



NOTICE OF DECISION

MAP/TAX LOT: 2S13300 / 200, 201, 300, 401 and 403
CASE NO: LU 2021-024 AN Sherwood Commerce Center Phase II
DATE OF NOTICE: March 18, 2022

APPLICANT / OWNER:
Sherwood Commerce Center LLC
1121 SW Salmon Street, Suite 500
Portland OR 97205

APPLICANT'S REP:
VLMK Engineering + Design
3933 S Kelly Avenue
Portland, OR 97239

NOTICE

You are receiving this Notice of Decision because you are the applicant or because you provided testimony on the subject application. Notice is hereby given that on March 15, 2022 the Sherwood City Council **APPROVED LU 2021-024 AN**. The approval will annex approximately 20 acres to the City of Sherwood and Clean Water Services. The City annexation was granted under the procedures of SB 1573. The Clean Water Services annexation was approved pursuant to ORS 199.510(C).

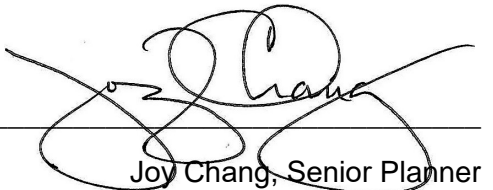
For information on the decision go to: <https://www.sherwoodoregon.gov/planning/project/lu-2021-024-annexation-commerce-center-phase-ii> or contact Joy Chang, Senior Planner, at 503-625-4214 or changj@sherwoodoregon.gov.

APPEAL

Pursuant to ORS 197.830, any person who appeared before the local government orally or in writing on this matter may file a notice of intent to appeal to the Oregon Land Use Board of Appeals not later than 21 days from the date of the decision.

DECLARATION OF MAILING

I, Joy Chang, for the Planning Department, City of Sherwood, State of Oregon, in Washington County, declare that the Notice of Decision LU 2021-024 AN was placed in a U.S. Postal receptacle, or transmitted via electronic mail, on March 18, 2022.



Joy Chang, Senior Planner

City of Sherwood Planning Department



ORDINANCE 2022-003

APPROVING ANNEXATION OF APPROXIMATELY 20.0 ACRES TO THE CITY OF SHERWOOD AND CLEAN WATER SERVICES WITHIN THE TONQUIN EMPLOYMENT AREA, COMPRISED OF FIVE TAX LOTS AND AN ADJACENT UNNAMED RIGHT-OF-WAY

WHEREAS, Sherwood Commerce Center LLC, property owner of 14240, 14250, and 14260 SW Tonquin Road (Tax Map 2S13300, Tax Lots 200, 201, 300, 401 and 403), have applied for annexation of certain land and adjacent right-of-way, as described in Exhibits A and B to this Ordinance, to the City of Sherwood; and

WHEREAS, the property owner initiated this annexation in accordance with ORS Chapter 222 and SB 1573 (2016); and

WHEREAS, SB 1573 requires City approval without submission to the electors, regardless of any local charter or ordinance requirements to the contrary, of annexation requests submitted by all owners of land in the territory proposed to be annexed, when:

- (a) The territory is included within an urban growth boundary adopted by the city or Metro, as defined in ORS 197.015;
- (b) The territory is, or upon annexation of the territory into the city will be, subject to the acknowledged comprehensive plan of the city;
- (c) At least one lot or parcel within the territory is contiguous to the city limits or is separated from the city limits only by a public right-of-way or body of water; and
- (d) The proposal conforms to all other requirements of the city's ordinances; and

WHEREAS, the Tonquin Employment Area Concept Plan, which includes the territory proposed to be annexed, was brought into the Urban Growth Boundary in 2004 by Metro via Ordinance 04-1040B; and

WHEREAS, the City of Sherwood developed a concept plan for that area and adopted the concept plan and implementing ordinances in 2010 via Ordinance 2010-014; and

WHEREAS, the lots (the territory) that are proposed to be annexed are contiguous to the current city limits; and

WHEREAS, the total land proposed to be annexed to the City of Sherwood is approximately 20.0 acres which includes 19.76-acre parcels and 0.24 acres of adjacent right-of-way and;

WHEREAS, the subject territory is not currently within Clean Water Services boundaries and will be added to the Clean Water Services district boundary upon annexation under the authority of ORS 199.510(2)(c); and

WHEREAS, the City does not presently have any other ordinance requirements applicable to this annexation request; and

WHEREAS, the properties proposed to be annexed are currently in unincorporated Washington County and part of the Washington County Service Districts for Enhanced Law Enforcement; and

WHEREAS, Washington County and the City of Sherwood have entered into an agreement acknowledging that the City of Sherwood should be the ultimate provider of urban services in the Tonquin Employment Area; and

WHEREAS, these properties must be within the City limits in order to be developed for the urban uses and densities planned for in the Tonquin Employment Area Concept Plan; and

WHEREAS, after proper legal notice, a public hearing was held on the proposed annexation by the City Council on March 15, 2022, at which public comments and testimony were received and considered; and

WHEREAS, the Council reviewed and considered the staff report with proposed findings and conclusions for the decision which is included as Exhibit 1 to the Council staff report.

