

ORDINANCE NO. 845

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE WASHINGTON COUNTY FUTURE DEVELOPMENT, 20-ACRE (FD-20) ZONE TO THE PLANNED DEVELOPMENT INDUSTRIAL – REGIONALLY SIGNIFICANT INDUSTRIAL AREA (PDI-RSIA) ZONE ON APPROXIMATELY 5.85 ACRES ON THE SOUTH SIDE OF SW CLUTTER STREET JUST WEST OF SW GARDEN ACRES ROAD; THE LAND IS MORE PARTICULARLY DESCRIBED AS TAX LOT 2100, SECTION 3D, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON. PANATTONI DEVELOPMENT COMPANY, INC., APPLICANT.

WHEREAS, certain real property within the Coffee Creek Industrial Area is being annexed into the City; and

WHEREAS, the City of Wilsonville desires to have the property zoned consistent with the Wilsonville Comprehensive Plan Map designation of “Industrial” and the Metro Title 4 Map Designation of Regionally Significant Industrial Area; and

WHEREAS, the Zone Map Amendment 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 property is located within the Coffee Creek Industrial Area for which the City adopted the Coffee Creek Master Plan on October 17, 2016 and the Coffee Creek Industrial Design Overlay District on February 22, 2018 intended for application to the Master Plan area; and

WHEREAS, pursuant to Section 4.197 of the Development Code the City Council shall review quasi-judicial Zone Map Amendments in the Coffee Creek Industrial Design Overlay District without prior review or recommendation by the Development Review Board where only one option exists for a Zone Map Amendment consistent with the Comprehensive Plan Map; and

WHEREAS, pursuant to Section 4.197 of the Development Code this Zone Map Amendment ordinance expires 120 days from its effective date unless a Stage II Final Plan for the subject area is approved by the City; and

WHEREAS, the City of Wilsonville Planning Staff analyzed the Zone Map Amendment request and prepared a staff report for City Council, finding that the application met the

requirements for a Zone Map Amendment and recommending approval of the Zone Map Amendment, included as Exhibit B; and

WHEREAS, on September 10, 2020, the Wilsonville City Council held a public hearing regarding the above described matter, wherein the City Council considered the full public record, including the City Council staff report; 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:

1. FINDINGS.

The City Council adopts, as findings and conclusions, the forgoing Recitals and the Zone Map Amendment Findings in Exhibit B, as if fully set forth herein.

2. DETERMINATION.

The official City of Wilsonville Zone Map is hereby amended, upon finalization of the annexation of the property to the City, by Zoning Order DB20-0018, attached hereto as Exhibit A, from the Washington County Future Development, 20-Acre (FD-20) Zone to the Planned Development Industrial – Regionally Significant Industrial Area (PDI-RSIA) zone.

3. EFFECTIVE DATE OF ORDINANCE.

This Ordinance shall be declared to be in full force and effect thirty (30) days from the date of final passage and approval.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on the 10th day of September 2020, and scheduled the second reading on the 21st day of September, 2020 commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

DocuSigned by:
Kimberly Veliz
E781DE10276B498...

Kimberly Veliz, City Recorder

ENACTED by the City Council on the 21st day of September, 2020 by the following votes:

Yes: 4 No: 0

DocuSigned by:
Kimberly Veliz
E781DE10276B498...

Kimberly Veliz, City Recorder

DATED and signed by the Mayor this 21st day of September, 2020.

DocuSigned by:
Tim Knapp
C2B6698B3949461...

TIM KNAPP, Mayor

SUMMARY OF VOTES:

Mayor Knapp	Yes
Council President Akervall	Yes
Councilor Lehan	Excused
Councilor West	Yes
Councilor Linville	Yes

Exhibits:

- A. Zoning Order DB20-0018 Including Legal Description and Sketch Depicting Zone Map Amendment
- B. Zone Map Amendment Findings

BEFORE THE CITY COUNCIL OF
THE CITY OF WILSONVILLE,
OREGON

In the Matter of the Application of)
Panattoni Development Company, Inc.)
for a Rezoning of Land and Amendment) **ZONING ORDER DB20-0018**
of the City of Wilsonville Zoning Map)
Incorporated in Section 4.102 of the)
Wilsonville Code.)

