zoning district provides for single-family and two-family housing, manufactured housing and other related uses with a density of 5.6 to 8 dwelling units per acre. Minor land partitions shall be exempt from the minimum density requirements.

**Response:** The Applicant requests to zone the subject property as Medium Density Residential Low. This would provide for needed residential land for development in the City of Sherwood. A further discussion of the need for residential property in the City of Sherwood is included in the Economic Analysis, attached as Exhibit G.

**16.12.020 - Allowed Residential Land Uses**

**A. Residential Land Uses**

The table below identifies the land uses that are allowed in the Residential Districts. The specific land use categories are described and defined in Chapter 16.10.

USES	VLDR	LDR	MDRL	MDRH	HDR
<b>RESIDENTIAL</b>					
Single-Family Attached or Detached Dwellings	P	P	P	P	P
Two Family Dwelling Units	N	N	P	P	P
Multi-family Dwellings	N	N	N	P	P
Townhomes – subject to Chapter 16.44	N	N	N	P	P
Planned Unit Developments (PUDs) – subject to Chapter 16.40	P	P	P	P	P
Manufactured Homes on Individual Lots	P	P	P	P	P
Manufactured Home Park – subject to Chapter 16.46	N	N	P	P	N
Accessory Dwelling Unit – subject to Chapter 16.52	P	P	P	P	P
Group Homes <sup>[1]</sup>	P	P	P	P	P
Government-Assisted housing <sup>[2]</sup>	P	P	P	P	P
<b>ACCESSORY USES</b>					
Home Occupations – subject to Chapter 16.42	P	P	P	P	P
Temporary Uses – subject to Chapter 16.86	P	P	P	P	P
Amateur Radio Tower – subject to § 16.12.060	P	P	P	P	P
Family Daycare Providers	P	P	P	P	P
<b>COMMERCIAL</b>					
Agricultural Uses <sup>[3]</sup>	P	P	P	P	P
Residential Care Facilities	P	P	P	P	P
Special Care Facilities (such as hospitals, sanitariums, and specialized living facilities)	C	C	C	C	P
Plant Nurseries <sup>[4]</sup>	C	C	C	C	C
Public and Private Schools	C	C	C	C	C
Daycare Facilities	C	C	C	C	C
Any business, service, processing, storage, or display not conducted entirely within an enclosed building that is essential or incidental to any permitted or conditional use	C	C	C	C	C
Raising of Animals Other Than Household Pets	C	C	C	C	C
<b>CIVIC</b>					
Public Recreational Facilities <sup>[5]</sup>	P	P	P	P	P
Religious Institutions, Private Fraternal Organizations and Lodges, Country Clubs or Other Similar Clubs	C	C	C	C	C
Cemeteries and crematory mausoleums	C	C	C	N	N
Civic Buildings (such as police and fire stations, post office)	C	C	C	C	C
Public Use Buildings (such as libraries, and community centers)	C	C	C	C	C
Golf Courses	C	C	C	C	C

Basic Utilities (such as electric substations, public works yard)	C	C	C	C	C
Radio and Communications Stations, on lots with a minimum width and depth equal to the height of any tower in conformance	C	C	C	C	C

Whereas P=Permitted, C=Conditional, N=Not Allowed

<sup>1</sup> Group homes not to exceed five (5) unrelated persons in residence provided such facilities are substantially identical, in the city's determination, in physical form to other types of housing allowed in the zoning district.

<sup>2</sup> Provided such facilities are substantially identical, in the city's determination, in physical form to other types of housing allowed in the zoning district.

<sup>3</sup> Includes truck farming and horticulture, but excludes commercial building or structures or the raising of animals except as otherwise permitted by this code.

<sup>4</sup> Includes other agricultural uses and associated commercial buildings and structures

<sup>5</sup> Includes, but is not limited to parks, playfields, sports and racquet courts, but excludes golf courses

- B. Any use not otherwise listed that can be shown to be consistent or associated with the permitted uses or conditionally permitted uses identified in the residential zones or contribute to the achievement of the objectives of the residential zones will be allowed or conditionally permitted using the procedure under Chapter 16.88 (Interpretation of Similar Uses).
- C. Any use that is not permitted or conditionally permitted under this zone that cannot be found to be consistent with the allowed or conditional uses identified as in B. is prohibited in the residential zone using the procedure under Chapter 16.88 (Interpretation of Similar Uses).

**Response:** Changing the Plan and Zone of the subject site to Medium Density Residential Low would provide land for needed residential housing in the City of Sherwood. Single-family, duplex, townhouse, and multi-family housing would all be permitted. Commercial operations, except for very limited uses, would not be permitted.

### 16.12.030 - Residential Land Use Development Standards

#### A. Generally

No lot area, setback, yard, landscaped area, open space, off-street parking or loading area, or other site dimension or requirement, existing on, or after, the effective date of this Code shall be reduced below the minimum required by this Code. Nor shall the conveyance of any portion of a lot, for other than a public use or right-of-way, leave a lot or structure on the remainder of said lot with less than minimum Code dimensions, area, setbacks or other requirements, except as permitted by Chapter 16.84. (Variance and Adjustments)

#### B. Development Standards

Except as modified under Chapter 16.68 (Infill Development), Section 16.144.030 (Wetland, Habitat and Natural Areas) Chapter 16.44 (Townhomes), or as otherwise provided, required minimum lot areas, dimensions and setbacks shall be provided in the following table.

#### C. Development Standards per Residential Zone

Development Standard by Residential Zone	VLDR	VLDR – PUD	LDR	MDRL	MDRH	HDR
Minimum Lot areas: (in square ft.)						
Single-Family Detached	40,000	10,000	7,000	5,000	5,000	5,000
Single Family Attached	40,000	10,000	7,000	5,000	4,000	4,000

Two or Multi-Family: for the first 2 units	X	X	X	10,000	8,000	8,000
Multi-Family: each additional unit after first 2	X	X	X	X	3,200	1,500
Minimum Lot width at front property line: (in feet)	25	25	25	25	25	25
Minimum Lot width at building line <sup>[1]</sup> : (in feet)						
Single-Family	None	None	60	50	50	50
Two-Family	X	X	X	60	60	60
Multi-family	X	X	X	X	60	60
Lot Depth	None	None	80	80	80	80
Maximum Height <sup>[2]</sup> (in feet)	30 or 2 stories	35 or 2.5 stories	40 or 3 stories			
Amateur Radio Tower	70	70	70	70	70	70
Chimneys, Solar or Wind Devices, Radio and TV aerials <sup>[3]</sup>	50	50	50	50	55	60
<b>Setbacks (in feet)</b>						
Front yard <sup>[4]</sup>	20	20	20	14	14	14
Face of garage	20	20	20	20	20	20
Rear yard	20	20	20	20	20	20
<b>Interior side yard setbacks (in feet)</b>						
Single-Family Detached	5	5	5	5	5	5
Single-Family Attached	20	20	20	10	5	5
Two Family	X	X	X	5	5	5
Multi-Family						
Multi-Family 18 ft. or less in height	X	X	X	X	5	5
Multi-Family between 18-24 ft. in height	X	X	X	X	7	7
Multi-Family over 24 ft. in height	X	X	X	X	§ 16.68 Infill	§ 16.68 Infill
<b>Corner lot street side setbacks (in feet)</b>						
Single Family or Two Family	20	20	20	15	15	15
Multi-Family	X	X	X	X	20	30
<sup>1</sup> Minimum lot width at the building line on cul-de-sac lots may be less than that required in this Code if a lesser width is necessary to provide for a minimum rear yard. <sup>2</sup> Maximum height is the lesser of feet or stories <sup>3</sup> Some accessory structures, such as chimneys, stacks, water towers, radio or television antennas, etc. may exceed these height limits with a conditional use permit, per Chapter 16.62 (Chimneys, Spires, Antennas and Similar Structures). <sup>4</sup> Reductions in front yard setbacks for architectural features as described in 16.50.050 are not permitted in the MDRL, MDRH, or HDR zoning districts.						

**Response:** A subsequent subdivision application will be submitted that will be reviewed to ensure compliance with the development standards listed above.

## CHAPTER 16.22 - COMMERCIAL LAND USE DISTRICTS

### 16.22.010 - Purpose

- A. Office Commercial (OC) - The OC zoning district provides areas for business and professional offices and related uses in locations where they can be closely associated with residential areas and adequate major streets.
- B. Neighborhood Commercial (NC) - The NC zoning district provides for small scale, retail and service uses, located in or near residential areas and enhancing the residential character of those neighborhoods.
- C. Retail Commercial (RC) - The RC zoning district provides areas for general retail and service uses that neither require larger parcels of land, nor produce excessive environmental impacts as per Division VIII.
- D. General Commercial (GC) - The GC zoning district provides for commercial uses which require larger parcels of land, and or uses which involve products or activities which require special attention to environmental impacts as per Division VIII.

### 16.22.020 - Uses

- A. The table below identifies the land uses that are permitted outright (P), permitted conditionally (C), and not permitted (N) in the Commercial Districts. The specific land use categories are described and defined in Chapter 16.88 Use Classifications and Interpretations.
- B. Uses listed in other sections of this code, but not within this specific table are prohibited.
- C. Any use not otherwise listed that can be shown to be consistent or associated with the uses permitted outright or conditionally in the commercial zones or contribute to the achievement of the objectives of the commercial zones may be permitted outright or conditionally, utilizing the provisions of Chapter 16.88 Use Classifications and Interpretations.
- D. Additional limitations for specific uses are identified in the footnotes of this table.

USES	OC	NC <sup>1</sup>	RC	GC
<b>RESIDENTIAL</b>				
Multi-family housing, subject to the dimensional requirements of the High Density Residential (HDR) zone in 16.12.030 when located on the upper floors, in the rear of, or otherwise clearly secondary to commercial buildings. <sup>2, 3</sup>	P	P	P	P
Residential care facilities	N	N	C	C
Dwelling unit, including a manufactured home, for one (1) security person employed on the premises and their immediate family, and other forms of residence normally associated with a conditional use, as determined by the City.	P	P	P	P
<b>CIVIC</b>				
Hospitals	N	N	C	C
Correctional institutions	N	N	N	C
Cemeteries and crematory mausoleums.	N	N	C	C
Police and fire stations and other emergency services	N	C	C	C
Vehicle testing stations	N	N	N	C
Postal services - Public	N	C	C	C
Postal substations when located entirely within and incidental to a use	P	P	P	P

permitted outright.				
Public use buildings, including but not limited to libraries, museums, community centers, and senior centers, but excluding offices	C	C	C	C
Public and private utility structures, including but not limited to telephone exchanges, electric substations, gas regulator stations, treatment plants, water wells, and public work yards.	N	N	C	C
Small-scale power generation facilities.	P	P	P	P
Large-scale power generation facilities.	N	N	N	C
Public recreational facilities including parks, trails, playfields and sports and racquet courts on publicly owned property or under power line easements	C	N	C	C
Religious institutions, private fraternal organizations, lodges and secondary uses	C	N	P	P
Public and private schools providing education at the elementary school level or higher	C	C	C	C
<b>COMMERCIAL</b>				
Commercial trade schools, commercial educational services and training facilities	C	N	P	P
<b>Entertainment/Recreation</b>				
Adult entertainment business, subject to Section 16.54.010	N	N	N	P
Motion picture and live theaters within enclosed building	N	N	P	P
Drive-in motion picture theaters	N	N	N	N
Country clubs, sports and racquet clubs and other similar clubs.	N	N	C	C
Golf courses	N	N	N	N
Indoor recreation facilities such as arcades, mini-golf, or bounce house facilities <sup>4</sup>	N	N	P	P
Hotels and motels	C	N	P	P
<b>Motor Vehicle Related</b>				
Motorized vehicle and sport craft repairs and service	N	C	C	P
Motorized vehicle and sport craft repair and service clearly incidental and secondary to and customarily associated with a use permitted outright or conditionally.	C	C	P	P
Motorized vehicle, sport craft and farm equipment rental or sales and display area with more than 5% external sales and display area, up to a maximum of 5,000 square feet.	N	N	N	C
Motorized vehicle, sport craft and farm equipment rental or sales and display area primarily within entirely enclosed building with no more than 5% or 5,000 square feet of outdoor display area, whichever is less.	N	N	C	P
Automotive, boat, trailer and recreational vehicle storage	N	N	N	N
Vehicle fueling stations or car wash facilities	N	N	C	P
Junkyards and salvage yards	N	N	N	N
Manufactures' home sales and display area	N	N	N	N
<b>Office and Professional Support Services</b>				
Business and professional offices	P	P	P	P
Medical and dental offices and urgent care facilities	P	P	P	P
Business support services such as duplicating, photocopying, mailing services, fax and computer facilities	P	P	P	P
Any incidental business, service, processing, storage or display, not otherwise permitted, that is essential to and customarily associated with a use permitted outright, provided said incidental use is conducted entirely within an enclosed building	C	C	C	C
<b>Childcare</b>				
Day cares, preschools, and kindergartens, when clearly secondary to a	P	P	P	P

permitted use				
Day cares, preschools, and kindergartens as a stand-alone use.	N	P	P	P
<b>General Retail – sales oriented</b>				
General retail trade, not exceeding 10,000 square feet of gross square footage.	P	P	P	P
General retail trade greater than 10,000 square feet of gross square footage	N	P	P	P
Tool and Equipment Rental and Sales, Including Truck Rental	N	N	C	P
Retail plant nurseries and garden supply stores (excluding wholesale plant nurseries)	N	N	P	P
Wholesale building material sales and service	N	N	N	P
Retail building material sales and lumberyards.	N	N	C <sup>5</sup>	P
<b>Personal Services</b>				
Health clubs and studios less than 5,000 square feet in size.	P	P	P	P
Health clubs and studios greater than 5,000 square feet in size	N	N	C	P
Personal services catering to daily customers where patrons pay for or receive a service rather than goods or materials, including but not limited to financial, beauty, pet grooming, and similar services.	N	P	P	P
Public or commercial parking (non-accessory)	C	C	P	P
Veterinarian offices and animal hospitals.	N	N	C	P
Animal boarding/Kennels and daycare facilities with outdoor recreation areas <sup>6</sup>	N	N	C	C
<b>Eating and Drinking Establishments</b>				
Restaurants, taverns, and lounges without drive-thru <sup>7</sup>	P	C	P	P
Restaurants with drive-thru services	N	N	P	P
<b>INDUSTRIAL</b>				
Limited manufacturing entirely within an enclosed building that is generally secondary to a permitted or conditional commercial use	N	C	C	P
Medical or dental laboratories	N	N	C	P
<b>WIRELESS COMMUNICATIONS FACILITIES</b>				
Radio, television, and similar communication stations, including associated transmitters.	N	N	N	C
Wireless communication towers and transmitters <sup>8</sup>	C	C	C	C
Wireless communication facilities on City-owned property	P	P	P	P
Wireless communication antennas co-located on an existing tower or on an existing building or structure not exceeding the roof of the structure	P	P	P	P
<b>OTHER</b>				
Agricultural uses including but not limited to: Farm equipment sales and rentals Farming and horticulture	N	N	P	P
Truck and bus yards	N	N	N	P

<sup>1</sup> See special Criteria for the NC zone, 16.22.050.

<sup>2</sup> The residential portion of a mixed use development is considered secondary when traffic trips generated, dedicated parking spaces, signage, and the road frontage of residential uses are all exceeded by that of the commercial component and the commercial portion of the site is located primarily on the ground floor.

<sup>3</sup> Except in the Adams Avenue Concept Plan area, where only non-residential uses are permitted on the ground floor.

<sup>4</sup> If use is mixed with another, such as a restaurant, it is considered secondary to that use and permitted, provided it occupies less than fifty (50) percent of the total area.

<sup>5</sup> All activities are required to be within an enclosed building.

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<sup>6</sup> Animal boarding/kennels and daycare facilities entirely within an enclosed building are considered "other personal service."

<sup>7</sup> Limited to no more than ten (10) percent of the square footage of each development in the Adams Avenue Concept Plan area.

<sup>8</sup> except for towers located within one thousand (1,000) feet of the Old Town District which are prohibited.

**Response:** Uses currently permitted in the Neighborhood Commercial District include restaurants, business operations, and retail operations. The community has started conversations about the future of the land to the west described as Sherwood West. This area has the potential to design a healthy commercial district, where these operations would be better suited due to the lack of customers at the subject site. The subject site would not be a desirable location for businesses due to the high speed of traffic along SW Elwert Road, its remote location with limited customer catchment, and the limited shape of the district.

#### 16.22.050 - NC Special Criteria

All permitted and conditional uses shall be found by the Commission to conform to the purpose of the NC zone, and:

- A. Shall be conducted entirely within enclosed buildings, except for:
  - 1. Exterior sales, display and storage for horticultural and food merchandise provided said exterior area does not exceed five (5) percent of the gross floor area of each individual business establishment.
  - 2. Circumstances where the nature of the permitted or conditional use clearly makes total enclosure impracticable, such as in the case of automotive service stations, provided that the exterior area shall be the minimum necessary to effectively conduct the use, as determined by the Commission.
- B. No more than four (4) permitted or conditional uses may be established within any single NC zoning district, and each use or establishment may occupy a maximum of four thousand (4,000) square feet of gross floor area, including any permitted exterior business areas.
- C. No single NC zoning district shall be greater than one (1) acre in area, and each district shall have a minimum width of eighty-five (85) feet at the front property line, and one hundred (100) feet at the building line.
- D. Permitted and conditional uses may operate only between the hours of 7:00 a.m. and 10:00 p.m.

**Response:** The Neighborhood Commercial standards further restrict permitted businesses by restricting the number of businesses per site and their hours of operation. Restricting businesses to no more than four businesses and no more than 4,000 square feet each would dramatically reduce the type of businesses that would seek to be located at the subject site. The property would be better utilized as a residential development.

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## CHAPTER 16.70 – GENERAL PROVISIONS

### 16.70.010 – Pre-Application Conference

Pre-application conferences are encouraged and shall be scheduled to provide applicants with the informational and procedural requirements of this Code; to exchange information regarding applicable policies, goals and standards of the Comprehensive Plan; to provide technical and design assistance; and to identify opportunities and constraints for a proposed land use action. An applicant may apply at one time for all permits or zone changes needed for a development project as determined in the pre-application conference.

**Response:** A pre-application conference was conducted on July 6, 2015 for this Comprehensive Plan Map Amendment and Zone Change as well as for the future subdivision application. A copy of the pre-application conference notes is included with this submittal package as Exhibit D.

### 16.70.20 – Neighborhood Meeting

- A. The purpose of the neighborhood meeting is to solicit input and exchange information about the proposed development.
- B. Applicants of Type III, IV and V applications are required to hold a meeting, at a public location for adjacent property owners and recognized neighborhood organizations that are within 1,000 feet of the subject application, prior to submitting their application to the City. Affidavits of mailing, sign-in sheets and a summary of the meeting notes must be included with the application when submitted. Applicants for Type II land use action are encouraged, but not required to hold a neighborhood meeting.

**Response:** A neighborhood meeting for this Comprehensive Plan Map Amendment and Zone Change was conducted on July 21, 2015 at Edy Ridge Elementary School. Notice was sent via mail to property owners and recognized neighborhood organizations within 1,000 feet of the subject site. Copies of the neighborhood meeting materials are included in this submittal as Exhibit E.

### 16.72.010 - Generally Modified

#### A. Classifications

Except for Final Development Plans for Planned Unit Developments, which are reviewed per Section 16.40.030, all quasi-judicial development permit applications and legislative land use actions shall be classified as one of the following:...

#### 5. Type V

The following legislative actions shall be subject to a Type V review process:

- a. Plan Map Amendments
- b. Plan Text Amendments
- c. Planned Unit Development — Preliminary Development Plan and Overlay District.

#### B. Hearing and Appeal Authority

1. Each Type V legislative land use action shall be reviewed at a public hearing by the Planning Commission with a recommendation made to

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the City Council. The City Council shall conduct a public hearing and make the City's final decision.

**Response:** This application is being submitted for a Type V Review and will be subject to a public hearing to the Planning Commission and City Council.

## **CHAPTER 16.80 - PLAN AMENDMENTS**

### **16.80.010 - Initiation of Amendments**

An amendment to the City Zoning Map, the text of the Comprehensive Plan, or the text of the Zoning and Community Development Code may be initiated by the Council, Commission, or an owner of property within the City.

**Response:** The Comprehensive Plan Map Amendment and Zone Change is being initiated by the property owner within the City of Sherwood.

### **16.80.20 - Amendment Procedures**

#### **Zoning Map or Text Amendment**

- A. **Application** - An application for a Zoning Map or text amendment shall be on forms provided by the City and shall be accompanied by a fee pursuant to Section 16.74.010

**Response:** The Applicant shall apply for the Zoning Map Amendment on forms provided by the City. The appropriate fee is included with this application.

### **16.80.030 - Review Criteria**

#### **B. Map Amendment**

An amendment to the City Zoning Map may be granted, provided that the proposal satisfies all applicable requirements of the adopted Sherwood Comprehensive Plan, the Transportation System Plan and this Code, and that:

1. The proposed amendment is consistent with the goals and policies of the Comprehensive Plan and the Transportation System Plan.

