



# Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

Fax: 503-378-5518

[www.oregon.gov/LCD](http://www.oregon.gov/LCD)



## NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: September 16, 2015  
Jurisdiction: City of Wilsonville  
Local file no.: DB15-0046, DB15-0047  
DLCD file no.: 004-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 09/14/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 35 days prior to the first evidentiary hearing.

### Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

### DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us)



The subject property is partially within an urban growth boundary

**If the comprehensive plan map change is a UGB amendment** including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**If the comprehensive plan map change is an urban reserve** amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

**For a change to the text of an ordinance or code:**

Identify the sections of the ordinance or code that were added or amended by title and number:

A Zone Map Amendment from Clackamas County EFU (Exclusive Farm Use) zone to City 'Public Facility' (PF) zone; together with an annexation and a master plan.

**For a change to a zoning map:**

Identify the former and new base zone designations and the area affected:

Change from EFU	to PF	Acres: 40
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address): SW Advance Road; 3S1E,SEC.18.TL'S 2000, 2300, 2400, 2500.

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List affected state or federal agencies, local governments and special districts: See attached list

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

## NOTICE OF ADOPTED CHANGE – SUBMITTAL INSTRUCTIONS

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1. A Notice of Adopted Change must be received by DLCD no later than 20 days after the ordinance(s) implementing the change has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) as provided in [ORS 197.615](#) and [OAR 660-018-0040](#).

2. A Notice of Adopted Change must be submitted by a local government (city, county, or metropolitan service district). DLCD will not accept a Notice of Adopted Change submitted by an individual or private firm or organization.

3. **Hard-copy submittal:** When submitting a Notice of Adopted Change on paper, via the US Postal Service or hand-delivery, print a completed copy of this Form 2 on light green paper if available. Submit **one copy** of the proposed change, including this form and other required materials to:

Attention: Plan Amendment Specialist  
Dept. of Land Conservation and Development  
635 Capitol Street NE, Suite 150  
Salem, OR 97301-2540

This form is available here:

<http://www.oregon.gov/LCD/forms.shtml>

4. **Electronic submittals** of up to 20MB may be sent via e-mail. Address e-mails to [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us) with the subject line “Notice of Adopted Amendment.”

Submittals may also be uploaded to DLCD’s FTP site at [http://www.oregon.gov/LCD/Pages/papa\\_submittal.aspx](http://www.oregon.gov/LCD/Pages/papa_submittal.aspx).

E-mails with attachments that exceed 20MB will not be received, and therefore FTP must be used for these electronic submittals. **The FTP site must be used for all .zip files** regardless of size. The maximum file size for uploading via FTP is 150MB.

Include this Form 2 as the first pages of a combined file or as a separate file.

5. **File format:** When submitting a Notice of Adopted Change via e-mail or FTP, or on a digital disc, attach all materials in one of the following formats: Adobe .pdf (preferred); Microsoft Office (for example, Word .doc or docx or Excel .xls or xlsx); or ESRI .mxd, .gdb, or .mpk. For other file formats, please contact the plan amendment specialist at 503-934-0017 or [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us).

6. **Content:** An administrative rule lists required content of a submittal of an adopted change ([OAR 660-018-0040\(3\)](#)). By completing this form and including the materials listed in the checklist below, the notice will include the required contents.

Where the amendments or new land use regulations, including supplementary materials, exceed 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

7. Remember to notify persons who participated in the local proceedings and requested notice of the final decision. ([ORS 197.615](#))

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**If you have any questions** or would like assistance, please contact your DLCD regional representative or the DLCD Salem office at 503-934-0017 or e-mail [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us).

**Notice checklist. Include all that apply:**

- Completed Form 2
- A copy of the final decision (including the signed ordinance(s)). This must include city *and* county decisions for UGB and urban reserve adoptions
- The findings and the text of the change to the comprehensive plan or land use regulation
- If a comprehensive plan map or zoning map is created or altered by the proposed change:  
A map showing the area changed and applicable designations, and



**PLANNING DIVISION**

FAX: (503) 682-7025

(503) 570-1575

[swhite@ci.wilsonville.or.us](mailto:swhite@ci.wilsonville.or.us)

**Delivery via Email**

**Letter of Transmittal**

TO: Attention: Plan Amendment Specialist

FROM: Shelley White

Department of Land Conservation & Development

Administrative Assistant

635 Capitol Street NE, Suite 150

DATE: September 14, 2015

Salem, Oregon 97301-2540

**WE ARE TRANSMITTING THE FOLLOWING:**

**DB15-0046 et seq – Advance Road School (West Linn/Wilsonville School District)  
Comprehensive Plan Map Amendment and Zone Map Amendment**

- DLCD Notice of Adoption Form 2 for DB15-0046, DB15-0047, DB15-0048, and DB15-0049 with the following attachments:
  - Wilsonville City Council Notice of Decision, Ordinances 773, 774 and 775
  - Ordinance 773 and supporting documents (Annexation)
  - Ordinance 774 and supporting documents (Comprehensive Plan Map Amendment)
  - Ordinance 775 and supporting documents (Zone Map Amendment)
  - List of affected agencies

Please address questions and comments regarding this notice to:

Blaise Edmonds  
Manager of Current Planning  
City of Wilsonville  
503-570-1573  
[edmonds@ci.wilsonville.or.us](mailto:edmonds@ci.wilsonville.or.us)



**WILSONVILLE CITY COUNCIL  
NOTICE OF DECISION  
ORDINANCE NOS. 773, 774 AND 775**

**FILE NO: ORDINANCE NOS. 773, 774 AND 775**

**APPLICANT: WEST LINN-WILSONVILLE SCHOOL DISTRICT**

After conducting a public hearing on August 17, 2015 and second reading on September 10, 2015 the City Council voted to adopt Ordinance Nos. 773, 774, and 775 as submitted and adopted findings and conclusions to support their action.

This decision has been finalized in written forms entitled:

- A. **Ordinance No. 773**  
An Ordinance Of The City Of Wilsonville Annexing Approximately 40 Acres Of Land Located At The South Side Of Advance Road And The West Side Of SW 60<sup>th</sup> Avenue Into The City Limits Of The City Of Wilsonville, Oregon. The Land Is More Particularly Described As Tax Lots 2000, 2300, 2400 And 2500 Of Section 18, T3S, R1E, Clackamas County, Oregon, West Linn – Wilsonville School District, Owner.
- B. **Ordinance No. 774**  
An Ordinance Of The City Of Wilsonville Approving A Comprehensive Plan Map Amendment From The Clackamas County Agriculture Designation To The Public Designation On Approximately 40 - Acres Comprising Tax Lots 2000, 2300, 2400 And 2500 Of Section 18, T3S, R1E, Clackamas County, Oregon, West Linn – Wilsonville School District, Owner And Applicant.
- C. **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.

And placed on file in the city records at the Wilsonville City Hall the 14th day of September 2015, and is available for public inspection. The date of filing is the date of decision. Any appeal(s) must be filed with the Land Use Board of Appeals (LUBA) in accordance with ORS Chapter 197, within twenty-one days from the date of decision. Copies of Ordinance No. 773, 774 or 775 may be obtained from the City Recorder, 29799 SW Town Center Loop East, Wilsonville, OR 97070, (503) 570-1506, or via email at [king@ci.wilsonville.or.us](mailto:king@ci.wilsonville.or.us)

For further information, please contact the Wilsonville Planning Division, City Hall, 29799 SW Town Center Loop East, Wilsonville, OR 97070 or telephone (503) 682-4960.

**ORDINANCE NO. 773**

**AN ORDINANCE OF THE CITY OF WILSONVILLE ANNEXING APPROXIMATELY 40 ACRES OF LAND LOCATED AT THE SOUTH SIDE OF ADVANCE ROAD AND THE WEST SIDE OF SW 60<sup>TH</sup> AVENUE INTO THE CITY LIMITS OF THE CITY OF WILSONVILLE, OREGON. THE LAND IS MORE PARTICULARLY DESCRIBED AS TAX LOTS 2000, 2300, 2400 AND 2500 OF SECTION 18, T3S, R1E, CLACKAMAS COUNTY, OREGON, WEST LINN – WILSONVILLE SCHOOL DISTRICT, OWNER.**

WHEREAS, consistent with ORS 222.111 (2) a proposal for annexation was initiated by petition by the owner of real property in the territory to be annexed, a copy of the petition is on file with the City Recorder:

WHEREAS, written consent has been obtained from the only owner of the land and the only elector in the territory proposed to be annexed, a copy of which is on file with the City Recorder; and

WHEREAS, the land to be annexed is within the Urban Growth Boundary and a copy of the legal description and survey is attached as Attachment 1 and a locational map is attached as Attachment 2, and both are incorporated by reference as if fully set forth herein; and

WHEREAS, the land to be annexed is contiguous to the City and can be served by City services; and

WHEREAS, ORS 227.125 authorizes the annexation of territory based on consent of the only owner of the land and a majority of electors within the territory and enables the City Council to dispense with submitting the question of the proposed annexation to the electors of the City for their approval or rejection; and

WHEREAS, Panel B of the Development Review Board considered the annexation and after a duly advertised public hearing held on July 27, 2015 recommended City Council approve the annexation; and

WHEREAS, on August 17, 2015, the City Council held a public hearing as required by Metro Code 3.09.050 and received testimony and exhibits including Exhibit A, Annexation Findings and Conditions PFA 1, August 4, 2015; Exhibit B, DRB Resolution 309, Exhibit C, Adopted Staff Report and DRB Recommendation (Exhibit A1), dated July



  
**RECORDER, CITY OF WILSONVILLE**

**ORDINANCE NO. 773**

**AN ORDINANCE OF THE CITY OF WILSONVILLE ANNEXING APPROXIMATELY 40 ACRES OF LAND LOCATED AT THE SOUTH SIDE OF ADVANCE ROAD AND THE WEST SIDE OF SW 60<sup>TH</sup> AVENUE INTO THE CITY LIMITS OF THE CITY OF WILSONVILLE, OREGON. THE LAND IS MORE PARTICULARLY DESCRIBED AS TAX LOTS 2000, 2300, 2400 AND 2500 OF SECTION 18, T3S, R1E, CLACKAMAS COUNTY, OREGON, WEST LINN – WILSONVILLE SCHOOL DISTRICT, OWNER.**

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27, 2015 and the application on compact disc; and Exhibit D, July 27, 2015 DRB-B Minutes; and

WHEREAS, reports were prepared and considered as required by law; and notice was duly given, the Council finds that the annexation is not contested by any party, neither before the DRB or at the City Council hearing, therefore, the City Council finds that it is not necessary to submit the matter to the voters and does hereby favor the annexation of the subject tract of land based on findings and conclusions attached hereto by reference as Exhibit C, Development Review Board's recommendation to City Council, which the Council adopts; and

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

Section 1. The above recitals are fully incorporated herein. The tract of land legally described and surveyed on a map in Attachment 1 and located on a map Attachment 2 is declared annexed to the City of Wilsonville.

