

ORDINANCE NO. 775

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE CLACKAMAS COUNTY EXCLUSIVE FARM USE (EFU) ZONE TO THE PUBLIC FACILITY (PF) ZONE ON APPROXIMATELY 40 - ACRES AND APPLYING THE SIGNIFICANT RESOURCE OVERLAY ZONE (SROZ) ON APPROXIMATELY 1.95 ACRES COMPRISING TAX LOTS 2000, 2300, 2400 AND 2500 OF SECTION 18, T3S, R1E, CLACKAMAS COUNTY, OREGON, WEST LINN – WILSONVILLE SCHOOL DISTRICT, APPLICANT AND OWNER.

RECITALS

WHEREAS, West Linn – Wilsonville School District (“Applicant and Owner”) has made a development application requesting, among other things, a Zone Map Amendment of the Property; and

WHEREAS, the development application form has been signed by Tim Woodley, Director of Operations for West Linn – Wilsonville School District, as Owner of the real property legally described and shown on Attachment 1, attached hereto and incorporated by reference herein (“Property”); and

WHEREAS, the Zone Map Amendment and applying the Significant Resource Overlay Zone (SROZ) is contingent on annexation of the Property to the City of Wilsonville, which annexation has been petitioned for concurrently with the Zone Map Amendment request; and

WHEREAS, the City of Wilsonville Planning Staff analyzed the Zone Map Amendment request and prepared a staff report for the Development Review Board, finding that the application met the requirements for a Zone Map Amendment and applying SROZ and recommending approval of the Zone Map Amendment and applying SROZ, which staff report was presented to the Development Review Board on July 27, 2015;

WHEREAS, the Development Review Board Panel B held a public hearing on the application for a Zone Map Amendment on July 27, 2015, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 309 which recommends that the City Council approve a request for a Zone Map Amendment and applying SROZ (Case File DB15-0048), adopts the Exhibit B staff report with findings and recommendation, all as placed

on the record at the hearing, certain of which are contingent on City Council approval of the Zone Map Amendment and applying SROZ and authorizes the Planning Director to issue approvals to the Applicant consistent with the staff report, as adopted by DRB Panel B; and

WHEREAS, on August 17, 2015, the Wilsonville City Council held a public hearing regarding the above described matter, wherein the City Council considered the full public record made before the Development Review Board, including the Development Review Board and City Council staff reports; took public testimony; and, upon deliberation, concluded that the proposed Zone Map Amendment meets the applicable approval criteria under the City of Wilsonville Development Code;

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

Section 1. Findings. The City Council adopts, as findings and conclusions, the forgoing Recitals and the Development Review Board staff report, as contained in the record of the above described DRB hearing and incorporates it by reference herein, as if fully set forth.

Section 2. Order. The official City of Wilsonville Zone Map is hereby amended, upon finalization of the annexation of the Property to the City, by Zoning Order DB15-0048, attached hereto as Exhibit A, from the Clackamas County Exclusive Farm Use (EFU) Zone to the Public Facility (PF) Zone described and shown on Attachments 1 and 2, and applying Significant Resource Overlay Zone (SROZ) described and shown on Attachment 3.

SUBMITTED to the Wilsonville City Council and read for the first time at a regular meeting thereof on the 17th day of August 2015, and scheduled for a second reading at a regular meeting of the Council on the 10th day of September 2015, commencing at the hour of 7:00 P.M. at the Wilsonville City Hall.

Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the 10th day of September, 2015 by the following votes:

Yes: -3- No: -0-

Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this 11th day of September, 2015.

TIM KNAPP, Mayor

SUMMARY OF VOTES:

Mayor Knapp - Yes
Council President Starr - Yes
Councilor Fitzgerald - Excused
Councilor Stevens – Yes
Councilor Lehan - Excused

Exhibits and Attachments:

Exhibit A - Zoning Order DB15-0048.
Attachment 1, Legal Description and Survey Map
Attachment 2, Map Depicting Zone Amendment
Attachment 3, Legal Description and Survey Map for SROZ
Exhibit B Zone Map Amendment Findings, August 4, 2015.
Exhibit C - DRB Resolution No. 309
Exhibit D - Adopted Staff Report and DRB Recommendation (Exhibit A1), dated July 27, 2015 and the application on compact disk.
Exhibit E – July 27, 2015 DRB Minutes

EXHIBIT A

**BEFORE THE CITY COUNCIL OF THE
CITY OF WILSONVILLE, OREGON
WEST LINN – WILSONVILLE SCHOOL DISTRICT**

In the Matter of the Application of)
Mr. Keith Liden AICP, Bainbridge,)
Agent for the Owner,)
West Linn – Wilsonville School District) **ZONING ORDER DB15-0048**
for a Rezoning of Land and Amendment)
of the City of Wilsonville)
Zoning Map Incorporated in Section 4.102)
of the Wilsonville Code.)

The above-entitled matter is before the Council to consider the application of DB15-0048, for a Zone Map Amendment and an Order, amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code.

The Council finds that the subject property (“Property”), legally described and shown on the attached Exhibit 1 has heretofore appeared on the Clackamas County zoning map Exclusive Farm Use (EFU).

The Council having heard and considered all matters relevant to the application for a zone Map Amendment, including the Development Review Board record and recommendation, finds that the application should be approved.

THEREFORE IT IS HEREBY ORDERED that The Property, consisting of approximately 40 acres comprising Tax Lots 2000, 2300, 2400 and 2500 Section 18, 3S 1E as more particularly shown in the Zone Map Amendment Map, Attachment 1 and described and shown in Attachment 2 is hereby rezoned to Public Facility (PF), and approximately 1.95 acres of the Property is hereby designated Significant Resource Overlay Zone (SROZ) described and shown on Attachment 3 detailed in this Order’s adopting Ordinance. The foregoing rezoning is hereby declared an amendment to the Wilsonville Zoning Map (Section 4.102 WC) and shall appear as such from and after entry of this Order.

Dated: This 11th day of September, 2015.

TIM KNAPP, MAYOR

APPROVED AS TO FORM:

Michael E. Kohlhoff, City Attorney

ATTEST:

Sandra C. King, MMC, City Recorder

Exhibit A: Zoning Order
Attachment 1, Legal Description and Survey Map
Attachment 2, Map Depicting Zone Amendment
Attachment 3, Legal Description and Survey Map - SROZ

LEGAL DESCRIPTION
ADVANCE ROAD SITE
WEST LINN WILSONVILLE SCHOOL DISTRICT

#6729
5/6/15 MAR

EXHIBIT "A"

A TRACT OF LAND LOCATED IN THE NORTHWEST ONE-QUARTER OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON, BEING DESCRIBED AS FOLLOWS:

PARCEL 1

BEGINNING AT THE STONE, MARKED WITH AN "X", IN A MONUMENT BOX AT THE WEST 1/16TH CORNER COMMON TO SECTIONS 7 AND 18; THENCE ALONG THE 1/16TH LINE, S.00°05'22"W., 727.84 FEET TO THE NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO WAYNE G. LOWRIE AND SHIRLEY L. LOWRIE, TRUSTEES OF THE LOWRIE FAMILY TRUST, RECORDED IN MAY 3, 1991, IN DOCUMENT NO. 91-20213, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG THE BOUNDARY OF SAID LOWRIE TRACT THE FOLLOWING TWO (2) COURSES: N.89°38'52"W., 368.48 FEET TO A 5/8" DIAMETER IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "COMPASS ENGINEERING"; THENCE S.00°05'22"W., 250.00 FEET TO A 5/8" DIAMETER IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "COMPASS ENGINEERING"; THENCE N.89°38'52"W., 859.47 FEET TO A 5/8" DIAMETER IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "COMPASS ENGINEERING" ON THE EAST LINE OF TRACT "C", "LANDOVER" A SUBDIVISION PLAT OF RECORD (NO. 3246) IN SAID CLACKAMAS COUNTY; THENCE ALONG THE EAST LINE OF SAID TRACT "C", N.00°11'43"W., 489.70 FEET TO A 5/8" DIAMETER IRON ROD WITH A YELLOW PLASTIC CAMP STAMPED "COMPASS ENGINEERING" AT THE SOUTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO FAY A. GYAPONG, RECORDED MARCH 3, 2014 IN DOCUMENT NO. 2014-011271, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG THE SOUTH AND EAST LINES OF SAID TRACT THE FOLLOWING TWO (2) COURSES: S.89°44'47"E., 451.06 FEET TO A 5/8" DIAMETER IRON ROD; THENCE N.00°09'47"W., 487.18 FEET TO THE NORTH LINE OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN; THENCE ALONG SAID NORTH LINE, S.89°39'47"E., 781.46 FEET TO THE POINT-OF-BEGINNING, CONTAINING 890812 SQUARE FEET (20.45 ACRES) MORE OR LESS.

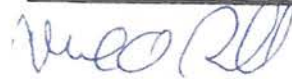
TOGETHER WITH THE FOLLOWING DESCRIBED TRACT:

PARCEL 2

COMMENCING AT THE STONE, MARKED WITH AN "X", IN A MONUMENT BOX AT THE WEST 1/16TH CORNER COMMON TO SECTIONS 7 AND 18; THENCE ALONG THE 1/16TH LINE, S.00°05'22"W., 977.84 FEET TO THE POINT-OF-BEGINNING; THENCE CONTINUING ALONG SAID 1/16TH LINE, S.00°05'22"W., 649.73 FEET TO THE NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO PAUL J. SORBETS, TRUSTEE UNDER REVOCABLE TRUST OF PAUL J. SORBETS, DATED APRIL 10, 1986, OR HIS SUCCESSOR IN TRUST, RECORDED JUNE 1986, IN DOCUMENT NO. 86-22050, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG THE NORTH LINE OF SAID SORBETS TRACT, N.89°54'22"W., 1439.83 FEET TO A 5/8" DIAMETER IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "COMPASS ENGINEERING" ON THE EAST LINE OF TRACT "C", "LANDOVER", A SUBDIVISION PLAT OF RECORD (NO. 3246) IN SAID CLACKAMAS

COUNTY; THENCE ALONG THE BOUNDARY OF SAID TRACT "C" THE FOLLOWING THREE (3) COURSES: N.00°11'43"W., 316.77 FEET TO A POINT FROM WHICH A 1-1/4" DIAMETER IRON PIPE BEARS N.89°52'18"W., 0.14 FEET; THENCE S.89°52'18"E., 214.39 FEET TO A 8"X12" STONE, MARKED WITH AN "X"; THENCE N.00°03'56"W., 338.64 FEET TO A 5/8" DIAMETER IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "COMPASS ENGINEERING"; THENCE S.89°38'52"E., 1227.95 FEET TO THE POINT-OF-BEGINNING, CONTAINING 868429 SQUARE FEET (19.94 ACRES) MORE OR LESS.

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 16, 1987
MICHAEL A. RADEMACHER
2303

DATE OF SIGNATURE: 5-11-15

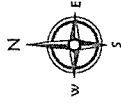
EXPIRES: 12/31/2016

CLACKAMAS COUNTY SURVEYOR
Received **B-9-11**
Accepted for filing **B-31-11**
Survey number **SN2011-127**

RECORD OF SURVEY

LOCATED IN N.W. 1/4 OF SECTION 18, T.35N., R.1E., W.M.