NOW, THEREFORE, THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:

Section 1. The territory proposed to be annexed to the City of Sherwood and Clean Water Services is specifically identified in a legal description (Exhibit A) and map (Exhibit B), attached to this Ordinance.

Section 2. The subject territory annexed by this Ordinance and described in Section 1 will be added to the Clean Water Services district under ORS 199.510(2)(c).

Section 3. The applicant has demonstrated that the annexation of the territory proposed to be annexed meets all applicable requirements, as documented in Exhibit 1 to the City Council Staff Report.

Section 4. Upon annexation, the Comprehensive Plan zoning designation of Employment Industrial (EI) adopted via Ordinance 2010-014 implementing the Tonquin Employment Area Concept Plan, will apply to all of the territory proposed to be annexed.

Section 5. Pursuant to ORS 222.520 and 222.120(5), the City Council declares that upon the effective date of the annexation, all of the annexed territory will be withdrawn from the Washington County Service Districts for Enhanced Law Enforcement.

Section 6. All of the territory proposed to be annexed is hereby declared annexed to the City of Sherwood.

Section 7. All of the territory proposed to be annexed is hereby declared annexed to the Clean Water Services District.

Section 8. This Ordinance shall become effective 30 days from its adoption.

Duly passed by the City Council this 15th of March, 2022.



Keith Mays, Mayor

3/15/22

Date

Attest:



Sylvia Murphy, MMC, City Recorder

	<u>AYE</u>	<u>NAY</u>
Scott	<u>✓</u>	_____
Brouse	<u>✓</u>	_____
Young	<u>✓</u>	_____
Garland	<u>✓</u>	_____
Rosener	<u>✓</u>	_____
Mays	<u>✓</u>	_____



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October 20, 2021

Job No. 6107

LEGAL DESCRIPTION for Annexation

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 25, 1995
MICHAEL D. RENNICK
2718

RENEWS: DECEMBER 31, 2022

EXHIBIT "A"

A tract of land for City Annexation purposes in the Northwest 1/4 of Section 33, Township 2 South, Range 1 West, Willamette Meridian, in Washington County, Oregon, described as follows:

All of those tracts of land described in Statutory Warranty Deeds to Sherwood Commerce Center, L.L.C., recorded September 10, 2020, as Document Nos. 2020-087327 and 2020-087329 and a portion of that tract of land described in Statutory Warranty Deed to Sherwood Commerce Center, L.L.C., recorded May 20, 2021 as Document No. 2021-059814, Washington County Records, more particularly described as follows:

Beginning at the Northwest corner of the Northeast 1/4 of the Northwest 1/4 of said Section 33, thence parallel with the West line of said Section 33, South 660 feet, more or less, to the Southwest corner of said Document No. 2020-087327;

Thence along the South line of said Document No. 2020-087327 and continuing along the South line of said Document No. 2020-087329, East 1320 feet, more or less to the Southeast corner thereof;

Thence along the East line of said Document No. 2020-087329, North 660 feet, more or less, to the North quarter corner of said Section 33;

Thence along the North line of said Section 33, West, 1320 feet more or less to the Point of Beginning.

Containing therein 20 acres, more or less.

ANNEXATION CERTIFIED

BY VF

OCT 25 2021

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

ANNEXATION CERTIFIED

BY VF

OCT 25 2021

WASHINGTON COUNTY A & T
CARTOGRAPHY

POINT OF BEGINNING
NW CORNER OF THE
NE 1/4 OF THE NW
1/4 OF SECTION 33

EXHIBIT 'B'

A TRACT OF LAND LOCATED IN
THE N.W. 1/4 OF SECTION 33
T.2S., R.1W., W.M.
WASHINGTON COUNTY, OREGON

NORTH 1/4 CORNER
SECTION 33

SECTION 28

WEST 1320 FEET (MORE OR LESS)

SECTION 33

2S1 33BB-
TAX LOT 100

S.W. TONQUIN ROAD



SOUTH 660 FEET (MORE OR LESS)

DOC. NO.
2021-059814

DOC. NO.
2020-087327

(20 ACRES
MORE OR LESS)

DOC. NO.
2020-087329

NORTH 660 FEET (MORE OR LESS)

TAX LOT 100

EAST 1320 FEET (MORE OR LESS)

REGISTERED
PROFESSIONAL
LAND SURVEYOR

TAX LOT 400



SCALE: 1" = 200'

OCTOBER 20, 2021

Michael D. Rennick
OREGON
JULY 25, 1995
MICHAEL D. RENNICK
2718



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EXPIRES: DECEMBER 31, 2022

JOB NO. 6107