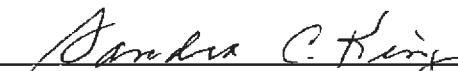
Section 2. The findings, conclusions and Condition of Approval PFA 1 incorporated in Exhibit A are adopted. The City Recorder shall immediately file a certified copy of this ordinance with Metro and other agencies required by Metro Code Chapter 3.09.050(g) and ORS 222.005. The annexation shall become effective upon filing of the annexation records with the Secretary of State as provided by ORS 222.180.

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

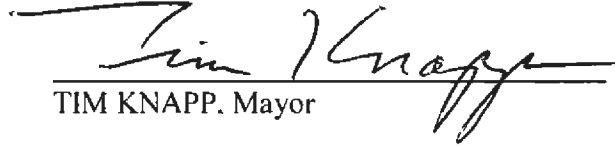
  
Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the 10<sup>th</sup> 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:**

Attachment 1, Legal Description and Survey Map  
Attachment 2, Map Depicting Annexation  
Exhibit A - Annexation Findings and Condition PFA1, August 4, 2015.  
Exhibit B - DRB Resolution No. 309  
Exhibit C - Adopted Staff Report and DRB Recommendation (Exhibit A1), dated July 27, 2015 and the application on compact disk.  
Exhibit D – July 27, 2015 DRB Minutes

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

*Michael A. Rademacher*  
OREGON  
JULY 16, 1987  
MICHAEL A. RADEMACHER  
2303

DATE OF SIGNATURE: 7/1/15

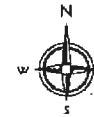
EXPIRES: 12/31/2016

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



**LEGEND:**

- DENOTES MONUMENT FOUND AS NOTED
- DENOTES 3/8" DIAMETER BY 30" LONG IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "COMPASS ENGINEERING" SET ON AUGUST 3, 2011
- ⊥ DENOTES IRON PIPE
- R DENOTES IRON ROD
- ⊥ DENOTES YELLOW PLASTIC CAP
- M DENOTES WEARAND DATA
- A DENOTES RECORDED DATA, SEE REFERENCE SURVEYS
- F DENOTES PLAT DATA, SEE REFERENCE SURVEYS
- U DENOTES DEED DATA, SEE REFERENCE DEEDS
- U.G. LANDOWNER DESIGN
- S.A. DENOTES SURVEY NUMBER BY THE NRI CLACKAMAS COUNTY SURVEYOR'S OFFICE
- DOC. DOCUMENT NUMBER, CLACKAMAS COUNTY DEED RECORDS

NOTES: IRON PIPES NOTED ARE MEASURED INSIDE FRAMEWORK  
 MAP LOT BOUNDARIES ARE FROM CURRENT ASSessor'S MAP  
 15-16-18 AND ARE SHOWN FOR REFERENCE ONLY.

**INDEX**

- SHEET 1 SITE MAP, LEGEND, REFERENCE SURVEYS, REFERENCE DEEDS
- SHEET 2 NORTH HALF OF SITE, LEGAL, REFERENCE SURVEYS, REFERENCE DEEDS
- SHEET 3 SOUTH HALF OF SITE, LEGAL, REFERENCE SURVEYS, REFERENCE DEEDS
- SHEET 4 MANNA PINE

**REFERENCE SURVEYS**

- P1 "LANDOWNER" PLAT NO. 3314
- R1 S.A. 808
- S1 S.A. 2482
- S.A. 0352
- WE S.A. 9480
- R1 S.A. 9188
- S.A. 2302
- R4 S.A. 2831

U.S.S.T. 2003-050  
 U.S.S.T. 2008-001  
 U.S.S.T. 2008-009  
 U.S.S.T. 2010-013  
 B.T. BOOK 9, PAGE 100

**REFERENCE DEEDS**

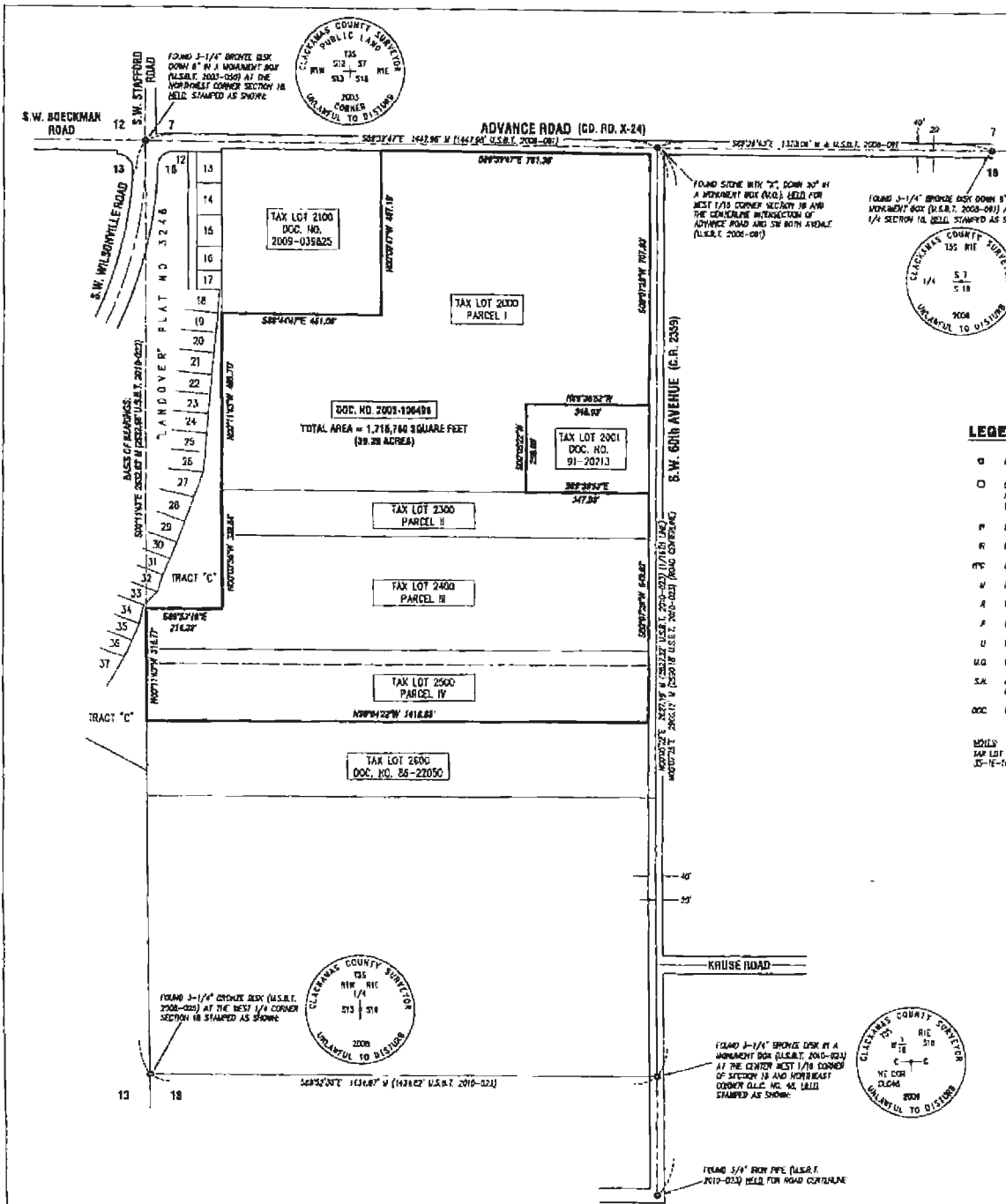
- D1 DOC. NO. 2001-100408
- D7 DOC. NO. 91-20213
- D3 DOC. NO. 2000-034821
- D4 DOC. NO. 98-18250
- D5 DOC. NO. 2000-079153
- BOOK 578, PAGE 627
- BOOK 581, PAGE 403
- BOOK 527, PAGE 541
- BOOK 162, PAGE 243
- BOOK 114, PAGE 304
- BOOK 114, PAGE 381
- BOOK 113, PAGE 481

REGISTERED PROFESSIONAL LAND SURVEYOR

*Michael A. Paddenmacher*  
 OREGON  
 JULY 16, 1987  
 MICHAEL A. PADDEMACHER  
 2008

DATE OF SURVEY: 8-24-11  
 LPS#S: 12/31/2017

Survey prepared by:  
 Compass Engineering  
 4103 International Way, Suite 601  
 Milwaukie, Oregon 97222  
 Phone: 603-833-9888  
 6728 Wnd.Jwg (M.M.M.)  
 Job No. 2008-6728 (Survey)