AUGUST 8, 2011 SCALE: 1" = 200'
SHEET 1 OF 4



INDEX

- SHEET 1 SEE MAP LEGEND REFERENCE SURVEYS, REFERENCE DEEDS
- SHEET 2 MONUMENT DATA, SEE LEGEND, REFERENCE SURVEYS, REFERENCE DEEDS
- SHEET 3 SOUTH HALF OF SITE LEGEND, REFERENCE SURVEYS, REFERENCE DEEDS
- SHEET 4 MONUMENT

REFERENCE SURVEYS

- P1 LANDOVER, PLAT NO. 2546
- R1 S.A. 850
- S.A. 2162
- R2 S.A. 850
- R3 S.A. 2162
- R4 S.A. 2571
- U.S.B. 583-650
- U.S.B. 2004-001
- U.S.B. 2004-005
- U.S.B. 2004-009
- R.T. BOOK 9, PAGE 120

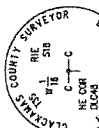
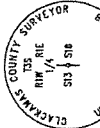
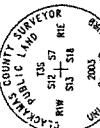
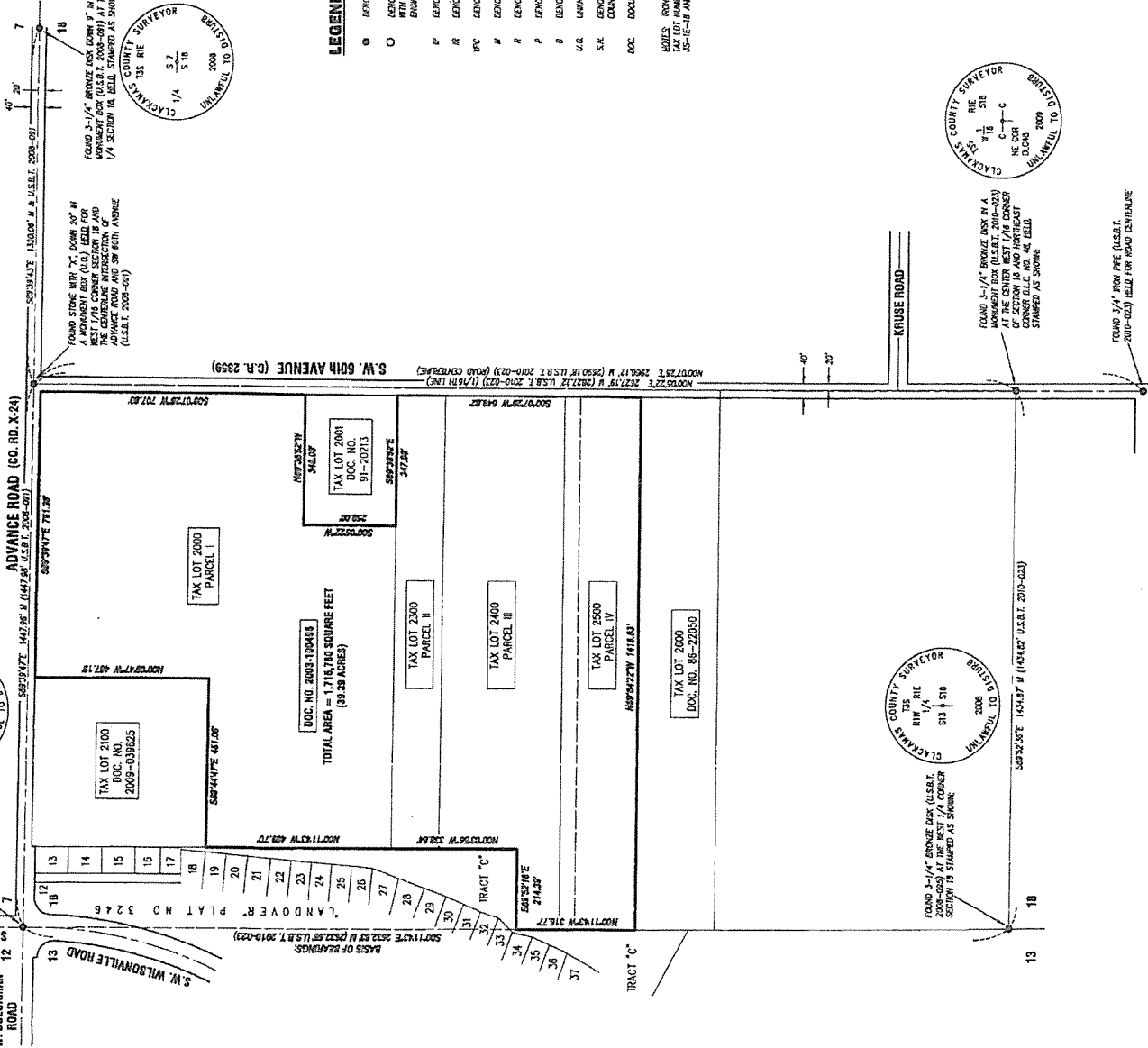
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- D1 DOC. NO. 2003-10498
- D2 DOC. NO. 81-20013
- D3 DOC. NO. 85-20025
- D4 DOC. NO. 85-20020
- D5 DOC. NO. 2004-079103
- BOOK 27E, PAGE 627
- BOOK 121, PAGE 581
- BOOK 102, PAGE 249
- BOOK 103, PAGE 249
- BOOK 114, PAGE 281
- BOOK 113, PAGE 481

LEGEND:

- DENOTES MONUMENT FOUND AS NOTED
- DENOTES 5/8" DIA. BANNER BY 30" LONG IRON ROD WITH A YELLOW PLASTIC CAP STAMPED COMPASS ENGRAVING SET ON AUGUST 3, 2011
- P DENOTES IRON PIPE
- R DENOTES IRON ROD
- IPC DENOTES YELLOW PLASTIC CAP
- M DENOTES MEASURED DATA
- R DENOTES RECORD DATA, SEE REFERENCE SURVEYS
- D DENOTES PLAT DATA, SEE REFERENCE SURVEYS
- P DENOTES DEED DATA, SEE REFERENCE DEEDS
- U.G. UNKNOWN ORIGIN
- S.K. DENOTES SURVEY NUMBER OF FILE WITH CLACKAMAS COUNTY SURVEYOR'S OFFICE
- A.C. DOCUMENT NUMBER, CLACKAMAS COUNTY DEED RECORDS

NOTES: IRON PIPES NOTED ARE WALSHARD IRON PIPE NUMBER TAX LOT NUMBERS ARE FROM CURRENT ASSESSOR'S MAP. 'S'-E-'S' ARE SHOWN FOR REFERENCE ONLY.



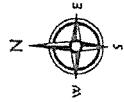
Survey prepared by:
Compass Engineering
4105 International Way, Suite 501
Milwaukie, Oregon 97222
Phone: 503-583-3053
6729 Brd.dwg (M/MH)
Job No. 2009-4729 (Survey)

DATE OF SURVEY: **B-2-4-11**
DYPRESS: 12/21/2012

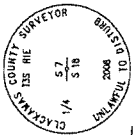
RECORD OF SURVEY

LOCATED IN N.W. 1/4 OF SECTION 18, T.3S., R.1E., W.M.
CLACKAMAS COUNTY, OREGON

AUGUST 8, 2011 SCALE: 1" = 100'
SHEET 2 OF 4

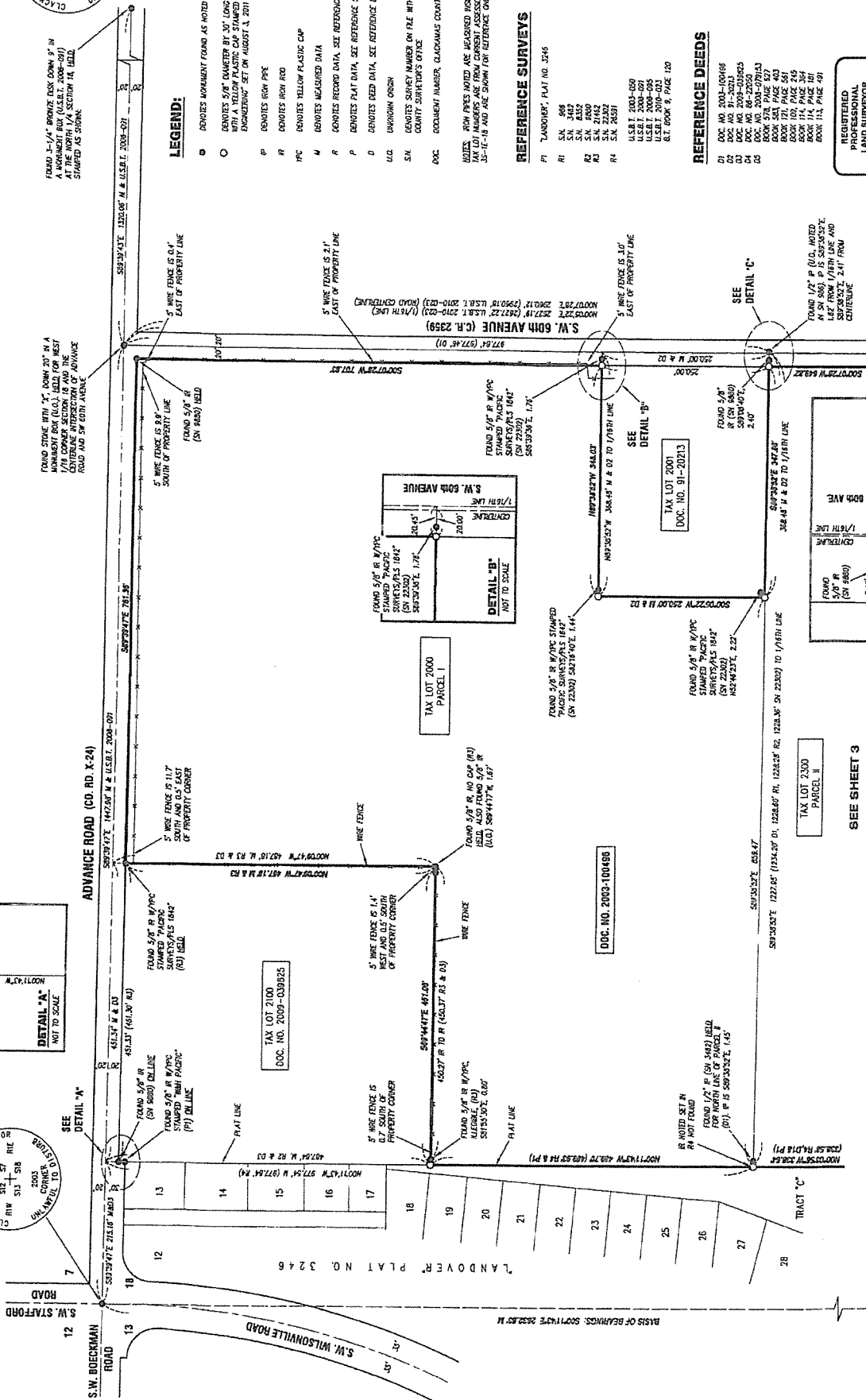
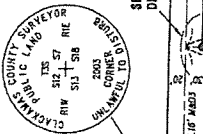


Clackamas County Surveyor
Received 8-9-11
Accepted for filing 8-31-11
Survey Number SN2011-127



FOUND 3-1/4" BRONZE DISK DOWN IN A WOODPILE BOX (U.S.G.T. 2008-09) AT THE NORTHWEST CORNER OF SECTION 18, FIELD STAMPED AS SHOWN.

