

CITY OF SHERWOOD, OREGON

ORDINANCE NO. 781

AN ORDINANCE ADOPTING FINDINGS WITH RESPECT TO THE APPLICATION OF JAN ALVAREZ FOR A CONDITIONAL USE PERMIT TO EXPAND AN EXISTING SINGLE FAMILY DWELLING TO ACCOMODATE A DAY CARE CENTER FOR CHILDREN ON TAX LOT 2000, WASHINGTON COUNTY ASSESSOR'S MAP 2S1 32BA, GRANTING APPROVAL OF SAID APPLICATION WITH CONDITIONS, AND FIXING AN EFFECTIVE DATE.
(CU 82-01)

THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1: The Council adopts as its findings of fact the findings set forth in the Staff Report dated June 8, 1982, a copy of which is attached hereto marked Exhibit A, under headings "Basic Facts" and "Findings". The Council further finds the relevant criteria to be those specified in the Staff Report.

Section 2: The Council further finds that pursuant to prescribed procedures the application for conditional use permit was the subject of review and public hearing by the Planning Commission on June 15, 1982. Subsequent to that hearing the Planning Commission voted to recommend approval of the application, a copy of said recommending being attached hereto marked Exhibit B.

Section 3: The Council further finds that after due and legal notice a public hearing was held on June 23, 1982 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 the Planning Commission's decision, Exhibit B.

Section 4: After due consideration of the application, the action of the Planning Commission, the Staff Report, and evidence adduced, the Council finds that the facts and findings set forth in the staff report should be adopted as the findings of the Council and that the following conditions to approval are reasonable and necessary to carry out the purposes and policies of the Comprehensive Plan:

- a. Applicant shall obtain and furnish to the City a copy of the Day Care Center Certification of the State of Oregon.
- b. Prior to issuance of a building permit to applicant, applicant shall furnish proof that parking spaces are adequate to comply with code requirements.
- c. Applicant shall obtain a City business license.

Section 5. The application is approved, subject to the conditions set forth in Section 4, for a conditional use permit to expand an existing single family dwelling to accomodate a day care center for children on Tax Lot 2000, Washington County Assessor's Map 2S1 32BA, more particularly described on Exhibit C attached hereto.

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 members present, after being read by caption three times, this 14 day of October, 1982.

Polly Blankenbaker
Polly Blankenbaker, City Recorder

APPROVED: By the Mayor this ___ day of October, 1982.

Clyde List
Clyde List, Mayor



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

STAFF REPORT

June 8, 1982

CASE NO: CU-82-01
SUBJECT: Conditional Use Permit Request for a Day Care Center
LOCATION: Oak Street
OWNER: Alan Olson
APPLICANT: Jan Alvarez

DESCRIPTION OF PROPOSED ACTION

The applicant is seeking approval of a conditional use permit to expand an existing single family dwelling to accommodate a state licensed day care center.

APPLICABLE STANDARDS FOR REVIEW

Chapter 2, Section 6.00 of the Community Development Code; required findings for the granting of a conditional use permit.

BASIC FACTSLand Use

Plan Disignation: MDRH (Medium High Density Residential) 8-11 DU/Acre.

Acreage: .35 acre

Existing Structures/Uses: Single family residence.

Environmental ResourcesRecreation Resources:

Park: $\frac{1}{4}$ mile from Stella Olson

Community park: 1 block from Intermediate School grounds.

Community Facilities and Services

All services are available

Transportation

Vehicle Access: Access is via fully developed streets (Oak St. and 2nd Street).

Bike and Pedstrian Ways: No developed facilities.

Transit: 2 blocks on Pine Street.

FINDINGS

Required findings for granting a conditional use permit.

1. "Adequacy of Services"
 - a. Utility services and public safety services are adequate.
 - b. Streets are adequate. The applicant should address the lack of sidewalk facilities.
 - c. Recreation Resources; The proposed use would have access to the adjacent school grounds and shows required on-site fenced play area.
2. "Conformity with Planning Designation Area Standards"

The proposed use is permitted as a conditional use in the MDRH area.

