

ORDINANCE NO. 639

CITY OF SHERWOOD, OREGON

AN ORDINANCE ADOPTING FINDINGS WITH RESPECT TO APPLICATION OF J. LELAND MOORE and BLANCHE E. MOORE, husband and wife, FOR CHANGE OF ZONE CLASSIFICATION FROM R3 (HIGH DENSITY RESIDENTIAL) TO I-1 (GENERAL INDUSTRIAL) WITH RESPECT TO A PORTION OF TAX LOT 4100, MAP 2S132BA, GRANTING APPLICATION FOR CHANGE OF LAND USE CLASSIFICATION AND FIXING EFFECTIVE DATE

THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1: The Council finds that the lands hereinafter described have heretofore been and now are classified R-3 (High Density Residential) pursuant to the zoning ordinances of the City of Sherwood.

Section 2: The Council further finds that pursuant to prescribed procedures application for change of zone of said lands from R-3 (High Density Residential) to I-1 (General Industrial) was the subject of a public hearing held by the Planning Commission on October 30, 1973, and the commission has heretofore filed its written minutes of its hearing and the passage of motion recommending approval of the application in the zone change file (ZC 1-73).

Section 3: The Council further finds that after due and legal notice, a public hearing was held on November 14, 1973, before an impartial council, and at said hearing all parties at interest were afforded an opportunity to be heard and to present and abut evidence.

Section 4: Based on the evidence adduced at said hearing before said Council, the Planning Commission's recommendation, and the information disclosed in the application, the Council makes the following findings:

(a) That the existing R-3 classification for said lands was apparently adopted to provide a buffer between industrially zoned lands abutting on the north and west of the subject property and single family residential lands lying to the south and east of the subject property. However, said single family residential zones do not now abut the subject property, and the granting of this zone change will not cause any single family residential zones to abut the industrial zone. There will still remain multi-family zones between the subject property adequate to protect the value of single family residence property. It is certainly open to question as to why the subject property was ever zoned R-3 to begin with, since it is part of a larger tract lying within the existing industrial zone, and lies on the northwesterly side of Willamette and Highland Streets which would seem to be the logical zone division line.

The revised comprehensive plan for the City while not completed, tentatively calls for the classification of the subject property to be zoned industrial. Therefore, approval of the zone change is not contrary to the purposes of the original zoning plan, or the established and proposed land use objectives for the area.

(b) That there is a public need for lands in the Sherwood community to be classified for development for industrial uses and the lands hereinafter described properly meet that need, and that the particular site will not impose upon the neighborhood any undue burdens if developed for industrial purposes.

(c) That public services, including water and sewer, are available to said site, and the proposed use thereof does not impose upon the public any problems incident to the development disproportionate to the benefits thereby conferred, considering that the site location is accessible to the Southern Pacific Railroad, Willamette Street, and Highland Street, and the I-1 use will not give rise to undue traffic volume or hazards, particularly considering the projected improvements of the adjoining streets called for by the City's major trafficway plan and the additional setback provisions adopted pursuant to the plan, and considering the offer of applicant's purchaser, Dependable-Fordath, Inc., to dedicate that portion of Tax Lot 4100, Map 2S132BA, described in Exhibit "B" hereto attached and by reference made a part hereof for public street and utility right-of-way necessary to carry into effect, the major trafficways plan, upon request to do so by the City at such time as the City commences that street improvement project or earlier, if the applicant their heirs, successors and assigns so agree.

Section 5: The lands described on the attached sheet marked Exhibit "A" headed "Description" for zone change, Dependable-Fordath, Inc., be, and the same hereby are, zoned as I-1 (General Industrial) for use in accordance with the General Industrial classification of the zoning code of the City of Sherwood, which zoning code with reference to the general industrial district classification is by this reference made a part hereof.

Section 6: That the zoning map is hereby amended with respect to the property described on Exhibit "A" attached hereto and as depicted and as disclosed on Exhibit "C" attached hereto and by this reference made a part hereof, and the Recorder is hereby directed to maintain a copy of Exhibit "C" certified by her to be a true copy of the original attached hereto and bearing the number of this ordinance in a book on file entitled "Zone-Map Amendments", said book being kept and maintained as a part of the permanent records of the City of Sherwood.

