

CITY OF SHERWOOD, OREGON

ORDINANCE NO. 770A

AN ORDINANCE ADOPTING FINDINGS WITH RESPECT TO THE APPLICATION OF JUHR & SONS AND ELMER BARON (PMA 82-01) FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN MAP, TO CHANGE THE DESIGNATION OF A PORTION OF TAX LOTS 300 and 400 WASHINGTON COUNTY ASSESSOR'S MAP 2S1 29C FROM COMMUNITY COMMERCIAL (CC) TO HIGH DENSITY RESIDENTIAL (HDR), AND APPROVING SAID APPLICATION AND MAP AMENDMENT

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 May 10, 1982, 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 plan map amendment was subject to review and public hearing by the City Planning Commission on May 18, 1982. Subsequent to that hearing the Planning Commission issued its Notice of Decision approving said application. A copy of said notice, marked Exhibit "B", is attached hereto.

Section 3: The Council further finds that after due and legal notice a public hearing was held on May 26, 1982 before an impartial Council, and at said hearing all interested parties were afforded an opportunity to be heard. At said hearing the Council received in evidence Exhibit "A".

Section 4: After due consideration of the application, the action of the Planning Commission, and the Staff Report, the Council finds that the application should be approved without further conditions being imposed.

Section 5: The application is approved for an amendment to the Comprehensive Plan Map to change the map designation for a portion of Tax Lots 300 and 400, Washington County Assessor's Map 2S1 29C, from Community Commercial (CC) to High Density Residential (HDR), subject real property being described in Exhibit C attached hereto and by this reference incorporated herein. The Planning Director is directed to take such action as may be necessary to document this amendment to the plan map as required by the Sherwood Community Development Code.

Section 6: 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 14 day of July, 1982.

Polly Blankenbaker
Polly Blankenbaker, City Recorder

APPROVED:

By the Mayor this 15 day of July, 1982.

Clyde List
Clyde List, Mayor

ORDINANCE NO. 770A

STAFF REPORT

MAY 10, 1982

CASE NO: PMA-82-01
SUBJECT: A request to amend the Comprehensive Plan map changing the designation on a 1.68 AC portion of Tax Lots 2S1 29C : 300 and 400 from CC (Community Commercial) to HDR (High Density Residential).
LOCATION: N. Sherwood Blvd.
APPLICANT: Juhr and Sons
OWNER: Robinhood Enterprises/Elmer Baron

APPLICABLE STANDARDS FOR REVIEW:

Chapter 1 Section 3.03 of the Community Development Code; Required findings for a plan amendment (see attached)

BASIC FACTS

Land Use:

Plan Designation: CC (Community Commercial)

Existing Lot Data: 2S1 29C : 300 = .09 AC

2S1 29C : 400 = 2.11 AC

TOTAL SITE = 2.2 AC

Existing Structures/Uses: Single Family Home, garage and metal shop building.

Proposed Lot Data (see plot plan)

Lot A = 1.32 AC (Proposed HDR Lot)

Lot B = .34 AC (Proposed HDR Lot)

Lot C = .56 AC (Commercial Lot)

Environmental Resources:

Topography: 0-3%

Soils: Hillsboro Silt Loam: No limitations.

Flood Plain: Not Applicable

Recreation Resources: Site adjoins Hopkins Elementary School, is within walking distance to Community Center and Stella Olsen Park.

Community Facilities and Services:

Water: 12" line on N. Sherwood Blvd.

Sewer: 8" line on Gleneagle Dr.

Drainage: 18" line on N. Sherwood Blvd.

Public Safety: Police (Sherwood); Fire (TRFD)

Schools: The Elementary School is near capacity. A bond issue is anticipated to provide a new school by 1984. The other schools have additional capacity.

Transportation:

Vehicle Access: Access via N. Sherwood Blvd. (60' RW 40'PV)

Bike and Pedestrian Access: 8' bike/pedestrian path on N. Sherwood Blvd.

Transit: On N. Sherwood Blvd.

FINDINGS

Required findings for the granting of a Plan Map Amendment (see applicants statement attached)

- 1. "The proposed amendment is in conformance with the map and text portions of the Plan not being considered for amendment."

Map and text portions of the Comprehensive Plan which are of principal concern in evaluating the request are contained in Section IV of the Community Development Plan.

EFFECTS ON
THE QUANTITY,
KIND AND
DENSITIES OF
EXISTING AND
PLANNED LAND
USES.

A. Planned Residential Use

Plan Policies regarding residential development are intended to insure a proper mix of residential rises in a neighborhood context which meets the needs of existing and future residents with regard to style, density, quality and energy efficiency. The effect of the proposal is to increase the amount of planned HDR land in the City from 31. AC to 33. AC (+5%) and in the planning area from 40 AC to 42 AC (+4%). The change would result in an additional multi family dwelling unit potential of 27 units, but would not significantly affect the single family/multi family rates for planned residential units in the city limits or urban growth boundary. Since HDR uses are permitted as conditional uses in the existing CC area, the effect of the change on multi family unit potential is negligible. The applicant is seeking the plan amendment in lieu of the conditional use permit, in part to avoid the conditional use requirement for siting the units "above or behind commercial use".

B. Planned Commercial Use

The proposal would decrease planned CC land in the City from 30 AC to 28 AC (-5%) and in the UGB from 57 AC to 55 AC (-3%). The current supply of retail commercial land within the City is more than adequate to meet 1985 needs. The proposed reduction in CC land would not violate the intent of the plan to provide adequate central commercial land to meet commercial land needs to the year 2000.