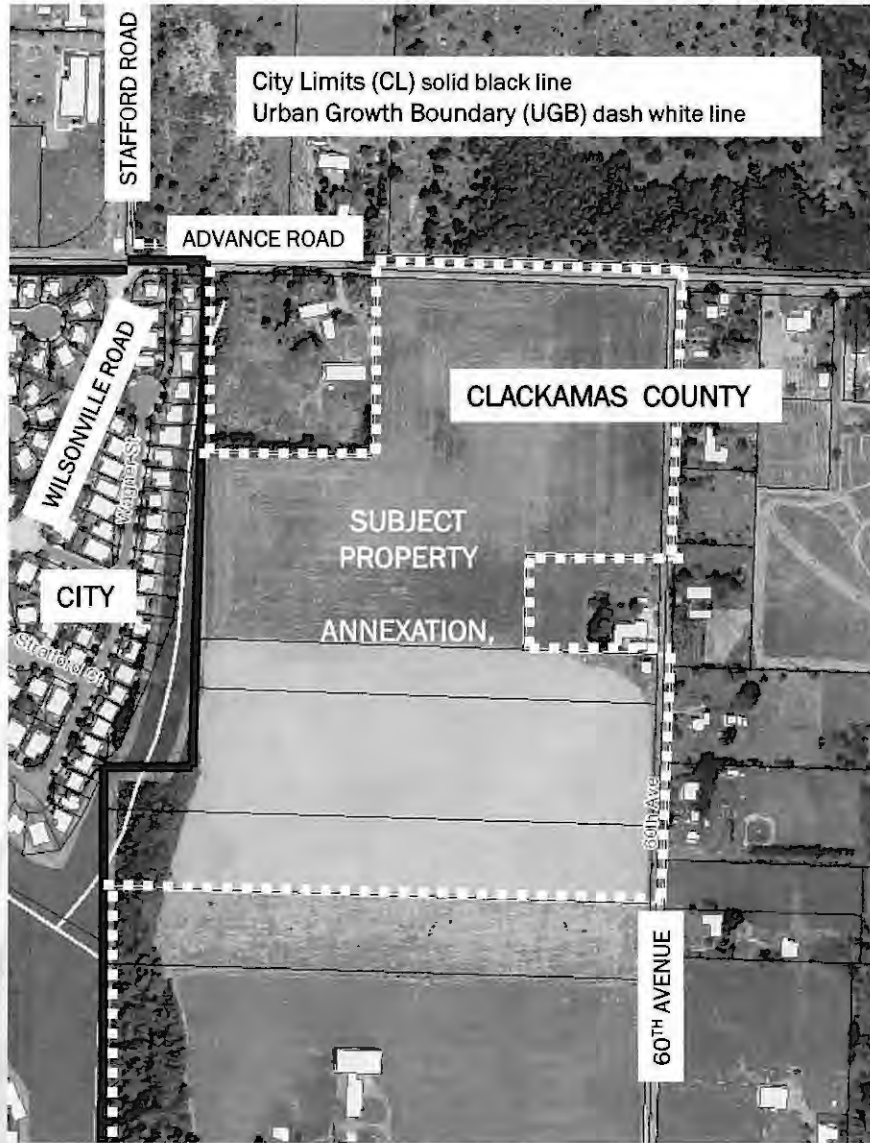












Ordinance 773  
Attachment 2

**City Council Exhibit A  
STAFF REPORT  
WILSONVILLE PLANNING DIVISION**

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

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

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**REQUEST/SUMMARY:** The City Council is being asked to review a Quasi-judicial for annexation of approximately 40 acres in the City of Wilsonville for property located at Advance Road and SW 60<sup>th</sup> 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)

**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 annexation.

**APPLICABLE REVIEW CRITERIA**

<b><u>DEVELOPMENT CODE</u></b>	
<b>Section 4.008</b>	<b>Application Procedures-In General</b>
<b>Section 4.009</b>	<b>Who May Initiate Application</b>
<b>Section 4.010</b>	<b>How to Apply</b>
<b>Section 4.011</b>	<b>How Applications are Processed</b>
<b>Section 4.014</b>	<b>Burden of Proof</b>
<b>Section 4.033</b>	<b>Authority of the City Council</b>
<b>Section 4.700</b>	<b>Annexation</b>
<b><u>OTHER CITY PLANNING DOCUMENTS</u></b>	

<b>Comprehensive Plan</b>	<b>Annexation.</b>
<b>REGIONAL AND STATE PLANNING DOCUMENTS</b>	
<b>Metro Code Chapter 3.09</b>	<b>Local Government Boundary Changes</b>
<b>ORS 222.111</b>	<b>Authority and Procedures for Annexation</b>
<b>ORS 222.120</b>	<b>Procedure without Election by City Electors</b>
<b>ORS 222.125</b>	<b>Annexation by Consent of All Land Owners and Majority of Electors</b>
<b>ORS 22.170</b>	<b>Effect of Consent to Annexation by Territory</b>
<b>Statewide Planning Goals</b>	

**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).”

**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.

## Vicinity Map



### 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)**

West Linn – Wilsonville School District (owner and applicant) is seeking to annex the subject 40 acre property this year. Annexation will enable review of Site Development Permits for public schools and a city park. The City Engineering Division is indicating that: "The applicant to be responsible for preparing the required paperwork and annexing that section of Advance Road right-of-way, through the intersection with SW 60<sup>th</sup> Avenue, into the City. The City shall pursue having Clackamas County transfer road authority jurisdiction over SW Advance Road from the

present edge of City limits through the intersection with SW 60<sup>th</sup> Avenue. Annexation of SW 60<sup>th</sup> Avenue will not be pursued at this time.”

**Companion applications which are contingent upon the City Council approval of the proposed annexation:**

**Comprehensive Plan Map Amendment (DB15-0047)**

The applicant is requesting to change the current Clackamas County Comprehensive Plan Map designation of ‘Agriculture’ to the City of Wilsonville Comprehensive Plan Map designation of ‘Public Lands’ to make the newly annexed land consistent with the City Comprehensive Plan.

**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) to make the newly annexed land zoning designation consistent with the City zoning. Also is the inclusion of the Significant Resource Overlay Zone (SROZ) along the west side of the subject property shown on the Preliminary Survey SROZ boundary plan. A portion of Meridian Creek 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, a primary school on 30 acres and a city park on 10 acres.

**Discussion Point:**

**Future Use of the Properties and Why the City is Pursuing Annexation at this time**

**SW Advance Road Properties**

The why for the annexation of the subject property is to begin laying the foundation for future development applications for two public schools and for a city park. Annexation will allow school land use and park entitlements to proceed more smoothly without working through Clackamas County jurisdiction and zoning.

**CONCLUSION:**

Staff has reviewed the petition and facts regarding the request and recommends the DRB recommend approval of the annexation to City Council (DB15-0046).

**DB15-0046 ANNEXATION**

This action recommends annexation to the City Council for the subject property.

## **EXHIBIT LIST:**

The following exhibits are hereby entered into the public record by the City Council as confirmation of its consideration of the application as submitted. This is the exhibit list that includes exhibits for Planning Case File DB15-0046.

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

- A.** City Council Staff Report
- A2.** 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.

**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 60<sup>th</sup> 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 60<sup>th</sup> 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 60<sup>th</sup> 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 and CONDITIONS OF APPROVAL:**

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).

**PD = Planning Division: No conditions of approval are proposed.**  
**PF = Engineering Conditions**

**REQUEST A: DB15-0046 ANNEXATION**

This action recommends annexation to the City Council for the subject property with one condition of approval (PFA 1). The Comprehensive Plan Map Amendment (DB15-0047), the Zone Map Amendment (DB15-0048), and the Stage I Preliminary Plan (DB15-0049) are contingent on annexation.

**Engineering Division Conditions:**

**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 60<sup>th</sup> Avenue.

**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.

### CONCLUSIONARY FINDINGS

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.

### REQUEST A: ANNEXATION

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.

#### **Comprehensive Plan** **Annexation and Boundary Changes** **Implementation Measure 2.2.1.a.**

A1. **Review Criterion:** “Allow annexation when it is consistent with future planned public services and when a need is clearly demonstrated for immediate urban growth.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The required consistency is fulfilled by being consistent with the UGB. According to Urban Growth Boundary Major Adjustment Case No. 13-01, Exhibit A, the subject property and adjacent Advance Road and SW 60<sup>th</sup> Avenue are within the City UGB. See Exhibit A3. Adjacent properties north, east and south are within Frog Pond Urban Reserve 4H. The subject 40 acre site is ready for annexation for school development and for a city park within the City of Wilsonville. Therefore, the subject property addresses a demonstrated need for public schools and a public park. Furthermore, the City

Comprehensive Plan and the Engineering Division evaluates compliance of planned sanitary sewer, storm drainage, and water systems with the City's Wastewater Collections System Master Plan, Stormwater Master Plan, Parks and Recreation Master Plan, Water System Master Plan and the City's Transportation Systems Plan.

**Implementation Measure 2.2.1.e.**

- A2. **Review Criterion:** "Changes in the City boundary will require adherence to the annexation procedures prescribed by State law and Metro standards. Amendments to the City limits shall be based on consideration of:
1. Orderly, economic provision of public facilities and services, i.e., primary urban services are available and adequate to serve additional development or improvements are scheduled through the City's approved Capital Improvements Plan.
  2. Availability of sufficient land for the various uses to insure choices in the marketplace for a 3 to 5 year period.
  3. Statewide Planning Goals.
  4. Applicable Metro Plans;
  5. Encouragement of development within the City limits before conversion of urbanizable (UGB) areas.

**Finding:** These criteria are satisfied.

**Explanation of Findings:** The requirements are fulfilled by being consistent the City's UGB which recognizes the subject property described herein as a future site for public schools and city parks as further explained below in this finding, or by compliance with state and regional policies as found in other findings supporting this request.

**Orderly, Economic Provision of Public Facilities and Services:** The site is designed for the orderly and economic provision of public facilities and services. Development in the UGB and future urban reserve areas would also bring needed and adequately sized public facilities onto the subject property.

**Encouraging Development within City Limits prior to UGB:** No development is proposed with this request, but annexation will enable reviews of Site Development Permits for public schools and a public park. The subject property is not currently included in a City Comprehensive Plan Map designation. The applicant is requesting a Comprehensive Plan Map Amendment to apply the Public Lands designation. This Implementation Measure establishes precedence for the "Public Facility" zone designation to be applied to the subject property area. An application for a Zone Map Amendment to apply the PF zone and SROZ overlay zone to the property has also been included. The site must be brought into City limits before the Public Land designation, PF and SROZ zones can be applied.

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 and a city park. Regarding annexation of Advance Road and SW 60<sup>th</sup> 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 60<sup>th</sup> Avenue.”

### **Development Code**

#### **Subsections 4.030 (.01) A, 11, 4.031 (.01) K, and 4.033 (.01) F. Authority to Review Annexation**

**A3. Review Criteria:** These subsections prescribe the authority of the Planning Director to determine whether an annexation request is legislative or quasi-judicial. The DRB does the initial review of quasi-judicial annexation, and the City Council takes final local action of quasi-judicial annexation. Both bodies conduct public hearings for the request.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The subject annexation request has been determined to be quasi-judicial this is a site specific, owner/applicant initiated request, it is a quasi-judicial application, and is being reviewed by the DRB and City Council consistent with these subsections.

#### **Section 4.700 Annexation**

**A4. Review Criteria:** This section defines the criteria and process for annexation review within the City.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** All the necessary materials defined by this section have been submitted for City review. The annexation is being considered as a quasi-judicial application. Staff recommends the City Council, upon the DRB’s recommendation, declare the subject property annexed.