**Response:** This Zoning Map Amendment application proposes to change the zoning of the subject property from Neighborhood Commercial to Medium Density Residential Low, which is the same Zone as the southeast corner of the property. This narrative will address the requirements of the Sherwood Comprehensive Plan, the Transportation System Plan, and the Zoning and Development Code.

2. There is an existing and demonstrable need for the particular uses and zoning proposed, taking into account the importance of such uses to the economy of the City, the existing market demand for any goods or services which such uses will provide, the presence or absence and location of other such uses or similar uses in the area, and the general public good.

**Response:** An economic analysis is included in this application as Exhibit G that addresses the need for additional residential zoning in Sherwood to meet the community's needs. The economic analysis shows that the need for Medium Density Residential acreage exceeds the existing inventory. In the recovery from the Great Recession, property values have increased, though new building permits have been slower to improve. The addition of new residentially zoned property would increase the reserve of land for development.

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3. The proposed amendment is timely, considering the pattern of development in the area, surrounding land uses, any changes which may have occurred in the neighborhood or community to warrant the proposed amendment, and the availability of utilities and services to serve all potential uses in the proposed zoning district.

**Response:** This Comprehensive Plan Map Amendment is timely as there is a potential shortage of housing in Sherwood. There is a Medium Density Residential subdivision to the south of the property, Daybreak Estates, and Laurel Ridge Middle School is to the east of the site. The Applicant plans to submit, at a later date, a residential subdivision application for the 21.28 acre site. SW Elwert Road is not a suitable location for Commercial Services. There is not a customer base nor catchment to necessitate commercial operations. Traffic and parking would be challenging for a commercial operation located on the subject site, as SW Elwert Road is an arterial road and the narrow design of the site would prohibit sufficient parking. Additionally, the Sherwood West Concept Plan offers an opportunity for the community to plan for a true commercial district with proper traffic exposure and access and enough local customers in the immediate vicinity. The Applicant's analysis of the transportation system is included as Exhibit F, which includes an analysis of the proposed rezone and redesignation and how it would affect the system consistent with the Transportation Planning Rule. Based on the findings provided within this study, no mitigation is required for the rezone and redesignation as the expected reasonable worst case scenario for the proposed zoning is less than that of the existing zoning.

4. Other lands in the City already zoned for the proposed uses are either unavailable or unsuitable for immediate development due to location, size or other factors.

**Response:** The City of Sherwood is in need of additional residential housing to meet a 20 year supply, specifically for the type of housing permitting within the MDRL zone. There are little to no alternative sites of this size that could accommodate the proposed density and provide access to public services in the City of Sherwood. One of the few opportunities is within the Brookman area that was added to the Urban Growth Boundary, but cannot develop until annexation to Sherwood. This land has been proposed for annexation twice in the past and failed to win an election. There is no certainty about the availability of this land to accommodate the long term growth demands of Sherwood. More information concerning the lack of appropriate sites is detailed within Exhibit G.

#### C. Transportation Planning Rule Consistency

1. Review of plan and text amendment applications for effect on transportation facilities. Proposals shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with OAR 660-12-0060 (the TPR). Review is required when a development application includes a proposed amendment to the Comprehensive Plan or changes to land use regulations.

**Response:** A Transportation Analysis addressing TPR consistency is included with this application as Exhibit F. Generally, the proposal results in less traffic impacts to the regional system and is therefore in compliance with the State Transportation Planning Rule.

2. "Significant" means that the transportation facility would change the functional classification of an existing or planned transportation facility, change the standards implementing a functional

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classification, allow types of land use, allow types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility, or would reduce the level of service of the facility below the minimum level identified on the Transportation System Plan.

**Response:** SW Elwert Road is an arterial road and SW Edy Road is a collector road and both roads are under the jurisdiction of Washington County. The proposed Comprehensive Plan Map Amendment and Zone Change would not change the functional classification of an existing or planned transportation facility or reduce the level of service of any of the proposed roads below the minimum level identified in the Sherwood TSP. The proposed Zone Change reduces the number of peak hour trips and therefore reduces the overall impact to the local roadway system. A detailed analysis demonstrating these findings is included within Exhibit F.

3. Per OAR 660-12-0060, Amendments to the Comprehensive Plan or changes to land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:
  - a. Limiting allowed uses to be consistent with the planned function of the transportation facility.
  - b. Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses.
  - c. Altering land use designations, densities or design requirements to reduce demand for automobile travel and meet travel needs through other modes.

**Response:** The proposed Comprehensive Plan Map Amendment and Zone Change would not significantly affect the transportation facilities in the area, as described in the attached Transportation Analysis (Exhibit F); this criterion does not apply.

## COMPREHENSIVE PLAN

The applicable Sherwood Comprehensive Plan Policies and Goals are set forth below along with findings in support of the Comprehensive Plan Map Amendment and Zone Change.

### CHAPTER 2 – PLANNING PROCESS

**Response:** Chapter 2 of the Sherwood Comprehensive Plan highlights citizen involvement, agency involvement, the plan development process, plan interpretation, and plan amendments. As previously stated, a neighborhood meeting was completed for this application on July 21, 2015. The Sherwood City Council will have final decision-making authority in this Comprehensive Plan Map Amendment and Zone Change after a full public hearing with the Planning Commission.

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## CHAPTER 3 – GROWTH MANAGEMENT

**Policy 1 – The City will periodically review and propose to Metro appropriate revisions to the Urban Growth Boundary (UGB) in conformance with the Metro 2040 Growth Concept Plan and the need to accommodate urban growth to the year 2017.**

**Response:** This application does not propose any changes to the UGB. The proposed Comprehensive Plan Map Amendment and Zone Change from commercial to residential are in conformance with the Metro 2040 Growth Concept Plan.

## CHAPTER 4 – LAND USE

**Policy 1 – Residential areas will be developed in a manner which will insure that the integrity of the community is preserved and strengthened.**

**Response:** The proposed Comprehensive Plan Map Amendment and Zone Change would enable the site to be developed for residential uses to accommodate the need in Sherwood for residential housing, addressing one of the strategies related to this policy and the City's need to provide residential development as detailed within Exhibit G.

**Policy 2 – The City will insure that an adequate distribution of housing styles and tenures are available.**

**Response:** The subject site is a three-acre portion of a 21.28 acre site. The remainder of the site is a mix of Medium Density Residential High and Medium Density Residential Low, with an Open Space overlay over a portion of it. The Applicant proposes to change the Neighborhood Commercial Zoning portion to Medium Density Residential Low, the same Zone as the southeast corner of the site.

The Daybreak Estates subdivision to the south of the subject site includes single-family home lots between 4,000 and 6,000 square feet. Further to the east, past Laurel Ridge Middle School, is a Low Density Residential Planned Unit Development. The surrounding area to the north and west of the site are outside the Urban Growth Boundary. This area is proposed to provide a variety of housing styles. The proposed Comprehensive Plan Map Amendment and Zone Change would provide additional housing for existing and future residents of Sherwood.

## CHAPTER 5 – ENVIRONMENTAL RESOURCES

### B. ENVIRONMENTAL RESOURCES POLICY GOALS

#### Planning Goals: Energy Resources

4. Encourage energy efficiency in the design and use of sites, structures, transportation systems and utilities.

**Response:** The Plan Amendment and Zone Change would allow the site to be designed and developed in a way that would maximize energy efficiency in the use of the site, structures, transportation systems, and utilities.

### C. NATURAL RESOURCES AND HAZARDS

**Policy 1 – Flood plain shall be prohibited from development in order to reduce the risk of flooding, prevent or reduce risk of human life and property, and maintain functions and values of floodplains such as allowing for the storage and**

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conveyance of stream flows through existing and natural flood conveyance systems.

**Response:** The subject site is not within a flood plain. A tributary of Chicken Creek lies to the east of the site. When the subdivision application is submitted, the Chicken Creek tributary and area in the Open Space Overlay will be protected to the greatest extent possible. A preliminary concept development plan is included as Exhibit A, though no development is proposed with this Zone Change application.

**Policy 2 – Habitat friendly development shall be encouraged for developments with Regionally Significant Fish and Wildlife Habitats identified as Map V-2.**

**Response:** The site does not contain a waterway, though it is adjacent to a tributary of Chicken Creek. Future development will be designed to conserve this area to the greatest extent feasible. A subsequent application will be submitted for a residential subdivision on this site. A Natural Resource Assessment will be included with the subdivision application, which will define the boundaries of the resource and establish the regulatory buffers, as required by Clean Water Services.

**Policy 4 – Provide drainage facilities and regulate development in areas of runoff or erosion hazard.**

**Response:** This application is for the Comprehensive Plan Map Amendment and Zone Change only. A subsequent application will be submitted for a residential subdivision on this site. The subdivision proposal submittal will provide drainage facilities and regulate development in areas of runoff or erosion hazard to meet the standards of Sherwood Clean Water Services.

#### **D. ENVIRONMENTAL QUALITY**

**Policy 1 – Water quality will be protected from erosion and other forms of degradation.**

**Response:** The proposed Comprehensive Plan Amendment and Zone Change and subsequent subdivision would protect the natural resource areas to the east of the site through buffers established by Clean Water Services as well as proper erosion control measures and stormwater management facilities.

**Policy 2 – Air quality will be protected from significant degradation.**

**Response:** The proposed development would protect air quality by utilizing the site in an efficient manner.

**Policy 3 – Noise sources will be shielded from residential neighborhoods.**

**Response:** This application would not result in any additional noise sources that would necessitate shielding from residential neighborhoods. This application is for the Comprehensive Plan Map and Zone Change only. A future application will be submitted to develop the site with single-family, owner-occupied residences consistent with the existing surrounding development.

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## E. RECREATIONAL RESOURCES

Policy 4 – The City will encourage and support the private sector in the provision of needed recreational opportunities.

**Response:** The subsequent subdivision will be linked to the existing open space area to the west of the subject site via a pedestrian connection, where appropriate. The subdivision will provide recreational opportunities.

## F. ENERGY RESOURCES

Policy 4 – The City will encourage energy efficiency in the design and use of sites, structures, transportation systems and utilities.

**Response:** The Plan Amendment and Zone Change would allow the site to be designed and developed in a way to maximize energy efficiency in the use of the site, structures, transportation systems, and utilities. The subject property is connected to existing roadways and has access to existing utility services. The availability of these existing infrastructures results in resource efficiency and encourages the use of existing systems.

## CHAPTER 6 – TRANSPORTATION

Policy 1 – Open Space will be linked to provide greenway areas.

**Response:** The conversion of the site from commercial to residential will allow for a subdivision that can provide additional open space and linkages to the existing open space area to the east via a pedestrian connection, where appropriate.

## CHAPTER 7 – COMMUNITY FACILITIES AND SERVICES

**Response:** The Applicant will support and adhere to all City of Sherwood requirements relating to facilities and services.

# METRO URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN

## TITLE 1 – HOUSING CAPACITY

### 3.07.110 Purpose and Intent

The Regional Framework Plan calls for a compact urban form and a “fair-share” approach to meeting regional housing needs. It is the purpose of Title 1 to accomplish these policies by requiring each city and county to maintain or increase its housing capacity as provided in section 3.07.120.

**Response:** This Comprehensive Plan Map Amendment and Zone Change would increase Sherwood’s housing capacity and meet the Title 1 purpose by providing the opportunity for development of residentially zoned property with a compact form.

## TITLE 3 – WATER QUALITY AND FLOOD MANAGEMENT

### 3.07.310 Intent

To protect the beneficial water uses and functions and values of resources within the Water Quality and Flood Management Areas by limiting or mitigating the impact on these areas

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from development activities and protecting life and property from dangers associated with flooding.

**Response:** A portion of the property to the east of the proposed Comprehensive Plan Map Amendment and Zone Change site is within the Open Space Overlay, which includes the tributary of Chicken Creek. Future development plans will protect these areas to the greatest extent possible. At the time of future development, a Significant Natural Resource Assessment will be conducted and included with the proposal for that development.

## **TITLE 4 – INDUSTRIAL AND OTHER EMPLOYMENT AREAS**

### 3.07.410 Purpose and Intent

The Regional Framework Plan calls for a strong regional economy. To improve the economy, Title 4 seeks to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial and Employment Areas. Title 4 also seeks to provide the benefits of “clustering” to those industries that operate more productively and efficiently in proximity to one another than in dispersed locations. Title 4 further seeks to protect the capacity and efficiency of the region’s transportation system for the movement of goods and services and to encourage the location of other types of employment in Centers, Corridors, Main Streets and Station Communities. The Metro Council will evaluate the effectiveness of Title 4 in achieving these purposes as part of its periodic analysis of the capacity of the urban growth boundary.

**Response:** The subject property does not contain any Title 4 Industrial Areas. Therefore, this Title is not applicable to this review.

## **TITLE 6 – CENTERS, CORRIDORS, STATION COMMUNITIES AND MAIN STREETS**

### 3.07.610 Purpose

The Regional Framework Plan identifies Centers, Corridors, Main Streets and Station Communities throughout the region and recognizes them as the principal centers of urban life in the region. Title 6 calls for actions and investments by cities and counties, complemented by regional investments, to enhance this role. A regional investment is an investment in a new high-capacity transit line or designated a regional investment in a grant or funding program administered by Metro or subject to Metro’s approval.

**Response:** The subject site is not within an area designated in Title 6. While this application proposes to change a commercial zoning district to residential, the area designated for commercial would not provide meaningful commercial uses for the area. Traffic and parking would be problematic along SW Elwert Road, which is an arterial road, and there are not customers in the area to use the commercial facilities. It is possible to plan for a central, practical commercial district in the future in the land to the west in the area described as Sherwood West, outside the Urban Growth Boundary. This potential location could have the proper transportation network and enough market area to support a commercial district. The proposed amendment in this application would allow the Mandel property to be developed at a residential density consistent with the intent of Title 6 while ensuring the resulting development is in-line with the community values articulated within the comprehensive plan.

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## TITLE 13 – NATURE IN NEIGHBORHOODS

### 3.07.1310 Intent

The purposes of this program are to (1) conserve, protect, and restore a continuous ecologically viable streamside corridor system, from the streams' headwaters to their confluence with other streams and rivers, and with their floodplains in a manner that is integrated with upland wildlife habitat and with the surrounding urban landscape; and (2) to control and prevent water pollution for the protection of the public health and safety, and to maintain and improve water quality throughout the region.

**Response:** The site does not contain a waterway, though it is near a tributary of Chicken Creek. Future development will be designed to conserve this area to the greatest extent feasible. A subsequent application will be submitted for a residential subdivision on this site, which will include a Natural Resource Assessment that will provide protection to the waterway and natural resources.

## STATEWIDE PLANNING GOALS

The Sherwood Comprehensive Plan was acknowledged by LCDC to carry out the Statewide Planning Goals. The subsequent analysis shows how the proposed actions affect the Sherwood Comprehensive Plan's compliance with the Statewide Planning Goals.

### GOAL 1 – CITIZEN INVOLVEMENT

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process

**Response:** The City's public hearing process meets the requirements of this Goal for citizen involvement in the land use process. Notice of the proposal will be provided to all property owners within the notice area, published in the newspaper, and will also be posted on the subject property, giving interested citizens an opportunity to be involved in the process. A public hearing to consider the request will be held by the Planning Commission and City Council. Through the notice and public hearing process, all interested parties will be afforded the opportunity to review the application, comment on the proposal, and participate in the decision. This process meets the requirements of this Goal for citizen involvement in the land use planning process. In accordance with the findings presented above, the proposed Comprehensive Plan and Zoning Map Amendment are consistent with Goal 1.

### GOAL 2 – LAND USE PLANNING

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

**Response:** The Sherwood Comprehensive Plan is acknowledged to be in compliance with the Statewide Planning Goals and provides goals, policies, and procedures for reviewing and evaluating land use requests. The City's adopted Type V land use planning process provides for Plan Map Amendments and is consistent with Goal 2.

### GOAL 3 – AGRICULTURAL LANDS

To preserve and maintain agricultural lands.

**Response:** The subject property is comprised of land that is currently located within the Urban Growth Boundary (UGB) and fully within the City of Sherwood's Incorporated City limits.

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The Comprehensive Plan Map Amendment and Zone Change would only affect the subject site. Therefore, it will not have a direct impact on any Goal 3 Agricultural Lands and this Goal is not applicable. In accordance with the findings presented above, the plan proposed with the Comprehensive Plan Map and Zone change is consistent with Goal 3.

#### **GOAL 4 – FOREST LANDS**

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

**Response:** The subject property comprises land that is currently located within the UGB and fully within the City of Sherwood's Incorporated City limits. The Comprehensive Plan Map Amendment and Zone Change would only affect the subject site. Therefore, it will not have a direct impact on any Goal 4 Forest Lands, and as such this Goal is not applicable. In accordance with the findings presented above, the plan proposed with the Comprehensive Plan Map and Zone change is consistent with Goal 4.

#### **GOAL 5 – OPEN SPACE, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES**

To protect natural resources and conserve scenic and historic areas and open spaces.

**Response:** The proposed Comprehensive Map Amendment and Zone Change would not affect or alter the natural resources in the area. The subsequent subdivision will be designed to minimize the impact to natural resource areas on-site.

#### **GOAL 6 - AIR, WATER AND LAND RESOURCES QUALITY**

To maintain and improve the quality of the air, water and land resources of the state.

**Response:** The subject property is located within the UGB and City limits, where development at an urban scale and density is anticipated to occur. While the type and organization of uses specifically allowed within the property would change, no significant negative change in the quality of air is expected to occur. The proposed uses do not involve any additional noise or smoke that would affect the surrounding air, water, or land resource quality.

City sewer and water services are readily available to the subject property, as well as storm drainage facilities. At the time of the subdivision application, the site will be designed and engineered to accommodate stormwater retention and drainage facilities, as specified by the City's adopted design and engineering standards. The proposal does not threaten the quality of local or regional air, water, and land resources. In accordance with the findings presented above, the proposed Comprehensive Plan Map Amendment and Zone Change is consistent with Goal 6.

#### **GOAL 7 – AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS**

To protect people and property from natural hazards.

**Response:** The subject property is located outside the 100-year floodplain. The site is relatively flat with no areas identified as landslide hazards or steep slopes. Detailed review of the site will be completed during the subsequent subdivision process to ensure natural hazards are mitigated to the greatest extent practicable.

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## GOAL 8 – RECREATIONAL NEEDS

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

**Response:** The proposed Comprehensive Plan Map Amendment and Zone Change would allow for the development of the subject site. The proposed development of the site would include the development of open space and natural areas to benefit the proposed dwelling units.

A subsequent subdivision plan will be submitted to the City of Sherwood. The proposed plan will include the construction of pedestrian walkways, sidewalks, and trails to provide for pedestrian connections between all of the parks and open spaces proposed within the development. These improvements will provide the ability to connect with other parks and open space areas that exist or that are planned within the City. Therefore, the proposed Comprehensive Plan Map Amendment and Zoning Change are in compliance with Goal 8 by providing opportunities consistent with guidelines identified in the Comprehensive Plan.

## GOAL 9 – ECONOMIC DEVELOPMENT

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

**Response:** The proposed change would redesignate approximately three acres from Neighborhood Commercial to Medium Density Residential Low. The intent is to provide single-family residential housing to the area. Data necessary to address this Goal in relation to the proposed change, as required by OAR 660-009-0015, is available in the Economic Opportunity Analysis (EOA) included in this application. The EOA provides the most recent and comprehensive data available for economic development trends and the inventory of commercial and industrial land within the urban area for the 20-year planning period.

In summary, the Comprehensive Plan Map Amendment and Zoning Change conforms to the City's EOA by providing a location for housing. This proposal serves to provide an opportunity for the residential activities that are vital to the citizens of Sherwood, which is consistent with the requirements of this Goal.

## GOAL 10 - HOUSING

To provide for the housing needs of the citizens of the state.

**Response:** The proposed change would redesignate approximately three acres from Neighborhood Commercial to Medium Density Residential Low. The intent is to provide opportunities for the development of additional housing in Sherwood.

The proposed Comprehensive Plan Map Amendment and Zone Change is consistent with Goal 10. Based on the available data, the reduction of vacant commercial land inventory represented by this proposal would not cause a significant impact on the availability of commercial and retail services within the urban area. The future planning area to the west described as Sherwood West has the potential to provide for true commercial space in an area with a catchment and customer base, which this area does not have. For these reasons, approval of the proposed Plan and Zone change would not have a significant impact on the availability of commercial and retail opportunities within the UGB or in the

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local area and would increase the amount of available residentially-zoned land. Therefore, the proposal does not adversely impact the requirements of this Goal.

## **GOAL 11 – PUBLIC FACILITIES AND SERVICES**

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

**Response:** The City maintains an infrastructure of public facilities and services to support urban development. The City has adopted transportation, stormwater, wastewater, and water master facility plans. These plans outline the public facilities and services needed to serve land within the UGB. The existing public services and facilities in the area, as well as those required to serve the proposed development on the subject property, will be reviewed by the Public Works Department. In accordance with the findings presented above, the plan proposed within the Comprehensive Plan Map Amendment and Zoning Change is consistent with Goal 11.

## **GOAL 12 - TRANSPORTATION**

To provide and encourage a safe, convenient and economic transportation system.