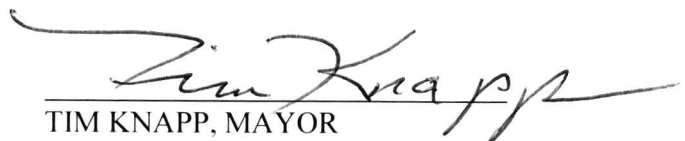
The above-entitled matter is before the Council to consider the application of DB20-0018, for a Zone Map Amendment and an Order, amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code.

The Council finds that the subject property (“Property”), legally described and shown on the attached legal description and sketch, has heretofore appeared on the Washington County zoning map Future Development, 20-Acre (FD-20).

The Council having heard and considered all matters relevant to the application for a Zone Map Amendment, finds that the application should be approved.

THEREFORE IT IS HEREBY ORDERED that The Property, consisting of approximately 5.85 acres on the south side of SW Clutter Street just west of SW Garden Acres Road comprising Tax Lots 2100, of Section 3D, as more particularly shown and described in the attached legal description and sketch, is hereby rezoned to Planned Development Industrial – Regionally Significant Industrial Area (PDI-RSIA), subject to conditions 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. This Zone Map Amendment expires 120 days from adoption unless a Stage II Final Plan for the subject area is approved by the City.

Dated: This 21st day of
September, 2020.


TIM KNAPP, MAYOR

APPROVED AS TO FORM:

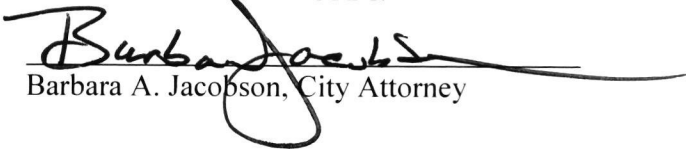

Barbara A. Jacobson, City Attorney

EXHIBIT A

ATTEST:



Kimberly Veliz, City Recorder

Attachment: Legal Description and Sketch Depicting Land/Territory to be Rezoned

NORTHWEST
SURVEYING, INC.

BOUNDARY TOPOGRAPHIC CONSTRUCTION CADASTRAL

Licensed in OR & WA

1815 NW 169TH PLACE, SUITE 2090
BEAVERTON, OR 97006

TELEPHONE: (503) 848-2127
FAX: (503) 848-2179

PROPERTY DESCRIPTION

March 5, 2020
NWS Project No. 2017
Annexation Description

A tract of land located in the southeast one-quarter of Section 3, Township 3 South, Range 1 West, Willamette Meridian, Washington County, Oregon, being a portion of that property conveyed to Chris Bickford and Sonya Bickford, husband and wife, by deed recorded March 26, 1986 as Document No. 86-012591, Washington County Deed Records, being more particularly described as follows:

Commencing at a an aluminum disk located at the southeast corner of the southeast one-quarter of said Section 3; thence along the south line of said southeast one-quarter, South 89°41'49" West a distance of 20.00 feet to a point on the westerly right-of-way line of County Road No. 557 and the Point of Beginning; thence continuing along the south line of said southeast one-quarter, South 89°41'49" West a distance of 649.21 feet to the southwest corner of said Bickford property; thence along the westerly line of said Bickford property, North 15°34'42" East a distance of 524.01 feet to the northwest corner thereof, said point being on the southerly right-of-way line of SW Clutter Road, 20.00 feet southerly of the centerline thereof, when measured at right angles; thence along said southerly right-of-way line, South 74°37'07" East a distance of 524.68 feet to its intersection with the westerly right-of-way line of that portion of County Road No. 557 being the southerly extension of SW Garden Acres Road (County Road No. 1309), said point being 20.00 feet westerly of the centerline thereof, when measured at right angles; thence along said westerly right-of-way line, South 00°24'33" East a distance of 362.16 feet to the Point of Beginning.