FOUND 3-1/4" BRONZE DISK DOWN IN A WOODPILE BOX (U.S.G.T. 2003-00) AT THE NORTHWEST CORNER OF SECTION 18, FIELD STAMPED AS SHOWN.



LEGEND:

- DENOTES MONUMENT FOUND AS NOTED
- DENOTES 5/8" DIA. BY 30" LONG IRON ROD WITH 1/4" DIA. STAMPED COMPASS ENCLASING SET ON AUGUST 4, 2011
- P DENOTES IRON PIPE
- R DENOTES IRON ROD
- IPC DENOTES YELLOW PLASTIC CAP
- M DENOTES MEASURED DATA
- R DENOTES RECORD DATA, SEE REFERENCE SURVEYS
- P DENOTES PLAT DATA, SEE REFERENCE DEEDS
- D DENOTES DEED DATA, SEE REFERENCE DEEDS
- U.G. UNKNOWN ORIGIN
- S.M. DENOTES SURVEY NUMBER ON FILE WITH CLACKAMAS COUNTY SURVEYOR'S OFFICE
- DOC. DOCUMENT NUMBER, CLACKAMAS COUNTY DEED RECORDS

NOTES: IRON PIPES NOTED ARE MEASURED INSIDE DIAMETER. U.S.G.T. 2003-00 AND U.S.G.T. 2008-09 ARE SHOWN FOR REFERENCE ONLY.

REFERENCE SURVEYS

- P1 LANDLORD, PLAT NO. 2346
- R1 S.N. 598
- R2 S.N. 3403
- R3 S.N. 2182
- R4 S.N. 2429

- U.S.G.T. 2003-009
- U.S.G.T. 2003-005
- U.S.G.T. 2009-023
- U.S.G.T. 2009-021
- U.S.G.T. 2009-022
- U.S.G.T. 2009-024

REFERENCE DEEDS

- D1 DOC. NO. 2003-00948
- D2 DOC. NO. 2003-00985
- D3 DOC. NO. 2003-00985
- D4 DOC. NO. 08-22520
- D5 DOC. NO. 08-22520
- D6 DOC. NO. 08-22520
- D7 DOC. NO. 08-22520
- D8 DOC. NO. 08-22520
- D9 DOC. NO. 08-22520
- D10 DOC. NO. 08-22520
- D11 DOC. NO. 08-22520
- D12 DOC. NO. 08-22520
- D13 DOC. NO. 08-22520
- D14 DOC. NO. 08-22520
- D15 DOC. NO. 08-22520
- D16 DOC. NO. 08-22520
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- D20 DOC. NO. 08-22520

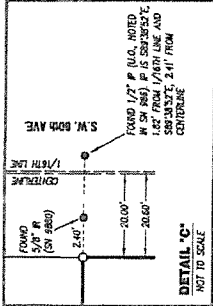
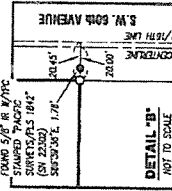
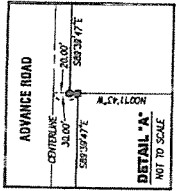
REQUIRED PROFESSIONAL LAND SURVEYOR

me o p l

OREGON
MICHAEL A. MADENBACHER
2583

DATE OF SURVEY: 8-11-11
EPPRES: 12/31/2012

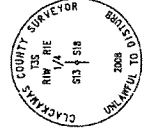
Survey prepared by:
Compass Engineering
4105 International Way, Suite 501
Milwaukie, Oregon 97222
Phone: 503-653-8093
6729 J6c2.dwg (MMH)
Job No. 2009-6729 (Survey)



TAX LOT 2300
PARCEL II
SEE SHEET 3

DOC. NO. 2003-100486

DOC. NO. 2009-030925

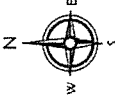


FOUND 3-1/4" BRONZE DISK DOWN IN A WOODPILE BOX (U.S.G.T. 2008-09) AT THE WEST 1/4 CORNER OF SECTION 18, FIELD STAMPED AS SHOWN.

Clackamas County Surveyor
 Received 8-9-11
 Accepted for filing 8-31-11
 Survey Number SN2011-127

RECORD OF SURVEY

LOCATED IN N.W. 1/4 OF SECTION 18, T.3S., R.1E., W.M.
 CLACKAMAS COUNTY, OREGON
 AUGUST 9, 2011 SCALE: 1" = 100'
 SHEET 3 OF 4



LEGEND:

- EVIDENCE MARKING FOUND AS NOTED
- EVIDENCE MARKERS SET BY LEVIN ROY AND
 WITH A YELLOW PLASTIC CAP STAMPED COMPASS
 ENGINEERING SET ON AUGUST 1, 2011
- P EVIDENCE IRON PIPE
- R EVIDENCE IRON ROD
- YPC EVIDENCE YELLOW PLASTIC CAP
- M EVIDENCE MEASURED DATA
- R EVIDENCE RECORD DATA, SEE REFERENCE SURVEYS
- P EVIDENCE PLAT DATA, SEE REFERENCE SURVEYS
- D EVIDENCE DEED DATA, SEE REFERENCE DEEDS
- U/A UNKNOWN ORIGIN
- S/A EVIDENCE SURVEY NUMBER ON FILE WITH CLACKAMAS
 COUNTY SURVEYOR'S OFFICE
- ASC DOCUMENT NUMBER, CLACKAMAS COUNTY DEED RECORDS

NOTES: IRON PIPES WERE MEASURED AND FOUND TO BE QUARTER.
 TAX LOT NUMBERS ARE FROM CURRENT ASSESSORS MAP.
 35-1E-18 AND ARE SHOWN FOR REFERENCE ONLY.

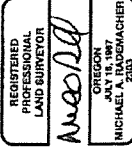
REFERENCE SURVEYS

- PT LANDOVERY, PLAT NO. 2348
- R1 S.A. 268
 - S.A. 4482
 - S.A. 5925
 - S.A. 6330
 - S.A. 7142
 - S.A. 7442
 - S.A. 7999
 - S.A. 8299

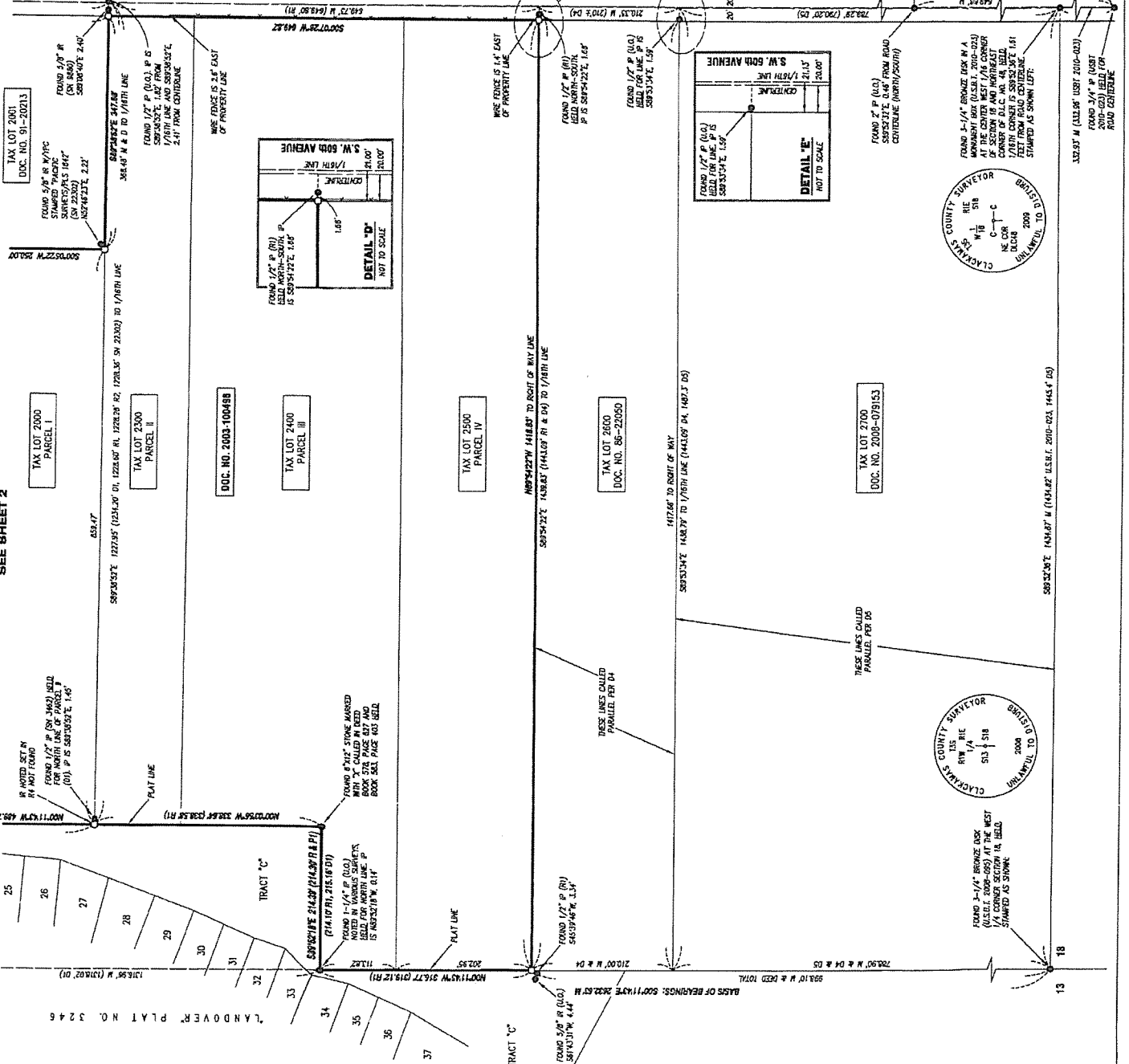
REFERENCE DEEDS

- D1 DOC NO. 2001-050498
- D2 DOC NO. 81-20013
- D3 DOC NO. 2001-039203
- D4 DOC NO. 2001-091243
- D5 DOC NO. 2001-091343
- D6 DOC NO. 2001-091343
- D7 DOC NO. 2001-091343
- D8 DOC NO. 2001-091343
- D9 DOC NO. 2001-091343
- D10 DOC NO. 2001-091343
- D11 DOC NO. 2001-091343
- D12 DOC NO. 2001-091343
- D13 DOC NO. 2001-091343
- D14 DOC NO. 2001-091343

Survey prepared by:
 Compass Engineering
 4105 International Way, Suite 501
 Milwaukie, Oregon 97222
 Phone: 503-653-9999
 6729 8nd.s.dwg (MMH)
 Job No. 2009-6729 (Survey)



DATE OF SIGNATURE: 8-24-11
 DYNES: 12/31/2011



RECORD OF SURVEY

LOCATED IN N.W. 1/4 OF SECTION 18, T.35S., R.1E., W.M.