**Response:** The City of Sherwood's Transportation System Plan (TSP) is in compliance with the requirements of this Goal. The relationship of the proposal to the transportation system as well as its impacts have been set forth in detail in the Transportation Analysis, included as Exhibit F. The Applicant has demonstrated that the identified amendments do not require mitigation to ensure that adopted operating standards would be met. The analysis has found that the traffic impacts of the project would not cause a change in the functional classification of any street or transportation facility, would not require or result in changes to the standards that implement the functional classifications system, would result in traffic volumes that are consistent with the functional classifications of the affected streets, and no mitigation would be required to assure that adequate levels of service and the functionality of the transportation system is maintained. The proposed amendments are therefore in compliance with the Oregon Transportation Planning Rule, the Sherwood Transportation System Plan, and the goals and policies contained within the Sherwood Comprehensive Plan. In accordance with the findings presented above, the proposed plan is consistent with Goal 12.

## **GOAL 13 – ENERGY CONSERVATION**

To conserve energy.

**Response:** The design of the proposed development will strive to provide integrated residential land uses, resulting in a livable, connected community within the City of Sherwood. Inherent in the design will be the ability to live in close proximity to other land uses, which will allow for less vehicle trips and miles traveled and result in a reduction of the consumption of gasoline and associated emissions. The proposed layout of the site encourages the use of alternative modes of transportation, both within and adjacent to the proposed development, through the provision of greenways, parks, and tree-lined pedestrian corridors.

A subsequent subdivision application will design the transportation system in this area to provide direct, efficient, and convenient access. The proximity of the development to adjacent developed residential neighborhoods and employment areas would reduce the

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vehicle miles traveled throughout the area. The location and nature of the proposed development would promote the conservation of energy needed for transportation. For these reasons, the proposal would help to conserve energy and create energy efficiency, which is in keeping with the intent of this Goal.

#### **GOAL 14 - URBANIZATION**

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

**Response:** The entire subject property is located within the Sherwood City limits. All required public facilities and services can be made available to the property. The site consists of vacant urban land. The use of the site as proposed would contribute to an efficient arrangement of land uses within the UGB and the efficient use of urban services, which would be consistent with the directives of this Goal. The proposal does not affect the size or location of the UGB. In accordance with the findings presented above, the Comprehensive Plan Map Amendment and Zone Change is consistent with Goal 14.

#### **GOAL 15 – WILLAMETTE RIVER GREENWAY**

To protect, conserve, enhance and maintain the natural, scenic, historical, agricultural, economic and recreational qualities of lands along the Willamette River as the Willamette River Greenway.

**Response:** The subject property is not directly located within the Willamette River Greenway. However, the property is within the Tualatin River Basin, a tributary of the Willamette River. This Comprehensive Plan Map Amendment and Zone Change commits to the protection of riparian corridors. The preservation of these areas would provide long-term shading of the streams, which would assist in improving the water quality.

A subsequent subdivision application will provide a design of the stormwater system. The proposal conforms to Goal 15.

#### **GOAL 16 – ESTUARINE RESOURCES**

To recognize and protect the unique environmental, economic, and social values of each estuary and associated wetlands; and To protect, maintain, where appropriate develop, and where appropriate restore the long-term environmental, economic, and social values, diversity and benefits of Oregon's estuaries.

**Response:** The subject property does not contain any Estuarine Resources. Therefore, this Goal is not applicable to this review.

#### **GOAL 17 – COASTAL SHORELANDS**

To conserve, protect, where appropriate, develop and where appropriate restore the resources and benefits of all coastal shorelands, recognizing their value for protection and maintenance of water quality, fish and wildlife habitat, water-dependent uses, economic resources and recreation and aesthetics. The management of these shoreland areas shall be compatible with the characteristics of the adjacent coastal waters; and To reduce the hazard to human life and

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property, and the adverse effects upon water quality and fish and wildlife habitat, resulting from the use and enjoyment of Oregon's coastal shorelands.

**Response:** The subject property does not contain any Coastal Shorelands. Therefore, this Goal is not applicable to this review.

#### **GOAL 18 – BEACHES AND DUNES**

To conserve, protect, where appropriate develop, and where appropriate restore the resources and benefits of coastal beach and dune areas; and To reduce the hazard to human life and property from natural or man-induced actions associated with these areas.

**Response:** The subject property does not contain any Beaches or Dunes. Therefore, this Goal is not applicable to this review.

#### **GOAL 19 – OCEAN RESOURCES**

To conserve marine resources and ecological functions for the purpose of providing long-term ecological, economic, and social value and benefits to future generations.

**Response:** The subject property is not located adjacent to the Pacific Ocean. Therefore this Goal is not applicable to this review.

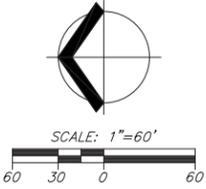
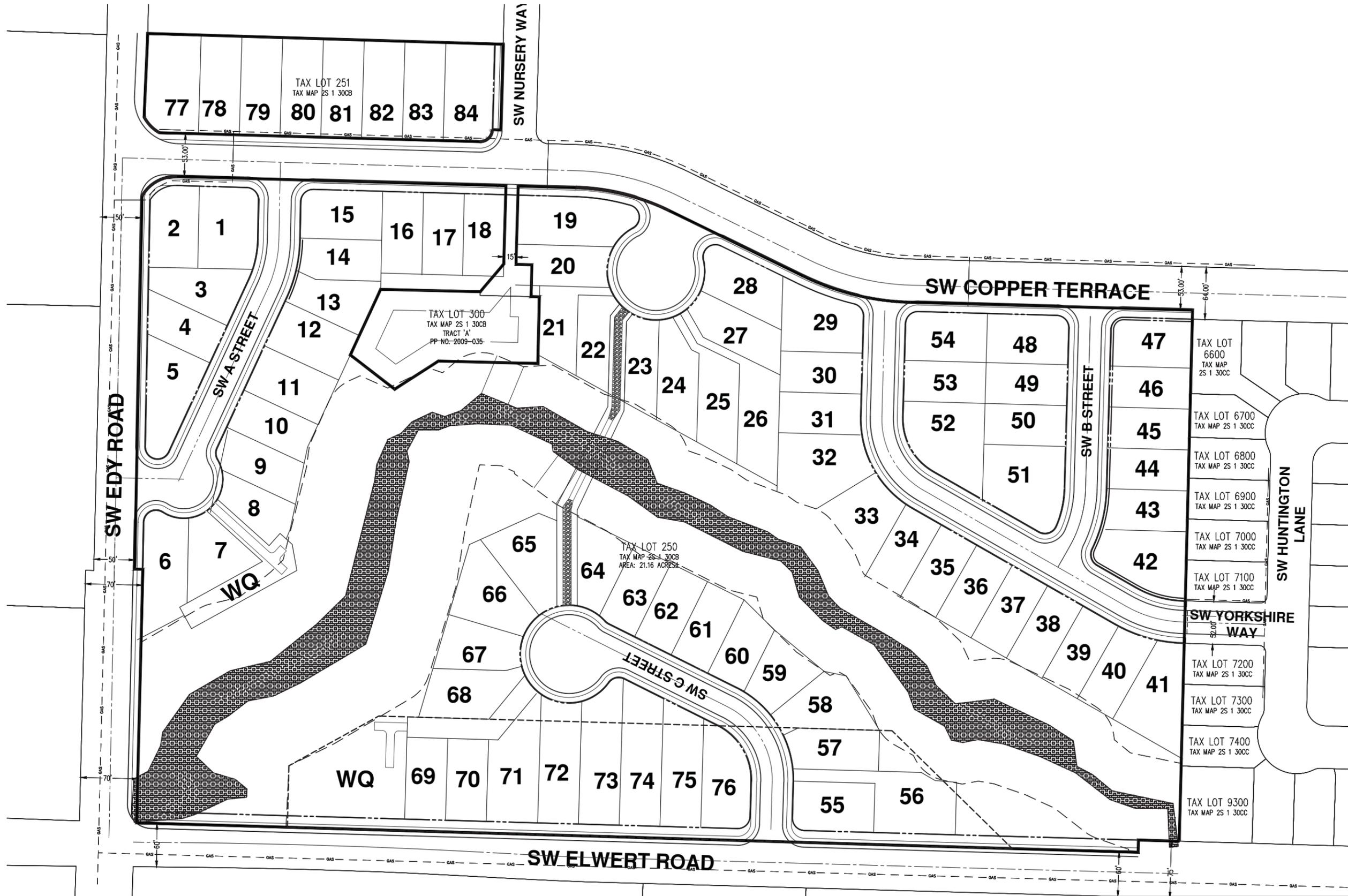
### **IV. CONCLUSION**

As evidenced throughout this project narrative and associated documents, this Comprehensive Plan Map Amendment and Zone Change meets or exceeds any applicable development regulation or objective of the Sherwood Zoning and Community Development Code, Comprehensive Plan, Metro's Urban Growth Management Functional Plan, and the Oregon Statewide Planning Goals.

# **EXHIBIT A: PRELIMINARY DEVELOPMENT CONCEPT SKETCHES**

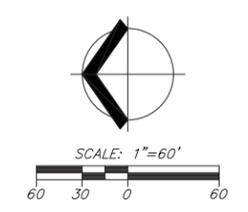
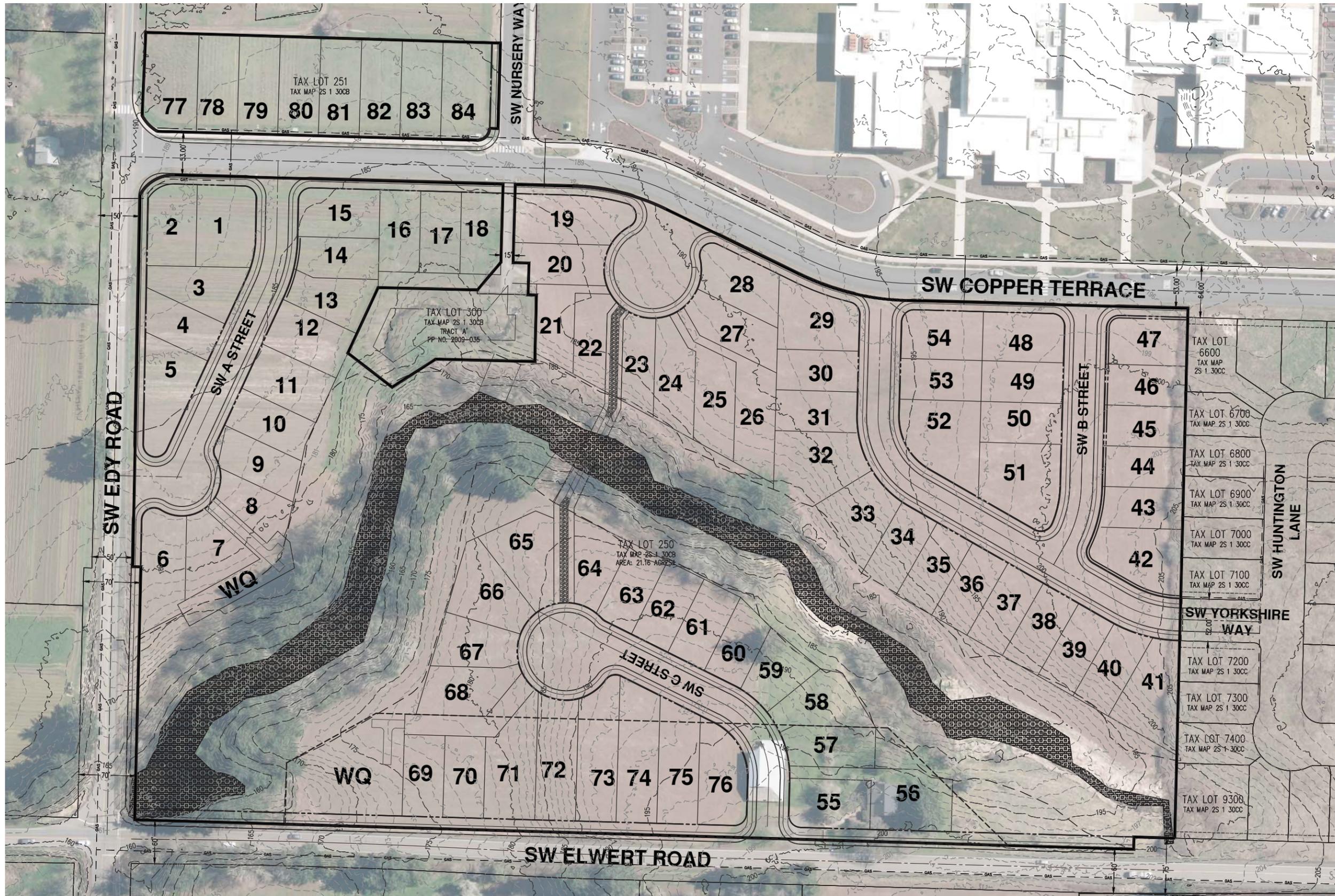
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DATE: 7/20/2015

<b>LAYOUT 3</b>		EXHIBIT A
<b>MANDEL PROPERTY</b> AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 aks-eng.com		<b>A</b> DRWN: MD CHKD: AKS JOB: 4570
		



DATE: 7/20/2015

**LAYOUT 3**

**MANDEL PROPERTY**  
 AKS ENGINEERING & FORESTRY, LLC  
 12965 SW HERMAN RD, STE 100  
 TUALATIN, OR 97062  
 P: 503.563.6151 F: 503.563.6152 aks-eng.com



EXHIBIT A

**A**

DRWN: MD  
 CHKD:  
 AKS JOB:  
 4570



## **EXHIBIT B: COUNTY TAX MAP AND TRIO**

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**First American  
Title Company of Oregon**

Customer Service Department  
121 SW Morrison Street Suite 300 - Portland, OR 97204  
Phone: 503.219.TRIO (8746) Fax: 503.790.7872  
Email: cs.portland@firstam.com  
Today's Date : 7/17/2015

**OWNERSHIP INFORMATION**

Owner : **2007 Mandel Family**  
CoOwner : **Mandel David**  
Site Address : 21340 SW Elwert Rd Sherwood 97140  
Mail Address : 16990 SW Richen Park Cir Sherwood Or 97140  
County : Washington (OR)

Bldg # 1 Of 1  
Ref Parcel Number : 2S130CB 00250  
Parcel Number : R0548642  
T: 02S R: 01W S: 30 Q: SW QQ: NW

**PROPERTY DESCRIPTION**

Map Page Grid :  
Census Tract : 322.00 Block: 1  
Neighborhood : 4TL0  
School District : Sherwood  
Subdivision/Plat :  
Building Use : Single Family Res  
Land Use : 5414 Agr,Farm Unzoned,Improved  
Legal : ACRES 21.28, UNZONED FARMLAND-  
: POTENTIAL ADDITIONAL TAX LIABILITY,  
: LAND HOOK

**ASSESSMENT AND TAX INFORMATION**

Mkt Land : \$1,812,520  
Mkt Structure : \$63,260  
Mkt Total : \$1,888,090  
%Improved : 3  
M50AssdTotal : \$163,240  
Levy Code : 08810  
14-15 Taxes : \$3,076.81  
Millage Rate : 18.8485  
Zoning : MDRH

**PROPERTY CHARACTERISTICS**

Bedrooms : 4	Year Built : 1936	Patio SqFt :
Bathrooms : 1.00	EffYearBlt : 1936	Deck SqFt :
Heat Method : Stove	BsmFin SF :	ExtFinish : Wood Std Shtg
Foundation : Concrete Ftg	BsmUnfinSF : 1,146	Const Type : Wd Stud/shtg
Lot Acres : 21.28	BldgSqFt : 2,877	Roof Shape : Gable
Lot SqFt : 926,957	1stFlrSF : 1,146	Roof Matl : Comp Shingle
Garage Type :	UpperFISF :	Porch SqFt : 288
Garage SF :	Attic SqFt : 585	Paving Matl :

**TRANSFER INFORMATION**

Owner Name(s)	Sale Date	Doc#	Sale Price	Deed Type	Loan Amount	Loan Type
:2007 Mandel Family	:02/12/2008	11973	:\$7,000	:Bargain & Sal :	:	:
:Mandel Family Living 2007	:04/30/2007	48408	:	:Bargain & :	:	:
:Mandel Marvin	:07/20/2001	71926	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.



**After Recording, Return to:**

MARVIN P. MANDEL  
JANE Q. MANDEL  
Co-Trustees of the  
2007 Mandel Family Trust  
21340 SW Elwert Road  
Sherwood, Oregon 97140

Reco:



01108754200700484080030034  
I, Richard Hobernicht, Director of Assessment and  
Taxation and Ex-Officio County Clerk for Washington  
County, Oregon, do hereby certify that the within  
instrument of writing was received and recorded in the  
book of records of said county.

*Richard Hobernicht*  
Richard Hobernicht, Director of Assessment and  
Taxation, Ex-Officio County Clerk



Until a change is requested,  
all tax statements shall be sent  
to the following address:

SAME AS ABOVE

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**BARGAIN AND SALE DEED**

MARVIN P. MANDEL, ("Grantor"), conveys to MARVIN P. MANDEL and JANE Q. MANDEL, Co-Trustees of the 2007 MANDEL FAMILY REVOCABLE LIVING TRUST ("Grantees"), the following described real property located in Washington County, Oregon, free of encumbrances except those of public record:

**DESCRIPTION OF PROPERTIES:**

PLEASE SEE ATTACHED EXHIBIT A.

The true consideration for this conveyance is the transfer of the property to Grantees for estate planning purposes and is valued at \$0.00.

THE LIABILITY AND OBLIGATIONS OF THE GRANTOR TO GRANTEEES AND GRANTEEES' HEIRS AND ASSIGNS UNDER THE WARRANTIES AND COVENANTS CONTAINED HEREIN OR PROVIDED BY LAW SHALL BE LIMITED TO THE EXTENT OF COVERAGE THAT WOULD BE AVAILABLE TO GRANTORS UNDER A STANDARD POLICY OF TITLE INSURANCE CONTAINING EXCEPTIONS FOR MATTERS OF PUBLIC RECORD EXTENDED. IT IS THE INTENTION OF THE GRANTOR TO PRESERVE ANY EXISTING TITLE INSURANCE COVERAGE. THE LIMITATIONS

CONTAINED HEREIN EXPRESSLY DO NOT RELIEVE GRANTORS OF ANY LIABILITY OR OBLIGATIONS UNDER THIS INSTRUMENT, BUT MERELY DEFINE THE SCOPE, NATURE, AND AMOUNT OF SUCH LIABILITY OR OBLIGATIONS.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

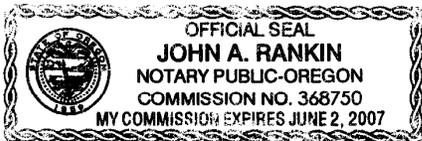
DATED: February 27, 2007.

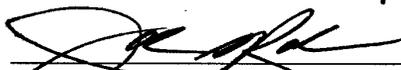
  
MARVIN P. MANDEL  
Grantor

STATE OF OREGON            )  
                                          )        ss.  
County of Washington    )

Personally appeared the above named MARVIN P. MANDEL, Grantor, and acknowledged the foregoing to be his voluntary act and deed.

BEFORE ME:



  
Notary Public for Oregon  
My commission expires: 6-2-07

**EXHIBIT "A"**

Beginning at the one-quarter corner on the West line of Section 30, Township 2 South, Range 1 West, Willamette Meridian, in the County of Washington and State of Oregon, being also the Northwest corner of the Southwest one-quarter of said Section 30; thence East along the centerline of said Section 15 chains, more less, to the Northwest corner of the Mandel tract described in deed recorded December 8, 1900 in Book 56 at Page 141, Deed Records; thence South parallel to the West line of said Section 30, 20 chains, more or less, to the Southeast corner of the Mandel tract described in deed recorded March 14, 1914 Book 101 at page 413, Deed Records; thence West parallel to the North line of said Southwest one-quarter of Section 30 to the West line of said Section 30 at the centerline of Elwert Road; thence North along the West line of said Section 30, 20 chains, more or less, to the point of beginning.

Commonly known as 21340 SW Elwert Road, Sherwood, Oregon 97140

## **EXHIBIT C: APPLICATION FORM**

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Home of the Tualatin River National Wildlife Refuge

Case No. PA 15-04  
Fee 5330-  
Receipt # 872492  
Date 8-7-15  
TYPE V

### City of Sherwood Application for Land Use Action

**Type of Land Use Action Requested: (check all that apply)**

- Annexation
- Plan Amendment (Proposed Zone MDRH)
- Variance(list standard(s) to be varied in description)
- Site Plan (Sq. footage of building and parking area)
- Planned Unit Development
- Conditional Use
- Partition (# of lots \_\_\_\_\_)
- Subdivision (# of lots \_\_\_\_\_)
- Other: \_\_\_\_\_

*By submitting this form the Owner, or Owner's authorized agent/ representative, acknowledges and agrees that City of Sherwood employees, and appointed or elected City Officials, have authority to enter the project site at all reasonable times for the purpose of inspecting project site conditions and gathering information related specifically to the project site.*

Note: See City of Sherwood current Fee Schedule, which includes the "Publication/Distribution of Notice" fee, at [www.sherwoodoregon.gov](http://www.sherwoodoregon.gov). Click on Departments/Planning/Fee Schedule.