Said described tract of land contains 5.85 acres, more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Scott F. Field

OREGON
JUNE 30, 1997
SCOTT F. FIELD
2844

RENEWS: 12/31/2021

EXHIBIT A

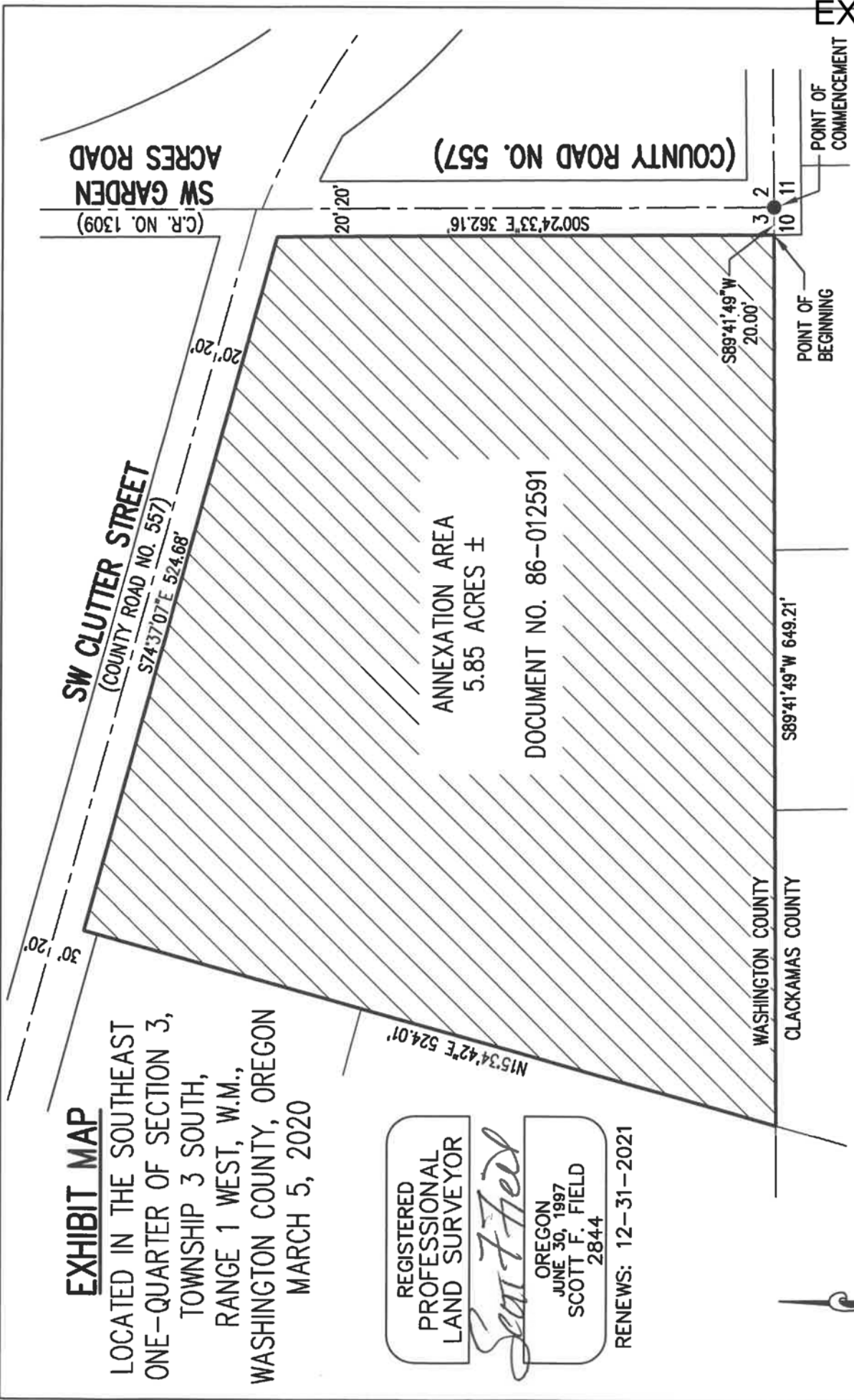


EXHIBIT MAP

LOCATED IN THE SOUTHEAST
 ONE-QUARTER OF SECTION 3,
 TOWNSHIP 3 SOUTH,
 RANGE 1 WEST, W.M.,
 WASHINGTON COUNTY, OREGON
 MARCH 5, 2020

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Scott F. Field
 OREGON
 JUNE 30, 1997
 SCOTT F. FIELD
 2844

RENEWS: 12-31-2021

ANNEXATION AREA
 5.85 ACRES ±

DOCUMENT NO. 86-012591

GRAPHIC SCALE



(IN FEET)
 1 INCH = 100 FT.



JOB NAME: PANATTONI - CLUTTER	
JOB NUMBER: 2026	
DRAWING NAME: 2026 DED	
DRAWN BY: SFF	
CHECKED BY: CHS	

NORTHWEST

SURVEYING, Inc.

1815 NW 169TH PLACE
 SUITE 2090
 BEAVERTON, OR 97006
 PHONE: (503) 848-2127
 FAX: (503) 848-2179

POINT OF BEGINNING
 POINT OF COMMENCEMENT

WASHINGTON COUNTY
 CLACKAMAS COUNTY



Ordinance No. 845 Exhibit B
Zone Map Amendment Findings

Coffee Creek Logistics Center

City Council
Quasi-Judicial Public Hearing

Hearing Date:	September 10, 2020
Date of Report:	August 18, 2020
Application Nos.:	DB20-0018 Zone Map Amendment

Request/Summary: City Council Approval of a quasi-judicial zone map amendment of approximately 5.85 acres.

Location: 10680 SW Clutter Street. The property is specifically known as Tax Lots 2100, Section 3D, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Washington County, Oregon

Owner: Chris & Sonya Bickford

Applicant: Brendan Mason, Panattoni Development Company, Inc.