A PERSONAL STATEMENT

THERE IS A DEFINITE NEED FOR A DAY CARE FACILITY IN THE CITY OF SHERWOOD. AS A PROFESSIONAL IN THE AREA, I FEEL I AM WELL QUALIFIED TO DIRECT SUCH A CENTER. I AM A GRADUATE OF OREGON STATE UNIVERSITY WITH A BACHELOR'S DEGREE IN CHILD DEVELOPMENT AND NURSERY SCHOOL TEACHING.

THE SITE IS WELL SUITED FOR CHILDREN. IT IS LOCATED CLOSE TO THE SCHOOLS AND THE DOWNTOWN AREA. THE PARKING WILL BE NO PROBLEM AS AN ALLEY IS LOCATED TO THE LEFT OF THE LOT, THE DRIVEWAY IS 50 FEET LONG, AND THE SURROUNDING STREETS ARE NOT VERY BUSY.

THE PROPERTY ~~IS~~ UTILIZES THE CITY SEPTIC SYSTEM. THE LOT PROVIDES AMPLE ROOM FOR OUTSIDE PLAY.

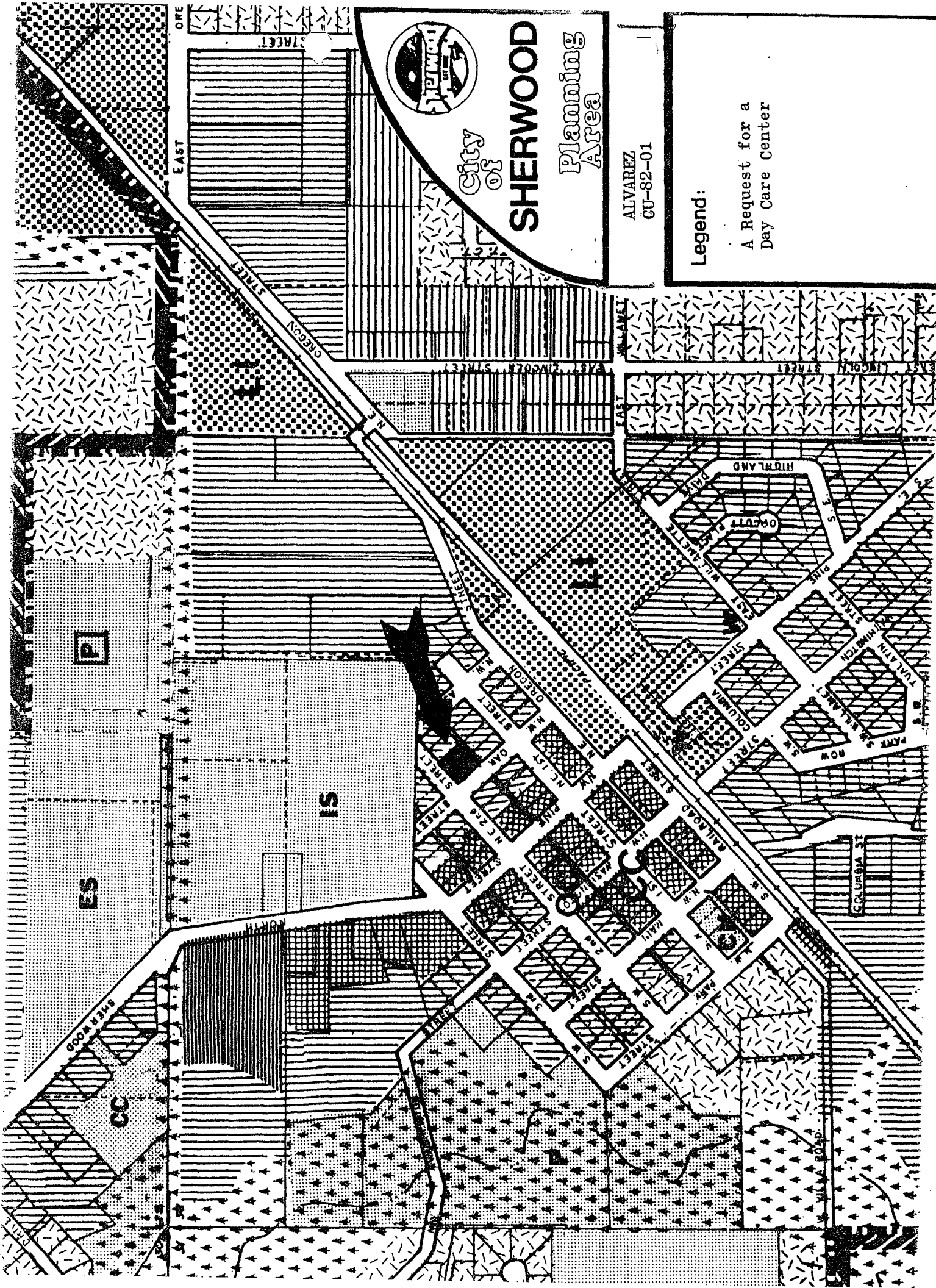


City of
SHERWOOD
Planning
Area

ALVAREZ
CU-82-01

Legend:

A Request for a
Day Care Center

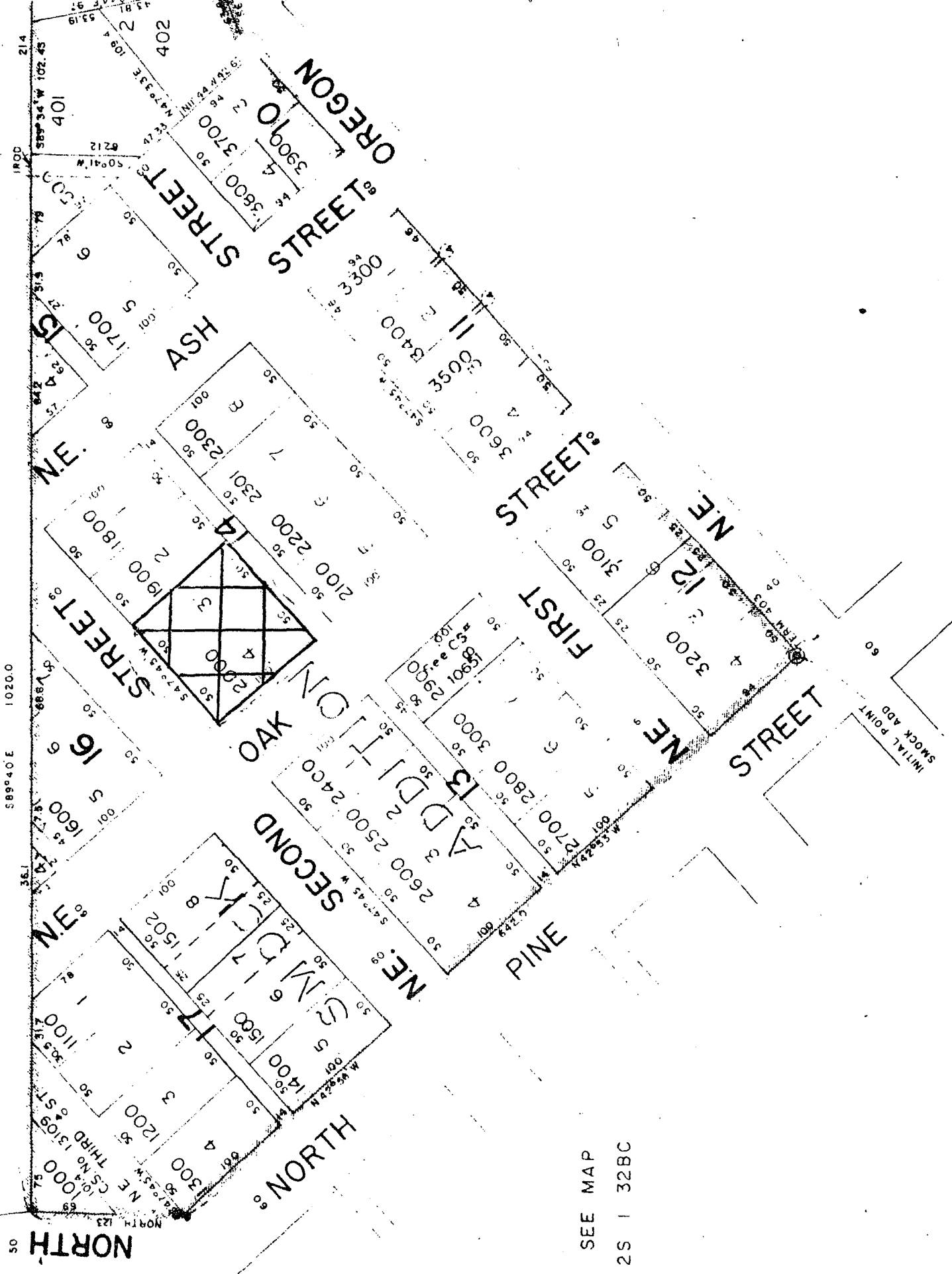


88-10

medium

MAP

32BB



SEE MAP
2S 1 32BC

INITIAL POINT
SMOCK ADD

3. Public Need

The Children Services Division of the Oregon State Department of Human Resources reports that there are currently no certified day care facilities in the City limits of Sherwood. They asserted that a need exists for facilities and are willing to assist qualified applicants to certify new centers.

4. "Effect on Surrounding Property"

The proposed use is in an area of developed single family homes. However, it is buffered from immediately adjoining uses by alleys or streets on all but the northeast property boundary. The applicant intends to construct a fence around the entire property.

Adjoining property owners have been notified of the proposed action. To date written testimony has been favorable to the use.

5. General Findings in the Proposed Use.

- a. The proposed center requires State Certification. The State requires at least 75 sq. ft. of outside play area and 35 sq. ft. of useable indoor area per child. The applicant intends to construct a primary indoor area of approximately 1200 sq. ft. and an inside play area of approximately 420 sq. feet for up to 30 children. State regulations additionally address sanitation and other health and safety concerns. The proposed use must be certified to begin operations.
- b. The applicant intends to use two staff in addition to herself. The code requires two parking spaces for the residential use, one per each two employees plus 1 per 5 children or a total of 8 spaces.

STAFF RECOMMENDATION