**Owner/Applicant Information:**

Applicant: Venture Properties, Kelly Ritz Phone: 503-387-7600  
 Applicant Address: 4230 Galewood St, Ste 100, Lake Oswego 97034 Email: \_\_\_\_\_  
 Owner 2007 Mandel Family Trust, David Mandel and Randy Kieling Phone: \_\_\_\_\_  
 Owner Address: 6990 SW Richen Park Cir, Sherwood, 97140 Email: \_\_\_\_\_  
 Contact for Additional Information: Kelly Ritz

**Property Information:**

Street Location: On the SE corner of the intersection of SW Edy Road and SW Elwert Road  
 Tax Lot and Map No: 2S130CB Tax lot 250  
 Existing Structures/Use: One single family home  
 Existing Plan/Zone Designation: Neighborhood Commercial/Medium Density Residential High  
 Size of Property(ies) 21.28 total acres (3 acres for Plan Amendment)

**Proposed Action:**

Purpose and Description of Proposed Action: \_\_\_\_\_  
Comprehensive Plan and Zone Change of the Neighborhood Commercial portion of the property to  
Medium Density Residential High (MDRH) to better suit the needs of the neighborhood.

Proposed Use: Residential

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

LAND USE APPLICATION FORM

**Authorizing Signatures:**

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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

*Jonc Q. Mandel*

Date

*07/28/15*

Owner's Signature

*Jonc Q. Mandel*

Date

*07/28/15*

**The following materials must be submitted with your application or it will not be accepted at the counter.** Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review.

- 3 \* copies of Application Form** completely filled out and signed by the property owner (or person with authority to make decisions on the property).
- Copy of Deed** to verify ownership, easements, etc.
- At least 3 \* folded** sets of plans
- At least 3 \* sets** of narrative addressing application criteria
- Fee** (along with calculations utilized to determine fee if applicable)
- Neighborhood Meeting Verification** including affidavit, sign-in sheet and meeting summary (required for Type III, IV and V projects)
- Signed checklist** verifying submittal includes specific materials necessary for the application process

\* **Note** that the required numbers of copies identified on the checklist are required for completeness; however, upon initial submittal applicants are encouraged to submit only 3 copies for completeness review. Prior to completeness, the required number of copies identified on the checklist and one full electronic copy will be required to be submitted.

LAND USE APPLICATION FORM

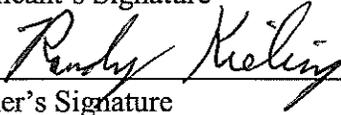
**Authorizing Signatures:**

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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.

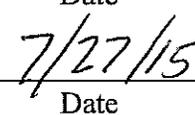
I further acknowledge that I have read the applicable standards for review of the land use action I am requesting and understand that I must demonstrate to the City review authorities compliance with these standards prior to approval of my request.

Applicant's Signature



Owner's Signature

Date



Date

**The following materials must be submitted with your application or it will not be accepted at the counter.** Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review.

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LAND USE APPLICATION FORM

**Authorizing Signatures:**

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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

*David Mandel*

Owner's Signature

*[Signature]*

Date

*24 July 2015*

Date

**The following materials must be submitted with your application or it will not be accepted at the counter.** Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review.

- 3 \* copies of Application Form** completely filled out and signed by the property owner (or person with authority to make decisions on the property).
- Copy of Deed** to verify ownership, easements, etc.
- At least 3 \* folded sets of plans**
- At least 3 \* sets of narrative** addressing application criteria
- Fee** (along with calculations utilized to determine fee if applicable)
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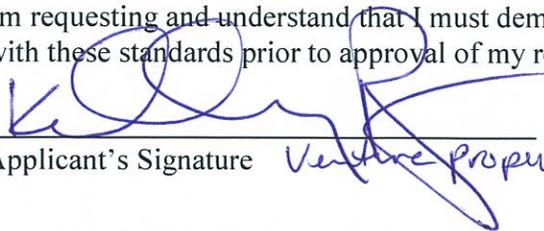
LAND USE APPLICATION FORM

**Authorizing Signatures:**

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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 Venture Properties, Inc. 7-22-15  
Date

\_\_\_\_\_  
Owner's Signature Date

**The following materials must be submitted with your application or it will not be accepted at the counter.** Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review.

- 3 \* copies of Application Form** completely filled out and signed by the property owner (or person with authority to make decisions on the property).
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# **EXHIBIT D: PRE-APPLICATION MEETING NOTES**

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Home of the Tualatin River National Wildlife Refuge

## Pre-Application Conference Notes

**PAC 15-06**

**Meeting Date: July 6, 2015**

**Meeting Time: 2:30PM**

**Planning Staff Contact: Brad Kilby**

**503-625-4206**

**Kilbyb@sherwoodoregon.gov**

### Residential Subdivision/Rezone

**PLEASE NOTE:** The conference and notes cannot cover all Code requirements and aspects related to site planning that should apply to the development of your property. Failure of the staff to provide information required by the Code shall not constitute a waiver of the applicable standards or requirements. It is recommended that a prospective applicant either obtain and read the Community Development Code or ask any questions of City staff relative to Code requirements prior to submitting an application.

#### Proposed project name: Mandel Property

**PROPOSAL DESCRIPTION:** Proposal to complete a sequence of land use applications including a partition to divide a 21.28 acres site two, then, a concurrent subdivision application on one of the parcels, and a rezone on the second parcel to remove the Neighborhood Commercial designation on the portion of the property that is south of SW Edy Road, and immediately east of SW Elwert Road. There is a single-family residence with accessory buildings on the portion of the site that is located west of a drainage that bisects the property, and a regional stormwater facility on the east side of the same resource. The property is also divided by SW Copper Terrace Road.

**APPLICANT: Venture Properties**

**Attn: Kelly Ritz**

**4230 Galewood Street, Suite 100**

**Sherwood, OR 97140 (503)625-9710**

**APPLICANT'S REPRESENTATIVE:**

**AKS Engineering and Forestry**

**Attn: Mimi Doukas**

**12965 SW Herman Road**

**Tualatin, OR 97062**

**OWNER: Marvin and Jane Mandel**

**PROPERTY LOCATION: WCTM 2S130CB00250 Southeast corner of the intersection of SW Edy Road and SW Elwert**

**Identified potential constraints/issues: Regional Stormwater Facility, Vegetated Corridor, Intervening**

Right-of-way, Cul-de-sac length, connectivity and circulation

**Based on the information provided, NECESSARY APPLICATION: The Partition is a Type II process, The Rezone and Subdivision would be considered by Planning Commission with a recommendation to the City Council for their own consideration, and ultimately a decision.**

**ZONING DISTRICT DIMENSIONAL REQUIREMENTS (Refer to Code Section 16.12)**

The property is located within the Area 59 Concept Plan area and is split zoned with Medium Density Residential Low (MDRL), Medium Density Residential High (MDRH), and Neighborhood Commercial, this proposal is for the development of the MDRH and MDRL zoned portions of the site. The Neighborhood Commercial portion of the site is not being developed at this time.

MINIMUM LOT SIZE: 5,000 sq. ft. LOT WIDTH AT FRONT PROPERTY LINE: 25 ft.

LOT WIDTH AT BUILDING LINE: 50 ft.

MAXIMUM HEIGHT: 30 ft. or 2-stories for the MDRL zoned property, and 35 ft. or 2 ½ stories for the MDRH zoned property.

Setbacks: Front: 20 ft.

Side 5 ft.

Rear 20 ft.

Corner 15 ft. from street\* Keep this in mind for all corner lots in that the width of the lot is decreased by up to 20-feet with setbacks.

**NARRATIVE**

The applicant shall submit a narrative which provides findings based on the applicable approval standards. Failure to provide a narrative or adequately address criteria would be reason to consider an application incomplete and delay review of the proposal. The applicant should review the code for applicable criteria.

**CLEAN WATER SERVICES SERVICE PROVIDER LETTER**

The applicant shall submit a CWS Service Provider Letter at time of application submittal. An application will not be deemed complete without a CWS Service Provider Letter or a CWS prescreening noting that a Service Provider Letter is not required.

**PLAN AMENDMENTS (16.80)**

A. Text Amendment

An amendment to the text of the Comprehensive Plan or the Zoning and Community Development Code must be based upon a need for such an amendment as identified by the Council or the Commission. Such an amendment must be consistent with the intent of the adopted Sherwood Comprehensive Plan, and with all other provisions of the Plan, the Transportation System Plan and this Code, and with any applicable State or City statutes and regulations, including this Section.

B. Map Amendment

An amendment to the City Zoning Map may be granted, provided that the proposal satisfies all applicable requirements of the adopted Sherwood Comprehensive Plan, the Transportation System Plan and this Code, and that:

1. The proposed amendment is consistent with the goals and policies of the Comprehensive Plan and the Transportation System Plan.
  2. There is an existing and demonstrable need for the particular uses and zoning proposed, taking into account the importance of such uses to the economy of the City, the existing market demand for any goods or services which such uses will provide, the presence or absence and location of other such uses or similar uses in the area, and the general public good.
  3. The proposed amendment is timely, considering the pattern of development in the area, surrounding land uses, any changes which may have occurred in the neighborhood or community to warrant the proposed amendment, and the availability of utilities and services to serve all potential uses in the proposed zoning district.
  4. Other lands in the City already zoned for the proposed uses are either unavailable or unsuitable for immediate development due to location, size or other factors.
- C. Transportation Planning Rule Consistency
1. The applicant shall demonstrate consistency with the Transportation Planning Rule, specifically by addressing whether the proposed amendment creates a significant effect on the transportation system pursuant to OAR 660-012-0060. If required, a Traffic Impact Analysis (TIA) shall be prepared pursuant to Section 16.106.080.

**PUBLIC INFRASTRUCTURE (16.104)**

All public improvements shall conform to City standards and specifications found in the **Engineering Design Manual** and installed in accordance with Chapter 108. The Council may establish additional specifications to supplement the standard of this Code and other applicable ordinances.

**TRANSPORTATION FACILITIES (16.106)**

**16.106.020** All developments containing or abutting an existing or proposed street that is unimproved or substandard in ROW or improvement, shall dedicate the necessary right of way prior to issuance of building permits or occupancy.

16.106.020.C.1. When development includes or abuts a proposed street in no event shall the required improvement exceed 40 ft.

2. Half Streets: When a half street is created, a minimum of 22 feet of driving surface shall be provided by the developer.

2. If the applicant is required to provide street improvements, the City Engineer may accept a future improvements guarantee in lieu of street improvements if one or more of the following conditions exist, as determined by the City:

a. A partial improvement is not feasible due to the inability to achieve proper design standards;

b. A partial improvement may create a potential safety hazard to motorists or pedestrians.

c. Due to the nature of existing development on adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, provide a significant improvement to street safety or capacity;

- d. The improvement would be in conflict with an adopted capital improvement plan;
- e. The improvement is associated with an approved land partition on property zoned residential use and the proposed land partition does not create any new streets; or
- f. Additional planning work is required to define the appropriate design standards for the street and the application is for a project that would contribute only a minor portion of the anticipated future traffic on the street.

16.106.030: Location: Street Connectivity and Future Street Systems

16.106.040 C. Future Extension: Where necessary to access or permit future subdivision or development of adjoining land, streets shall extend to the boundary of the proposed development and provide the required roadway width. Dead-end streets less than 100' in length shall comply with the Engineering Design Manual.

**SANITARY SEWER (16.110)**

Sanitary sewers shall be installed to serve all new developments and shall connect to existing sanitary sewer mains. **NOTE: (This property is subject to a reimbursement district)**

**WATER (16.112)**

Water lines and fire hydrants conforming to City and Fire District standards shall be installed to serve all building sites in a proposed development. All waterlines shall be connected to existing water mains or shall construct new mains appropriately sized and located in accordance with this Code, the Water System Master Plan, the City Design and Construction Manual, and with other applicable City standards and specifications, in order to adequately serve the proposed development and allow for future extensions. **NOTE: (This property is subject to a reimbursement district)**

**STORM WATER (16.114)**

Storm water facilities, including appropriate source control and conveyance facilities, shall be installed in new developments and shall connect to the existing downstream drainage systems consistent with the Comprehensive Plan and the requirements of the Clean Water Services water quality regulations contained in their Design and Construction Standards R&O 04-0, or its replacement. **NOTE: (This property is subject to a reimbursement district)**

**FIRE (16.116)**

All developments are required to comply with the regulations of Tualatin Valley Fire & Rescue. TVF&R regulations can be found on their website at: [www.tvfr.com/Dept/fm/const/index.html](http://www.tvfr.com/Dept/fm/const/index.html).

**OVERHEAD UTILITIES (16.118)**

All existing and proposed utilities must be placed underground, unless specifically authorized for above ground installation, because the points of connection to existing utilities make underground installation impractical, or for other reasons deemed acceptable by the Commission.

**SUBDIVISIONS (16.120)**

No preliminary plat shall be approved unless:

- A. Streets and roads conform to plats approved for adjoining properties as to widths, alignments, grades, and other standards, unless the City determines that the public interest is served by modifying streets or road patterns.
- B. Streets and roads held for private use are clearly indicated on the plat and all reservations or restrictions relating to such private roads and streets are set forth thereon.
- C. The plat complies with applicable zoning district standards and design standards in Division II, and all provisions of Divisions IV, VI, VIII and IX. The subdivision complies with Chapter 16.128 (Land Division Design Standards).
- D. Adequate water, sanitary sewer, and other public facilities exist to support the use of land proposed in the plat.
- E. **Development of additional, contiguous property under the same ownership can be accomplished in accordance with this Code.**
- F. Adjoining land can either be developed independently or is provided access that will allow development in accordance with this Code.
- G. Tree and woodland inventories have been submitted and approved as per Section 16.142.060.
- H. The plat clearly shows the proposed lot numbers, setbacks, dedications and easements.
- I. **A minimum of five percent (5%) open space** has been provided per Section 16.44.010.B.8 (Townhome-Standards) or Section 16.142.030 (Parks, Open Spaces and Trees-Single-Family Residential Subdivisions), if applicable.

**LAND PARTITIONS (16.122)**

*If a partition exceeds two (2) acres and within one (1) year is re-partitioned into more than two (2) parcels, and any single parcel is less than one (1) acre in size, full compliance with the subdivision regulations of this Code may be required.*

**LAND DIVISION DESIGN STANDARDS (16.128)**

Block Length, Pedestrian and Bicycle ways, and Lot standards.

**ENVIRONMENTAL RESOURCES (16.144 Wetlands, Habitat, and Natural Areas)**

There is an existing vegetated corridor that will require protection and enhancement consistent with CWS standards. Applicant must provide a Service Provider Letter from CWS, and delineate any wetlands on-site. **THE PROPOSAL FOR SEWER SERVICE AND/OR PEDESTRIAN CROSSING SHOULD BE INITIALLY PROPOSED AND SHARED TO CONSOLIDATE CROSSINGS AND PERMITTING**

**LANDSCAPED VISUAL CORRIDOR (16.142.040)**

A landscaped visual corridor is required along all collectors and arterials (as designated by the Transportation System Plan) as well as Highway 99W. The required width of the corridor for collectors is ten (10) feet, arterials is fifteen (15) feet and Highway 99W is twenty-five (25) feet. **This development is required to provide a 15 foot landscaped visual corridor along SW Elwert**

**Road as an arterial, and a 10 foot landscaped visual corridor along SW Edy Road as a collector on the TSP. (May use portions of the lot to achieve the visual corridor with limitations on fence placement)**

The required visual corridor shall be planted as specified by the review authority to provide a continuous visual buffer between major streets and developed uses.

**STREET TREES (16.142.060)**

Trees are required to be planted along public streets abutting any new development. Spacing is based on the maximum canopy spread identified in the recommended street tree list with the intent of providing a continuous canopy without an opening. For example, 30 canopy spread = 30 ft. spacing between trees. Root barriers will be required with new street trees.

**TREES ON PRIVATE PROPERTY (16.142.070)**

All applications shall be required to preserve trees to the maximum extent feasible.

Each net development site shall provide a variety of trees to achieve a minimum total tree canopy of 40 %. The canopy percentage is based on the expected mature canopy of each tree regardless of spacing. Arborists provide the estimate.

**APPLICABLE CODE CRITERIA**

(These sections **must** be addressed in the narrative submitted with the land use application)

- 16.12 (Residential Land Use Districts)
- 16.58 (Clear Vision and Fence Standards)
- 16.92 (Landscaping)
- 16.106 (Transportation Facilities)
- 16.108 (Improvement Plan Review)
- 16.110 (Sanitary Sewers)
- 16.112 (Water Supply)
- 16.114 (Storm Water)
- 16.116 (Fire Protection)
- 16.118 (Public and Private Utilities)
- 16.120 (Subdivisions)
- 16.128 (Land Division Design Standards)
- 16.142 (Parks, Trees and Open Space)- Visual Corridor, Street trees and Trees
- 16.156 (Energy Conservation)

**ADDITIONAL CONCERNS OR COMMENTS:**

**PROCEDURE**

- Type II - Administrative Staff Review, Planning Commission for any appeals.
- Type III- Public hearing before the Hearings Officer, Planning Commission for any appeals.
- Type IV- Public hearing before the Planning Commission, City Council for any appeals.
- Type V- Public hearing before the Planning Commission with the Commission making a recommendation on the proposal to the City Council. An additional public hearing shall be held by the City Council. Any appeals shall be heard by the Land Use Board of Appeals (LUBA).

**APPLICATION SUBMITTAL PROCESS**

The following materials must be submitted with your application or it will not be accepted at the counter. Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review.

- 3 \* copies of Application Form** completely filled out and signed by the property owner (or person with authority to make decisions on the property).
- Copy of Deed** to verify ownership, easements, etc.
- At least 3 \* folded** sets of plans
- At least 3 \* sets** of narrative addressing application criteria
- Fee** (along with calculations utilized to determine fee if applicable) **CHECK WITH STAFF PRIOR TO SUBMITTAL OF APPLICATION TO CONFIRM FEES DUE.**
- Signed checklist** verifying submittal includes specific materials necessary for the application process

**\* Note** that the required number of copies must be submitted for completeness; however, upon initial submittal applicants are encouraged to submit only 3 copies for completeness review. Prior to completeness, required number of copies and one full electronic copy will be required to be submitted.

The Planning Department will perform a preliminary review of the application and will determine whether an application is complete within 30 days of the counter submittal. Staff will notify the applicant if additional information or additional copies of the submitted materials are required.

The administrative decision or public hearing will typically occur approximately 45 to 60 days after an application is deemed complete by the Planning Department. Applications involving difficult or protracted issues or requiring review by other jurisdictions may take additional time to review. Written recommendations from the Planning staff are issued seven (7) days prior to the public hearing. A 14-day public appeal period follows all land use decisions.

**Information/Handouts provided at Pre-app:**

- Application form
  - CWS pre-screen form
  - Copy of fee schedule
  - Copy of maps including: \_\_\_ Aerial, \_\_\_ Wetlands, \_\_\_ Floodplain, \_\_\_ Sanitary lines, \_\_\_ Storm lines
  - Other Area 59 Concept Plan Maps
  - Neighborhood Meeting Packet
- 

**Response to Questions from Applicant**

1. This seems feasible, however, the CWS vegetated corridor will be required to be set aside in a tract and enhanced in accordance with CWS design standards. the Code states, "If a partition exceeds two (2) acres and within one (1) year is re-partitioned into more than two (2) parcels, and

any single parcel is less than one (1) acre in size, full compliance with the subdivision regulations of this Code may be required. This means that you would be required to meet the subdivision requirements, but does not preclude you from asking for a partition first.

2. The City review type will depend on the application type. Type II, Type V. Consider a Planned Unit Development? Partition (Type II), Subdivision (Type IV), Rezone or PUD (Type V). Road Modifications.
3. Studies required for the rezone will require an analysis to justify the rezone, and a traffic study to ensure compliance with the Transportation Planning Rule. Traffic study will be required for the subdivision based on traffic generation alone. Wetland Delineation and resource survey.
4. Aside from this standard, single-family developments are required to provide a minimum of 5% of the net buildable site is required for usable open space aside from environmentally constrained areas, yards or setbacks, visual corridors, and buffers.
5. Check with Building and Engineering.

**SEE ENGINEERING COMMENTS FOR RESPONSES TO REMAINDER OF QUESTIONS.**

**ADDITIONAL COMMENTS**

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6. The road is part of the concept plan, but that plan does not necessarily dictate the location of the connection. Without the connection, the project would not meet block length standards. A connection will ultimately need to be provided and stubbed to the undeveloped tract along with all public utilities. (The connection could potentially be bonded for as opposed to constructed provided it was approved by the City Engineer, and it was demonstrated by the applicant that the connection is proposed in a location that is feasible.
7. There is the potential that usable open space created over and above the 5% required above could be eligible for park SDC credits since there is a need for 14 acres identified in the concept plan.
8. Neighborhood Meeting is required
9. A reimbursement district is in place for this property

**End of pre-application conference comments**

# Engineering Pre-Application Comments

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To: Brad Kilby, Planning Manager

From: Bob Galati, P.E., City Engineer, Engineering Department

Project: Mandel Property Subdivision (PAC 15.06)  
Pre-Application Review Comments

Date: July 6, 2015

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Engineering staff has reviewed the information provided for the above cited project. Final construction plans will need to meet the standards established by the City of Sherwood Engineering Department and Public Works Department, Clean Water Services (CWS) and Tualatin Valley Fire & Rescue in addition to requirements established by other jurisdictional agencies providing land use comments. City of Sherwood Engineering Department comments are as follows:

## Sanitary Sewer

City data shows an existing 15" diameter sanitary sewer mainline alignment down Copper Terrace. The flow direction is from Cereghino Way towards Edy Road. The line is sized to serve the undeveloped area between Elwert and Copper Terrace, Cereghino and Edy, along with the existing school district develop east of Copper Terrace, and future development west of Elwert.

