

CITY OF SHERWOOD

ORDINANCE NO. 86-853

AN ORDINANCE APPROVING A MINOR ZONING MAP AMENDMENT FROM COMMUNITY COMMERCIAL (CC) TO HIGH DENSITY RESIDENTIAL (HDR) ON TAX LOTS 201, 202, 203, AND 300, ASSESSORS MAP 2S-1-32BB, CONSISTING OF 1.33 ACRES MORE OR LESS, AND ESTABLISHING AN EFFECTIVE DATE.

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WHEREAS, Tax Lots 201, 202, 203, and 300, Assessors Maps 2S-1-32BB, are the site of the Village Green Apartments, a long established, higher density residential use, which is also contiguous with other high density residential developments and zoning districts and;

WHEREAS, this site is currently zoned Community Commercial (CC), which only allows apartment uses associated with commercial development, and therefore the Village Green Apartments are non-conforming and;

WHEREAS, the design, age, and condition of the Village Green Apartments do not indicate that this development is a "transitional" use, ready for conversion to commercial enterprise and;

WHEREAS, the owners of the Village Green Apartments wish to improve and upgrade the site, but are unable to obtain bank financing due to the buildings non-conforming status and;

WHEREAS, the City Planning Commission held a public hearing on October 20, 1986 and found that the proposed zoning map amendment satisfied all requirements of the Zoning and Community Development Code, Section 4.203.02 and;

WHEREAS, the Commission found the proposed change to be a minor zoning map amendment, given that the site is less than four (4) acres in size, as per Code Section 4.202.02 and;

WHEREAS, the City Council has received the report and recommendation of the Commission supporting the zoning map amendment from CC to HDR, and has reviewed the material submitted and the facts of the proposal;

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

Section 1. Minor Amendment: The Council finds that application to amend the zoning map for Tax Lots 201, 202, 203, and 300, Assessors Map 2S-1-32BB, was subject to full and proper review before the Commission and meets the

criteria of a minor zoning map amendment, and that there is no need for a second public hearing as the Commission record is adequate.

Section 2. Findings of Fact: After full and due consideration of the application, staff report, and recommendation of the Commission, the Council finds the proposed amendment to meet all requirements of Code Section 4.203.02.

Section 3. Approval: The request to amend the zoning map for Tax Lots 201, 202, 203, and 300, Assessors Map 2S-1-32BB, consisting of 1.33 acres more or less, from CC to HDR, is hereby APPROVED, subject to dedication of five (5) feet of additional right-of-way off the sites' North Sherwood Blvd. frontage.

Section 4. Authorization: The City Manager is directed to take such actions as may be necessary to document this amendment, including producing a certified modification to the Official Zoning Map.

Section 5. Effective Date: This Ordinance shall be effective 30 days after passage and approval, provided that a deed, in a form acceptable to the City, has been recorded dedicating required right-of-way.

Duly passed by the City Council this 12<sup>th</sup> day of November, 1986.

Polly Blankenbaker  
Polly Blankenbaker, City Recorder

Approved by the Mayor this 12<sup>th</sup> day of November, 1986.

Mary L. Tobias  
Mary L. Tobias, Mayor  
City of Sherwood

	<u>AYE</u>	<u>NAY</u>
TOBIAS	<u>✓</u>	<u>_____</u>
OYLER	<u>✓</u>	<u>_____</u>
BERGER	<u>✓</u>	<u>_____</u>
MANDERFELD	<u>absent</u>	<u>_____</u>
BIRCHILL	<u>✓</u>	<u>_____</u>