

CITY OF SHERWOOD, OREGON

ORDINANCE NO. 717

AN ORDINANCE ADOPTING FINDINGS WITH RESPECT TO THE APPLICATION OF DONNA JEAN BARON FOR APPROVAL OF A ZONE CHANGE CLASSIFICATION FROM R-3 (HIGH DENSITY RESIDENTIAL) TO C-1 (LIMITED COMMERCIAL) WITH RESPECT TO TAX LOT 2300, WASHINGTON COUNTY ASSESSOR'S MAP #2S1 32BC, GRANTING APPROVAL OF SAID APPLICATION WITH CONDITIONS, AND FIXING AN EFFECTIVE DATE.

THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1: The Council adopts as its findings of fact the findings set forth in the City staff report dated February 6, 1980, a copy of which is marked exhibit A, hereto attached, under headings "Basic Facts" and "Findings." The Council finds the relevant criteria to be those specified in the staff report.

Section 2: The Council further finds that pursuant to the prescribed procedures, the application for zone change was the subject of review and public hearing by the City Planning Commission on February 18, 1980. Subsequent to that hearing the Planning Commission voted to recommend to approve the change in zone classification, subject to conditions hereafter set forth which the Council finds to be appropriate conditions.

Section 3: The Council further finds that after due and legal notice, a public hearing was held on February 27, 1980 before an impartial Council, and at said hearing all parties interested were afforded an opportunity to be heard and to present and rebut evidence. At said hearing the Council received in evidence, among other documents and testimony, exhibit A, and the Planning Commission's decision marked exhibit B hereto attached. No testimony or evidence was presented in opposition to the application.

Section 4: After due consideration of the application, the recommendation of the Planning Commission, the Staff report and evidence adduced, the Council makes the following additional findings:

(a) The application, if allowed, will not conflict with any state-wide planning goals as adopted by statute.

(b) The proposal which would enable the use of an existing dwelling house to be used as a professional office, is in harmony with existing uses in the surrounding area and would not result in detriment to adjacent properties, and

(c) There is an unmet need for office space of the character that the subject premises offers, and

(d) The following conditions to approval are appropriate conditions required to maintain the purposes and objectives of the existing plan and zoning and to prevent irreconcilable conflict with the new proposed comprehensive plan and plan map in the process of being prepared for adoption in The City:

a) That the subject site be redesignated "office commercial" on the draft comprehensive plans, and

b) That applicant apply for and on approval obtain variance from the off-street parking requirements of the C-1 zone prior to occupancy of the premises for any use other than as a single family residence.

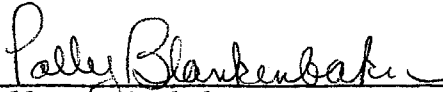
Section 5: Lot 1 Block 5, Sherwood, Washington County, Oregon, as indicated on the attached plat marked exhibit C is hereby zoned C-1 (Limited Commercial). This approval is granted subject to the requirement that each of the conditions approved above in Section 4 of this ordinance shall be conditions to this approval.

Section 6: The zoning map is hereby amended with respect to said property in conformity herewith and the recorder is hereby directed to cause a copy of the plat attached as exhibit C or other suitable plat to be made indicating thereon the land previously zoned R-3 to be now zoned C-1, and the recorder shall keep said plat bearing the number of this ordinance on file in the book of zone map amendments, said book being kept and maintained as a permanent record by The City of Sherwood.

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

PASSED:

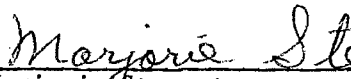
By the Council, by unanimous vote of all Council members present, after being read by caption three times this 9 day of April, 1980.



Polly Blankenbaker
Recorder - City of Sherwood

APPROVED:

By the Mayor this 9 day of April, 1980.



Marjorie Stewart
Mayor - City of Sherwood

STAFF REPORT

February 6, 1980

CASE NO.: ZC-80-01
Amendment to the Zoning Map from R-3 High Density Residential to C-1 Limited Commercial
LOCATION: 185 NW Washington Street (Tax Lot 2S1 32BC : 2300)
APPLICANT: Terry Tollen, Contract Purchaser, Elmer Barron, Owner of Record

DESCRIPTION OF PROPOSED ACTION

The applicant seeks a change in the current high density residential zoning to limited commercial zoning to permit the use of an existing single family structure for an architects office. The action is proposed pursuant to Article IX of the Sherwood Zoning Ordinance.