A 15" diameter sanitary mainline stub exists from Derby Terrace to Elwert Road within a public utility easement. This sanitary stub has not been extended along Elwert Road in either direction.

The portion of the subdivision adjacent to Elwert Road will need to extend public mains to provide service to these isolated lots.

There is adequate sanitary volume to provide service to the proposed development.

## Water

City data shows an existing 16" diameter water main running within Copper Terrace. There is also an existing 8" diameter water main stubbed to the property line within Yorkshire Way. A 12" diameter water main has been extended to the south property line within Elwert Road.

The portion of the subdivision adjacent to Elwert Road will need to extend the water system to be able to gain access to public water. Looping of the system may also be required to provide redundancy and balance of pressures.

There is adequate water volume and pressure to serve the proposed development.

## Storm Sewer

City data shows an existing WQF located west of Copper Terrace. The facility has been sized to accommodate the undeveloped area adjacent to Copper Terrace.

### Transportation

The proposed site development is located between Elwert Road to the west, Copper Terrace to the east, Edy Road to the north, and the existing Daybreak subdivision to the south.

Two of the roads (Elwert Road and Edy Road) are Washington County controlled roads. Elwert Road is classified as an arterial road; Edy Road is classified as a collector road, with Copper Terrace being classified as a neighborhood road.

The proposed development will impact these roads and frontage improvements will be required according to their classification and jurisdictional control. Right-of-way will need to be dedicated to comply with the road classification right-of-way requirements.

The proposed local road layout is partially acceptable. There are components of the proposed design which do not fit in with the City's concepts for neighborhood connectedness and general local road layout within the City.

The partial cul-de-sac off Copper Terrace is not acceptable. The issue is that there is another option which would provide appropriate intersection spacing and lot layout efficiency, without losing lot count. The two cul-de-sac's will require design modification requests of the City Engineer because their lengths exceed code standards.

### Other Engineering Issues:

The proposed Mandel development area is within the Sherwood School Reimbursement District created under Resolution 2008-011. The Reimbursement District's repayment terms were revised under Resolution 2014-073 to exclude payment of interest on the original reimbursement assessment. The original assessments are noted as follows:

Transportation (Copper Terrace) Assessment:	\$440,268.00
Water Assessment:	\$113,984.00
Sanitary Assessment:	\$234,962.00
Storm Assessment:	<u>\$157,943.00</u>
Total of all Assessments:	\$947,156.00

These assessments will need to be paid prior to plat approval.

An As-Built Request Form is available on the City of Sherwood website for the obtaining of as-builts.

City of Sherwood standards require an 8-foot PUE along all right-of-way.

Properties between 1 acre and 5 acres require a NPDES 1200-CN permit.

A Service Provider Letter and Storm Connection Permit Authorization from Clean Water Services is required.

Project: Mandel Property Subdivision (PAC 15-06)  
Date: July 6, 2015  
Page: 3 of 3

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Permits for any building removal will need to be obtained from the City of Sherwood Building Department.

Sherwood Broadband utilities shall be installed along the subject property's frontage on SW Main Street as per requirements set forth in City Ordinance 2005-017 and City Resolution 2005-074.

END OF COMMENTS

DISCLAIMER: The comments provided above are initial in nature and are in no way binding as to what conditions may or may not be imposed upon the development in the Notice of Decision.





# **EXHIBIT E: NEIGHBORHOOD MEETING DOCUMENTATION**

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July 7, 2015

**Ref: Notice of Neighborhood Meeting  
Development of an approximately 85 lot subdivision at 21340 SW Elwert Road (Washington County Assessor's Map 2S130CB Tax Lots 250 & 251)**

Dear Property Owner/Neighbor:

AKS Engineering & Forestry, LLC is holding a neighborhood meeting regarding the +/- 22.5 acre property located at 21340 SW Elwert Road, Washington County Assessor's Map 2S130CB Tax Lots 250 and 251, zoned MDRH (Medium Density Residential High), MDRL (Medium Density Residential Low), NC (Neighborhood Commercial), and Open Space. The project involves subdividing the property to create approximately 85 lots for future detached single-family homes. The applicant is also proposing a Comprehensive Plan Amendment/Zone Change to change the NC (Neighborhood Commercial) Zoning to MDRL (Medium Density Residential Low). Prior to applying to the City of Sherwood Planning Department we would like to take the opportunity to discuss the project in more detail with you.

The purpose of this meeting is to provide a forum for the applicant and surrounding property owners/residents to review and discuss the project before an application is submitted to the City. This meeting gives you the opportunity to share with us any special information you know about the property involved. We will attempt to answer questions, which may be relevant to meeting development standards consistent with City of Sherwood's Zoning and Development Code.

### **MEETING INFORMATION:**

**Tuesday, July 21, 2015 at 6:00 p.m.  
at Edy Ridge Elementary School  
21472 SW Copper Terrace, Sherwood, Oregon 97140**

Please note this meeting will be an informational meeting to discuss preliminary plans. These plans may be altered prior to submittal of an application to the City. Depending upon the type of land use action required, you may receive official notice from City of Sherwood for you to either participate with written comments and/or an opportunity to attend a public hearing.

I look forward to discussing this project with you. If you have questions, but will be unable to attend, please feel free to call me at 503-563-6151.

Sincerely,

**AKS ENGINEERING & FORESTRY, LLC**



Mimi Doukas, AICP, RLA  
Planning Project Manager

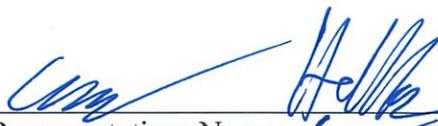
## Affidavit of Mailing

DATE: 07-07-15

STATE OF OREGON )

Washington County )

I, Connor Huske, representative for the Mandel Subdivisions proposed development project do hereby certify that the attached notice to adjacent property owners and recognized neighborhood organizations that are within 1,000 feet of the subject project, was placed in a U.S. Postal receptacle on 07-07-15.

  
Representatives Name: Connor Huske

Name of the Organization: AKS Engineering and Forestry

## NEIGHBORHOOD MEETING SIGN IN SHEET

Proposed Project: Wardel Property - 85 1st Subdivision

Proposed Project Location: 21340 SW Elwert Rd - SE Corner of Edg & Elwert

Project Contact: Jim. Dawkas - AKS 503-563-6151

Meeting Location: Edg Ridge Elementary School

Meeting Date: 7/21/15

Name	Address	E-Mail	Please identify yourself (check all that apply)			
			Resident	Property owner	Business owner	Other
PAUL CHRISTEN	18201 SW EDY RD STE 1000			X		
MARCARETTA WILSON	18205 SW E Edg Ste 1000			X		
KOR FALIANO	47400 SD (20250 SW 49th Ave) Foglia@sternad.k12.or.us			X		X
Roy/Barbara Bennick	21615 SW Elwert Rd mbennick@msn.com			X		
JEFF HILL	21644 SW OXFORD TERRACE	nutmegs@msn.com		X		
Verena Schmitt	18107 SW Edy Rd 97140	sgarden1@earthlink.com		X		
BEAUS CHRISTEN	18201 SW EDY RD, STE 1000	ARBERT@msn		X		

## NEIGHBORHOOD MEETING SIGN IN SHEET

Proposed Project: Wandel Property - 85 1st Subdivision

Proposed Project Location: 21340 SW Elwert Rd - SE Corner of Edg & Elwert

Project Contact: Wm. Dawkas - AKS 503-563-6151

Meeting Location: Edg Ridge Elementary School

Meeting Date: 7/21/15

Name	Address	E-Mail	Please identify yourself (check all that apply)			
			Resident	Property owner	Business owner	Other
Mary Lowe	21660 SW Oxford Terrace.	mccarthy33@gmail.com		X		
Steve Reynolds	21580 SW Elwert	SREYNOLD@QKZM.A		X		
Goran Ruyndt	21880 SW Elwert	SBR323@AOL.COM		✓		
Jon Dickover	16541 SW Daullig St	team-jd@vn.com		✓	✓	
Kimberly Merrill	21541 SW Derby Terr.	Kimberly.merrill@gmail.com		✓		
Jeff R. Shantz	15373 SW Sunset Blvd	jrshantz@comcast.net	X			
James Bryant	20762 SW Trails End	JamesBryant@frontier.com	X	X		

## NEIGHBORHOOD MEETING SIGN IN SHEET

Proposed Project: Wardel Property - 85 1st Subdivision

Proposed Project Location: 21340 SW Elwert Rd - SE Corner of Eddy & Elwert

Project Contact: Wm. Dawkas - AKS 503-563-6151

Meeting Location: Eddy Ridge Elementary School

Meeting Date: 7/21/15

Name	Address	E-Mail	Please identify yourself (check all that apply)			
			Resident	Property owner	Business owner	Other
<u>Leonard Bolen</u>	<u>21588 SW Oxford Terrace</u>	<u>lr-bolen@hotmail.com</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
<u>Marge Weinberger</u>	<u>20885 SW Trails End Dr. Sherwood</u>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		

July 23, 2015

**Neighborhood Meeting Summary:** 21340 SW Elwert Road  
Assessor's Map: 2S130CB Tax Lots 250 & 251  
Sherwood, Oregon 97006

**Meeting Date:** July 21, 2015

**Time:** 6:00 PM

**Location:** Edy Ridge Elementary School, 21472 SW Copper Terrace, Sherwood, Oregon 97140

The following serves as a summary of the primary subjects covered at the Neighborhood Meeting. Mimi Doukas from AKS Engineering & Forestry facilitated the meeting. A brief presentation about the project with a rendered site plan was made, followed by questions and answers. The project involves subdividing the property to create approximately 85 lots for future detached single-family homes. The applicant is also proposing a Comprehensive Plan Amendment/Zone Change to change the NC (Neighborhood Commercial) Zoning to MDRL (Medium Density Residential Low). Business cards with contact information were provided, as well as an attendance sheet for attendees to sign.

Major discussion questions:

- 1. When Area 59 was first proposed there wasn't going to be any access to Elwert Road and now things have changed and there is so much traffic – how will the County allow this?**
    - They will review the application but the access spacing on Elwert Road is an arterial with Washington County and they allow access points at 600 feet away from intersections, which this is.
    - In addition, there are not any lots fronting onto Elwert, and only 20 lots proposed on the cul-de-sac connecting to Elwert.
  - 2. The homes on Elwert Road wouldn't access their homes on Elwert Road?**
    - No, they would access it internally through the cul-de-sac. All of the lots would front on the cul-de-sac. Elwert Road and Edy Road are both visual corridors so Elwert Road must have a 15-foot landscape space and Edy Road requires a 10-foot landscape space. A few lots access on Copper Terrace which is permitted. The design minimizes the number of lots with direct access onto Copper Terrace.
  - 3. What is happening with existing home and is it historical?**
    - We are not sure at this time, though it is located essentially on lot 56. There has been no discussion about the home. Not familiar with the home and whether it is historical or not.
  - 4. With the initial design of the area part of the requirement was that there would be this commercial area, with all of the time and effort put forth to make that designation why is it so easy to ignore it?**
    - It is definitely not easy to change the designation; we have to go through public hearings with both the planning commission and then the city council. Also, there has been an economical
-

analysis of land inventory done of the viability of this as a commercial business location. Commercial development needs a certain level of population to provide enough customers to achieve the proper rents. The City has a shortage of residential lands, particularly if the Brookman annexation does not move forward. The strong need for residential land outweighed the limited commercial need.

- 5. Are you planning to move forward with this even though the roads aren't ready for it/aren't taken care of?**
  - We will need to do a Traffic Study to show that this project will not make things worse. Most of the traffic study is about the impacts to intersections so it will look at how intersections in the area will react and whether any mitigation is needed. It may show that a stop sign or turn lane or something like that may be needed to ensure that the project does not make any intersections fall below performance standards.
- 6. What is the projected completion date of the Traffic Study?**
  - It will have to be part of the Land Use Application for the subdivision.
- 7. What about environmental Impact?**
  - We have to go through Clean Water Services for stormwater review and for the protection of the drainageway and wetlands. This will require wetland delineation and service provider letters. The wetland delineation to show what regulatory buffers are supposed to be and the impacts we are proposing like the bridge crossing.
- 8. 100 year flood plain?**
  - It is not within the 100 year flood plain.
- 9. Estimated target date for first build?**
  - The first stage (namely infrastructure) consisting of when the pipes go into the ground is expected to begin next summer and then homes will follow that – all expected to be done in one phase.
- 10. Is the developer (Venture) associated with a builder?**
  - Venture Properties is primarily associated with Stone Bridge Homes and anticipate them as the builder again. Locally owned builder.
- 11. Where is all of the traffic going to go?**
  - Not too many options – they will have to go either Elwert Road or Edy Road.
- 12. Value of commercial – convenience store or coffee shop?**
  - Originally, there was a thought to put something like that in but with the traffic issues on Elwert Road you would be putting even more traffic on Elwert Road. It does not benefit the community as much as it was thought. Elwert Road is not designed to be a pedestrian street.
- 13. The people that come through the area are using it already as a bypass from Hillsboro, isn't there something that could be added (commercially like a McDonald's or something) that would benefit the people who actually live in the area without creating more traffic than there already is?**
  - Commercial developers cannot make it work – it isn't a viable option for them. Drive by commercial is more appropriate on Highway 99W. That type of use would make Elwert worse and not provide much of a neighborhood benefit.
- 14. Is there any concern about access off of Copper Terrace?**
  - Yes, we are trying to minimize the number of lots that are accessed from or front onto Copper Terrace because it is less than ideal. There is an existing water quality facility that will prevent certain lots from being accessed on internal streets/cul-de-sacs. It creates a pinch point.
- 15. Is there street parking on Copper Terrace or the internal streets?**

- There is on-street parking on the internal streets on one side and parking on the non-school side of Copper Terrace.

**16. Why do you need off-street parking?**

- It is just good for a community to have lots of parking options for visitors, etc.

**17. How many homes are proposed?**

- Currently proposed at 85. This may go up or down by a lot, but should be close.

**18. Is there a standard rule for the number of homes and maximum capacity in the school?**

- Oregon Land Use does not tie school capacity and land use review together.

**19. This is in the City limits?**

- Yes

**20. What are the next steps?**

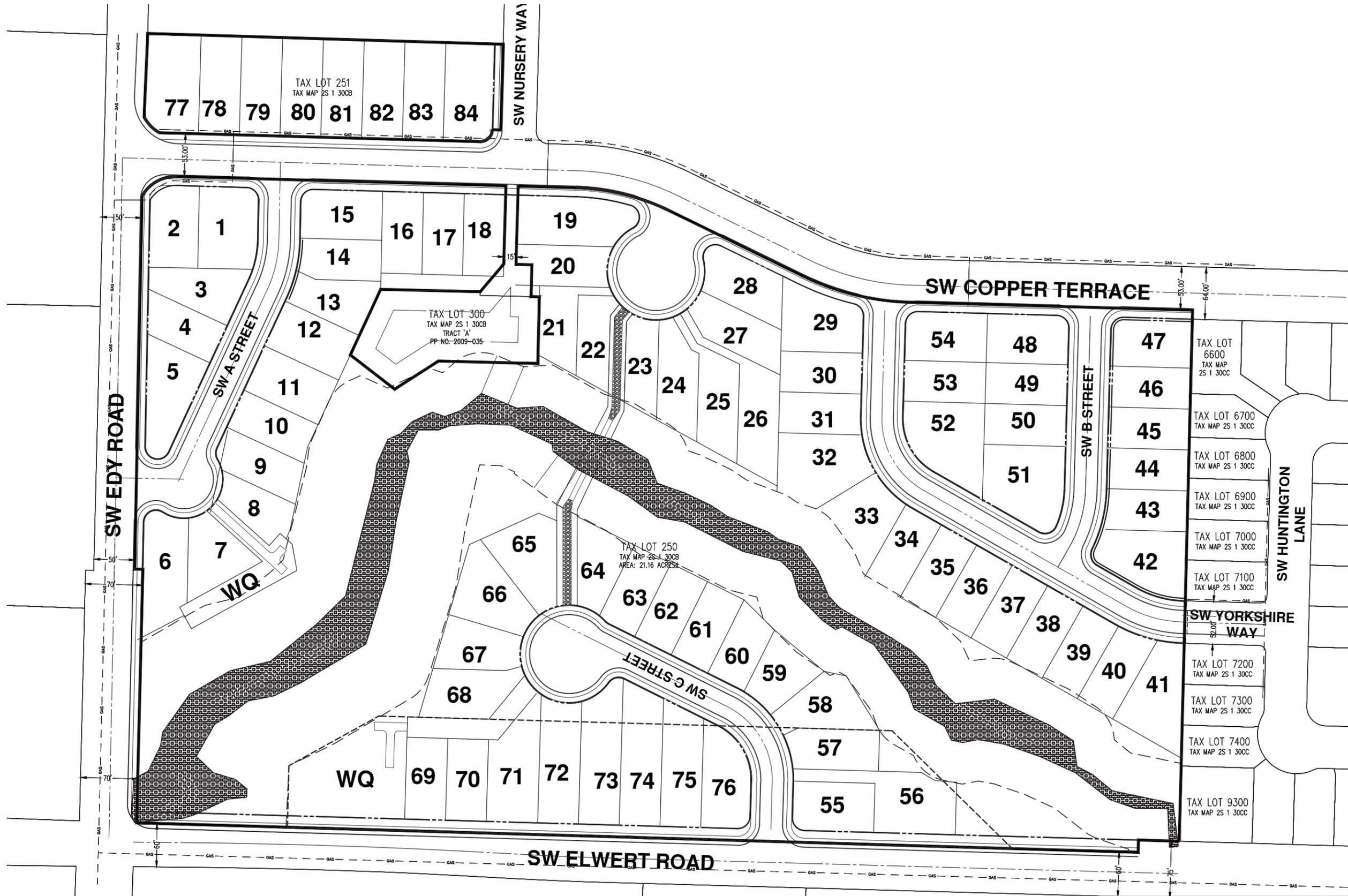
- We are proposing two applications – in the next couple of weeks we will submit the zone change/comprehensive plan amendment application which will request a change from commercial to residential. After submitting that application we will submit a subdivision application. They will overlap, but the zone change will go first. The subdivision will show the commercial land at tracts for future re-platting.