NATIONAL
REQUIREMENTS
FOR LAND
USES

Residential and Commercial Land Uses

The Plan sets forth policies designed to assure that residential uses are protected from incompatible uses and influences. The proposed amendment would positively address the need to buffer the low density Gleneagle development from commercial uses. The request provides improved transition in development density and use from the elementary school to the south and MDRH land to the east, to the planned commercial center to the north at Six Corners. Multifamily use on the proposed site is complementary to the commercial district in that it provides market support for those activities. HDR useage of the prime N. Sherwood Blvd. frontage is consistent with the plan for the area.

The demand for urban services under the proposal should not require any modifications in utility systems planned for the area. Traffic generation would likely be reduced on the site under the change in use.

- 2. "The public interest is best served by the granting of the amendment at this time."

The proposed amendment need to address a current need for affordable housing.

The applicant has expressed an intent to site subsidized housing for the elderly persons are on a waiting list for the Sherwood Park Apartments, an existing 44 unit elderly project. In addition the applicant sites the positive effect of the additional units on use of the new Senior Center and nearby commercial businesses.

3. "The ...factor in ORS 215.055 were consciously considered."

The proposed change is compatible with existing and planned uses in the area is served by transit, and provides complementary development potential with the planned central business district to the north as well as the school; Senior Community Center and greenway to the south.

STAFF RECOMMENDATION

Based on the above facts and findings the staff recommends approval of the request.

DESCRIPTIONS OF PARCELS OF LAND LOCATED IN THE SOUTHWEST
ONE-QUARTER OF SECTION 29 OF TOWNSHIP 2 SOUTH, RANGE 1 WEST
OF THE WILLAMETTE MERIDIAN IN WASHINGTON COUNTY, OREGON.

PARCEL I

BEGINNING AT AN IRON ROD THAT BEARS $S.0^{\circ}12'52''E.$ --1656.9 FEET ON SECTION LINE,
AND $S.89^{\circ}35'34''E.$ --440.02 FEET FROM AN IRON PIPE MARKING THE NORTHWEST CORNER
OF THE SOUTHWEST ONE-QUARTER OF SECTION 29 OF TOWNSHIP 2 SOUTH, RANGE 1 WEST
OF THE WILLAMETTE MERIDIAN. THE SAID IRON ROD IS ALSO THE NORTHEAST CORNER
OF THAT TRACT OF LAND SOLD ON CONTRACT TO ELMER F. BARON AND DONNA JEAN BARON,
HUSBAND AND WIFE, AND DAVID A. SPRECHER AND JANICE L. SPRECHER, HUSBAND AND
WIFE, BY INSTRUMENT RECORDED NOVEMBER 13, 1979 AS WASHINGTON COUNTY RECORDER'S
FILE N^o-341733. THENCE $S.0^{\circ}12'52''E.$ --228.94 FEET ALONG THE EASTERLY BOUNDARY OF
THE SAID TRACT TO AN IRON ROD. THENCE $S.89^{\circ}47'08''W.$ --94.00 FEET TO AN IRON ROD.
THENCE $S.0^{\circ}12'52''E.$ --108.27 FEET TO AN IRON ROD ON THE NORTHERLY BOUNDARY OF
NORTH SHERWOOD BLVD. THENCE $N.44^{\circ}23'45''W.$ --183.39 FEET ALONG THE SAID ROAD
BOUNDARY TO AN IRON ROD. THENCE $N.45^{\circ}36'15''E.$ --95.00 FEET TO AN IRON ROD.
THENCE $N.44^{\circ}23'45''W.$ 198.93 FEET TO THE NORTHERLY BOUNDARY OF THE MENTIONED
BARON-SPRECHER TRACT. THENCE $S.89^{\circ}35'34''E.$ --292.34 FEET TO THE POINT OF BEGINNING.

PARCEL III

BEGINNING AT AN IRON ROD THAT BEARS $S.0^{\circ}12'52''E.$ --1656.9 FEET ON SECTION LINE,
 $S.89^{\circ}35'34''E.$ --440.02 FEET, AND $S.0^{\circ}12'52''E.$ --228.94 FEET FROM AN IRON PIPE MARKING
THE NORTHWEST CORNER OF THE SOUTHWEST ONE-QUARTER OF SECTION 29 OF TOWNSHIP 2 SOUTH
RANGE 1 WEST OF THE WILLAMETTE MERIDIAN. THE SAID IRON ROD IS ALSO ON THE EASTERLY
BOUNDARY OF THAT TRACT OF LAND SOLD ON CONTRACT TO ELMER F. BARON AND DONNA JEAN
BARON, HUSBAND AND WIFE, AND DAVID A. SPRECHER AND JANICE L. SPRECHER, HUSBAND
AND WIFE, AS RECORDED NOVEMBER 13, 1979, BY FILE N^o-341733 IN THE WASHINGTON COUNTY
RECORDER'S OFFICE. THENCE $S.0^{\circ}12'52''E.$ --205.00 FEET ALONG THE SAID BOUNDARY TO
AN IRON ROD ON THE NORTHERLY BOUNDARY OF NORTH SHERWOOD BLVD. THENCE $N.44^{\circ}23'45''W.$
134.88 FEET ALONG THE SAID NORTH BOUNDARY TO AN IRON ROD. THENCE $N.0^{\circ}12'52''W.$ --
108.27 FEET TO AN IRON ROD. THENCE $N.89^{\circ}47'08''E.$ --94.00 FEET TO THE POINT OF
BEGINNING.

EXHIBIT C