Applicants' Representative: Lee Leighton, AICP, Mackenzie

Comprehensive Plan Designation: Industrial

Zone Map Classification (Current): FD-20 (Future Development – 20 Acre)

Zone Map Classification (Proposed): PDI-RSIA (Planned Development Industrial – Regionally Significant Industrial Area)

Staff Reviewer: Philip Bradford, Associate Planner

Staff Recommendation: Adopt the requested Zone Map Amendment.

Applicable Review Criteria:

<u>Development Code:</u>	
Section 4.110	Zones
Section 4.134	Coffee Creek Industrial Design Overlay District
Section 4.135.5	Planned Development Industrial – Regionally Significant Industrial Area Zone
Section 4.197	Zone Changes
<u>Comprehensive Plan and Sub-elements:</u>	
Citizen Involvement	
Urban Growth Management	
Public Facilities and Services	
Land Use and Development	
Plan Map	
Transportation Systems Plan	
Coffee Creek Master Plan	
<u>Regional and State Law and Planning Documents</u>	
Statewide Planning Goals	

Vicinity Map



Summary:

The applicant, Panattoni Development Company, Inc., requests a zoning designation consistent with the proposed Comprehensive Plan Map designation of "Industrial". In addition to the Comprehensive Plan Map designation of "Industrial", Metro's Title 4, Industrial and Other Employment Areas Map shows the property as a "Regionally Significant Industrial Area." Consistent with this designation the applicant proposes the property be zoned as Planned Development Industrial-Regionally Significant Industrial Area (PDI-RSIA).