CLACKAMAS COUNTY, OREGON

AUGUST 8, 2011
SHEET 4 OF 4

NARRATIVE:

1. CLIENT: WEST LAM-HELDVILLE SCHOOL DISTRICT J.T.
2. THE PURPOSE OF THIS SURVEY IS TO LOCATE AND MONUMENT THOSE TRACTS OF LAND DESCRIBED IN DEED TO THE WEST LAM-HELDVILLE SCHOOL DISTRICT J.T. RECORDED AUGUST 1, 2001, IN DOCUMENT NUMBER 2001-10018K, CLACKAMAS COUNTY DEED RECORDS.
3. BASE OF BEGINNING: THE WEST LINE OF THE NORTHWEST ONE-QUARTER SECTION 18, T.35S., R.1E., W.M., AS UNMONTAED AND SHOWN AS SCOTCHTIC. BY PRIVATE SURVEY NUMBER 2881 WAS HELD AS THE BASE OF BEGINNING FOR THIS MAP.
4. THE SUBJECT TRACT IS COMPOSED OF FOUR PARCELS OF LAND AS DESCRIBED IN DOCUMENT NUMBER 2003-10049K. THESE PARCELS OF LAND ARE CLASSIFIED SHOWN AS TAX LOT 2000 (PARCEL A), TAX LOT 2000 (PARCEL B), TAX LOT 2000 (PARCEL C), TAX LOT 2000 (PARCEL D). TAX LOT 2000 (PARCEL B) IS THE PROPERTY ADJACENT ADJACENT ROAD TO THE NORTH, SW 60th AVENUE, TO THE EAST AND TO THE PLAT OF LANGBOEY. TO THE WEST. THE EAST BOUNDARY IS DESCRIBED IN SEVERAL RECORDS WITHIN THE DEED AS BEING THE WEST 1/2 SECTION 18. THE WEST 1/2 SECTION 18 IS A COMBINATION OF SECTIONS 7 AND 18 ALONG THE NORTH LINE OF SECTION 18 AS A FOUND STONE IN A MONUMENT WELL OF UNKNOWN ORIGIN THAT IS NOTED IN BT BOOK 114, PAGE 124, LIGHT ENTRY 2006-091 AND LIGHT ENTRY 2010-054. THE COUNTY HAS ALREADY WORKING ON CORNER RESTORATION IN THIS MONUMENT AND AGREED TO THE COUNTY SURVEYOR FOR THE CENTER POSITION OF THE CENTER WEST STRICHEN-SECTION CORNER OF SECTION 18 IN LIGHT ENTRY 2010-054. HE RECOVERED THIS MONUMENT AND HELD THE 1/4 LINE FROM THIS POINT NORTH TO THE STAKE IN THE NORTH LINE OF SECTION 18 AS SHOWN.
5. DURING THE SURVEY OF THE COUNTY FOR LIGHT ENTRY 2010-054, THEY RECOVERED A 5/4" BROW PPE, APPROXIMATELY 333 FEET SOUTH OF THE 36 FEET BROW PPE. THIS MONUMENT WAS CALLED IN DEED BOOK 109, PAGE 245 THEREBY BEING AT A POINT, 20.00 ONS. WEST AND 14.00 ONS SOUTH FROM THE QUARTER CORNER ON THE NORTH BOUNDARY LINE OF SECTION 18, 7.35 ONS EAST, THENCE SOUTH 30th ONS TO AN IRON PIPE.
6. RECORDS SHOW THAT THIS POINT OF BEGINNING MAY HAVE BEEN A STAKE (DEED BOOK 121, PAGE 581) AND SW 50th (STEINER) SHOWN IN SW 50th (1943). BERT WILSON, IN SW 50th (1943), NOTED A STONE CALLED STEINER REPORTED BEING ALONG WITH A P. HE RECOVERED A 5/4" BROW PPE, APPROXIMATELY 333 FEET SOUTH AND 1.00 FEET EAST FROM THE DEED POSITION. THE COUNTY IN LIGHT ENTRY 2010-054 DOES NOT MENTION THIS PIPE BUT USES THE FOUND 3/4" BROW PIPE SOUTH OF THE 1/4" CORNER TO BE 125 FEET FROM THE 1/4" CORNER. THE COUNTY ROAD FILE FOR HOUSE LOOP ROAD, COUNTY ROAD NO. 2254, CITES A DESCRIPTION FOR THE LOOP ROAD, 40.00 FEET WIDE, CENTERED ON THE FOLLOWING LINE:
 1. A TRACT OF LAND LOCATED IN SECTION 18, TOWNSHIP 3 SOUTH, RANGE 1 EAST OF THE W.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:
 - 240.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTER LINE:
 - BEGINNING AT A POINT, 20.00 ONS. WEST AND 14.00 ONS SOUTH FROM THE QUARTER CORNER ON THE NORTH BOUNDARY LINE OF SECTION 18, 7.35 ONS EAST, THENCE SOUTH 30th ONS TO AN IRON PIPE;
 - RECORDED THEREBY THAT THIS POINT OF BEGINNING MAY HAVE BEEN A STAKE (DEED BOOK 121, PAGE 581) AND SW 50th (STEINER) SHOWN IN SW 50th (1943). BERT WILSON, IN SW 50th (1943), NOTED A STONE CALLED STEINER REPORTED BEING ALONG WITH A P. HE RECOVERED A 5/4" BROW PPE, APPROXIMATELY 333 FEET SOUTH AND 1.00 FEET EAST FROM THE DEED POSITION. THE COUNTY IN LIGHT ENTRY 2010-054 DOES NOT MENTION THIS PIPE BUT USES THE FOUND 3/4" BROW PIPE SOUTH OF THE 1/4" CORNER TO BE 125 FEET FROM THE 1/4" CORNER.
 - 2. THE COUNTY ROAD FILE FOR HOUSE LOOP ROAD, COUNTY ROAD NO. 2254, CITES A DESCRIPTION FOR THE LOOP ROAD, 40.00 FEET WIDE, CENTERED ON THE FOLLOWING LINE:
 7. A TRACT OF LAND LOCATED IN SECTION 18, TOWNSHIP 3 SOUTH, RANGE 1 EAST OF THE W.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:
 - 240.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTER LINE:
 - BEGINNING AT A POINT, 20.00 ONS. WEST AND 14.00 ONS SOUTH FROM THE QUARTER CORNER ON THE NORTH BOUNDARY LINE OF SECTION 18, 7.35 ONS EAST, THENCE SOUTH 30th ONS TO AN IRON PIPE;
 - RECORDED THEREBY THAT THIS POINT OF BEGINNING MAY HAVE BEEN A STAKE (DEED BOOK 121, PAGE 581) AND SW 50th (STEINER) SHOWN IN SW 50th (1943). BERT WILSON, IN SW 50th (1943), NOTED A STONE CALLED STEINER REPORTED BEING ALONG WITH A P. HE RECOVERED A 5/4" BROW PPE, APPROXIMATELY 333 FEET SOUTH AND 1.00 FEET EAST FROM THE DEED POSITION. THE COUNTY IN LIGHT ENTRY 2010-054 DOES NOT MENTION THIS PIPE BUT USES THE FOUND 3/4" BROW PIPE SOUTH OF THE 1/4" CORNER TO BE 125 FEET FROM THE 1/4" CORNER.
 - 8. THE COUNTY ROAD FILE FOR HOUSE LOOP ROAD, COUNTY ROAD NO. 2254, CITES A DESCRIPTION FOR THE LOOP ROAD, 40.00 FEET WIDE, CENTERED ON THE FOLLOWING LINE:
 8. THE CALL OF 78.00 ACROSS WEST OF THE NORTH ONE-QUARTER SECTION CORNER IS CLAIMED IN BT BOOK 8, PAGE 190, AS FOLLOWS:

BY THE COURSE OF RESEARCHING THE RECORDS IT WAS FOUND THAT COMMISSIONER'S ORDER NO. 2354 (8) UNBENEFICIALLY ASSIGNED THE POINT OF BEGINNING OF HOUSE LOOP AS 70 FEET WEST OF THE 1/2 CORNER. IN AS MUCH AS THIS ORDER IS ACCEPTING PREVIOUSLY EXECUTED DEEDS AS BASIS FOR THIS POINT OF BEGINNING IS APPROPRIATE UPON THE LOCATION OF THESE TRACTS UNDER A 40 FOOT BEARING BOUNDARY CALLED W.A.P. 1948 (7) STATES THAT THE POINT OF BEGINNING IS THE 1/2 CORNER. OTHER BOUNDARY CORRELATIONS IN DEEDS RECORDED IN BOOK 121, PAGE 581, AND BOOK 109 PAGE 245, ALSO FOLLOW THE ALIGNMENT OF THE NORTH AND SOUTH 1/4" LINE.
 9. AS THE NORTHEAST CORNER OF THE MANUELL D.L.C. HAD NOT BEEN SEEN OR RECOVERED SINCE IT WAS ORIGINALLY SET, IT COULD NOT HAVE BEEN USED TO CONTROL THE ALIGNMENT OF THE ROAD. THE ONLY VALID EVIDENCE WOULD BE THE STAKE AT THE WEST 1/4" CORNER AND THE BROW PPE. 333.00 FEET SOUTH OF THE D.L.C. CORNER.
 10. THE NORTH LINE OF THE SUBJECT TRACT WAS HELD 30.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHWEST ONE QUARTER SECTION 18, AS MONUMENTED FOR DEED CALLS.
 11. THE EAST AND SOUTH LINES OF THE NORTHWEST QUARTER, DESCRIBED IN DOCUMENT NUMBER 2003-09058K (TAX LOT 2100) WAS HELD AS MONUMENTED BY SW 21463 (1845). RESULANT DISTANCES MATCH RECORD AND DEED DATA AS SHOWN. THE SOUTH LINE WAS CENTERED WEST TO THE EAST LINE OF TRACT C, LANGBOEY, AS SHOWN.
 12. THE NORTH LINE OF THE SUBJECT TRACTS (PARCELS L & H AND W) WAS HELD TO THE PLATTED EAST LINE OF LANGBOEY. THIS LINE WAS HELD AS FOLLOWS:

THE NORTHEAST CORNER OF LANGBOEY WAS HELD TO THE DEED DISTANCE OF 285.14 FEET EAST OF THE NORTHWEST CORNER OF SECTION 18, THENCE SOUTH TO THE CENTER OF SECTION 18, THENCE NORTH 205.00 FEET TO THE NORTH BOUNDARY OF SAID SECTION 18.
 13. THE WEST LINE OF THE SUBJECT TRACT, AS MONUMENTED BY SW 1595 AND SW 1542, THENCE SOUTH TO THE DEED STAKE, THENCE EAST ON LINE WITH THE 1-1/4" BROW PPE, TO THE WEST LINE OF SECTION 18. THE RESULTANT DISTANCES MATCH RECORD DATA AS SHOWN.
 14. THE SOUTHWEST CORNER OF THE SUBJECT TRACT (PARCEL W) WAS HELD ALONG THE WEST LINE OF SECTION 18. AT THE TOTAL DEED DISTANCE OF 385.00 FEET NORTH OF THE WEST ONE-QUARTER SECTION 18. THIS DISTANCE IS CITED IN SW 60th AND SW 83rd. TWO MONUMENTS WERE RECOVERED NEAR THIS POSITION, A 5/4" BROW PPE FROM A/O OF UNKNOWN ORIGIN AND A 1/2" BROW PPE PRESUMED TO BE PPE. THIS PIPE WAS NOT HELD, AS IT WAS NOT CALLED FOR AND THE DEED DISTANCE WAS HELD AS THE SURVEYOR CALL. THIS CREATES A SHORTAGE OF APPROXIMATELY 2.55 FEET ALONG THE WEST WESTERLY LINE OF THE SUBJECT TRACT.
 15. THE SOUTH LINE OF THE SUBJECT TRACT WAS HELD FROM THE SOUTHWEST CORNER THEREOF, AS DESCRIBED IN THE PREVIOUS NOTE. EASTERLY, INCLUDING THE FOUND 1/2" BROW PPE SET IN SW 50th NEAR THE WEST POINT OF HAY LINE OF SW 60th AVENUE FOR LINE AND INTERSECTION THE 1/4" LINE AS SHOWN. THIS SOLUTION PROVIDES THE FOLLOWING CHECKS:
 - * DEED DOCUMENT NO. 08-22200 CALLS FOR A DISTANCE ALONG THE EAST TO BE 210 +/- FEET, WHICH RESULTS IN A SLIGHT INTERFERENCE OF 0.0074'
 - * DEED DOCUMENT NO. 08-22200 CALLS FOR A DISTANCE ALONG THE EAST TO BE 210 +/- FEET, WHICH RESULTS IN A DISTANCE OF 210.15 FEET.
 16. THE BOUNDARY OF THAT TRACT OF LAND DESCRIBED IN DOCUMENT NO. 01-2021 (TAX LOT 200) WAS SURVEYED BY RAYMOND CHIVERS IN SW 19320 (1940). THAT SURVEY INDICATES THAT THE SOUTH LINE TO THE WEST TO THE WEST TO THE 1/2" BROW PPE SET IN SW 50th AND SW 83rd. TWO MONUMENTS WERE RECOVERED NEAR THIS POSITION, A 5/4" BROW PPE FROM A/O OF UNKNOWN ORIGIN AND A 1/2" BROW PPE PRESUMED TO BE PPE. THIS PIPE WAS ALSO HELD TO THE CENTER OF SW 50th AND SW 83rd. THE SURVEYOR RECOVERED THE 1/2" BROW PPE AND ROAD CENTERLINE AS PREVIOUSLY NOTED. THIS COMPLETED WITH THE MONUMENTS SET IN SW 22302. OUR CLIENT WENT WITH THE CURRENT OWNERS, WAIVE AND SURRENDERED THE LAST BEST CONTROL SURVEY, (BOOK 109, PAGE 245). THE SURVEYOR'S DISTANCE WAS ADJUSTED TO CORRELATE TO OUR RECONSTRUCTION. THIS SITUATION WAS DISCUSSED WITH THE COUNTY SURVEYOR, CARL CALHOUN, WHO CONCURRED. MR. CALHOUN SUGGESTED THAT THEY WANT TO RECORD SOME TYPE OF DOCUMENT TO RECONSTRUCT THE ALIGNMENT, WHICH HE AGREED TO DO. THIS SITUATION WAS DISCUSSED WITH OUR CLIENT.
 17. RECONSTRUCTION: RANDOM CLOSED RAVENHIDE WITH A 5-SECOND TOTAL STATION.



Survey prepared by:
Compass Engineering
4105 International Way, Suite 501
Milwaukie, Oregon 97222
Phone: 503-653-9083
8729 Blvd., NW (M.M.)
Job No. 2009-0729 (Survey)

DATE OF SURVEY: 8-24-11
EXPRES: 12/31/2012

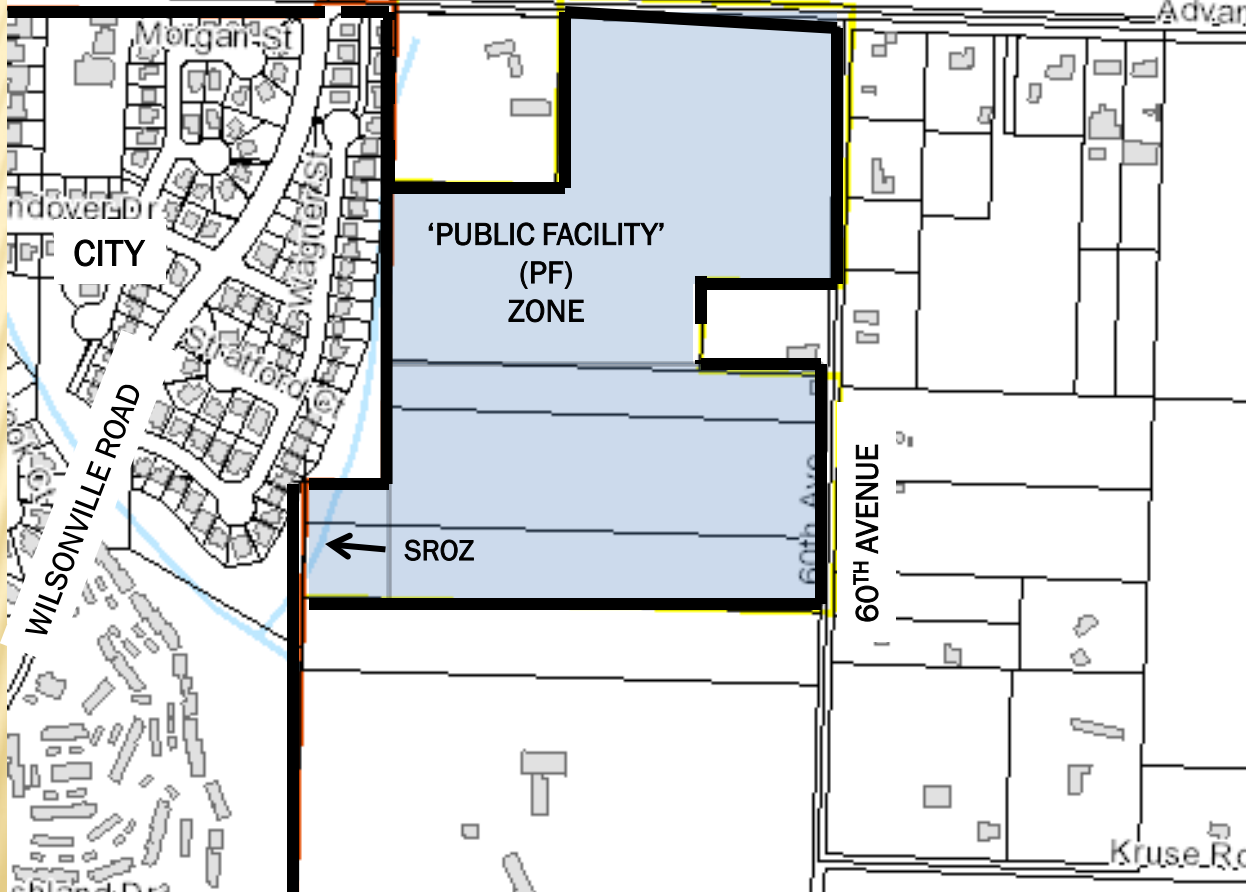
Tax Lots 2000, 2300, 2400 and 2500,
Section 18, Township 3 South, Range 1 East

Ordinance 775
Attachment 2

ATTACHMENT 2

BOECKMAN ROAD

ADVANCE ROAD



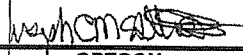
LEGAL DESCRIPTION
SROZ BOUNDARY
ADVANCE ROAD SITE
WEST LINN-WILSONVILLE SCHOOL DISTRICT

EXHIBIT A

A TRACT OF LAND SITUATED IN THE NORTHWEST ONE-QUARTER OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 1 EAST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A 8"X12" STONE, MARKED WITH AN "X", AT THE MOST EASTERLY CORNER OF TRACT "C", "LANDOVER", PLAT NO. 3246, CLACKAMAS COUNTY PLAT RECORDS; THENCE ALONG THE EAST LINE OF SAID TRACT "C", N.00°03'56"W., 338.64 FEET TO A 5/8" DIAMETER IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "COMPASS ENGINEERING"; THENCE CONTINUING ALONG SAID EAST LINE, N.00°11'43"W., 489.70 FEET TO A 5/8" DIAMETER IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "COMPASS ENGINEERING" AT THE SOUTHWEST CORNER OF THAT TRACT OF LAND DESCRIBED IN DEED TO FAY A. GYAPONG, RECORDED MARCH 3, 2014 IN DOCUMENT NO. 2014-011271, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG THE SOUTH LINE OF SAID GYAPONG TRACT S.89°44'47"E., 43.58 FEET; THENCE S.02°47'17"W., 436.44 FEET; THENCE S.12°57'32"W., 29.74 FEET; THENCE S.23°55'11"E., 8.70 FEET; THENCE S.15°29'46"W., 13.28 FEET; THENCE S.11°04'08"E., 47.04 FEET; THENCE S.02°19'02"W., 100.64 FEET; THENCE S.10°25'06"W., 95.57 FEET; THENCE S.25°24'05"E., 50.84 FEET; THENCE S.01°48'45"E., 70.52 FEET; THENCE S.12°24'04"W., 47.92 FEET; THENCE S.16°38'55"W., 189.47 FEET; THENCE S.03°42'03"E., 39.85 FEET; THENCE S.58°03'23"W., 22.01 FEET; THENCE S.00°28'38"E., 22.17 FEET TO THE NORTH LINE OF THAT TRACT OF LAND DESCRIBED IN DEED TO PAUL J. SORBETS, TRUSTEE UNDER REVOCABLE TRUST OF PAUL J. SORBETS, DATED APRIL 10, 1986, OR HIS SUCCESSOR IN TRUST, RECORDED JUNE 1986, IN DOCUMENT NO. 86-22050, CLACKAMAS COUNTY DEED RECORDS; THENCE ALONG THE NORTH LINE OF SAID SORBETS TRACT, N.89°54'22"W., 158.16 FEET TO A 5/8" DIAMETER IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "COMPASS ENGINEERING" ON THE EAST LINE OF AFORESAID TRACT "C"; THENCE ALONG THE BOUNDARY OF SAID TRACT "C" THE FOLLOWING TWO (2) COURSES: N.00°11'43"W., 316.77 FEET TO A POINT FROM WHICH A 1-1/4" DIAMETER IRON PIPE BEARS N.89°52'18"W., 0.14 FEET; THENCE S.89°52'18"E., 214.39 FEET TO THE POINT-OF-BEGINNING, CONTAINING 84,257 SQUARE FEET (1.93 ACRES) MORE OR LESS.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