Sincerely,

**AKS ENGINEERING & FORESTRY, LLC**



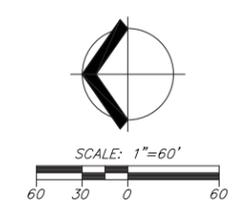
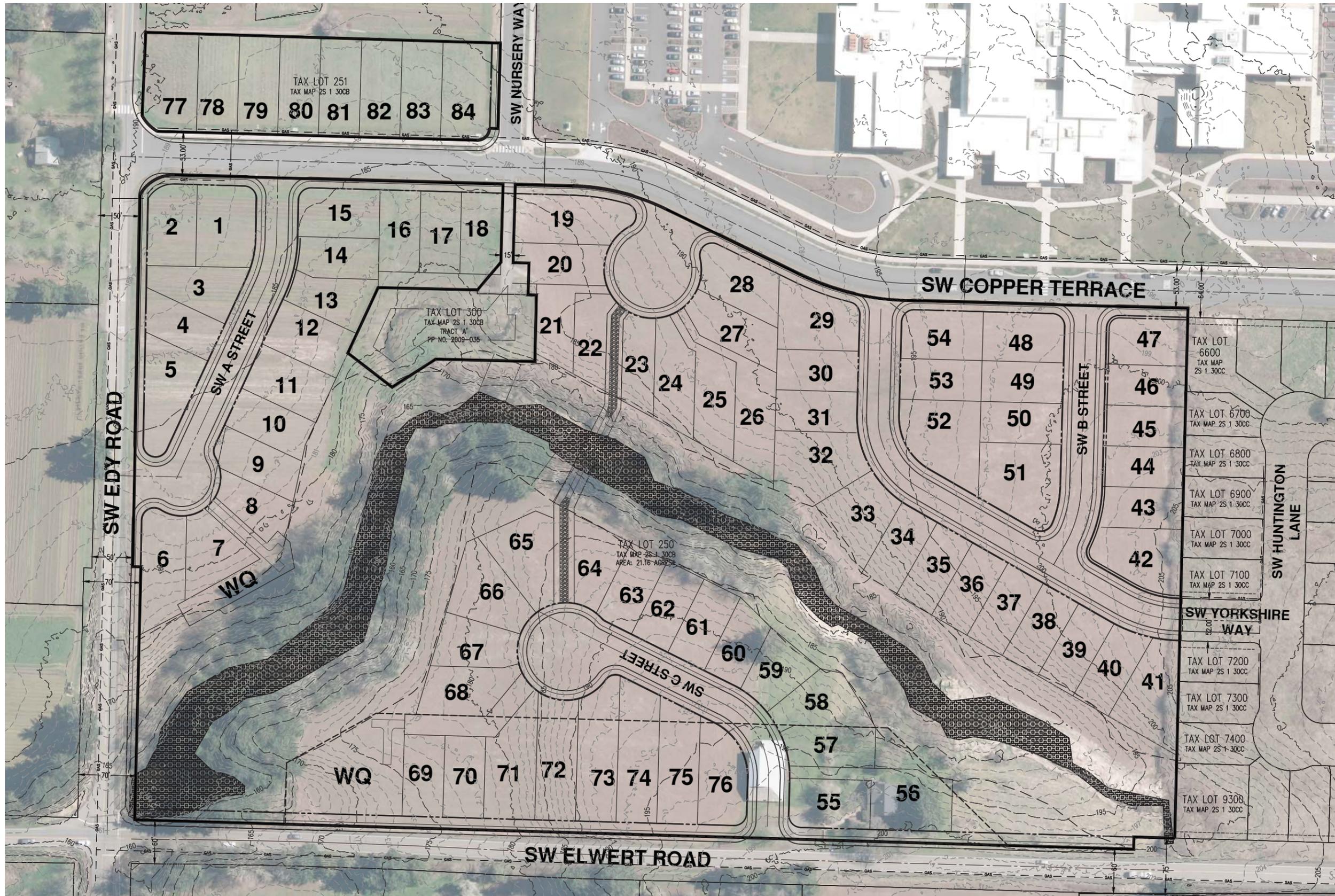
Mimi Doukas, AICP, RLA  
Planning Project Manager



DATE: 7/20/2015

<b>LAYOUT 3</b>		EXHIBIT A
<b>MANDEL PROPERTY</b>		<b>A</b>
AKS ENGINEERING & FORESTRY, LLC 12965 SW HERMAN RD, STE 100 TUALATIN, OR 97062 P: 503.563.6151 F: 503.563.6152 aks-eng.com		DRWN: MD CHKD: AKS JOB: 4570





DATE: 7/20/2015

**LAYOUT 3**

**MANDEL PROPERTY**  
 AKS ENGINEERING & FORESTRY, LLC  
 12965 SW HERMAN RD, STE 100  
 TUALATIN, OR 97062  
 P: 503.563.6151 F: 503.563.6152 aks-eng.com



EXHIBIT A

**A**

DRWN: MD  
 CHKD:  
 AKS JOB:  
 4570

# **EXHIBIT F: TRANSPORTATION ANALYSIS**

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September 10, 2015

Mimi Doukas  
AKS Engineering and Forestry  
12965 SW Herman Road #100  
Tualatin, OR 97062



321 SW 4<sup>th</sup> Ave., Suite 400  
Portland, OR 97204  
phone: 503.248.0313  
fax: 503.248.9251  
lancasterengineering.com

Dear Mimi,

At your request, we have undertaken an investigation of the potential transportation impacts of a proposed zone change for the property within Tax Lot 2S130CB00250 located in the southeast corner of the intersection of SW Elwert Road at SW Edy Road.

The subject property is currently zoned for a mix of Medium-Density Residential (MDRH) development and Neighborhood Commercial (NC) development. Upon completion of the proposed zone change, the entire property will be zoned for medium-density residential development.

The neighborhood commercial portion of the property has an area of approximately 3.0 acres. Under the City of Sherwood's Code of Ordinances 16.22.050, "No more than four (4) permitted or conditional uses may be established within any single NC zoning district, and each use or establishment may occupy a maximum of four thousand (4,000) square feet of gross floor area, including any permitted exterior business areas." Accordingly, the maximum reasonable development scenario for the NC-zoned property was determined to consist of four uses with gross floor areas of 4,000 square feet each. The worst-case development was determined to consist of a 4,000 square foot convenience store, a 4,000 square foot day care center, a 4,000 square foot health/fitness club and a 4,000 square foot medical/dental office.

Under the proposed MDRH zoning, the 3.0-acre portion of the property proposed for a zone change could be developed with single family homes, duplexes, or apartment buildings. Assuming that up to 80 percent of the land area can be used for individual lots and the minimum lot size of 4,000 square feet for duplex units, the maximum reasonable development scenario under the MDRH zoning would consist of single-family attached development with a total of 26 dwelling units.

### **Trip Generation Analysis**

In order to assess the traffic impacts of full development under the existing and proposed zonings, an estimate of trip generation was prepared for each of the reasonable worst case development scenarios. The trip estimates were calculated using data from the *TRIP GENERATION MANUAL, 9<sup>TH</sup> EDITION*, published by the Institute of Transportation Engineers. For the commercial uses, the trip estimates are based on the gross floor areas of the individual uses. For the residential development scenario, the trips estimate was based on the number of dwelling units.



A summary of the trip generation estimate is provided in the tables below. Detailed trip generation worksheets are provided in the attached technical appendix.

### WEEKDAY TRIP GENERATION SUMMARY

Current NC Zoning Scenario

	Size	AM Peak Hour			PM Peak Hour			Weekday		
		In	Out	Total	In	Out	Total	In	Out	Total
Health/Fitness Club	4	3	3	6	8	6	14	66	66	132
Medical/Dental Office Building	4	8	2	10	4	10	14	72	72	144
Convenience Market (24 Hours)	4	134	134	268	107	103	210	1,476	1,476	2,952
<i>Pass-By Trips (51%)</i>		68	68	136	54	54	108	753	753	1506
Day Care Center	4	26	23	49	23	26	49	148	148	296
<b>Total Driveway Trips</b>		<b>171</b>	<b>162</b>	<b>333</b>	<b>142</b>	<b>145</b>	<b>287</b>	<b>1,762</b>	<b>1,762</b>	<b>3,524</b>
<i>Pass-by Trips</i>		68	68	136	54	54	108	753	753	1,506
<b>Net New Trips</b>		<b>103</b>	<b>94</b>	<b>197</b>	<b>88</b>	<b>91</b>	<b>179</b>	<b>1,009</b>	<b>1,009</b>	<b>2,018</b>

### WEEKDAY TRIP GENERATION SUMMARY

Proposed MDRH Zoning Scenario

	Units	AM Peak Hour			PM Peak Hour			Weekday		
		In	Out	Total	In	Out	Total	In	Out	Total
Single-Family Residential	26	5	15	20	16	10	26	124	124	248

Based on the detailed trip generation calculations, the proposed zone change is projected to result in a net reduction of 177 site trips during the morning peak hour, 153 fewer trips during the evening peak hour, and 1,770 fewer daily trips.

### Safety and Operational Impacts

Under the current Neighborhood Commercial zoning, additional points of access would be required along SW Elwert Road to support the commercial uses. However, with approval of the proposed residential zoning, no additional intersections will be necessary to serve the proposed development. As detailed in the trip generation analysis, a significant decrease in traffic volumes and resulting vehicular conflicts is projected with the proposed zone change.

Given the 45 mph speed limit along SW Elwert Road, a reduction of as many as 3,276 daily trips would be expected to result in a safer, more efficient and more comfortable living environment for local residents and the nearby school facilities.



Mimi Doukas  
September 10, 2015  
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### ***TRANSPORTATION PLANNING RULE ANALYSIS***

The Transportation Planning Rule (TPR) is in place to ensure that the transportation system is capable of supporting possible increases in traffic intensity that could result from changes to adopted plans and land use regulations. The applicable portions of the TPR are quoted in *italics* below, with responses directly following.

#### **660-012-0060**

(1) *If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*

(a) *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*

The proposed zone change will not necessitate changes to the functional classification of existing or planned transportation facilities. Accordingly, this section is not triggered.

(b) *Change standards implementing a functional classification system; or*

The proposed zone change will not change any standards implementing the functional classification system. Accordingly, this section is also not triggered.

(c) *Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*

(A) *Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*

(B) *Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*

(C) *Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.*

In this instance the proposed zone change will result in fewer trips on area streets and through area intersections. Accordingly, the proposed zone change cannot result in degradation of performance of area roads and intersections.



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Based on the analysis, the proposed zone change will result in a reduction in traffic in the site vicinity and the Transportation Planning Rule is satisfied. No mitigations are necessary or recommended in conjunction with the proposed zone change.

Sincerely,



Michael Ard, PE  
Senior Transportation Engineer

## APPENDIX



## TRIP GENERATION CALCULATIONS

*Land Use:* Single-Family Detached Housing  
*Land Use Code:* 210  
*Variable:* Dwelling Units  
*Variable Value:* 26

### AM PEAK HOUR

*Trip Rate:* 0.75

	Enter	Exit	Total
Directional Distribution	25%	75%	
Trip Ends	<b>5</b>	<b>15</b>	<b>20</b>

### PM PEAK HOUR

*Trip Rate:* 1.00

	Enter	Exit	Total
Directional Distribution	63%	37%	
Trip Ends	<b>16</b>	<b>10</b>	<b>26</b>

### WEEKDAY

*Trip Rate:* 9.52

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	<b>124</b>	<b>124</b>	<b>248</b>

### SATURDAY

*Trip Rate:* 9.91

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	<b>129</b>	<b>129</b>	<b>258</b>



## TRIP GENERATION CALCULATIONS

*Land Use:* Health/Fitness Club

*Land Use Code:* 492

*Variable:* 1000 Square Feet Gross Floor Area

*Variable Quantity:* 4

### AM PEAK HOUR

*Trip Rate:* 1.41

	Enter	Exit	Total
Directional Distribution	45%	55%	
Trip Ends	3	3	6

### PM PEAK HOUR

*Trip Rate:* 3.53

	Enter	Exit	Total
Directional Distribution	57%	43%	
Trip Ends	8	6	14

### WEEKDAY

*Trip Rate:* 32.93

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	66	66	132

### SATURDAY

*Trip Rate:* 20.87

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	42	42	84



## TRIP GENERATION CALCULATIONS

*Land Use:* Day Care Center  
*Land Use Code:* 565  
*Variable:* 1000 Sq Ft Gross Floor Area  
*Variable Value:* 4

### AM PEAK HOUR

*Trip Rate:* 12.18

	Enter	Exit	Total
Directional Distribution	53%	47%	
Trip Ends	<b>26</b>	<b>23</b>	<b>49</b>

### PM PEAK HOUR

*Trip Rate:* 12.34

	Enter	Exit	Total
Directional Distribution	47%	53%	
Trip Ends	<b>23</b>	<b>26</b>	<b>49</b>

### WEEKDAY

*Trip Rate:* 74.06

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	<b>148</b>	<b>148</b>	<b>296</b>

### SATURDAY

*Trip Rate:* 6.21

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	<b>12</b>	<b>12</b>	<b>24</b>



## TRIP GENERATION CALCULATIONS

*Land Use:* Medical-Dental Office Building  
*Land Use Code:* 720  
*Variable:* 1,000 Sq Ft Gross Floor Area  
*Variable Quantity:* 4.0

### AM PEAK HOUR

*Trip Rate:* 2.39

	Enter	Exit	Total
Directional Distribution	79%	21%	
Trip Ends	<b>8</b>	<b>2</b>	<b>10</b>

### PM PEAK HOUR

*Trip Rate:* 3.57

	Enter	Exit	Total
Directional Distribution	27%	73%	
Trip Ends	<b>4</b>	<b>10</b>	<b>14</b>

### WEEKDAY

*Trip Rate:* 36.13

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	<b>72</b>	<b>72</b>	<b>144</b>

### SATURDAY

*Trip Rate:* 8.96

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	<b>18</b>	<b>18</b>	<b>36</b>



## TRIP GENERATION CALCULATIONS

*Land Use:* Convenience Market (Open 24 Hours)  
*Land Use Code:* 851  
*Variable:* 1,000 Sq Ft Gross Floor Area  
*Variable Value:* 4.0

### AM PEAK HOUR

*Trip Rate:* 67.03

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	<b>134</b>	<b>134</b>	<b>268</b>

### PM PEAK HOUR

*Trip Rate:* 52.41

	Enter	Exit	Total
Directional Distribution	51%	49%	
Trip Ends	<b>107</b>	<b>103</b>	<b>210</b>

### WEEKDAY

*Trip Rate:* 737.99

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	<b>1,476</b>	<b>1,476</b>	<b>2,952</b>

### SATURDAY

*Trip Rate:* 863.10

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	<b>1,726</b>	<b>1,726</b>	<b>3,452</b>



# **EXHIBIT G: ECONOMIC OPPORTUNITY ANALYSIS**

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NEED ANALYSIS IN  
SUPPORT OF  
RESIDENTIAL ZONE  
CHANGE IN  
SHERWOOD, OREGON  
VENTURE PROPERTIES, INC.

Prepared by: PNW Economics, LLC

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# I. INTRODUCTION

## General Information

<b>Applicant:</b>	Venture Properties, Inc. 4230 Galewood Street Lake Oswego, Oregon Phone: (503) 387-7600 Contact: Kelly Ritz
<b>Applicant's Representative</b>	PNW Economics 2323 NW 188 <sup>th</sup> Avenue #624 Hillsboro, Oregon 97124 (503) 522-1236 phone Contact: Bill Reid bill@pnweconomics.com
<b>Location:</b>	City of Sherwood, Oregon Along SW Elwert Road at SW Edy Road.
<b>Current Zoning District:</b>	Neighborhood Commercial (NC)
<b>Project Site Area:</b>	+/- 3.0 acres

## **Summary of Proposal**

PNW Economics was retained by the Venture Properties, Inc. to evaluate market need to rezone a 3.0 acre parcel from Neighborhood Commercial (NC) to Medium Density Residential Low (MDRL). The rezone to MDRL would enable the development of up to 20 additional single-family residential units likely ranging in size from 1,900 to 2,750 square feet.

This analysis will assess the unmet need for this residential product type in Sherwood, Oregon, as well as findings to show how the proposed action helps to satisfy that demand and unmet need in the larger market context.

This memorandum summarizes these trends and our preliminary conclusions regarding potential at the subject site.

## II. EXECUTIVE SUMMARY

Analysis in this report documents demand and supply conditions related to single-family residential development in the City of Sherwood over a twenty-year land use planning horizon, from 2015 to 2035. Market findings expressed in this document are crucial for answering several key questions integral to the Venture Properties application for a zone change for the subject property from NC to MDRL. These key questions include:

1. Is the existing supply of land sufficient to provide attainable residential ownership for detached housing within the City of Sherwood?

Based on the most recent residential land inventory completed by the City of Sherwood in the Draft *2015 Housing Needs Analysis*, the existing vacant acreage within the city limits dedicated to MDRL use is 14 acres accounts for only 8% of the overall capacity. This translates into capacity of 88 dwelling units based on historical densities as assumed in the 2015 Draft *Housing Needs Analysis*.

An additional 56 acres of MDRL-zoned land is anticipated within the Brookman Addition, though the area is uncertain as to when it will be approved by voters for annexation, and then after that, when specifically the MDRL-zoned land would be serviced by utilities and infrastructure.

2. Is there market demand to dictate additional acreage needed for MDRL-zoned residential development in the City of Sherwood?

Analysis of detached ownership housing supply shows that current guaranteed, incorporated inventory for MDRL-zoned land is approximately:

- 4 years of supply at a maximum if only 60% of new households require detached single-family homes as projected in the 2015 Draft *Housing Needs Analysis*; and
  - 3 years of supply if 80% of new households require detached single-family housing consistent with historical Sherwood residential growth.
  - 56 acres in the Brookman Addition would meet the need for MDRL-zoned land in Sherwood, but after existing supply is depleted over the short-term and the City likely suffers housing cost escalation based purely on scarcity.
  - Demographics at risk of unavailable housing choices include price-sensitive families and seniors seeking smaller, move-down detached housing opportunity.
3. Can the subject property better serve demand for medium density residential development with MDRL versus NC zoning?

Analysis (Figure 2) of the number of housing units required to support Neighborhood Commercial development of the site indicates 2,800 homes/households within a five-minute drive time would be required. Feasible NC development, therefore, would only be possible with the realization of hypothetical and likely very long-term future development outside of the current UGB. NC zoning precludes medium-density residential development within the zone,

while the MDRL designation is provided to meet the medium-density detached residential needs of the City of Sherwood, which are significant based on analysis. Therefore, the subject property would better serve demand for medium-density residential development with an MDRL zoning designation as opposed to hypothetical, very long-term *potential* feasibility with NC zoning.

### III. SUBJECT SITE & SURROUNDING AREA

#### Subject Site Description

The subject site is a roughly 3.0 acre rectangular parcel located in the City of Sherwood, Oregon, with primary access from SW Elwert Road. The site is unimproved vacant, flat, on the northwest boundary of the City of Sherwood UGB and is bounded by undeveloped land zoned for medium density residential high (MDRH) to the east and open space on the south. An aerial image of the subject site and immediately surrounding environs is found in FIGURE 1.

**FIGURE 1: AERIAL VIEW OF SUBJECT SITE**



#### Transportation & Access

Situated along SW Elwert Road approximately ¾ miles north of Highway 99W, or alternatively, one mile west of Highway 99W along SW Edy Road, the site is ideally situated for easy access to the 99W corridor, downtown Sherwood and the nearby schools, commercial retail centers, and community parks as shown within the area amenities map in Figure 2.

*Subject Locational Features*

Figure 2 provides an aerial map of the subject property in the context of the broader Sherwood, Oregon area and its important economic and community features. The subject site is situated along SW Elwert Road, which is proximate and convenient to the Highway 99W corridor, the Langer Drive Commercial District, a Target, Albertsons, Home Depot and the Sherwood City Center. There are numerous schools and community parks within the area. Major employers within the City of Sherwood include the school district and the Allied System Company.

Immediately surrounding features include undeveloped higher-density residential zoned land to the immediate east. To the north and south, is open space and to the west is farm land. The site is bounded by the City of Sherwood UGB to the immediate west and along SW Edy Road to the north. This in turn provides some park-like setting, some view shed, and a measure of privacy for development that would occur on the subject site immediately adjacent. All of these factors should be considered amenities for residential development specifically.

In turn, due to the farm land to the west and undeveloped open space surrounding the site as well as its easy access to existing commercial centers within the City of Sherwood, the site’s development within the current NC zoning should be considered infeasible. To demonstrate the feasibility Neighborhood Commercial development of the site, an analysis of the number of households, and thus residential units, needed to support such commercial development of the site is found in Figure 2.

**FIGURE 2: RESIDENTIAL UNIT SUPPORT OF SITE NEIGHBORHOOD COMMERCIAL DEVELOPMENT**

Measure	Unit	Comment/Source
	3.0 Acres	Gross Site Size
x	<u>0.9</u>	Gross-to-Net Reduction
=	2.7 Acres	Net Site Size
x	<u>43,560</u> Square Feet	Per Acre
=	117,612 Square Feet	Net Site Size
x	<u>\$250</u> Sales per Sq. Ft.	Neighborhood Commercial (Urban Land Institute)
=	\$29,403,000	Gross Center Sales
÷	<u>\$10,500</u> Per HH Neighborhood Retail Spending	Nielsen Claritas, Inc.
=	<b>2,800 HHs Needed to Support Neighborhood Retail</b>	

Analysis in Figure 2 assumes that the entire 3.0 gross acres of the site is developed as Neighborhood-scale commercial retail and services. Based on the analysis using standard retail land use assumptions such as gross-to-net conversion, floor area ratios for neighborhood commercial retail, and conservative retail sales and spending figures, the site would require 2,800 residential units strongly preferred within a five-minute drive time due to the neighborhood scale and nature of the development type.

Successful commercial development of any type either requires significant vehicle or other shopper traffic volume and related visibility, or must be surrounded by “rooftops” or residential development so that households can find the commercial development convenient. Rural land with no possibility – or hypothetical residential development over a very long-term planning period - within even a five-minute drive-time renders the site unattractive for commercial investment and infeasible as a development.

The site is also physically unsuitable for commercial development even if it were on a higher-volume street or if residential development surrounded the subject. At roughly 130 feet of width/depth, the site would have challenging building footprint placement. At only 130 feet of depth, a building structure with adequate parking and freight truck access and turnaround would not likely be possible or even feasible for commercial businesses that would even consider the site for business operations, no matter the visibility, nearby traffic, or volume of nearby households.

### *Subject Site Conclusions*

In short, it is concluded that the site is both appropriate and highly amenable to residential development:

- At 3.0 acres, undeveloped, and flat, the site provides appropriate flexibility with regard to residential development feasibility, unit mix, and site plan to provide a variety of residential options.
- Locationally, offering bi-direction easy access to Highway 99W but without direct visibility or access, the site affords adequate access by residences on the site to various public and commercial amenities in the Sherwood and greater regional area via Highway 99W.
- Adjacent to open space, farm land and future higher-density residential development, the site is well-suited as a residential location consistent with other surrounding residential development.