APPLICABLE STANDARDS FOR REVIEW

Generally "Fasano" criteria apply to zoning map amendments. The applicant must show and the reviewing body must find:

1. The proposal conforms to the Comprehensive Plan to the extent that it has been adopted.
2. A public need exists for the proposed change in land use.
3. The public need is best served by the property in question as compared to other available properties.
4. The proposed use will have no substantial negative impacts (environmental, public service, economic and social) on surrounding use or negative impacts will be addressed by conditions placed on approval.

BASIC FACTS

1. Current zoning: R-3 High Density residential
2. Parcel Data: 2S1 32BC : 2300 = 5,000 sq. ft.
3. Existing structures/uses:
2S1 32BC : 2300 Single family house and small storage building
4. Access: Access is by Second Street (60' RW 34' PV)
Washington Street (60' RW 34' PV) and an unpaved 14' alley.
5. Public Services:
Water: 12" line in alley
12" line in Washington Street
Sewer: 6" line in alley
Storm Sewer: line on Washington
Gas: 1" line in alley
4½" line in Washington Street



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

February 21, 1980

NOTICE OF DECISION

To: Terry Tollen
11681 SW Tooze Rd.
Wilsonville, Ore. 97070

Donna Baron
Rt. 3 Box 239
Sherwood, Ore. 97140

The Planning Commission of the City of Sherwood, Oregon, decided to approve your application for an amendment to the zoning map from R-3 (high density residential) to C-1 (limited commercial) on Tax Lot 2S 132 BC : 2300.

The decision was based on the findings contained in the attached staff report dated February 6, 1980.

The following conditions were placed on approval of the application:

1. That as a part of action to approve the request, the subject site be redesignated Office Commercial (OC) on the draft Comprehensive Plan Map.
2. That the applicant and any future owner/occupant be advised that off street parking consistent with City policy or successful application for a variance will be required prior to the occupancy of the site.

A handwritten signature in cursive script, appearing to read "Clyde List".

Clyde List, Chairman
Planning Commission

Forwarded for Council action
on February 27, 1980

EXHIBIT B

4. a. 3) .Parking - It is unlikely that the proposed use could provide the required off street parking (1 space per 400 sq. ft. of floor area). A variance from the requirement may be required in the siting of the use.

b. Environmental Impacts.

1) The subject site is surrounded by single family use. However the subject parcel abuts present C-2 zoned parcels and use within the same block. The proposed category of use can be made compatible with existing and proposed use in the area through careful site review.

2) The single family home is oriented with primary access on Washington Street which is designated a minor arterial on the proposed Transportation Network Plan. The proposed use may serve as a buffer for adjacent residential uses as traffic volumes increase.

c. Economic Impacts

The proposed use addresses a need for expansion of the professional service sector in Sherwood and would tend to stabilize the neighborhood commercial portion of the Old Town Area.

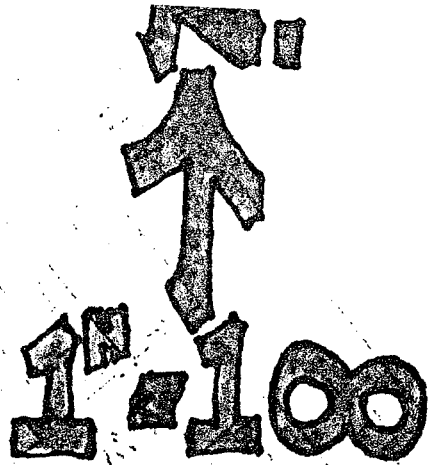
5. Relationship of the Proposed Action to the Draft Comprehensive Plan Map.

In order to consider the proposed amendment to the zoning map at this time, it may be necessary to also consider, as part of the decision, modifications of the final draft of the Plan Map since if the Plan Map were adopted in its present form the subject site would be designated Medium High Density Residential.

STAFF RECOMMENDATION

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

1. That as a part of action to approve the request, the subject site be redesignated Office Commercial (OC) on the draft Comprehensive Plan Map.
2. That the applicant and any future owner/occupant be advised that off street parking consistent with City policy or successful application for a variance will be required prior to the occupancy of the site.



R3

C4

ZONING BOUNDARY

185 N. W. WASHINGTON

(PROPOSED OFFICE COMMERCIAL)