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

1. That the applicant obtain and submit to the City a copy of the State Day Care Center certification.
2. That the applicant identify off street parking spaces adequate to meet code requirements prior to obtaining a building permit for the center construction or obtain Planning Commission approval for the use of identified on-street spaces.
3. That the applicant obtain a City business license.



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

TAX LOT: 32BA : 2000

CASE NO: CU-82-01

DATE: 6-16-82

NOTICE OF DECISION

TO: City Council

Jan Alvarez
 190 NE Oak St.
 Sherwood, Ore.

Alan Olson
 330 SE Division St.
 Sherwood, Ore.

The Planning Commission of the City of Sherwood, Oregon decided to recommend approval of your application for a conditional use permit for a day care center on Tuesday, June 15, 1982.

The decision was based on the following major findings:

The findings in the attached staff report dated June 8, 1982.

The following conditions were placed on approval of the application:

1. That the applicant obtain and submit to the City a copy of the State Day Care Center Certification.
2. That the applicant identify parking spaces adequate to meet code requirements prior to obtaining a building permit for center construction.
3. That the applicant obtain a City business license.

Gene Stewart
 Chairman

STATUS OF PLAN COMPLIANCE REVIEW

X Additional Required Action

X City Council

meeting date June 23, 1982

LEGAL DESCRIPTION

ALVAREZ CONDITIONAL USE

Lot 3 and Lot 4, Block 4 Smock Addition, a subdivision of the
City of Sherwood, Washington County, Oregon.