

ORDINANCE NO. 125

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF WILSONVILLE (Application of Sabre Construction Company; RA-1 to I-1)

WHEREAS, an application was filed with the Wilsonville City Recorder, on December 11, 1978 by Phillip R. Balsiger, agent for Sabre Construction Company, a corporation option holder for purchase of the hereinafter described property for the purpose of changing the classification of the zone in which said property is located from Clackamas County zone RA-1 (Rural Agricultural) to a City I-1 zone (Industrial Park). The application fee as required by Section 17.01 of Ordinance No. 23 (the City's zoning ordinance) has been paid. The following is a description of the real property, consisting of approximately 6.39 acres for which the application for a zone change was filed, to-wit:

Tax Lots 1600, 1700 and 1701 in Section 14A, Township 3 South, Range 1 West of the Willamette Meridian, Wilsonville, Clackamas County, Oregon.

WHEREAS, the Wilsonville City Planning Commission, before taking final action on said application, and the proposed amendment, scheduled and held a public hearing on the matter as required by Section 11.02 of the Zoning Ordinance No. 23, and said hearing was held on Monday, February 12, 1979 and the notice of the time, place and purpose of the said hearing was duly and regularly given by publishing in the Tigard Times, a newspaper of general circulation in the City of Wilsonville, not less than five days prior to the date of hearing and by written notice mailed by the City Recorder to all owners of property within 250 feet of the exterior boundaries of the property affected not less than ten days prior to the date of hearing as required by Section 14.01(1)(A) and (B) of the Zoning Ordinance No. 23, and the Newspaper's Affidavit of publication and the City Recorder's

affidavit of mailing are on file in the City Recorder's records and file of this zone change matter; and

WHEREAS, the City of Wilsonville Planning Commission met at the time and place of public hearing on such matters, i.e., Monday, February 12, 1978, and heard and considered testimony regarding the proposed zone change, and upon conclusion of the hearing, by motion duly made, seconded and carried, recommended to the Wilsonville City Council that the proposed zone change be allowed, subject to conditions, so as to change the zoning of the property from RA-1 (Rural Agricultural) to I-1 (Industrial Park) and

WHEREAS, the Wilsonville City Council considered the matter and the recommendations of the Planning Commission at a public hearing which was duly and legally called and held on Monday, April 2, 1979, after proper notice thereof was first duly given in the manner and for the time required by Section 14.01 of the zoning ordinance and proof of the mailing of notice by the City Recorder to the property owners within 250 feet of the exterior boundaries of the affected property and by publication of notice of said hearing in the Tigard Times, a newspaper of general circulation in Wilsonville, Oregon, is on file in the office of Wilsonville City Recorder at the Wilsonville City Hall and is a part of the records and file of this matter; and

WHEREAS, proponents and opponents were given an opportunity to be heard regarding the proposed zone change, and after further consideration of the matter and due deliberation on the report and recommendations of the City Planning Commission, the Wilsonville City Council by motion duly made, seconded and carried, determined as follows:

1. The proposed zone change is in accordance with the existing zoning ordinance and comprehensive plan.

2. There is a public need for the change.
3. The public need is better served by the proposed zone change on the subject property rather than on other property.
4. The change will preserve and protect the health, safety and general welfare of the residents in the area.
5. The proposed zone change conforms to the goals and guidelines of the Land Conservation and Development Commission (LCDC).

THE WILSONVILLE CITY COUNCIL MADE THE AFORESAID FINDINGS BASED UPON THE FOLLOWING FACTS:

1. That the property as described herein is identified by the City of Wilsonville Comprehensive General Plan Map Ordinance #58 as industrial park. The subject property (6.39 acres) consists of 3 contiguous parcels of land located approximately 312' north of the intersection of Barber Street and Boberg Road. This intersection represents a key point in the industrial transportation system since the Payless Regional Distribution PC&I zone was established.

Recently, the Planning Commission approved Stage II PC&I plans for the Payless Administrative Offices located south of Barber Street, which will be improved to County specifications. It is anticipated that Barber Street and Boberg Road will continue to function as an integral part of the industrial park as industrially classified properties continue to develop.

2. That the City of Wilsonville Zoning Map Ordinance #23 identifies the parcel of land in question as RA-1 with a PC&I zone abutting the zone on the south and the Brentano property on the north which was recently recommended to the City Council for a zone change from RA-1 to I-1.

3. That a 12" sewer line runs parallel with Boberg Road for a distance of approximately 275' to serve the site.

4. That the property is served by a 14" water main running parallel with Boberg Road between Barber on the south and Boeckman Road on the north.

5. That the contour of the property indicates an elevation of 164.6' at the northeast corner of the parcel and a slope to the southwest to an elevation of 154'. A small portion of the property may be drained to the north utilizing the ditching system; however, the majority of the property will most likely drain to the southwest.