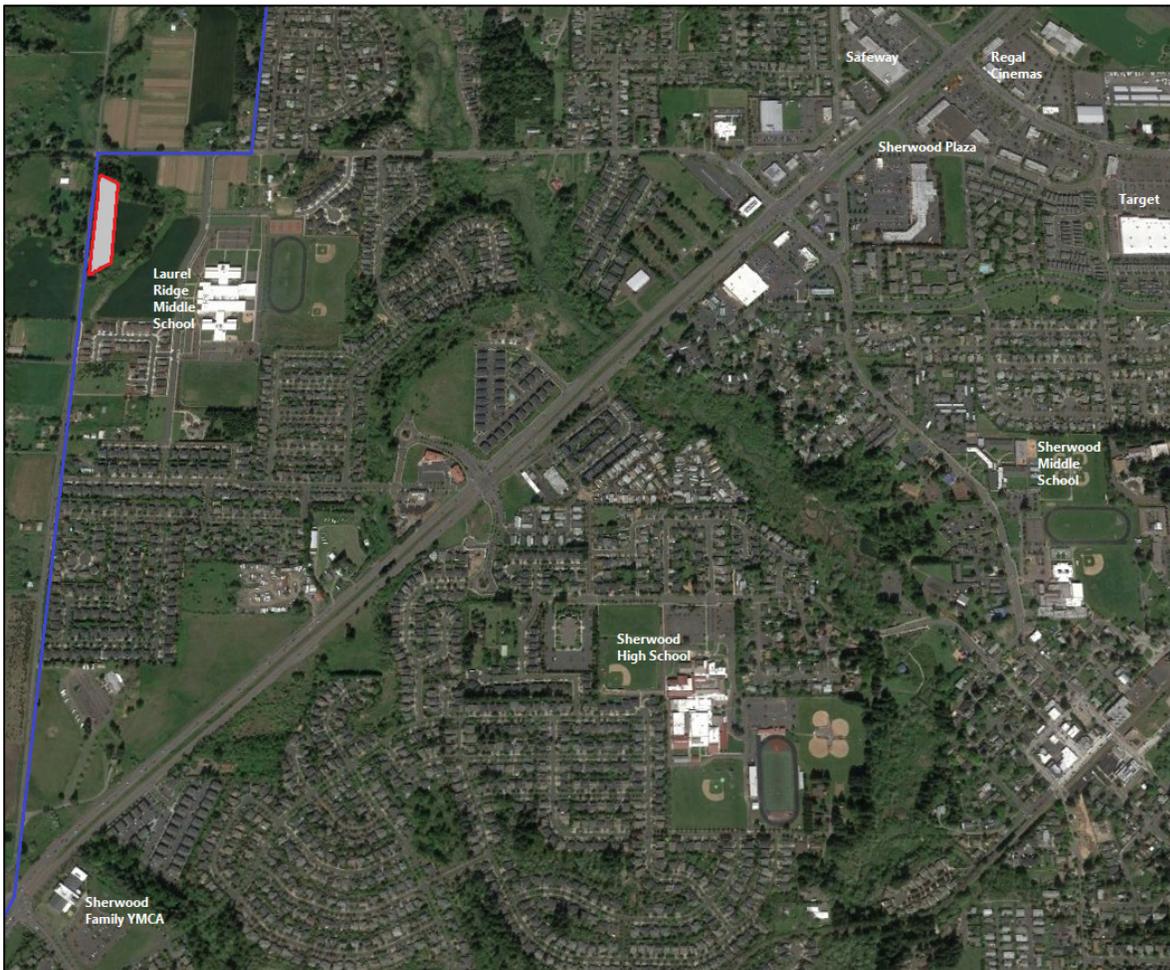
Alternatively, it is found that the site currently has significant disadvantages as a commercial development site:

- Although offering easy access to Highway 99W, it is separated from the existing commercial development by  $\frac{3}{4}$  mile to the south and one mile to the east, completely

limiting its visibility and access, generally the two most important features of a commercial development site.

- Surrounded by future residential development and open space, traffic, noise, and other disamenity issues from the standpoint of existing, nearby residents, the site would further realize lower economic and community value as commercial development instead of residential development.
- Commercial development on-site would not realize economic and community value from the surrounding farm land and open space, but rather would be treated as a development site constraint.
- Even under ideal surrounding land uses and transportation access, the physical depth of the site renders commercial development with adequate parking, freight truck access and turnaround challenging and infeasible for commercial business attraction and operations under current zoning.

**FIGURE 3: AERIAL VIEW OF SUBJECT SITE & AREA AMENITIES**



## IV. PRIMARY MARKET AREA

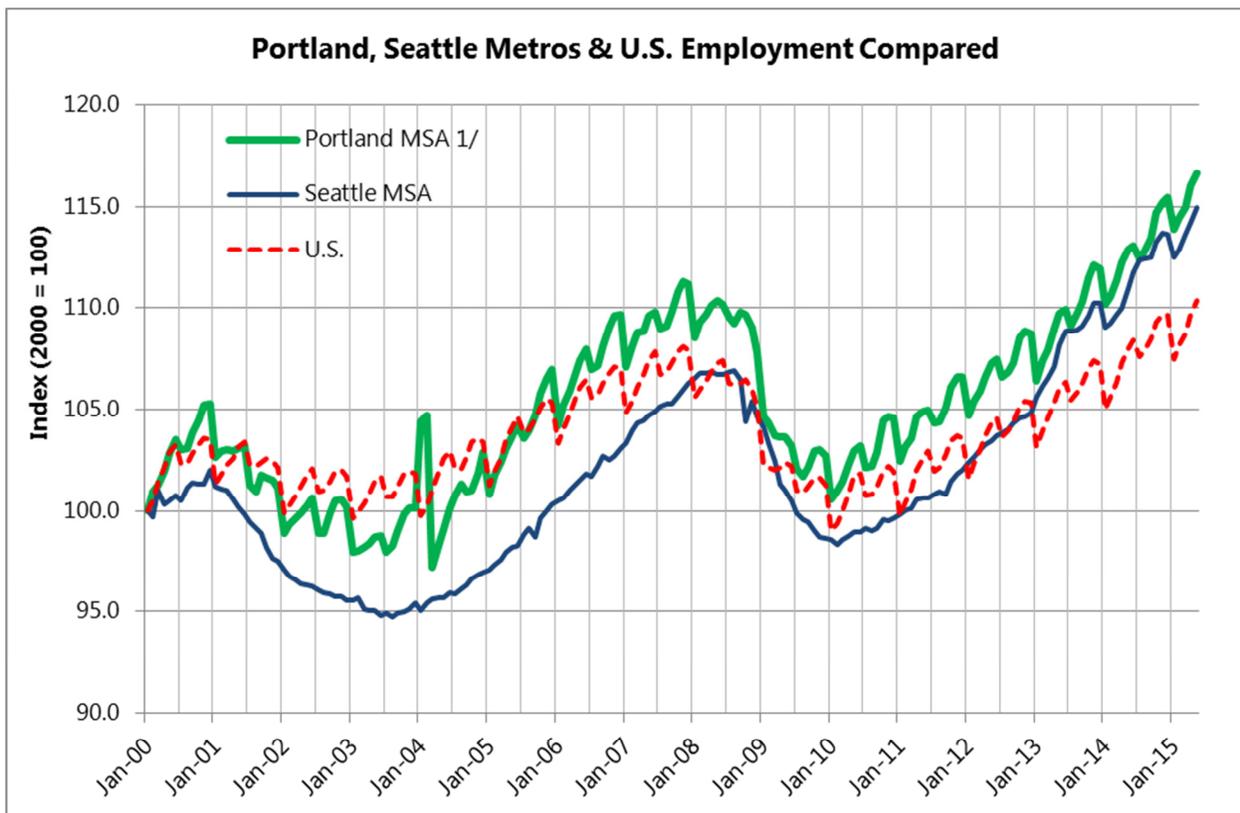
The Primary Market Area (PMA) for the subject site in this analysis is defined as the City of Sherwood. Sherwood represents the geographic area from which the subject development will likely draw the majority of its demand due to the local need for high-density attainable housing based on demographics, income levels, and younger families seeking affordable housing alternatives.

## V. ECONOMIC OVERVIEW

### PORTLAND METRO ECONOMY

The Pacific Northwest economy continued its trend of exceeding the nation in terms of job growth through the First Quarter of 2015. The Portland metro area has trended closely with the Seattle metro area in terms of total percentage expansion.

**FIGURE 4: PORTLAND MSA, SEATTLE MSA, & U.S. ECONOMIC TREND**



1/ The Portland-Vancouver-Hillsboro MSA includes all of Clackamas, Columbia, Multnomah, Washington and Yamhill counties in Oregon and Clark and Skamania counties in Washington State.

Source: U.S. Bureau of Labor Statistics, Oregon Employment Department, Washington Employment Department

First Quarter details for the Portland economy include:

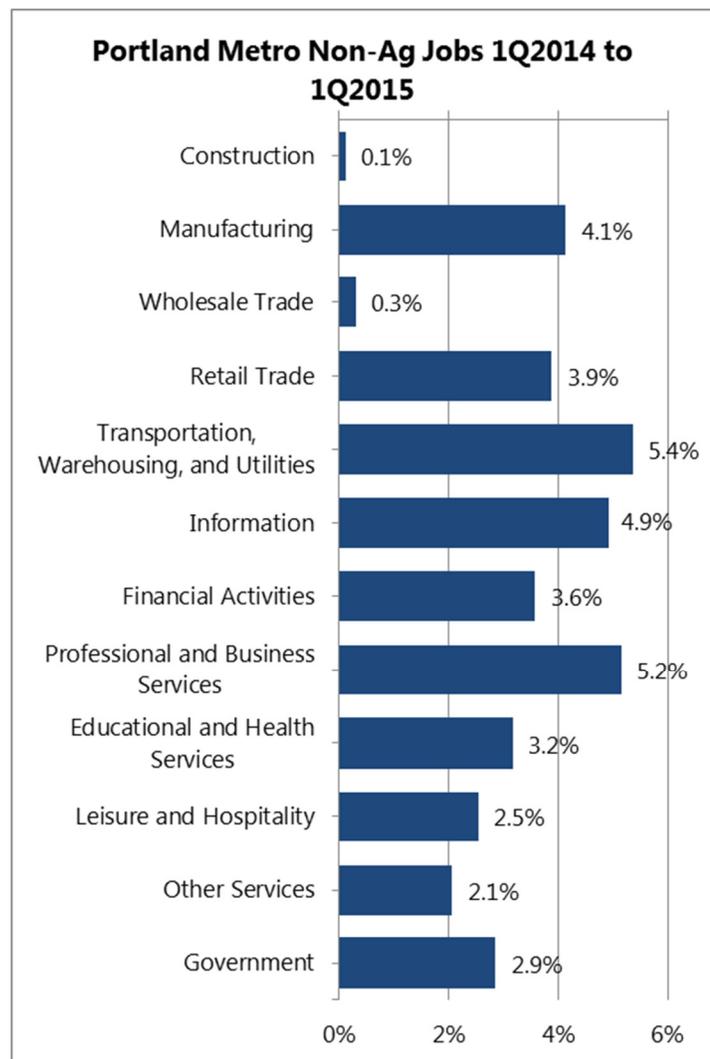
- The Portland metro added 33,900 jobs from March 2014 through March 2015. The expansion translates into a 3.2% annualized rate of growth.
- The metro area economy returned to its 2007 peak of 1.04 million jobs in May of 2013 and has since added 65,900 jobs.
- Current total jobs in the Portland metro area stand at 1.11 million.
- The Portland area continues to have significantly greater seasonal fluctuation to job gains due to stronger ties to agricultural industries, as well as major construction projects in Washington County.

### Fastest Portland Job Growth Among Industrial & Office/Business Park Growth Sectors

FIGURE 5: PORTLAND METRO INDUSTRY 1-YEAR JOB GROWTH RATES

Portland metro area industry sector growth over the past year was positive for all sectors. It was most brisk in Transportation, Warehousing and Utilities (5.9%), Professional & Business Services (5.2%), Information (4.9%) and Manufacturing. The uptick in expansion in those four sectors indicates returning balance and strength to the overall Portland economy.

Sectors with positive but less-pronounced expansion between March 2014 and March 2015 were Other Services (2.1%) and Leisure and Hospitality (2.5%). Construction and Wholesale Trade experienced negligible growth at 0.1 percent and 0.3 percent, respectively.



## Most New Jobs in Portland Metro Among Office/Business Park Growth Sectors

**FIGURE 5: PORTLAND METRO INDUSTRY 1-YEAR JOB LEVEL GROWTH**



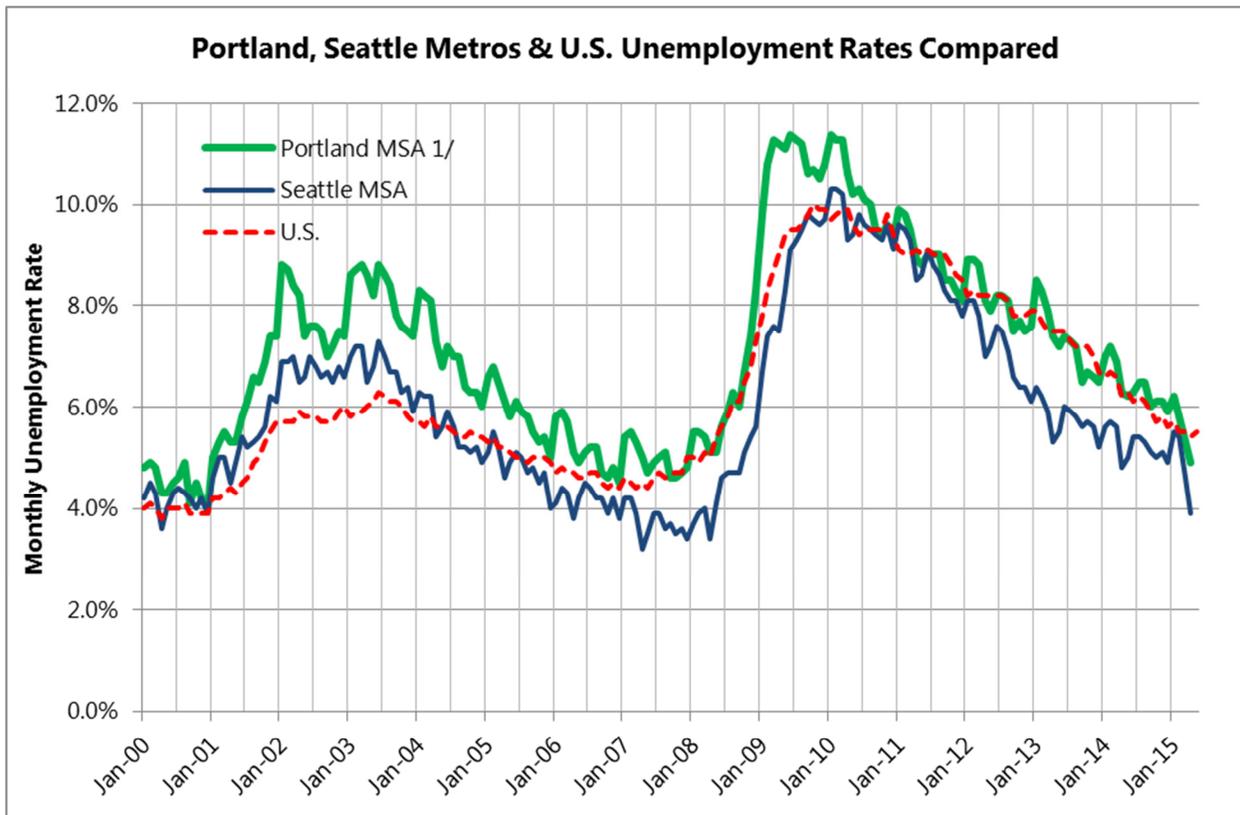
In terms of total jobs added over the last twelve months, Portland metro was led by Professional & Business Services at 8,167. Also experiencing exceptional total job growth was Educational and Health Services adding 4,933 jobs, Manufacturing adding 4,800 jobs and Retail Trade adding 4,200 jobs. Although Transportation, Warehousing and Utilities enjoyed the highest growth rate during the period, the sector added 1,867 jobs to a smaller industry sector base.

Information and Financial Activities together added 3,400 jobs. Leisure and Hospitality added 2,633 jobs. Meanwhile, Portland metro area Construction and Wholesale Trade combined for 234 new jobs between March of 2014 and 2015.

## Portland Metro Unemployment Returns to National Average

The Portland metro economy continued its steady decline in the regional unemployment rate between March of 2014 and March of 2015. The jobless rate in the region now stands at 4.9% with the national rate at 5.5%.

FIGURE 7: PORTLAND METRO, SEATTLE METRO, & U.S. UNEMPLOYMENT TREND



1/ Not Seasonally Adjusted

At its worst, the Portland metro area unemployment rate hovered around 11 percent for most of the months between February of 2009 and April of 2010, reaching a peak of 11.4 percent in January of 2010. The regional jobless rate is now below the level of the pre-Great Recession economy in 2004.

## VIII. PROPOSED PRODUCT & DEMOGRAPHICS DEFINED

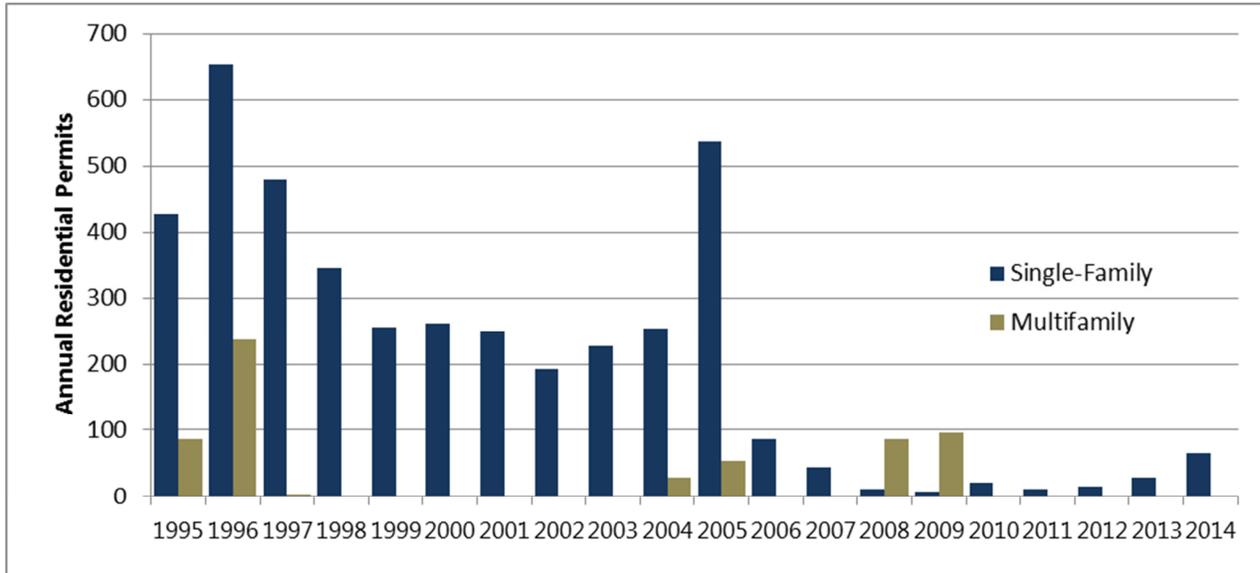
### *Sherwood Housing Development Trend*

Housing development in Sherwood has experienced two distinct periods over the last twenty years. (Figure 8)

- 1995-2005: Sherwood averaged 309 single-family permits between 1995 and 2005, peaking in 2006 at roughly 650 single-family units.
- 2006-Current: Housing market weakness, which ultimately resulted in the Great Recession, began early for the Sherwood housing market in 2006. From 2006 through 2014, Sherwood has averaged 23 single-family residential permits annually.

Single-family permitting has begun an upswing, recording more permits in 2014 than in 2007.

**FIGURE 8: CITY OF SHERWOOD HISTORICAL BUILDING PERMIT ACTIVITY**



SOURCE: State of the Cities Data Systems (SOCDS), U.S. Department of HUD

Overall, since 1995, Sherwood has permitted an average of 209 single-family residences annually and 30 multifamily units annually. 2009 was the last year in which multifamily units were permitted at nearly 100 total units.

Finally, since 1995, the City of Sherwood has had the following average structure type split:

- Single-Family: 88% of all permitted residential units (80% since 2006); and
- Multifamily: 12% of all permitted units (20% since 2006).