### **Metro Code**

#### **Chapter 3.09 Local Government Boundary Changes**

**A5. Review Criteria:** This chapter establishes hearing, notice, and decision requirements as well as review criteria for local government boundary changes in the Metro region.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The subject property referenced herein is within the UGB, meets the definition of a minor boundary change as an annexation to a city, satisfies the requirements for boundary change petitions as the property owner (there are no electors), and has submitted a petition with the required information consistent with the UGB.

### **Oregon Revised Statutes**

#### **ORS 222.111 Authority and Procedure for Annexation**

**A6. Review Criteria:** ORS 222.111 establishes the authority and procedures for annexation by City’s within the state of Oregon.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The applicable requirements in state statute are met including the fact the subject property is within the UGB, is contiguous to the east side of the city, the request has been initiated by the property owner of the land being annexed, and there are no electors in the area to be annexed.

#### **ORS 222.120 Procedure Without Election by City Electors**

**A7. Review Criteria:** ORS 222.111 establishes the authority and procedures for annexation by City's within the state of Oregon.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** There is no City charter requirement for election for annexation. A public hearing process is being followed as defined in the Development Code, and the applicable requirements in state statute are met including the fact that the single owner of the subject property is the petitioner and thus have consented in writing to annexation. There are no electors or residential dwellings within the territory to be annexed.

#### **ORS 222.125 Annexation by Consent of All Owners of Land and Majority of Electors**

**A8. Review Criteria:** "The legislative body of a city need not call or hold an election in the city or in any contiguous territory proposed to be annexed or hold the hearing otherwise required under ORS 222.120 (Procedure without election by city electors) when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the final boundaries of the area to be annexed by a legal description and proclaim the annexation."

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The territory to be annexed is all owned by the West Linn – Wilsonville School District, has petitioned and consented to annexation in writing. There are no electors or residential dwellings within the territory to be annexed. However, a public hearing process is being followed as prescribed in the City's Development Code concurrent with a Comprehensive Plan Map and Zone Map Amendment request.

**A10.** Engineering Division condition of approval PFA 1 is requiring the applicant to annex right-of way for future street improvements along Advance Road. PFA 1 states: "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 60<sup>th</sup> Avenue."

**Finding:** With proposed condition PFA 1 necessary street ROW will be annexed to meet the City's Transportation Master Plan.

**Explanation of Finding:** The area requested to be annexed and including necessary street right-of way must be developed consistent with the City's Transportation Master Plan.

## **Oregon Statewide Planning Goals**

**A11. Review Criteria:** The goals include: citizen involvement, land use planning, natural resources and open spaces, recreational needs, economic development, housing, public facilities and services, and transportation.

**Finding:** On pages 20 - 22 of Exhibit B1 the applicant has prepared response findings to Statewide Planning Goals. These criteria are satisfied.

**Explanation of Finding:** The area requested to be annexed will be developed consistent with the City's Comprehensive Plan, which has been found to meet the statewide planning goals.

### **SUMMARY FINDING FOR REQUEST (A):**

The proposed Annexation meets all applicable requirements and its approval may be recommend to the City Council.

**ORDINANCE NO. 774**

**AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A COMPREHENSIVE PLAN MAP AMENDMENT FROM THE CLACKAMAS COUNTY AGRICULTURE DESIGNATION TO THE PUBLIC DESIGNATION ON APPROXIMATELY 40 - ACRES COMPRISING TAX LOTS 2000, 2300, 2400 AND 2500 OF SECTION 18, T3S, R1E, CLACKAMAS COUNTY, OREGON, WEST LINN – WILSONVILLE SCHOOL DISTRICT, OWNER AND APPLICANT.**

**RECITALS**

WHEREAS, West Linn – Wilsonville School District (“Owner and Applicant”) has made a development application requesting, among other things, Comprehensive Plan 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 Attachments 1 and 2, attached hereto and incorporated by reference herein (“Property”); and

WHEREAS, the Comprehensive Plan Map Amendment is contingent on annexation of the Property to the City of Wilsonville, which annexation has been petitioned for concurrently with the Comprehensive Plan Map Amendment request; and

WHEREAS, the City of Wilsonville Planning Staff analyzed the Comprehensive Plan Map Amendment request and prepared a staff report for the Development Review Board, finding that the application met the requirements for a Comprehensive Plan Map Amendment and recommending approval of the Comprehensive Plan Map Amendment, 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 Comprehensive Plan 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 Comprehensive Plan Map Amendment (Case File DB15-0047), adopts the 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 Comprehensive Plan Map Amendment 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's Comprehensive Plan Findings, Exhibit A; DRB Resolution No. 309, Exhibit B; Staff Report and DRB Recommendation and Application on Compact Disc, Exhibit C; and July 27, 2015, DRB Meeting Minutes, Exhibit D, all the exhibits are attached hereto and incorporated by reference as if fully set forth herein; and received a City Council staff report on file with the City Recorder; took public testimony; and, upon deliberation, concluded that the proposed Comprehensive Plan 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 in particular, the Development Review Board staff report, as contained in the record of the above described DRB hearing, together with the City Council staff report, and incorporates them by reference as fully set forth herein.

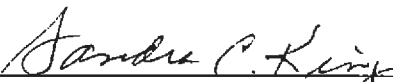
Section 2. Order. Upon adoption of Resolution 773, which is the proposed annexation of the property which is being considered contemporaneously herewith, and the filing of the Resolution No 773 with the required agencies to finalize the annexation of the Property to the City, which property is described in Attachments 1 and 2, the Comprehensive Plan designation for the property shall be changed from Clackamas County Agriculture to Public.

SUBMITTED to the Wilsonville City Council and read for the first time at a regular meeting thereof on the 17<sup>th</sup> 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.

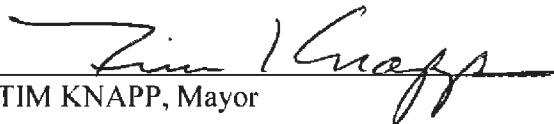
  
Sandra C. King, MMC, City Recorder

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:**

Attachment 1, Legal Description and Survey Map  
Attachment 2, Map Depicting Comp. Plan Map Amendment  
Exhibit A – Comp Plan Map Amendment Findings, August 4, 2015.  
Exhibit B - DRB Resolution No. 309  
Exhibit C - Adopted Staff Report and DRB Recommendation (Exhibit A1). dated July 27, 2015 and the application on compact disk.  
Exhibit D – July 27, 2015 DRB Minutes

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

*Michael A. Rademacher*  
OREGON  
JULY 16, 1987  
MICHAEL A. RADEMACHER  
2303

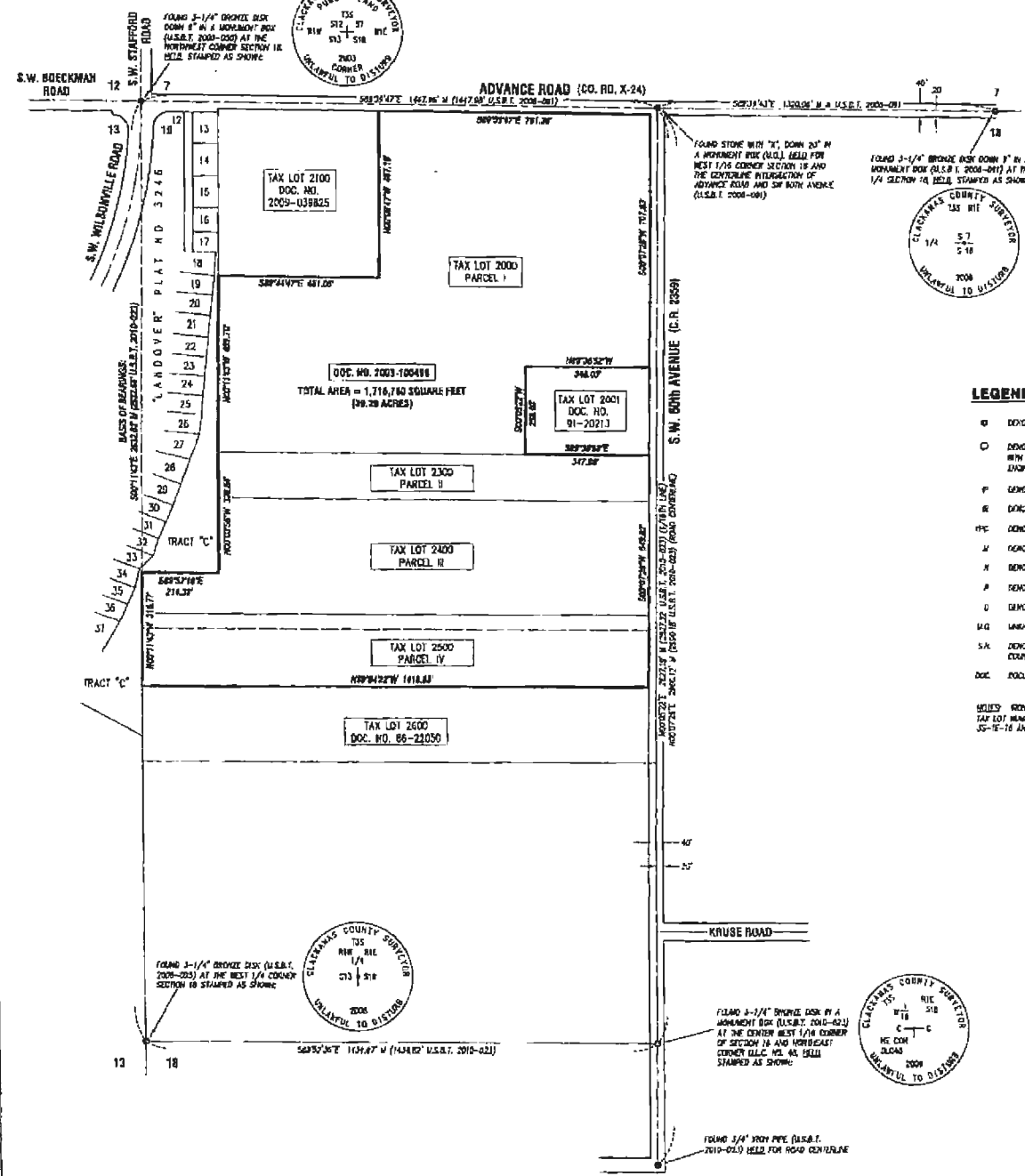
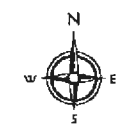
DATE OF SIGNATURE: 12/11/10  
EXPIRES: 12/31/2010

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.38., R.1E., W.M.  
 CLACKAMAS COUNTY, OREGON

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



### LEGEND:

- Ⓚ DENOTES MONUMENT FOUND AS NOTED
  - Ⓞ DENOTES 5/8" DIAMETER BY 36" LONG IRON ROD WITH A YELLOW PLASTIC CAP STAMPED 'TEMPASS ENGINEERS' SET ON AUGUST 3, 2011
  - Ⓢ DENOTES IRON PIPE
  - Ⓡ DENOTES IRON ROD
  - Ⓜ DENOTES YELLOW PLASTIC CAP
  - Ⓜ DENOTES MEASURED DATA
  - Ⓝ DENOTES RECORD DATA, SEE REFERENCE SURVEYS
  - Ⓟ DENOTES PLAT DATA, SEE REFERENCE SURVEYS
  - Ⓛ DENOTES DEED DATA, SEE REFERENCE DEEDS
  - Ⓜⓐ LANDMARK CORNER
  - Ⓢⓐ DENOTES SURVEY NUMBER OF FILE WITH CLACKAMAS COUNTY SURVEYOR'S OFFICE
  - ⓄⓈ RECORD NUMBER, CLACKAMAS COUNTY DEED RECORDS
- ⓂⓂⓂⓂ IRON PIPES WOULD BE MEASURED POSITIVE BEARING.  
 TAX LOT NUMBERS ARE FROM CURRENT ASSESSOR'S MAP  
 12-E-18 AND ARE SHOWN FOR REFERENCE ONLY.