6. That Ordinance #112 provides for growth management of industrial and commercial development in relation to the capacity of the sewer treatment plant and the anticipated growth for the community which is scheduled for 910 sewer hook-ups to be authorized to 1981.

It is anticipated that the industrial development of the property, in compliance with existing zoning regulations and Design Review Board criteria for on-site improvements, will allow for the completion of industrial uses under the provisions of Ordinance #112, which has been established to assure sewer hook-up allocations for 1,600 single family equivalency hook-ups, 40% of which will be devoted to commercial and industrial growth.

7. That the property is served by the regional system of transportation in the form of access to Boones Ferry Road by way of Barber Street and access to I-5 both north and south by way of Boones Ferry Road.

8. That the industrial use of the land will serve to diversify the economic base for the City of Wilsonville and surrounding area and will create additional taxable value for the West Linn School District, the City, and other governmental jurisdictions.

9. That the industrial use of the subject property will compliment the projected residential development recently approved by the City of Wilsonville, i.e. Willamette Village Planned Unit Development, Day Dream Ranch, Courtside Estates Planned Unit Development, Parkwood Estates Planned Unit Development and the Charbonneau Planned Unit Development.

10. That the industrial use of the land will be included in the schedule of industrial building within the City of Wilsonville which is reflected in the plans approved by the Planning Commission for Oregon Toro, CISCO, Riverwood Industrial Campus, American Hospital Supply, Payless Regional Distribution Center, Tektronix expansion, G.I. Joe's Warehouse facility, and Print-Right Copy Center.

NOW, THEREFORE,

THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

Section 1: That the zoning map of the City of Wilsonville dated June 11, 1971, and adopted as a part of the city's Zoning Ordinance No. 23 adopted on the same date, shall be and the same is hereby amended and changed so that the zone boundaries of the I-1 (Industrial Park) shall now include the real property heretofore described, and upon the adoption of this ordinance, said property shall thereupon be classified as I-1 (Industrial Park) and not as an RA-1 (Rural Agricultural) zone, subject, however to those conditions hereinafter set forth in Section 2 of this Ordinance.

Section 2: (Conditions of the zone change).

1. That a 22' strip of land on the west side of Boberg Road, Running parallel with the property, be deeded to the City for public

road right-of-way purposes and that said deed of the dedication be administratively processed through the City Attorney's office. The widening of Boberg Road is necessary to assure that adequate right-of-way exists for the anticipated industrial traffic that will be generated from the property.

2. That the applicant coordinate access permits and road improvements pursuant to the standards as set forth by the Clackamas County Department of Public Works.

3. That no excavation and/or site improvements shall be authorized for the property prior to the review of site development plans by the City's Design Review Board as required by Ordinance #38.

4. That the Wilsonville Planning Commission review the specific and intended land uses for the property to assure compliance with the City of Wilsonville land use policies which may apply to the specific project.

5. That all proposed structures be compatible in scale with surrounding industrial land uses and that lot area coverage and building heights be subject to the review and approval of the Planning Commission prior to the submittal of plans to the Design Review Board.

6. That the applicant and/or developer submit to the Planning Commission a report identifying the means by which water run-off will be managed both on-site and off-site in order to coordinate with the natural drainage systems on which the City of Wilsonville currently relies for control of storm water run-off.

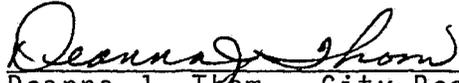
Section 3: No building or other permits shall be issued for development of the property until compliance with applicable conditions of Section 2 of this Ordinance have been certified to the City Council by the City Administrator.

Section 4: The Mayor, attested by the City Recorder, is hereby authorized and directed to make the appropriate changes on the City's zoning map in compliance with the dictates of Section 1 of this Ordinance.

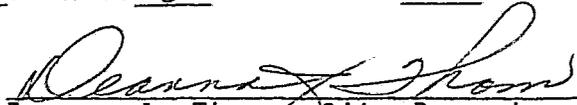
Section 5: It being deemed by the Wilsonville City Council that an emergency exists, this ordinance shall take effect immediately upon its final reading and passage by the Wilsonville City Council.

Submitted to the Council and read the first time at a regular meeting of the Council on the 7th day of May, 1979 and scheduled for second reading at a regular meeting of the Council

on the 21st day of May, 1979 commencing at the hour of 7:30 o'clock p.m. at the Council's regular meeting place at the Wilsonville Grade School.

  
Deanna J. Thom - City Recorder

ENACTED by the Council on the 21st day of May, 1979 by the following vote: YEAS 3. NAYS 0. ABSTENTION 1

  
Deanna J. Thom - City Recorder

DATED and SIGNED by the Mayor this            day of May, 1979.

  
William G. Lowrie - Mayor