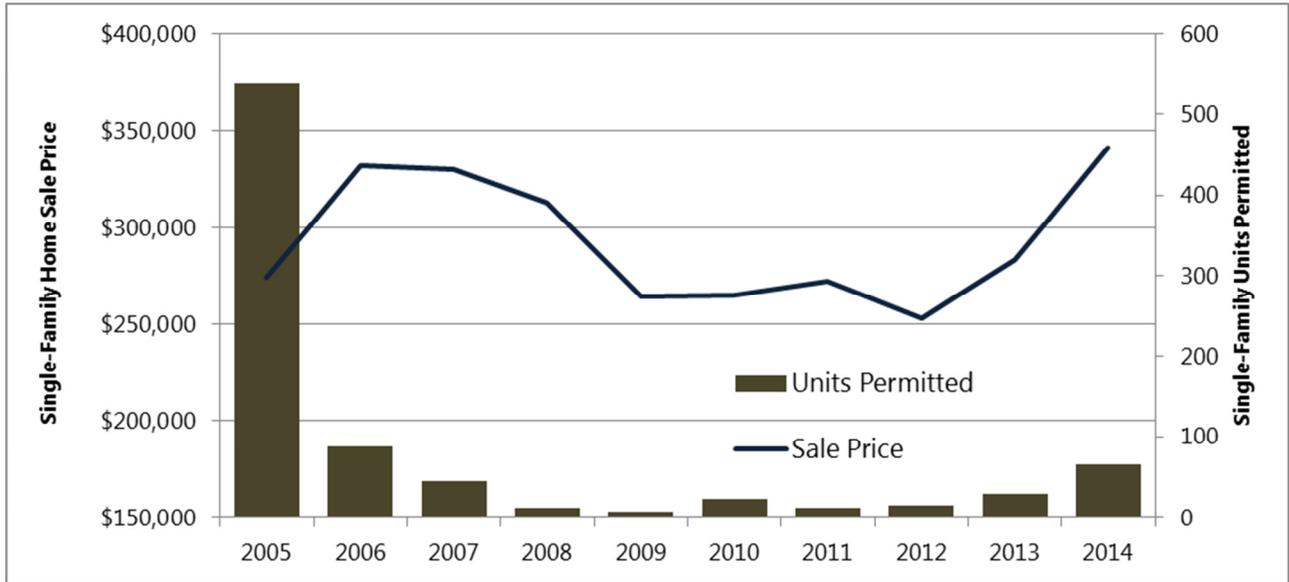
In other words:

- Sherwood’s residential growth has gone through a pre-Great Recession growth phase (Pre-2006) and is now winding down from a Great Recession & Recovery phase (2006-Current);
- Single-family permitting is now showing signs of recovery long-delayed by the extremely severe Great Recession.
- Households that move into Sherwood have long shown an overwhelming preference for single-family detached housing at 88% over overall demand since 1995 and even 80% during the slower Great Recession & Recovery period for the City.

### *Sherwood Home Price Trend*

In 2013 and 2014, Sherwood experienced sharp recovery in home sale prices as depicted in Figure 9. By 2014, the average sale price for a single-family home in Sherwood reached \$341,000 after several years of Great Recession-induced weakness and lost home values.

**FIGURE 9: CITY OF SHERWOOD SINGLE-FAMILY HOUSE SALE PRICE & PERMITTING TREND**



SOURCE: State of the Cities Data Systems (SOCDS), U.S. Department of HUD and Zillow.com (Zip Code 97140)

In fact, home sale prices in Sherwood have escalated by an average of over 16% annually over the past two years, recording over 20% growth in 2014 alone.

As Figure 9 also demonstrates, however, the sharp escalation in home sales prices in Sherwood over the past couple of years have not been attributable to major new home development and new product pricing leading the market as happened between 1995 and 2006.

With Sherwood single-family permitting recovering but still low compared to pre-Recession years, the spike in home prices over the past two years has occurred with limited new supply on the market. In other words, new for-sale home scarcity is contributing escalating housing prices in Sherwood instead of home builder cost-pushed home price growth.

In other words:

- Sherwood’s home values have recovered from the Great Recession, growing by a steep average of over 16% in 2013 and 2014 (20.5% price growth in 2014 alone);
- Steep home price escalation has been driven by growth in housing demand while recovering but modest new supply has been built.

*New Household Residential Demand*

PNW Economics conducted an analysis of likely expected household demographics growth projected for a 20-year planning period through 2035 (Figure 10).

**FIGURE 10: SHERWOOD FORECASTED RESIDENTIAL DEMAND, 2015-2035**

Household Income Range	Net HH Increase		Assumed Tenure Split		Net Increase	
	Total	%	Owner	Renter	Owner	Renter
Income Less than \$15,000	29	2.5%	5.0%	95.0%	1	28
Income \$15,000 - \$24,999	38	3.3%	10.0%	90.0%	4	34
Income \$25,000 - \$34,999	69	6.0%	25.0%	75.0%	17	52
Income \$35,000 - \$49,999	62	5.4%	40.0%	60.0%	25	37
Income \$50,000 - \$74,999	170	14.7%	60.0%	40.0%	102	68
Income \$75,000 - \$99,999	196	17.0%	60.0%	40.0%	118	78
Income \$100,000 - \$124,999	193	16.7%	65.0%	35.0%	126	68
Income \$125,000 - \$149,999	152	13.2%	70.0%	30.0%	107	46
Income \$150,000 - \$199,999	135	11.7%	75.0%	25.0%	101	34
Income \$200,000 or more	111	9.6%	85.0%	15.0%	95	17
Total/Weighted Avg.	1,156	99.9%	60.0%	40.0%	696	461

All Ownership Housing Income Range	Net Increase	Qualified Payment 1/ Minimum Maximum		% of Max	Affordable Home 2/ Minimum Maximum	
		Income Less than \$15,000	1		\$0	\$250
Income \$15,000 - \$24,999	4	\$250	\$375	100.0%	\$58,200	\$87,300
Income \$25,000 - \$34,999	17	\$375	\$625	95.0%	\$83,000	\$138,300
Income \$35,000 - \$49,999	25	\$625	\$875	95.0%	\$138,300	\$193,600
Income \$50,000 - \$74,999	102	\$875	\$1,250	90.0%	\$183,400	\$262,000
Income \$75,000 - \$99,999	118	\$1,250	\$1,875	90.0%	\$262,000	\$392,900
Income \$100,000 - \$124,999	126	\$1,875	\$2,500	85.0%	\$371,100	\$460,300
Income \$125,000 - \$149,999	107	\$2,500	\$3,750	85.0%	\$460,300	\$742,200
Income \$150,000 - \$199,999	101	\$3,750	\$6,250	80.0%	\$698,600	\$1,164,300
Income \$200,000 or more	95	\$6,250	\$12,500	75.0%	\$1,091,500	\$2,183,000
Total/Weighted Avg.	696			85.2%		

1/ Assumes 30% of gross income towards payment.

2/ Based on the following financing assumptions

Interest Rate	5.00%
Mortgage Term	30
% of Income	30.00%
% Financed	80.00%

Analysis utilizes household growth projections documented in the recent Draft *Sherwood Housing Needs Analysis*.<sup>1</sup> Projections of housing demand by specific income levels are not treated with the same detail in the Housing Needs Analysis as it is in Figure 10. Figure 10 does, however, utilize the assumed future housing demand tenure split of 60% ownership, 40% rental.

<sup>1</sup>[http://www.sherwoodoregon.gov/sites/default/files/fileattachments/Planning/page/3740/08\\_21928\\_hna\\_march\\_25\\_2015.pdf](http://www.sherwoodoregon.gov/sites/default/files/fileattachments/Planning/page/3740/08_21928_hna_march_25_2015.pdf)

As pointed out earlier in this report, historically over 80% of housing development in Sherwood has been detached single-family and 20% attached residential product. This would indicate that projected housing need in the Housing Needs Analysis dramatically departs from historical trend. The implications of this are treated later in this document.

Estimates in Figure 10 are provided for both the total household growth in the Sherwood market, as well as income qualifying households for for-sale housing product across the planning period.

Findings can be summarized as follows:

- The Sherwood PMA is anticipated to grow by 1,156 new households through 2035.
- The single largest-growing cohort in Sherwood is expected to be households with an income range of between \$75,000 and \$99,999.
- Households within the \$100,000 to \$124,999 income are expected to comprise the largest number of households seeking homeownership, followed by households that earn between \$75,000 and \$99,999 annually.
- PNW Economics, based on review of the Sherwood market, finds that demand for homes typically on land zoned MDRL and associated density are represented by households that earn between \$75,000 and \$149,999 annually (highlighted in blue).
- Demand for homes developed on MDRL-zoned land is estimated to be 368 single-family homes through 2035.

## **IX. SHERWOOD LAND SUPPLY AND DEMAND RECONCILIATION**

This final section of the report considers whether MDRL-zoned land capacity within Sherwood, as documented by the Draft 2015 *Sherwood Housing Needs Analysis* is sufficient to meet need similarly documented by that report and further analyzed in this study.

Three scenarios are considered:

1. Guaranteed Incorporated Sherwood MDRL Land Capacity
2. Incorporated Sherwood & Potential Brookman Addition MDRL Land Capacity
3. Historical (80%) Single-Family Tenure Split Demand for MDRL Land

### **MDRL-Zoned Land Demand & Supply Reconciliation: Incorporated City of Sherwood**

Based on the most recent residential land inventory completed for City of Sherwood in the Draft 2015 *Housing Needs Analysis*, the existing and developable acreage within the city limits dedicated to medium-density residential-low (MDRL) is the following:

- 14 acres, or 8% of overall capacity;
- Unit capacity of roughly 85 units zoned MDRL based on a historical average density of 6.1 units per acre.

Alternatively, at 6.1 units per acre, 20-year demand for MDRL-zoned land is estimated to be 60 acres.

This would indicate a deficit of guaranteed, buildable MDRL-zoned land within incorporated City of Sherwood over the 20-year planning period of 46 acres.

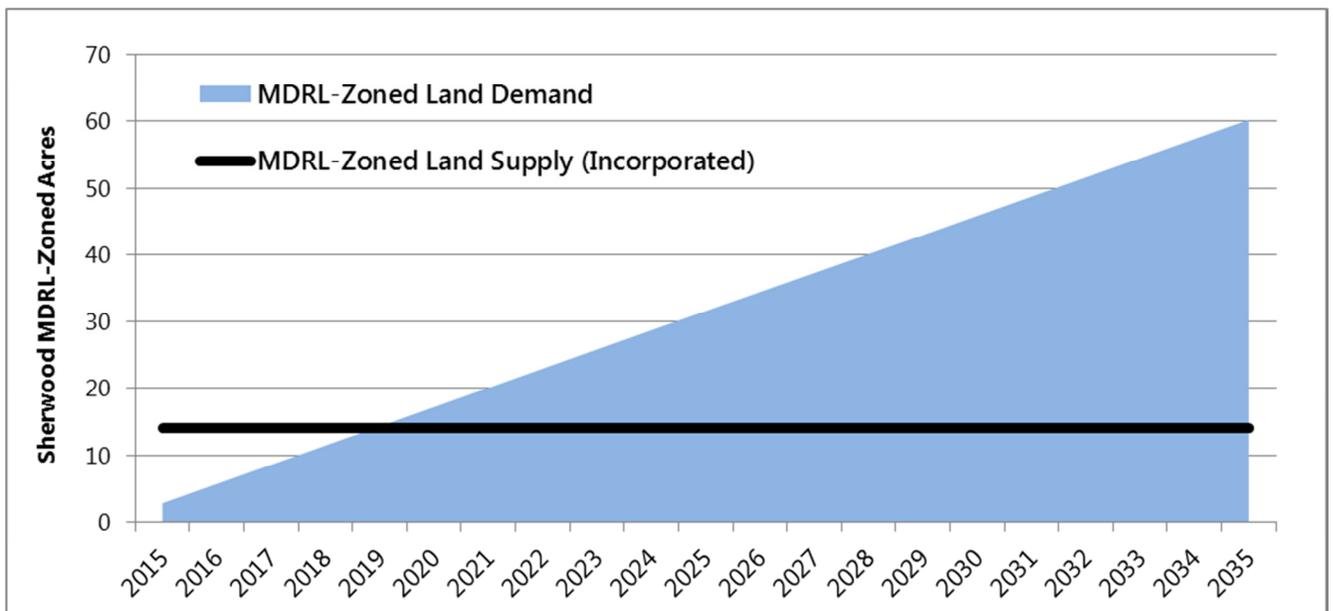
By “guaranteed,” PNW Economics refers to land currently within the City of Sherwood city limits and is imminently developable, as opposed to within the UGB but requiring uncertain annexation prior to urbanization.

The deficit is particularly problematic for the City. Demand for homes typically possible on MDRL-zoned land, the higher-density single-family zoning designation, is the highest category of demand and need according to both the Draft Housing Needs Analysis as well as analysis conducted by PNW Economics. Demographics in this housing need category include:

- Price sensitive families seeking adequately-sized, detached homes on more moderately-sized parcels; and
- Senior households wishing to move to or stay in Sherwood and own a smaller, move-down detached single-family home.

Figure 11 provides a graphical representation of the City’s known 14-acre supply of MDRL-zoned land along with demand for MDRL-zoned land as it cumulatively grows to 60 acres of demand-driven need.

**FIGURE 11: INCORPORATED SHERWOOD MDRL-ZONED LAND RECONCILIATION, 2015-2035**



- Based on existing MDRL-zoned land inventory within the City and need expressed, the currently incorporated City of Sherwood has enough capacity in this zoning category to last only 5 years, or through 2019.

### **MDRL-Zoned Land Demand & Supply Reconciliation: Incorporated City & Brookman Addition**

According to the Draft 2015 *Housing Needs Analysis*, total MDRL-zoned land capacity in both incorporated Sherwood and within the Brookman Addition proposed annexation area is expressed as follows:

- 66 acres, or 38% of overall incorporated and Brookman Addition capacity;
- Unit capacity of roughly 403 units zoned MDRL based on a historical average density of 6.1 units per acre.

As before, at 6.1 units per acre, 20-year demand for MDRL-zoned land is estimated to be 60 acres for the City of Sherwood.

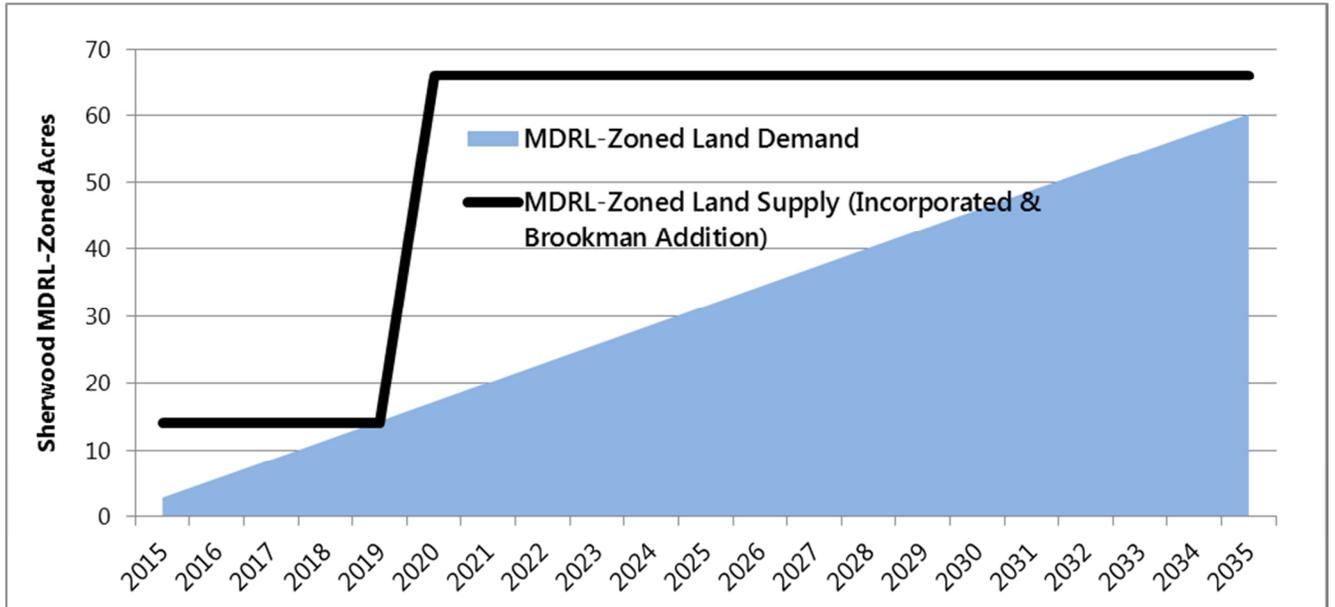
This would indicate that with the Brookman Addition, the City of Sherwood has six more acres of MDRL-zoned land capacity than needed over the 20-year planning period.

Given that Sherwood voters have once already rejected the annexation of the Brookman Addition area, there is no certainty about when Brookman Addition MDRL-zoned land capacity would be added to Sherwood, not to mention be feasibly serviced by infrastructure and utilities.

For purposes of analysis, PNW Economics assumed a five-year timeframe for Brookman Addition annexation and infrastructure and utility extension to all land zoned MDRL. Figure 12 provides a resulting graphical representation of the City's known 66-acre supply of MDRL-zoned land including the Brookman Addition, along with demand for MDRL-zoned land as it cumulatively grows to 60 acres of demand-driven need.

- By 2035, total MDRL-zoned land capacity including Brookman Addition (66 acres total) is sufficient for estimated twenty-year need.
- However, before the Brookman Addition is annexed and fully serviceable and buildable, Sherwood is still expected to have a short-term shortage of MDRL-zoned land with full depletion expected within five years (2019).

**FIGURE 12: INCORPORATED & BROOKMAN ADDITION MDRL-ZONED LAND RECONCILIATION, 2015-2035**



**Historical (80%) Need For Single-Family & Total Sherwood Land Capacity Reconciliation**

The Draft 2015 *Housing Needs Analysis* made the assumption that future housing tenure in Sherwood would be the following:

- Ownership: 60%;
- Rental: 40%.

Historical housing market data for Sherwood indicate, however, that that assumption is a significant change from the previous twenty years. Households that have moved to Sherwood have demonstrated something far closer to the following:

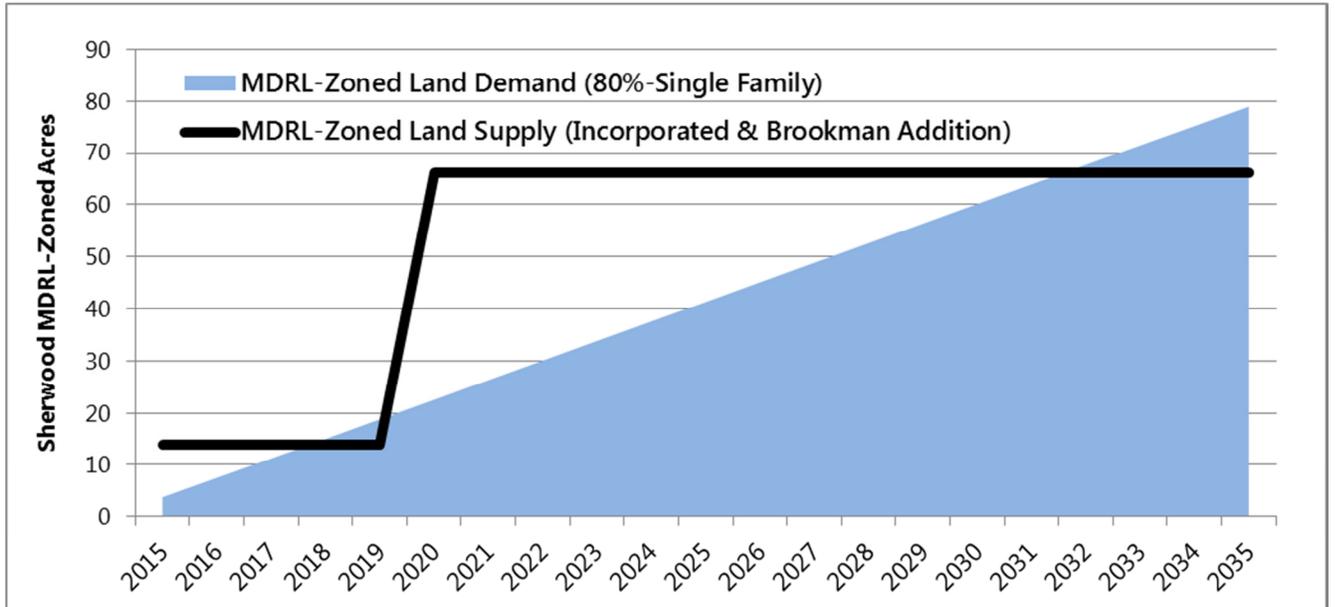
- Ownership: 80%+;
- Rental: 20% maximum.

To the extent that future demand for Sherwood housing more closely follows historic pattern and does not change so dramatically, the Draft 2015 *Housing Needs Analysis* underestimates housing demand that the City will ultimately realize. This will have two specific effects:

- Faster depletion of existing residential land capacity; and
- Home price escalation and increasing housing affordability issues driven by scarcity.

At 80% of housing demand going to for-sale, detached homes based on historical average, 20-year MDRL-zoned land demand is estimated to be 79 acres (roughly 4 acres annually) rather than 60 acres (roughly 3 acres annually). Figure 13 provides a graphical representation of the 80% single-family housing demand scenario, the City’s known 14-acre supply of MDRL-zoned land within the current incorporated area of the City, and the addition of Brookman Addition acreage by 2020.

**FIGURE 13: SHERWOOD MDRL-ZONED LAND & 80% SINGLE-FAMILY DEMAND RECONCILIATION, 2015-2035**



Results are summarized as follows:

- By 2018, the existing 14-acre inventory of MDRL-zoned land is insufficient to meet Sherwood housing need.
- The MDRL-zoned land deficit would continue for another year into 2019, with local housing price escalation and affordability impacts.
- The addition of the Brookman Addition inventory of zoned land by 2020 would mitigate the land shortage, but after the fact.
- By 2032, demand for MDRL-zoned land would again exceed the total 66-acre inventory in Sherwood.

In other words, if Sherwood housing demand is more consistent with historical patterns, Sherwood will face both a deficit of MDRL-zoned land within 4 years and again during the planning period even with the Brookman Addition.

And again, MDRL-zoned land comprises the largest segment of future identified need as well as the more moderately-priced housing choice for a number of demographic groups including families and seniors needing to or desiring to stay in Sherwood in a detached, owned home.