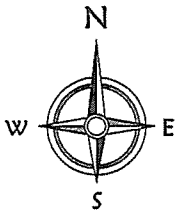


OREGON
FEBRUARY 8, 2000
JOSEPH C. McALLISTER
49695

DATE OF SIGNATURE: 7/1/15

EXPIRES: 12/31/2016





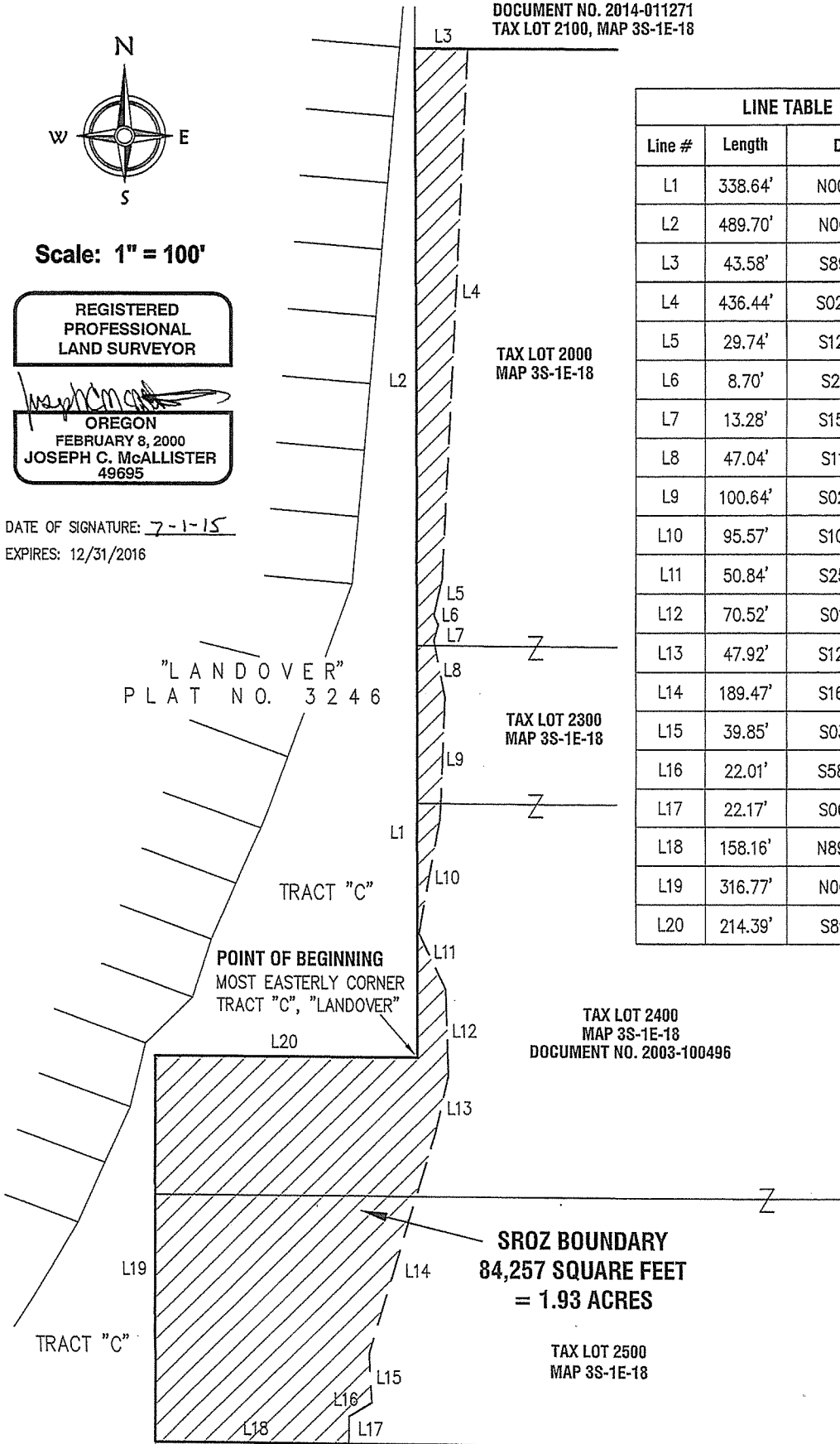
Scale: 1" = 100'

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Joseph C. McAllister
OREGON
FEBRUARY 8, 2000
JOSEPH C. McALLISTER
49695

DATE OF SIGNATURE: 7-1-15

EXPIRES: 12/31/2016



LINE TABLE		
Line #	Length	Direction
L1	338.64'	N00°03'56"W
L2	489.70'	N00°11'43"W
L3	43.58'	S89°44'47"E
L4	436.44'	S02°47'17"W
L5	29.74'	S12°57'32"W
L6	8.70'	S23°55'11"E
L7	13.28'	S15°29'46"W
L8	47.04'	S11°04'08"E
L9	100.64'	S02°19'02"W
L10	95.57'	S10°25'06"W
L11	50.84'	S25°24'05"E
L12	70.52'	S01°48'45"E
L13	47.92'	S12°24'04"W
L14	189.47'	S16°38'35"W
L15	39.85'	S03°42'03"E
L16	22.01'	S58°03'23"W
L17	22.17'	S00°28'38"E
L18	158.16'	N89°54'22"W
L19	316.77'	N00°11'43"W
L20	214.39'	S89°52'18"E

TAX LOT 2400
MAP 3S-1E-18
DOCUMENT NO. 2003-100496

SROZ BOUNDARY
84,257 SQUARE FEET
= 1.93 ACRES

TAX LOT 2500
MAP 3S-1E-18

DOCUMENT NO. 86-22050
TAX LOT 2600, MAP 3S-1E-18

EXHIBIT "B"
SROZ BOUNDARY

6729 Exh2.dwg

COMPASS Land Surveyors
4107 SE International Way, Suite 705
Milwaukie, Oregon 97222 503-653-9093

LOCATED IN THE NW 1/4 OF SECTION 18
T.3S., R.1E., W.M.
CLACKAMAS COUNTY, OREGON

City Council Exhibit B

**STAFF REPORT
WILSONVILLE PLANNING DIVISION**

*West Linn – Wilsonville School District
Zone Map Amendment*
**CITY COUNCIL
QUASI-JUDICIAL PUBLIC HEARING
STAFF REPORT**

HEARING DATE	August 17, 2015
DATE OF REPORT:	August 4, 2015

REQUEST/SUMMARY: The City Council is being asked to review a Quasi-judicial Zone Map Amendment for the West Linn – Wilsonville School District for property located at Advance Road and 60th Avenue.

LOCATION: Approximately 40 acres. Described as Tax Lots 2000, 2300, 2400 and 2500, Section 18, Township 3 South, Range 1 East, Willamette Meridian, Clackamas County, Oregon, as depicted on the map below.

OWNER/APPLICANT/PETITIONER: West Linn - Wilsonville School District
APPLICANT’S REPRESENTATIVE: Mr. Keith Liden AICP, Bainbridge

COMPREHENSIVE PLAN MAP DESIGNATION: Agriculture (Clackamas County)
PROPOSED PLAN MAP DESIGNATION: Public

ZONE MAP CLASSIFICATION: Exclusive Farm Use (EFU, Clackamas County)
PROPOSED CITY ZONE DESIGNATION: Public Facility (PF) and Significant Resource Overlay Zone (SROZ)

STAFF REVIEWERS: Blaise Edmonds, Manager of Current Planning, Steve Adams, Development Engineering Manager and Kerry Rappold, Natural Resources Program Manager.

DEVELOPMENT REVIEW BOARD PANEL ‘B’ RECOMMENDATION: Approve the requested Zone Map Amendment.

APPLICABLE REVIEW CRITERIA

DEVELOPMENT CODE	
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.033	Authority of the City Council
Section 4.136	Public Facility (PF) Zone
Section 4.139	Significant Resource Overlay Zone

Section 4.197	Zone Changes and Amendments to Development Code-Procedures
URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN	<p data-bbox="743 268 1437 363">Title 3 – Water Quality Resource Boundary and Title 13 (Sections 3.07.1310 – 3.07.1370)– Nature in Neighborhoods</p> <ul data-bbox="792 405 1421 535" style="list-style-type: none"> <li data-bbox="792 405 1421 535">• conserves, protects and restores a continuous ecologically viable streamside corridor system integrated with upland wildlife habitat and the urban landscape

Site description provided by the applicant:

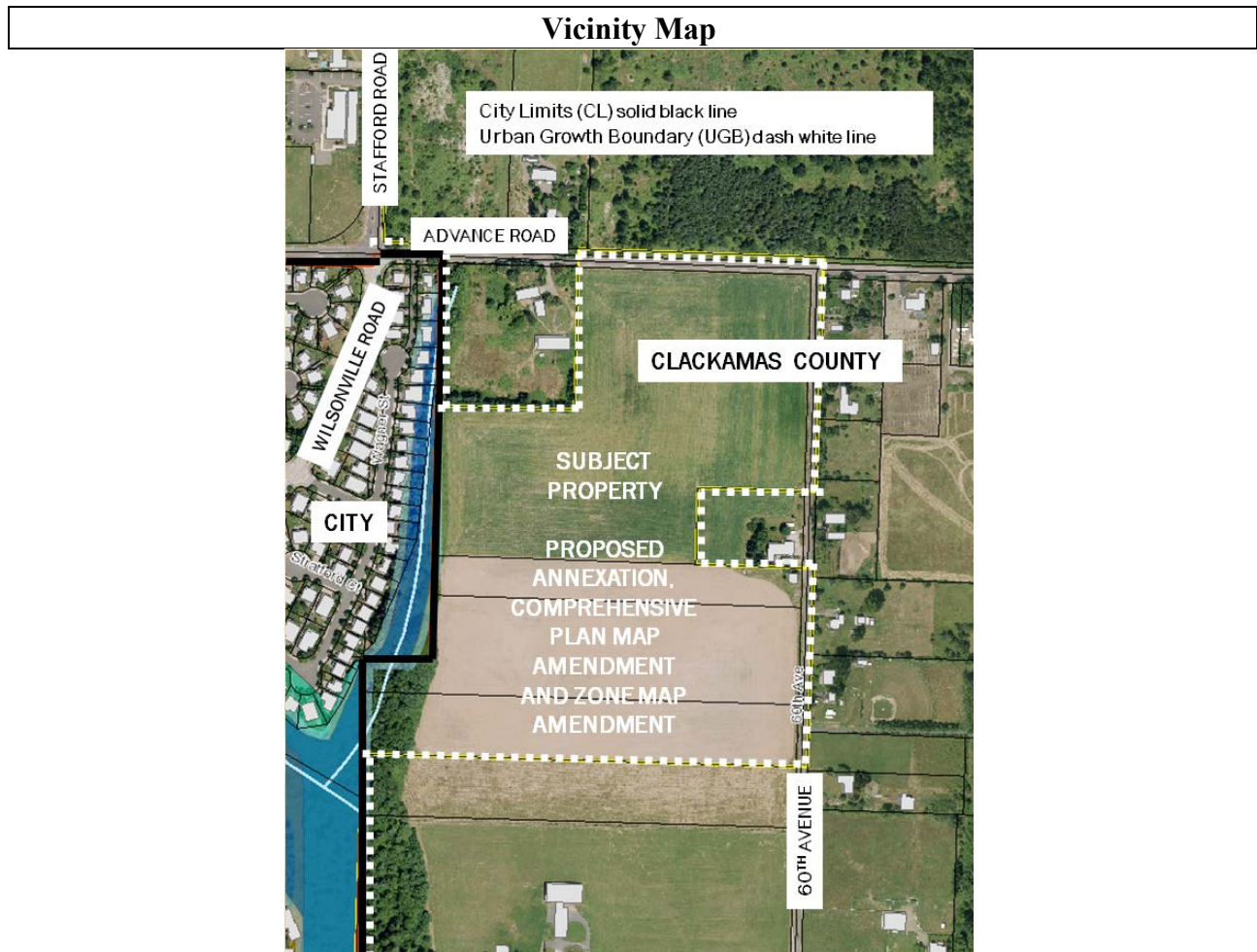
“The site, which consists of four tax lots, is located within unincorporated Clackamas County on the south side of Advance Road, immediately east of the Wilsonville city limit, and west of 60th Avenue. The property has frontage on both roads. The entire property is zoned EFU (Exclusive Farm Use) by Clackamas County. The minimum parcel size in the EFU Zone is 80 acres. It is located within Metro Urban Growth Boundary (Figure 1).”