Conclusion and Conditions of Approval:

Staff recommends approval with the following conditions:

Request: DB20-0018 Zone Map Amendment

PDB 1.	This action is contingent upon annexation of the subject properties to the City of Wilsonville (DB20-0017).
PDB 2.	The Zoning Order adopting this zone map amendment will expire in 120 days without approval of a Stage II Final Plan for the subject property.

Findings of Fact:

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

General Information**Application Procedures-In General**
Section 4.008

The City's processing of the application is in accordance with the applicable general procedures of this Section.

Initiating Application
Section 4.009

The owners of all property included in the application signed the application forms. Panattoni Development Company, Inc. initiated the application with their approval.

Request: DB20-0018 Zone Map Amendment**Development Code****Zoning Consistent with Comprehensive Plan**
Section 4.029

B1. The applicant is applying for a zone change concurrently with a Stage I Master Plan for the entirety of the subject property and Stage II Final Plan for a planned development on the property. The property is designated "Industrial" by the Comprehensive The applicant requests a zone change concurrently with a Stage I Master Plan, Stage II Final Plan, and other related development approvals. The proposed zoning designation of Planned Development- Regionally Significant Industrial Area is consistent with the Comprehensive Plan "Industrial" Designation. Metro's Title 4, Industrial and Other Employment Areas Map shows the property as a "Regionally Significant Industrial Area."

Base Zones
Subsection 4.110 (.01)

B2. The requested zoning designation of Planned Development Industrial-Regionally Significant Industrial Area "PDI-RSIA" is among the base zones identified in this subsection.

Overlay Zones
Subsection 4.110 (.02)

B3. The Coffee Creek Industrial Design Overlay District applies to properties zoned PDI-RSIA in the Coffee Creek Industrial Area and will apply to the subject property upon rezoning.

Standards for Planned Development Industrial-Regionally Significant Industrial Area Zone

Purpose of PDI-RSIA
Subsection 4.135.5 (.01)

B4. The zoning will allow only industrial uses consistent with the purpose stated in this subsection.

Uses Typically Permitted
Subsection 4.135.5 (.03)

B5. The proposed zoning will allow only uses consistent with the list established in this subsection.

Zone Map Amendment Criteria

Zone Change Procedures
Subsection 4.197 (.02) A. 1.-3.

B6. The request for a zone map amendment has been submitted as set forth in the applicable code sections. The property is located within the Coffee Creek Industrial Design Overlay district and will be reviewed by City Council without prior review or recommendation by the Development Review Board. The Zoning Order adopting this zone map amendment will expire in 120 days without approval of the Stage II Final Plan. Expiration is not anticipated as a public hearing is scheduled for September 28, 2020 before the Development Review Board to approve the Stage II final plan and other development related approvals.

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

B7. The proposed zone map amendment is consistent with the Comprehensive Map designation of "Industrial".

Public Facility Concurrency
Subsection 4.197 (.02) C. 4. and 8.

B8. As part of Stage II Final Plan reviews, concurrency standards are or will be applied to projects in the area being rezoned. Based on existing nearby utilities and utility master plans, the transportation master plan, and the Coffee Creek Master Plan, necessary facilities are or can be made available for development of the subject property consistent with the proposed zoning.

Impact on SROZ Areas
Subsection 4.197 (.02) E.

B9. No SROZ is within the area to be rezoned.

Development within 2 Years

Subsection 4.197 (.02) F.

- B10.** Concurrently submitted land use approvals for Coffee Creek Logistics Center expire after two (2) years, so requesting the land use approvals assumes development would commence within two (2) years. However, in the scenario where the applicant or their successors do not commence development within two (2) years, allowing related land use approvals to expire, the zone change shall remain in effect. The applicant indicates they will begin development within two (2) years.

Development Standards and Conditions of Approval

Subsection 4.197 (.02) G.

- B11.** As can be found in the findings for the accompanying requests, the applicable development standards will be met either as proposed or as a condition of approval.