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

PASSED: By the Council by Unanimous vote of all Council members present after being read by caption three times, and in body once, this 28th day of November, 1973.

Majorie Stewart
Recorder

APPROVED: By the Mayor this 28 day of November, 1973.

Jack O. Hayden
Mayor



ROBERT E. MEYER ENGINEERS, INC.

11/19/73

CRC

1053

DESCRIPTION FOR
STREET DEDICATION BY
DEPENDABLE ~~FORDATH, INC.~~

Part of the NE 1/4, NW 1/4, Section 32, T2S, R1W, W.M.,
City of Sherwood, Washington County, Oregon, described by:

Beginning at a 5/8-inch iron rod on the east line of said NW 1/4 which is also the intersection of the north line of East Willamette Street and the west line of Highland Street; thence N 89° 52' 08" W along the north right-of-way line of East Willamette Street a distance of 127.46 feet to a 5/8-inch iron rod; thence N 47° 57' 59" E 47.11 feet to a 5/8-inch iron rod; thence along a 220 foot radius curve (central angle equals 47° 53' 59") to the left 183.92 feet, a long chord of which bears N 24° 00' 59" E 178.61 feet to a 5/8-inch iron rod; thence N 00° 04' 00" E 209.10 feet to a 5/8-inch iron rod; thence S 43° 58' 31" E 28.76 feet to a 5/8-inch iron rod on the east line of said NW 1/4 and west right-of-way line of said Highland Street; thence S 00° 04' 00" W 383.38 feet to the point of beginning.

Contains 0.33 acres.

Ordinance # 639
Exhibit B



ROBERT E. MEYER ENGINEERS, INC.

601-28

Pfeiffer

November 16, 1973

DESCRIPTION FOR ZONE CHANGE
DEPENDABLE ~~FORDATH, INC.~~

Part of the NE 1/4, NW 1/4, Section 32, T2S, R1W, W.M.,
City of Sherwood, Washington County, Oregon, described by:

Beginning at a 5/8" iron rod on the east line of said NW 1/4 which is also the intersection of the north line of East Willamette Street and the west line of Highland Street; thence N 89° 52' 08" W along the north right-of-way line of East Willamette Street a distance of 127.46 feet to a 5/8" iron rod; thence S 47° 57' 59" W along said right-of-way line a distance of 42.69 feet to a 5/8" iron rod; thence N 42° 08' 22" W, a distance of 150.00 feet to a point; thence N 47° 55' 08" E, a distance of 350.55 feet to a point on the west right-of-way line of Highland Street; thence S 00° 04' 00" W along said right-of-way line, a distance of 317.87 feet to the point of beginning.