“The property is not actively farmed. The northern 20+ acres (TL 2000) is an open field, and the southern portion contained an old Filbert orchard, which was removed several years ago due to age and disease (TL 2300, 2400 and 2500). According to the Clackamas County Planning Department, Tax Lot 2000 is a legally separate parcel, and the remaining tax lots constitute one additional legal parcel. A survey of the property is provided in Exhibit A. Traversing the west property line of the site is the east fork of the headwaters of Meridian Creek. Meridian Creek is an intermittent stream with a shallow gradient at the northern end, becoming a steep sided ravine heading south toward the Willamette River. Areas north of Boeckman Road and Advance Road drain into the creek via culverts under the roadways. The vegetation in the area is mostly Douglas-fir with alder, and Big-leaf maple as the deciduous component. The understory is disturbed and mostly comprised of sword fern, vine maple, Himalayan blackberry, and English ivy. Meridian Creek is a wildlife corridor for large and small mammals, including deer, coyote, raccoon, possum, squirrel, and chipmunk. The creek is a fish bearing stream, with the lower reaches adjacent to the Willamette River containing Cutthroat trout and Coho salmon. The portion of the stream and associated riparian area, which is already within the city, is regulated under Wilsonville’s Significant Resource Overlay Zone (SROZ) and is identified as a significant Statewide Planning Goal 5 Natural Resource. The SROZ area includes the slopes adjacent to the creek extending from the 2- year bank full stage or wetland edge to top of bank or 50 feet, whichever is greater. Topographic information for the property is provided in Exhibit B. The preliminary SROZ boundary on the subject property is shown in Exhibit C. It was determined during a field visit with city staff and the applicant’s biologist Taya MacLean, SWCA and supplemental analysis to verify the SROZ boundary will be completed in June 2015. The preliminary SROZ boundary may be adjusted based on review by the City of Wilsonville, the final survey of the SROZ will be submitted during review of this application.”

Vicinity information provided by the applicant:

“The zoning and land use for the properties in the vicinity of the proposed site are summarized in Table 1 and Figure 2. Although the site is adjacent to EFU land to the north, east, and south, there is no significant agricultural use in the immediate vicinity. Larger parcels in the area are generally grassland with no active farm operations. Several small-scale agricultural uses, such as nursery stock and Christmas trees, are found on a few rural acreages of five acres or less. An established single family residential neighborhood (Landover subdivision) is on the west side of Meridian Creek within the Wilsonville city limits. Boeckman Creek Primary School and Wilsonville High School are located to the southwest on the opposite side of the creek.”

Staff: The subject property is within the City UGB and it is adjacent to properties at the north, east and south that are in the Frog Pond Urban Reserve 4H.



SUMMARY:

A detailed introduction and compliance report in support of the application is provided by the applicant found in Exhibit B1. The applicant's narrative adequately describes the requested application components, and compliance findings regarding applicable review criteria. Except where necessary to examine issues identified in this report, staff has relied upon the applicant's submittal documents and compliance findings, rather than repeat their contents again here. The application components are described briefly, below:

Annexation (DB15-0046)

The West Linn – Wilsonville School District (owner and applicant) is seeking to annex the subject 40 acre property. Annexation will enable review of Site Development Permits for public schools later this year and at a later date, a city park. Regarding annexation of Advance Road and SW 60th Avenue right-of-way for needed street improvement to serve the subject school property and future city park the City Engineering Division is requiring in condition of approval PFA 1: "Applicant shall enter into a Development Agreement with the City that clarifies the responsibilities and estimated costs of preparing legal descriptions and the required paperwork for annexing Advance Road from the current City limits through 60th Avenue."

Comprehensive Plan Map Amendment (DB15-0047)

The applicant is requesting to change the current Clackamas County Comprehensive Plan Map designation 'Agriculture' to the City of Wilsonville Comprehensive Plan Map designation 'Public' which is the appropriate designation for the public school and city park sites.

Zone Map Amendment (DB15-0048)

The applicant is requesting to change the current Clackamas County zoning designation from 'Exclusive Farm Use' (EFU) to the City of Wilsonville zone designation of 'Public Facility' (PF) which is the appropriate designation to the public school and city park sites. Also proposed is the inclusion of the Significant Resource Overlay Zone (SROZ) along the west side of the subject property shown on the Preliminary Survey for SROZ. The SROZ is an overlay zone on top of the base zone that results in protection of natural resource areas. A portion of Meridian Creek, a natural resource area, is on the School District property. A portion of Meridian Creek, a natural resource area, is on the School District property.

Stage I Preliminary Plan (DB15-0049)

The applicant is requesting to approval of a Stage I Preliminary Plan comprising of a middle school and a primary school on 30 acres, and a city park on 10 acres.

Discussion Points:

SW Advance Road Properties

Annexation, comprehensive plan mapping and rezoning of the subject property is proposed to begin laying the foundation for future development applications for two public schools and at a later date, a city park. The District proposes to construct a Middle School over the next two years, with a target opening date of September, 2017.

Pedestrian Trails: Sidewalks and bike lanes do not currently exist adjacent to the subject property on Advance Road and SW 60th Avenue. DKS Associates has prepared a Traffic Study for this application in Exhibit D of Exhibit B1. The report studied pedestrian/bicycle facilities essential to the subject property. DKS Traffic report Chapter 5: Recommendations and Mitigations on page 27 states:

Pedestrian and Bicycle Access

- The site plan should provide appropriate pedestrian and bicycle connections to the recommended frontage improvements on SW Advance Road (see above) as well as a connection to SW Wilsonville Road, and the existing transit stops along it, through the subdivision west of the site.
- The future planned Frog Pond area located on the northwest corner of the SW Wilsonville Road-Stafford Road/SW Boeckman Road-Advance Road will include several new multi-use trails through Frog Pond (including the Boeckman Creek Trail that runs further north). Appropriate pedestrian and bicycle connections should be made to these trails.
- The School District should coordinate with City staff regarding accommodation of New Schools Trail LT-P5 as shown in the City's TSP. This trail was identified to connect existing schools with the proposed Middle School.
- The City of Wilsonville and School District should coordinate with the Landover Neighborhood to consider a bicycle/pedestrian connection between SW Advance Road and the north end of SW Wagner Street (currently gated) that would provide a convenient connection to the proposed Middle School to/from the Landover neighborhood.

Furthermore, Figure 3-5 of the TSP shows "Future Shared-Use Path" within the Meridian Creek corridor. The City's Development Engineering Manager has considered the recommendations in the DKS Traffic Study and is proposing PF conditions for bicycle/pedestrian facilities for the proposed Stage I Preliminary Plan.

In Exhibit B4 the applicant shows a conceptual off-site pedestrian trail(s) with the Stage I Preliminary Plan review. The proposed pathway connection is at the southwest corner of the subject school property would ultimately connect the new Middle School with the existing Boeckman Creek Primary School and Wilsonville High School. As the design evolves in the next application submittal for the Stage II Final Plan for the Middle School, the applicant and the city should further evaluate the needs and alignment for off-site pathways(s) adjacent to the subject school and city park properties.

CONCLUSION:

Staff has reviewed the petition and facts regarding the request and recommends the DRB recommend approval of the Annexation, Comprehensive Plan Map Amendment and Zone Map Amendment to City Council (DB15-0046 through DB15-0048).

REQUEST C: DB15-0048 ZONE MAP AMENDMENT

This action recommends adoption of the Zone Map Amendment to the City Council for the subject property with no conditions of approval.

EXHIBIT LIST:

The following exhibits are hereby entered into the public record by the Development Review Board as confirmation of its consideration of the application as submitted. This is the exhibit list that includes exhibits for Planning Case Files DB15-0048.

The following exhibits are hereby entered into the public record by the City Council in consideration of the applications as submitted:

Exhibit B. City Council Staff Report, findings and recommendation.

A1. City Council Staff PowerPoint presentation.

A3. Metro Council Action, UGB Case File No. 13-01: West Linn – Wilsonville School District.

Applicant’s Written and Graphic Materials:

B1. Application Summary, General Information, Background Information, Application Elements, Applicable Criteria: Oregon Statewide Planning Goal, Annexation, Comprehensive Plan Map Amendment, Zone Map Amendment, Stage I Preliminary Plan.

Exhibit A: Legal Description

Exhibit B: Topographic Information

Exhibit C: Natural Resources and SROZ Tentative Boundary

Exhibit D: DKS Transportation Impact Analysis

Exhibit E: Villebois School Site and Advance Road Sports Field Site Exchange Agreement

Exhibit F: Concept Master Plan, Full Size

Dated July 2, 2015.

B2. CD of items listed in Exhibit B1.

B3. Map showing proposed Meridian Creek pathway connection.

B4. Petition for Annexation to the City Of Wilsonville, Legal Description and Survey Maps (4 maps).

B5. *E-mail, William Ciz, dated July 24, 2015 including WLWSC responses, staff responses to the questions from Steve Adams and Blaise Edmonds.*

Full Plan Sheets

Survey SROZ boundary

Record of Survey – 4 sheets and including metes & bounds legal description

Topographic Site Map

Development Review Team

C1. Engineering Division Conditions, Dated July 10, 2015

C2. Memo, Jason Arn, TVFR, dated June 29, 2015.

C3. Memo, Public Works Department, dated July 13, 2015

Public Testimony

Letters (neither For nor Against):

D1. E-mail, Brian Roche, dated July 16, 2015, including staff responses to the questions from Steve Adams and Blaise Edmonds.

D2. E-mail, William Ciz, dated July 24, 2015 including staff responses to the questions from Steve Adams and Blaise Edmonds.

D3. Letter, Stan Sat

Letters (In Favor): None submitted, Letters (Opposed): None submitted.

FINDINGS OF FACT:

1. The statutory 120-day time limit applies to this application. The application was received on June 4, 2015. On June 8, 2015, staff conducted a completeness review within the statutorily allowed 30-day review period. On July 2, 2015 staff determined the application to be complete. The City must render a final decision for the request, including any appeals, by October 30, 2015.
2. Prior land use actions include: None
3. The applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.