### INDEX

- SHEET 1 SITE MAP LEGEND, REFERENCE SURVEYS, REFERENCE DEEDS
- SHEET 2 NORTH HALF OF SITE, LEGEND, REFERENCE SURVEYS, REFERENCE DEEDS
- SHEET 3 SOUTH HALF OF SITE, LEGEND, REFERENCE SURVEYS, REFERENCE DEEDS
- SHEET 4 MAP/PLAT

### REFERENCE SURVEYS

- Ⓟ1 LANDOWNER, PLAT NO. 3246
- Ⓡ1 S.W. 800
- Ⓡ2 S.W. 1400
- Ⓡ3 S.W. 6400
- Ⓡ4 S.W. 3140
- Ⓡ5 S.W. 2300
- Ⓡ6 S.W. 2600

U.S.G.S. 2003-030  
 U.S.G.S. 2004-001  
 U.S.G.S. 2004-002  
 U.S.G.S. 2010-012  
 R.T. BOOK 8, PAGE 126

### REFERENCE DEEDS

- Ⓞ1 DOC. NO. 2003-10404
- Ⓞ2 DOC. NO. 01-20213
- Ⓞ3 DOC. NO. 2003-03623
- Ⓞ4 DOC. NO. 00-17050
- Ⓞ5 DOC. NO. 2005-079151
- BOOK 378, PAGE 837
- BOOK 281, PAGE 403
- BOOK 121, PAGE 561
- BOOK 106, PAGE 243
- BOOK 114, PAGE 344
- BOOK 114, PAGE 581
- BOOK 111, PAGE 491

REGISTERED PROFESSIONAL LAND SURVEYOR

*Michael A. Sandmeacher*  
 MICHAEL A. SANDMEACHER  
 2300

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

Survey prepared by:  
 Compass Engineering  
 4103 International Way, Suite 601  
 Milwaukie, Oregon 97222  
 Phone: 503-653-9088  
 0723 Ord.dwg (MAMM)  
 Job No. 2008-0729 (Survey)

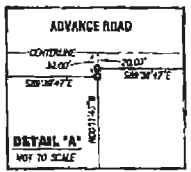
**RECORD OF SURVEY**  
 LOCATED IN N.W. 1/4 OF SECTION 18, T.35., R.1E., W.M.  
 CLACKAMAS COUNTY, OREGON

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

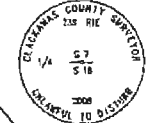


FOUND 3-1/4" BRONZE DISK DOWN 8" IN A MONUMENT BOX (U.S.P. 2008-050) AT THE MONUMENT CORNER SECTION 18, L.O.D. STAMPED AS SHOWN

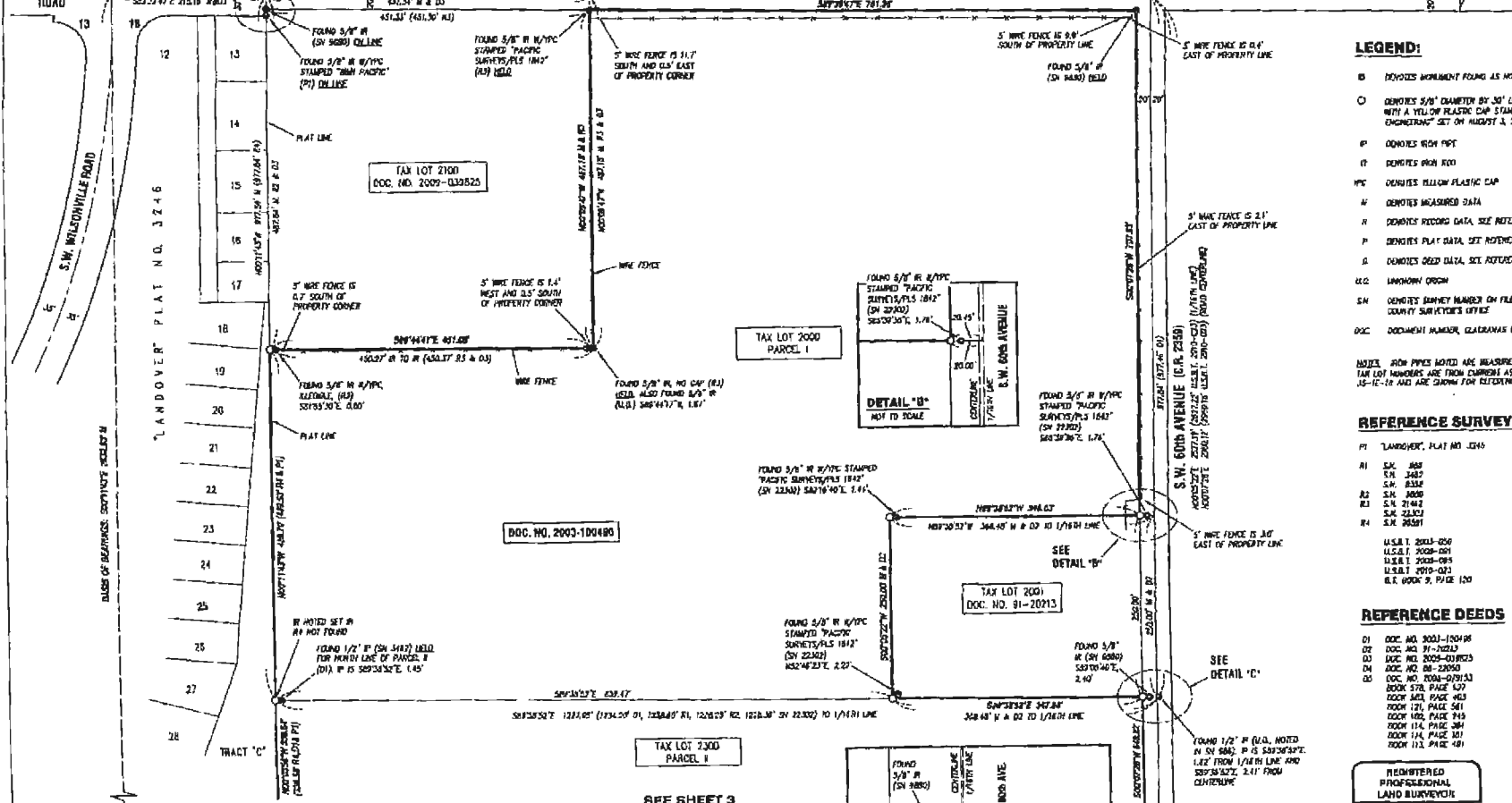


FOUND STONE WITH "C", DOWN 20" IN A MONUMENT BOX (U.S.P. L.O.D. FOR WEST 1/4 CORNER SECTION 18 AND THE CONTIGUOUS INTERSECTION OF ADVANCE ROAD AND SW 60TH AVENUE

FOUND 3-1/4" BRONZE DISK DOWN 8" IN A MONUMENT BOX (U.S.P. 2008-051) AT THE NORTH 1/4 SECTION 18, L.O.D. STAMPED AS SHOWN



S.W. BOECKMAN ROAD  
 S.W. STAFFORD ROAD  
 S.W. WILSONVILLE ROAD



**LEGEND:**

- B DENOTES MONUMENT FOUND AS NOTED
- C DENOTES 3/4" DIAMETER BY 30" LONG IRON ROD WITH A YELLOW PLASTIC CAP STAMPED COMPASS ENGINEERING SET ON AUGUST 3, 2011
- F DENOTES IRON PIPE
- H DENOTES IRON ROD
- MC DENOTES YELLOW PLASTIC CAP
- M DENOTES MEASURED DATA
- N DENOTES RECORD DATA, SEE REFERENCE SURVEYS
- P DENOTES PLAT DATA, SEE REFERENCE SURVEYS
- D DENOTES DEED DATA, SEE REFERENCE DEEDS
- UC UNKNOWN DEED
- SN DENOTES SHEET NUMBER ON FILE WITH CLACKAMAS COUNTY SURVEYOR'S OFFICE
- DOC. DOCUMENT NUMBER, CLACKAMAS COUNTY DEED RECORDS

**REFERENCE SURVEYS**

- P1 "LANDOVER", PLAT NO. 3216
- A1 S.W. 460
- S1 S.W. 2405
- S2 S.W. 8334
- R2 S.W. 8080
- R3 S.W. 3142
- S.S. 2152
- R4 S.W. 3650

**REFERENCE DEEDS**

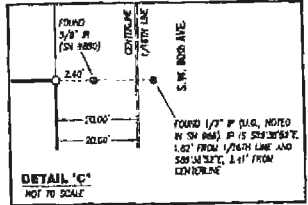
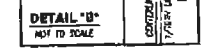
- D1 DOC. NO. 2001-120498
- D2 DOC. NO. 91-20213
- D3 DOC. NO. 2008-03925
- D4 DOC. NO. 08-22950
- DOC. NO. 2008-029131
- BOOK 578, PAGE 427
- BOOK 463, PAGE 463
- BOOK 121, PAGE 561
- BOOK 102, PAGE 319
- BOOK 114, PAGE 361
- BOOK 114, PAGE 301
- BOOK 113, PAGE 481