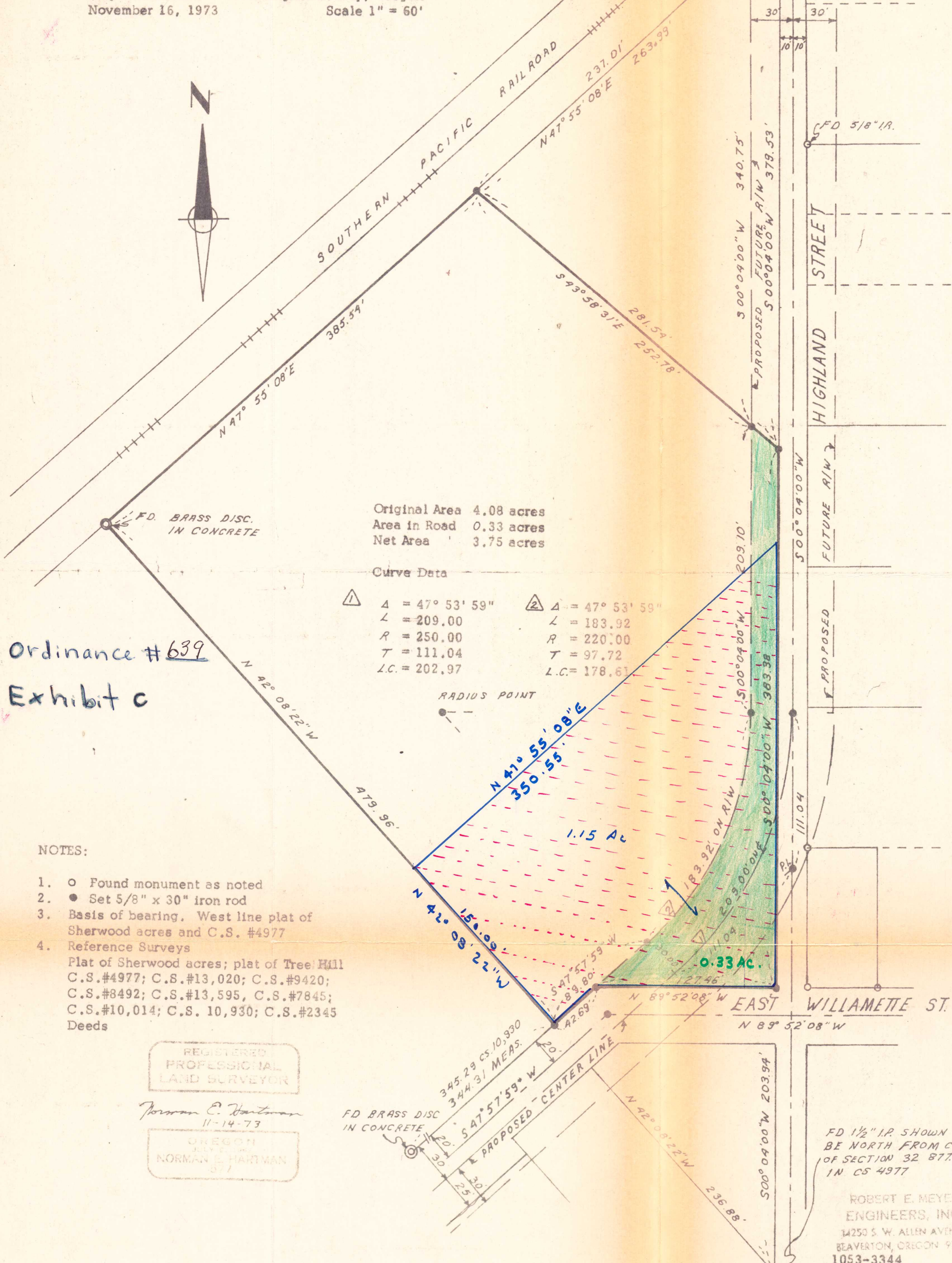
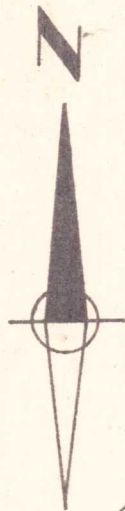
Contains 1.15 acres.

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Exhibit A

SURVEY FOR
DEPENDABLE FORDATH REING CHINES, INC.

In NE 1/4, NW 1/4, Section 32, T2S, R1W, W.M.
City of Sherwood Washington County, Oregon
November 16, 1973 Scale 1" = 60'



Original Area 4.08 acres
Area in Road 0.33 acres
Net Area 3.75 acres

Curve Data

① Δ = 47° 53' 59"	② Δ = 47° 53' 59"
L = 209.00	L = 183.92
R = 250.00	R = 220.00
T = 111.04	T = 97.72
L.C. = 202.97	L.C. = 178.61

RADIUS POINT

Ordinance # 639
Exhibit C

NOTES:

- Found monument as noted
- Set 5/8" x 30" iron rod
- Basis of bearing, West line plat of Sherwood acres and C.S. #4977
- Reference Surveys
Plat of Sherwood acres; plat of Tree Hill
C.S.#4977; C.S.#13,020; C.S.#9420;
C.S.#8492; C.S.#13,595, C.S.#7845;
C.S.#10,014; C.S. 10,930; C.S.#2345
Deeds

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Norman E. Hartman
11-14-73

OREGON
NORMAN E. HARTMAN
87

FD BRASS DISC
IN CONCRETE

FD 1/2" I.P. SHOWN TO
BE NORTH FROM CENTER
OF SECTION 32 877.75'
IN CS 4977

ROBERT E. MEYER
ENGINEERS, INC.
14250 S. W. ALLEN AVENUE
BEAVERTON, OREGON 97005
1053-3344