GENERAL INFORMATION

Section 4.008 Application Procedures-In General

Review Criterion: This section lists general application procedures applicable to a number of types of land use applications and also lists unique features of Wilsonville’s development review process.

Finding: This criterion is met.

Explanation of Finding: The application is being processed in accordance with the applicable general procedures of this Section.

Section 4.009 Who May Initiate Application

Review Criterion: “Except for a Specific Area Plan (SAP), applications involving specific sites may be filed only by the owner of the subject property, by a unit of government that is in the process of acquiring the property, or by an agent who has been authorized by the owner, in writing, to apply.”

Finding: This criterion is satisfied.

Explanation of Finding: The application has been submitted on behalf of the West Linn – Wilsonville School District.

Subsection 4.011 (.02) B. Lien Payment before Application Approval

Review Criterion: “City Council Resolution No. 796 precludes the approval of any development application without the prior payment of all applicable City liens for the subject property. Applicants shall be encouraged to contact the City Finance Department to verify that there are no outstanding liens. If the Planning Director is advised of outstanding liens while an application is under consideration, the Director shall advise the applicant that payments must be made current or the existence of liens will necessitate denial of the application.”

Finding: This criterion is satisfied.

Explanation of Finding: No applicable liens exist for the subject property.

REQUEST C: ZONE MAP AMENDMENT

The applicant’s response findings to the applicable land development criteria and Comprehensive Plan goals, policies and implementation measures found in Exhibit B1, are hereby incorporated in this staff report as findings for the recommended action.

Planning and Land Development Ordinance

Section 4.029 Zoning to be Consistent with Comprehensive Plan

C1. **Review Criterion:** “If a development, other than a short-term temporary use, is proposed on a parcel or lot which is not zoned in accordance with the Comprehensive Plan, the applicant must receive approval of a zone change prior to, or concurrently with the approval of an application for a Planned Development.”

Finding: This criterion is satisfied.

Explanation of Finding: The applicant is applying for a zone change prior to application for planned development applications which will make the zoning consistent with the Comprehensive Plan when future park and school development is proposed.

Subsection 4.110 (.01) Base Zones

C2. **Review Criterion:** This subsection identifies the base zones established for the City, including the Village Zone.

Finding: This criterion is satisfied.

Explanation of Finding: The requested zoning designation of Public Facility (PF) is among the base zones identified in this subsection.

Subsection 1.136 Public Facility (PF) Zone Purpose

C3. **Review Criteria:** The PF Zone

Finding: These criteria are satisfied.

Explanation of Finding: The subject 40 acre property will be developed as principal ‘Public Schools’ and ‘Parks’ Public Facility zone uses under Section 4.136(.02)J and K of the Wilsonville Code.

Subsection 4.197 (.02) A. Zone Change Procedures

C4. Review Criteria: “That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008, Section 4.125(.18)(B)(2), or, in the case of a Planned Development, Section 4.140;”

Finding: These criteria are satisfied.

Explanation of Finding: The request for a zone map amendment has been submitted as set forth in the applicable code sections.

Subsection 4.197 (.02) B. Zone Change: Conformance with Comprehensive Plan Map, etc.

C5. Review Criteria: “That the proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with the applicable goals, policies and objectives, set forth in the Comprehensive Plan text;”

Finding: These criteria are satisfied.

Explanation of Finding: The proposed zone map amendment is consistent with the proposed Comprehensive Map designation of Public Lands and as shown in Findings B1 through B28 comply with applicable Comprehensive Plan text.

Subsection 4.197 (.02) D. Zone Change: Public Facility Concurrency

C6. Review Criterion: “That the existing primary public facilities, i.e., roads and sidewalks, water, sewer and storm sewer are available and are of adequate size to serve the proposed development; or, that adequate facilities can be provided in conjunction with project development. The Planning Commission and Development Review Board shall utilize any and all means to insure that all primary facilities are available and are adequately sized.”

Finding: With the proposed PF conditions in this staff report, this criterion can be met.

Explanation of Finding: The City Engineering Division has performed a preliminary analysis of existing primary public facilities, (i.e., roads and sidewalks, water, sewer and storm sewer) to determine availability and adequacy to serve the subject property. Furthermore, a Transportation Impact Study was prepared by DKS Associates. See Exhibit D of Exhibit B1. The traffic study was based upon the following information:

“The proposed 750 student Middle School has a target opening date of September 2017. The currently vacant site also includes a proposed 500 student primary school at an undetermined date in the future and a 10-acre public park. The site plan, reviewed later in this chapter and provided in the appendix, shows a proposed full-access driveway to the school on SW Advance road between SW Wilsonville Road- Stafford Road and SW 60th Avenue (approximately 750 feet west of SW 60th Avenue from centerline to centerline). This proposed access will also serve the 10-acre public park. The access will be included in with the existing study intersections for the project impact analysis.”

Regarding annexation of Advance Road and SW 60th Avenue right-of-way for needed street improvement to serve the subject school property and future city park the City Engineering Division is requiring in condition PFA 1: “Applicant shall enter into a Development Agreement with the City that clarifies the responsibilities and estimated

costs of preparing legal descriptions and the required paperwork for annexing Advance Road from the current City limits through 60th Avenue.”

Subsection 4.197 (.02) E. Zone Change: Impact on SROZ Areas

- C7. **Review Criteria:** “That the proposed development does not have a significant adverse effect upon Significant Resource Overlay Zone areas, an identified natural hazard, or an identified geologic hazard. When Significant Resource Overlay Zone areas or natural hazard, and/ or geologic hazard are located on or about the proposed development, the Planning Commission or Development Review Board shall use appropriate measures to mitigate and significantly reduce conflicts between the development and identified hazard or Significant Resource Overlay Zone;”

Finding: These criteria are satisfied.

Explanation of Finding: The applicant is requesting to create SROZ along the west side of the subject property. See Plan: Preliminary survey SROZ boundary. Since the subject property is currently outside the City Limits, SROZ has not been established for Meridian Creek that is adjacent and on the west side of the subject property. The proposed SROZ area in question is approximately 1.95 acres. The SROZ area is a Metro Title 3/13 and Statewide Goal 5 natural resource. Except for a stormwater treatment facility the applicant does not intend to modify or impact the newly created SROZ and it will also serve to buffer Landover subdivision adjacent west. The applicant has also conducted a natural resources analysis by Taya MacLean, M.S., found in Exhibit C of Exhibit B1.

Subsection 4.197 (.02) F. Zone Change: Development within 2 Years

- C8. **Review Criterion:** “That the applicant is committed to a development schedule demonstrating that the development of the property is reasonably expected to commence within two (2) years of the initial approval of the zone change.”

Finding: This criterion is satisfied.

Explanation of Finding: Development on the subject property will begin in 2016 with the proposed middle school.

Subsection 4.197 (.02) G. Zone Change: Development Standards and Conditions of Approval

- C9. **Review Criteria:** “That the proposed development and use(s) can be developed in compliance with the applicable development standards or appropriate conditions are attached to insure that the project development substantially conforms to the applicable development standards.”

Finding: These criteria are satisfied.

Explanation of Finding: Nothing about the zone change would prevent development on the subject property from complying with applicable development standards.

Public Facility (PF) Zone

Subsection 4.1 Purpose of Public Facility Zone

C10. Review Criterion: The purpose of the proposed PF Zone is to provide opportunities for a variety of public and semi-public development.

Finding: This criterion is satisfied.

Details of Finding: The proposed public schools and a city park are listed in the PF zone as principal uses consistent with the purpose of the PF Zone. No commercial uses are proposed.

SROZ INCLUSION

C11. Review Criteria: Section 4.139, Significant Resource Overlay Zone (SROZ), Statewide Planning Goal 5, UGMFP, Title 3 – Water Quality Resource Boundary and Title 13 (Sections 3.07.1310 – 3.07.1370) – Nature in Neighborhoods: conserves, protects and restores a continuous ecologically viable streamside corridor system integrated with upland wildlife habitat and the urban landscape.

Finding: This criterion is satisfied.

Details of Finding: The applicant is requesting to establish the Significant Resource Overlay Zone (SROZ) along the west side of the subject property. Since the subject property is currently outside the City Limits, the SROZ has not been established for Meridian Creek and its adjacent riparian corridor that is on the west side of the subject property. The proposed SROZ area in question is approximately 1.95 acres. The SROZ area is subject to the requirements of Metro Title 3 and Title 13, and Statewide Goal 5. The applicant does not intend to modify or impact the newly created SROZ except for a stormwater treatment area, which will be reviewed as part of the Stage II and Site Design Review, and it will also serve to buffer Landover subdivision adjacent west. Two existing wetlands (i.e., A & B) do not meet the criteria for locally significant wetlands, and are not included with the proposed SROZ. The applicant has also conducted a natural resources analysis by Taya MacLean, M.S., found in Exhibit C of Exhibit B1.

SUMMARY FINDING FOR REQUEST (C):

The proposed Zone Map Amendment and SROZ meets all applicable requirements, and its approval may be recommend to the City Council.

EXHIBIT A

**BEFORE THE CITY COUNCIL OF THE
CITY OF WILSONVILLE, OREGON
WEST LINN – WILSONVILLE SCHOOL DISTRICT**

In the Matter of the Application of)
Mr. Keith Liden AICP, Bainbridge,)
Agent for the Owner,)
West Linn – Wilsonville School District)
for a Rezoning of Land and Amendment)
of the City of Wilsonville)
Zoning Map Incorporated in Section 4.102)
of the Wilsonville Code.)

ZONING ORDER DB15-0048

The above-entitled matter is before the Council to consider the application of DB15-0048, for a Zone Map Amendment and an Order, amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code.

The Council finds that the subject property (“Property”), legally described and shown on the attached Exhibit 1 has heretofore appeared on the Clackamas County zoning map Exclusive Farm Use (EFU).

The Council having heard and considered all matters relevant to the application for a zone Map Amendment, including the Development Review Board record and recommendation, finds that the application should be approved.

THEREFORE IT IS HEREBY ORDERED that The Property, consisting of approximately 40 acres comprising Tax Lots 2000, 2300, 2400 and 2500 Section 18, 3S 1E as more particularly shown in the Zone Map Amendment Map, Attachment 1 and described and shown in Attachment 2 is hereby rezoned to Public Facility (PF), and approximately 1.95 acres of the Property is hereby designated Significant Resource Overlay Zone (SROZ) described and shown on Attachment 3 detailed in this Order’s adopting Ordinance. The foregoing rezoning is hereby declared an amendment to the Wilsonville Zoning Map (Section 4.102 WC) and shall appear as such from and after entry of this Order.

Dated: This ____ day of ____, 2015.

TIM KNAPP, MAYOR

APPROVED AS TO FORM:

Michael E. Kohlhoff, City Attorney

ATTEST:

Sandra C. King, CMC, City Recorder

Exhibit A: Zoning Order
Attachment 1, Legal Description and Survey Map
Attachment 2, Map Depicting Zone Amendment
Attachment 3, Legal Description and Survey Map - SROZ