REGISTERED PROFESSIONAL LAND SURVEYOR

*Michael A. Trachtenbach*  
 M.A. TRACHTENBACH  
 2250

Survey prepared by:  
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 Phone: 503-663-1093  
 6724 Blvd. 4-way (W/18th)  
 Job No. 2010-8720 (Survey)

DATE OF SIGNATURE: 8-24-11  
 DATES: 12/31/2012



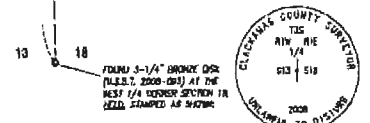
TAX LOT 2100  
 DOC. NO. 2009-033525

TAX LOT 2000  
 PARCEL 1

TAX LOT 2001  
 DOC. NO. 91-20213

TAX LOT 2300  
 PARCEL 1

SEE SHEET 3



Clackamas County Surveyor  
 Resurveyed **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:**

- DENOTES MONUMENT FOUND AS NOTED
- DENOTES 3/8" DIAMETER IRON SET FOUND BY MEASUREMENT
- DENOTES YELLOW PLASTIC CAP STAMPED "COMPASS CORNER" SET ON AUGUST 1, 2011
- P DENOTES IRON PIPE
- R DENOTES IRON ROD
- IPC DENOTES YELLOW PLASTIC CAP
- M DENOTES MEASURED DATA
- A DENOTES REFUSED DATA, SEE REFERENCE SURVEYS
- F DENOTES FLAT DATA, SEE REFERENCE SURVEYS
- D DENOTES DEED DATA, SEE REFERENCE DEEDS
- U.C. UNKNOWN CORNER
- SA DENOTES SURVEY NUMBER ON FILE WITH CLACKAMAS COUNTY SURVEYOR'S OFFICE
- DOC DENOTES DOCUMENT NUMBER, CLACKAMAS COUNTY DEED RECORDS

NOTES: IRON PIPES NOTED ARE MEASURED IRON PIPE DIAMETER  
 TAX LOT NUMBERS ARE FROM CURRENT ASSESSOR'S MAP  
 11-12-18 AND ARE SHOWN FOR REFERENCE ONLY.

**REFERENCE SURVEYS**

- R1 LANDOWNER'S PLAT NO. 3246  
 R1 S.A. 905  
 S.A. 5149  
 S.A. 6352  
 R2 S.A. 3980  
 R3 S.A. 3142  
 S.A. 32302  
 S.A. 26541

- U.S.G.T. 2003-050  
 U.S.G.T. 2008-089  
 U.S.G.T. 2008-095  
 U.S.G.T. 2010-023  
 SEE BOOK 4, PAGE 130

**REFERENCE DEEDS**

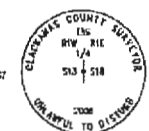
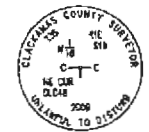
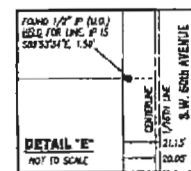
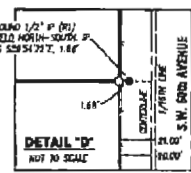
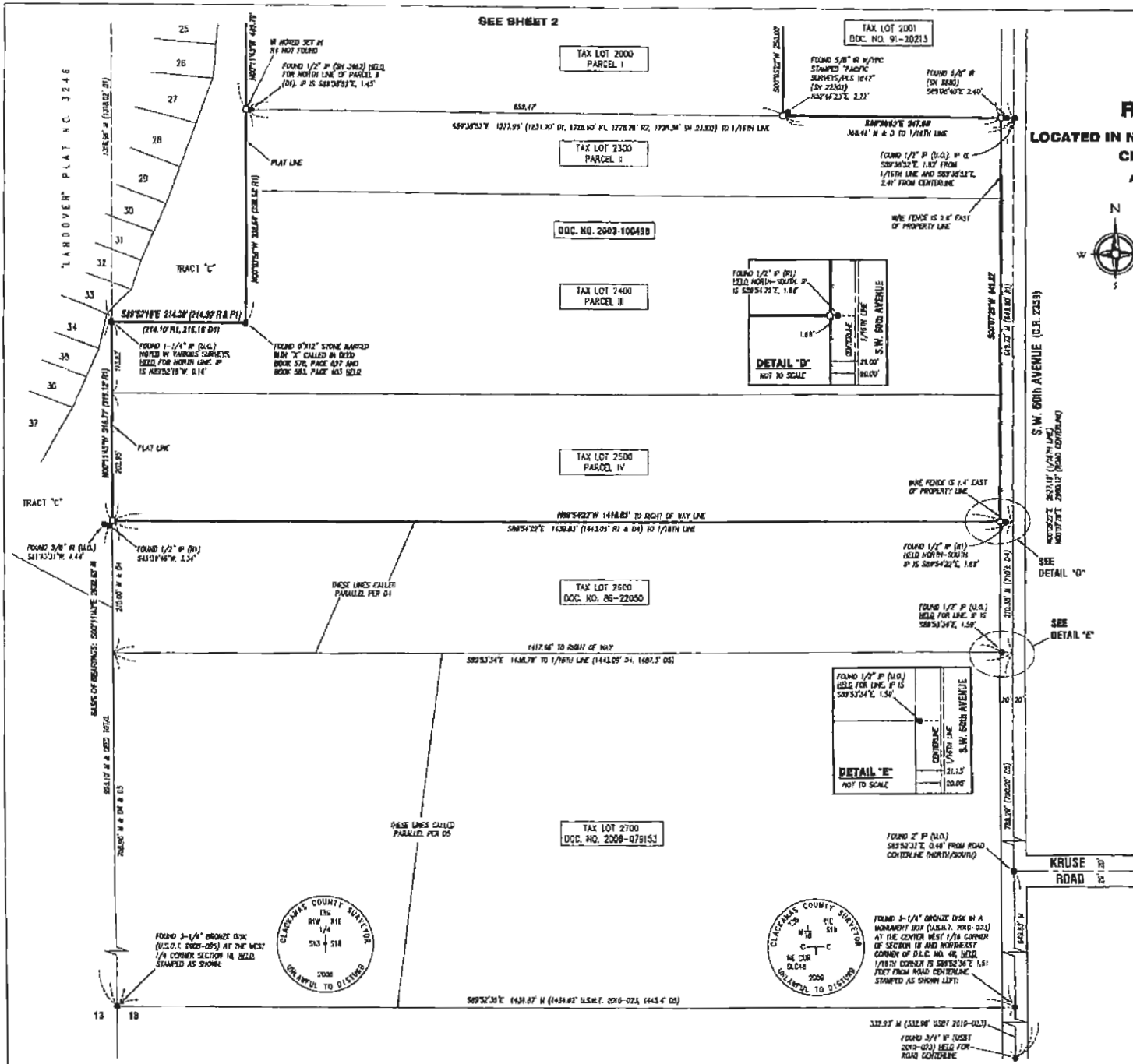
- D1 DOC. NO. 2303-100498  
 D2 DOC. NO. 81-20213  
 D3 DOC. NO. 3009-416288  
 D4 DOC. NO. 85-22802  
 D5 DOC. NOS. 3509-079153  
 BOOK 574, PAGE 217  
 BOOK 361, PAGE 423  
 BOOK 131, PAGE 581  
 BOOK 129, PAGE 243  
 BOOK 114, PAGE 364  
 BOOK 114, PAGE 188  
 BOOK 113, PAGE 417

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

*Michael A. Radomach*  
 MICHAEL A. RADOMACHEN  
 2202

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 4186 International Way, Suite 501  
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 Phone: 503-663-9093  
 8729 8nd3.dwg (MAM)  
 Job No. 2009-8728 (Survey)

DATE OF SIGNATURE: *8-24-11*  
 EXPIRES: 12/31/2017



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.35., R.1E., W.M.  
 CLACKAMAS COUNTY, OREGON

AUGUST 8, 2011  
 SHEET 4 OF 4

**NARRATIVE:**

1. CLIENT: WEST LINN-WILSONVILLE SCHOOL DISTRICT #17
2. THE PURPOSE OF THIS SURVEY IS TO LOCATE AND MONUMENT TRACTS OF LAND DESCRIBED IN DEED TO THE WEST LINN-WILSONVILLE SCHOOL DISTRICT #17, RECORDED AUGUST 1, 2001, BY DOCUMENT NUMBER 2001-100766, CLACKAMAS COUNTY DEED RECORDS.
3. **BASE OF BEARINGS:** THE WEST LINE OF THE NORTHWEST ONE-QUARTER OF SECTION 18, T.35., R.1E., W.M., AS MONUMENTED AND SHOWN AS "2001141E" BY PRIVATE SURVEY NUMBER 26541 WAS HELD AS THE BASES OF BEARINGS FOR THIS MAP.
4. THE SUBJECT TRACT IS COMPOSED OF FOUR PARCELS OF LAND AS DESCRIBED IN DOCUMENT NUMBER 2001-100766. THESE PARCELS OF LAND ARE CURRENTLY SHOWN AS TAX LOT 2000 (PARCEL 1), TAX LOT 2000 (PARCEL 2), TAX LOT 2000 (PARCEL 3), TAX LOT 2000 (PARCEL 4) AND TAX LOT 2000 (PARCEL 5). THE PROPERTY ABUTS ADVANCE ROAD TO THE NORTH, SW BORN AVENUE TO THE EAST AND THE PLAT OF "LANDOWNER" TO THE WEST. THE EAST BOUNDARY IS DESCRIBED IN GENERAL ESTATEMENTS WHICH ARE LISTED AS THE NORTH-SOUTH SECTION LINE OR AS BE 1/16 SECTION LINE. THE WEST 1/4 CORNER COMMON TO SECTIONS 7 AND 18 ALONG THE NORTH LINE OF SECTION 18 IS A POUND STONE IN A MONUMENT HILL OF LANDOWNER DRIVE, THAT IS NOTED IN AT BOOK 8, PAGE 120, WEST OTHER 2008-091 AND WEST ENTRY 2010-024 AND ACCEPTED AS THE 1/4 CORNER BY CLACKAMAS COUNTY. COMPASS ENGINEERING MADE A REQUEST TO THE COUNTY SURVEYOR FOR THE CENTER WEST 1/4 CORNER ON OLD CORNER TO BE RE-ESTABLISHED. THE COUNTY HAS ALREADY WORKING ON CORNER RESTORATION IN THIS QUARTER AND AGREED TO LOCATE AND MONUMENT THE 1/16 CORNER. THE COUNTY SURVEYOR MONUMENTED THE POSITION OF THE CENTER WEST 1/4 CORNER COMMON TO SECTIONS 7 AND 18 BY WEST ENTRY 2010-024. HE RECORDED THIS MONUMENT AND HELD THE 1/16 LINE FROM THIS POINT NORTH TO THE STONE IN THE NORTH LINE OF SECTION 18 AS SHOWN.
5. DURING THE SURVEY BY THE COUNTY FOR WEST ENTRY 2010-024, THEY RECOVERED A 3/4" IRON PIPE APPROXIMATELY 113 FEET SOUTH OF THE RE-ESTABLISHED 1/16 CORNER. THIS MONUMENT WAS CALLED IN DEED BOOK 100, PAGE 214, MONUMENT N.A. TRUSE AND ROSA A. GRAVE CONVEYED A 27' WIDE STRIP OF LAND TO CLACKAMAS COUNTY FOR A PUBLIC ROAD. THE DESCRIPTION BEGINS AT A POINT DESCRIBED AS FOLLOWS:  
 BEGAN AT A POINT, 20.00 CHS. WEST AND 14.80 CHS. SOUTH FROM THE QUARTER CORNER ON THE NORTH BOUNDARY LINE OF SECTION 18, 1/16 CHS. THE EAST, RANGE 20011 20.04 CHS TO AN IRON PIPE;  
 RECORDS INDICATE THAT THIS POINT OF BEGINNING MAY HAVE BEEN A STONE (DEED BOOK 121, PAGE 341) AND SH 588 (27010) SHOWS AN "OLD PIPE" (1195) (WEST WALKER IN SH 3462 (1192), NOTES A STONE CALLED "STONOR REPORTED REPLACING WITH CP". HE RECOVERED AN IRON PIPE AT THIS LOCATION APPROXIMATELY 1.00 FEET SOUTH AND 1.80 FEET EAST FROM THE OLD POSITION. THE COUNTY, IN WEST ENTRY 2010-024, DOES NOT MENTION THIS PIPE, BUT USES THE FOUND 3/4" IRON PIPE SOUTH OF THE 1/16 CORNER TO RE-ESTABLISH THE 1/16 CORNER. THE COUNTY ROAD FILE FOR ADVANCE ROAD, COUNTY ROAD NO. 2354, GIVES A DESCRIPTION FOR THE LOOP ROAD, 40.00 FEET WIDE, CENTERED ON THE 1/16 CHS. LINE.  
 A TRACT OF LAND LOCATED IN SECTION 18, TOWNSHIP 3 SOUTH, RANGE 1 EAST OF THE W.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS: TO-N-E:  
 20.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTER LINE:  
 BEGINNING IN THE NORTH BOUNDARY OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 1 EAST OF THE W.M., 76.00 BARS WEST OF THE NORTH ONE-QUARTER SECTION CORNER OF SAID SECTION; THENCE SOUTH 220.00 FEET MORE OR LESS, THENCE EAST 176.84 FEET TO A POINT THAT IS 43.33 FEET DISTANCE EAST AND SOUTH 320.00 FEET DISTANCE FROM THE NORTH ONE-QUARTER SECTION CORNER OF SECTION 18; THENCE NORTH 232.00 FEET TO THE NORTH BOUNDARY OF SAID SECTION 18;  
 BEING THE TRACTS OF LAND CONVEYED BY DEEDS TO CLACKAMAS COUNTY RECORDED IN BOOK 121, ON PAGE 341, BOOK 101, ON PAGE 242; BOOK 114, ON PAGE 364; BOOK 114, ON PAGE 181; BOOK 114, ON PAGE 419, ALL RECORDS OF DEEDS FOR CLACKAMAS COUNTY, OREGON.  
 THE CALL OF "76.80 BARS WEST OF THE NORTH ONE-QUARTER SECTION CORNER" IS CLARIFIED IN AT BOOK 8, PAGE 120, AS FOLLOWS:  
 IN THE COURSE OF ESTABLISHING THE PROCEEDS IT WAS FOUND THAT COMMISSIONER'S ORDER NO. 3134 (8) UNWITTINGLY DECREASED THE POINT OF BEGINNING OF ADVANCE ROAD AS 79 BARS WEST OF THE N CORNER. IN AS MUCH AS THIS ORDER IS ACCEPTED PREVIOUSLY LOCATED CORNER POINTS THIS POINT OF BEGINNING IS DEPENDENT UPON THE LOCATION OF THESE POUND DEEDS. A 40 FOOT DEEDS ROADWAY DATED MAY 3, 1967 (?) STATES THAT THE POINT OF BEGINNING IS THE 1/16 CORNER. OTHER ROADWAY CONVEYANCES IN DEEDS RECORDED IN BOOK 121, PAGE 341, AND BOOK 109 PAGE 248, ALSO FOLLOW THE ALIGNMENT OF THE NORTH AND SOUTH 1/16 LINE.  
 AS THE NORTHEAST CORNER OF THE HILLTOP O.L.C. HAS 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 STONE AT THE WEST 1/16 CORNER AND THE IRON PIPE 132.84 FEET SOUTH OF THE O.L.C. CORNER.
6. THE NORTH LINE OF THE SUBJECT TRACT WAS HELD 20.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHWEST ONE-QUARTER OF SECTION 18, AS MONUMENTED PER DEED CALLS.
7. THE EAST AND SOUTH LINE OF THE MONUMENT ALONGER, DESCRIBED IN DOCUMENT NUMBER 2008-034885 (TAX LOT 2100) WAS HELD AS MONUMENTED BY SH 21482 (1182). RESULTANT DISTANCES WERE RECORDED AND DEED DATA AS SHOWN. THE SOUTH LINE WAS EXTENDED WEST TO THE EAST LINE OF TRACT 1; "LANDOWNER" AS SHOWN.
8. THE WEST LINE OF THE SUBJECT TRACTS (PARCELS 1 & 4 AND 6) WAS HELD TO THE PLATTED EAST LINE OF "LANDOWNER". THIS LINE WAS HELD AS FOLLOWS:  
 THE NORTHEAST CORNER OF "LANDOWNER" WAS HELD TO THE DEED DISTANCE OF 215.18 FEET EAST OF THE NORTHWEST CORNER OF SECTION 18, THENCE SOUTH, PARALLEL WITH THE WEST LINE OF SECTION 18, TO THE INTERSECTION OF THE SOUTH LINE OF PARCEL 1 OF THE SUBJECT TRACT, AS MONUMENTED BY SH 1906 AND SH 3462; THENCE SOUTH TO THE DEED STONE, THENCE WEST ON LINE WITH THE 1-1/4" IRON PIPE, TO THE WEST LINE OF SECTION 18. THE RESULTANT DISTANCES WERE RECORDED DATA AS SHOWN.
9. THE SOUTHWEST CORNER OF THE SUBJECT TRACT (PARCEL 1) WAS HELD AHEAD THE WEST LINE OF SECTION 18, AT THE TOTAL DEED DISTANCE OF 149.00 FEET NORTH OF THE WEST ONE-QUARTER OF SECTION 18. THIS DISTANCE IS CITED IN SH 1906 AND SH 3462. TWO MONUMENTS WERE RECOVERED NEAR THIS POSITION: A 3/4" IRON ROD OF LANDOWNER DRIVE AND A 1/2" IRON PIPE PRESUMED TO BE SET IN SH 3462. 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 2.30 FEET ALONG THE WEST WESTERN LINE OF THE SUBJECT TRACT.
10. THE SOUTH LINE OF THE SUBJECT TRACT WAS HELD FROM THE SOUTHWEST CORNER THEREOF, AS DESCRIBED IN THE PREVIOUS MORE, EASTWARD, INCLUDING THE FOUND 1/2" IRON PIPE SET IN SH 3462 NEAR THE WEST POINT OF MAY LINE OF SH 3462 AND INTERSECTION THE 1/16 LINE AS SHOWN. THIS SOLUTION PROVIDES THE FOLLOWING EXCESS:  
 • DEED DOCUMENT NO. 06-22000 CALLS FOR THE NORTH AND SOUTH LINES OF THAT TRACT TO BE PARALLEL, WHICH RESULTS IN A SLIGHT DEFICIENCY OF 0.0044'  
 • DEED DOCUMENT NO. 06-22000 CALLS FOR A DISTANCE ALONG THE EAST TO BE 210 +/- WHICH RESULTS IN A DISTANCE OF 210.38 FEET.
11. THE BOUNDARY OF THAT TRACT OF LAND DESCRIBED BY DOCUMENT NO. 01-20017 (TAX LOT 2001) WAS SURVEYED BY PRIVATE SURVEYS IN SH 18201 (1180). THAT SURVEY INDICATES HOLDING THE SOUTH LINE TO THE WEST TO THE 1/2" IRON PIPE SET IN SH 3462, AND TO THE EAST TO THE 1/2" IRON PIPE SOUTH IN SH 1808. THIS PIPE WAS ALSO HELD TO CONTROL THE CENTER OF SW BORN AVENUE. COMPASS ENGINEERING HELD THE SOUTH LINE TO THE SAME ALIGNMENT. THE EAST-WEST CORNER, HOWEVER, WAS HELD TO THE 1/16 LINE AND ROAD CENTERLINE AS PREVIOUSLY NOTED. THIS CONFLICTS WITH THE MONUMENTS SET IN SH 18201. OUR CLIENT MET WITH THE CURRENT OWNERS, WAITE AND SHIPLEY (ONCE), AND EXPLAINED THE SITUATION USING A PRELIMINARY MAP BE PROVIDED AS A BASIS FOR DISCUSSION. THE OWNERS AGREED TO CONFORM TO OUR RECOMMENDATION. THAT SITUATION WAS DISCUSSED WITH THE COUNTY SURVEYOR. CARL CLIFTON, WHO CONCURRED. OUR CLIENT HAS SUGGESTED THAT THEY MAY WANT TO RECORD SOME TYPE OF DOCUMENT TO INCORPORATE THE AGREEMENT, WHICH BE DISCUSSED WITH OUR CLIENT.
12. FIELDWORK: RANDOM CLASSIC TRAVERSE WITH A 5-SECOND TOTAL STATION.

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

*me orle*  
 OREGON  
 JULY 18, 1983  
 MICHAEL A. WÄGENKÄCHER  
 2301

DATE OF SIGNATURE: 8-24-11  
 EXPIRES: 12/31/2012

Survey prepared by:  
 Compass Engineering  
 4103 International Way, Suite 501  
 Milwaukie, Oregon 97222  
 Phone: 503-653-8630  
 8723 Blvd. Hwy (NWMM)  
 Job No. 2009-6729 (Survey)



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

ATTACHMENT 2



City Council Exhibit A

STAFF REPORT  
WILSONVILLE PLANNING DIVISION

*West Linn – Wilsonville School District  
Comprehensive Plan Map Amendment*

CITY COUNCIL  
QUASI-JUDICIAL PUBLIC HEARING  
STAFF REPORT

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

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**REQUEST/SUMMARY:** The City Council is being asked to review a Quasi-judicial Comprehensive Plan Amendment for the West Linn – Wilsonville School District for property located at Advance Road and 60<sup>th</sup> 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)

**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 Comprehensive Plan Amendment.

**APPLICABLE REVIEW CRITERIA**

<u>DEVELOPMENT CODE</u>	
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 4.031	Authority of the Development Review Board
Section 4.033	Authority of the City Council
Section 4.198	Comprehensive Plan Map Amendments
<u>OTHER CITY PLANNING</u>	

<b>DOCUMENTS</b>	
<b>Comprehensive Plan:</b> <b>Policy 3.1.10</b> <b>Implementation Measure 3.1.10.a</b> <b>Implementation Measure 3.1.10.c</b> <b>Implementation Measure 3.1.10.e</b>	<b>Schools</b>
<b>Comprehensive Plan -</b> <b>Parks/Recreation/Open Space</b> <b>Policy 3.1.11</b> The City of Wilsonville shall conserve and create open space throughout the City for specified objectives including park lands. <b>Annexation and Boundary Changes.</b> <b>Implementation Measure 2.2.1.e.</b> <b>Implementation Measure 2.2.1.a.</b> <b>Implementation Measure 3.1.11.a.</b> <b>Implementation Measure 3.1.11.b.</b> <b>Implementation Measure 3.1.11.d.</b> <b>Implementation Measure 3.1.11.g.</b> <b>Implementation Measure 3.1.11.h.</b> <b>Implementation Measure 3.1.11.i.</b> <b>Implementation Measure 3.1.11.j.</b> <b>Implementation Measure 3.1.11.l.</b> <b>Implementation Measure 3.1.11.n.</b> <b>Implementation Measure 3.1.11.o. (1 through 6)</b> <b>Implementation Measure 3.1.11.r.</b> <b>Implementation Measure 3.1.11.s.</b>	<b>Parks and Public Lands.</b>
<b>Statewide Planning Goals</b>	
<b>URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN</b>	<b>Title 3 – Water Quality Resource Boundary and Title 13 (Sections 3.07.1310– 3.07.1370) – Nature in Neighborhoods</b> <ul style="list-style-type: none"> <li>• <b>conserves, protects and restores a continuous ecologically viable streamside corridor system integrated with upland wildlife habitat and the urban landscape</b></li> </ul>
<b>Parks and Recreation Master Plan</b>	

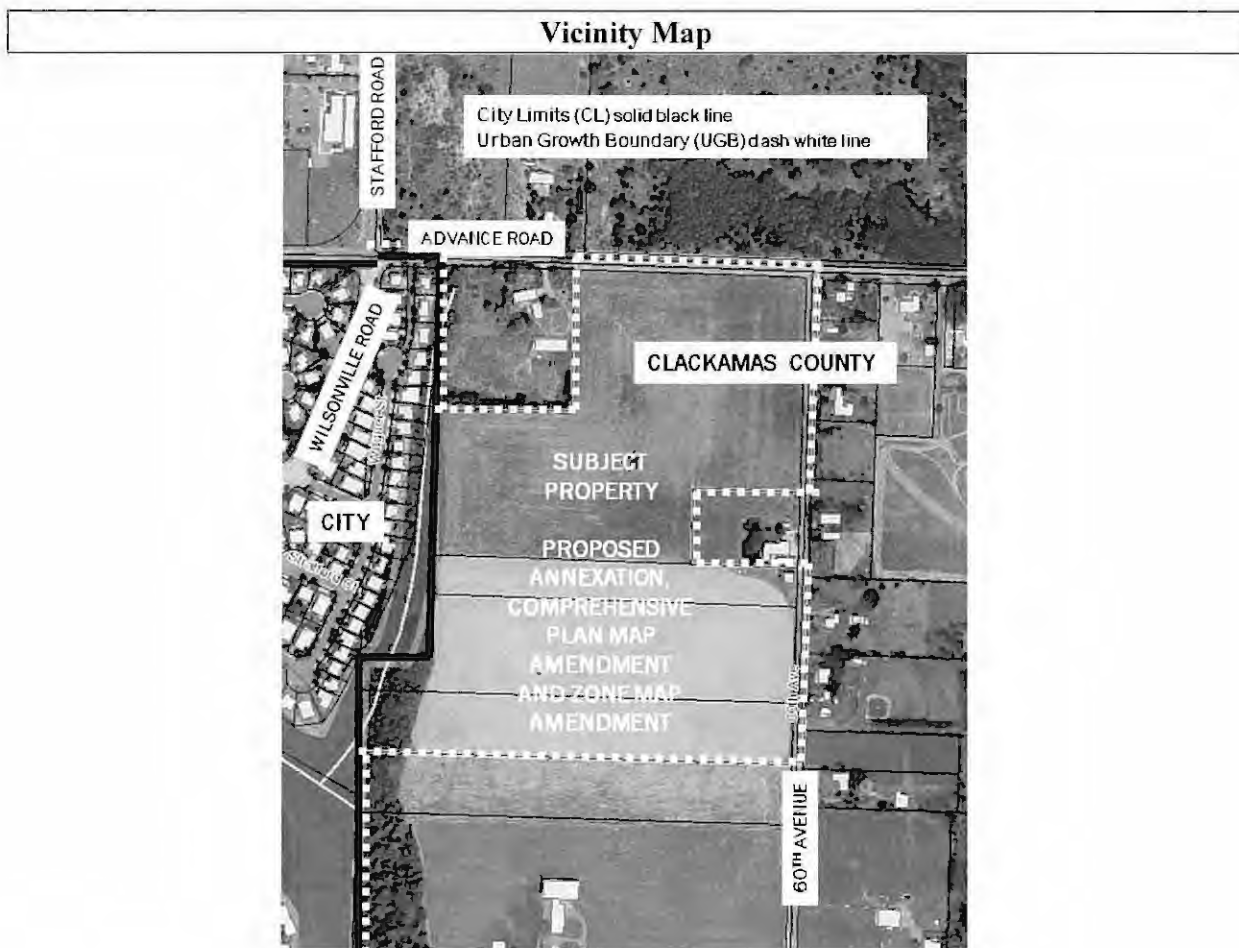
**Site description provided by the applicant:**

“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).”

**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 60<sup>th</sup> 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 60<sup>th</sup> 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 60<sup>th</sup> 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.

**DB15-0047 COMPREHENSIVE PLAN MAP AMENDMENT**

This action recommends adoption of the Comprehensive Plan 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 City Council as confirmation of its consideration of the application as submitted. This is the exhibit list that includes exhibits for Planning Case Files DB15-0047.

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

- A. City Council Staff Report, findings, recommendation.
- A2. 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.

<b>GENERAL INFORMATION</b>
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### **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.



<b>REQUEST B: COMPREHENSIVE PLAN MAP AMENDMENT</b>
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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.

### **Comprehensive Plan – Comprehensive Plan Changes**

The City of Wilsonville's Comprehensive Plan, provide the following procedure for amending the Comprehensive Plan:

#### **B1. Review Criterion: Who May Initiate Plan Amendments**

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The school district (owner) through their authorized agent (Mr. Keith Liden AICP, Bainbridge) has made application to modify the Comprehensive Plan map designation for the subject property from the Clackamas County Comprehensive Plan designation 'Agriculture' to City Comprehensive Plan designation 'Public'.

### **Application for Comprehensive Plan Amendment**

The applicant has met all applicable filing requirements for a Comprehensive Plan Map amendment.

#### **B2. Review Criterion: Consideration of Plan Amendment**

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The Planning Division received the application on June 4, 2015. Staff met with the applicant subsequent to the submittal of the application to discuss the completeness of the application and perceived deficiencies of the application. The application was deemed complete on July 2, 2015. The findings and recommended conditions of approval adopted by the Development Review Board in review of the application to modify the Comprehensive Plan Map designation will be forwarded as a recommendation to the City Council.

#### **B3. Review Criteria: Standards for Development Review Board and City Council Approval of Plan Amendments (page 8 of the Comprehensive Plan):**

- a. **The proposed amendment is in conformance with those portions of the Plan that are not being considered for amendment.**

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Findings B1 through B27, which satisfy these Plan policies.

#### **B4. Review Criterion: b. The granting of the amendment is in the public interest.**

**Finding:** This criterion is satisfied.

**Explanation of Finding:** 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. . The public interest is served by providing an additional

Middle School to alleviate existing over-crowding at the only Middle School in the City, Wood Middle School.

**B5. Review Criteria: c. The public interest is best served by granting the amendment at this time.**

**Finding:** These criteria are satisfied.

**Explanation of Finding:** Last year, the District passed a successful bond measure to fund the construction of new schools. With the existing over-crowding at Wood Middle School, the public interest will be best served by granting the amendment at this time, leading toward ultimate submittal of Stage II and Site Design Review plans for the school. The District plans to construct the site over 2016 in preparation for opening the new Middle School in September, 2017. The applicant has satisfied requirements of citizen involvement and public notice requirements.

**B6. Review Criteria: d. The following factors have been adequately addressed in the proposed amendment:**

**Suitability of the various areas for particular land uses and improvements;**

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The subject 40 acre property is undeveloped agricultural land with minor slopes which is suitable for the specific planned use and associated public improvements. The 40 acre property has direct frontage on Advance Road and SW 60<sup>th</sup> Avenue for access. The City Engineering Division has indicated through Public Facilities (PF) conditions of approval found in this staff report that public utilities, i.e., water, sanitary sewer, storm sewer and street improvements can be accomplished to serve the subject property.

**Land uses and improvements in the area;**

**Finding:** This criterion is satisfied.

**Explanation of Finding:** Adjacent uses are primarily agriculture and rural residential. Adjacent to the west of the subject property is a residential subdivision within the city but is bisected by Meridian Creek. A portion of Meridian Creek is on School District property.

**Trends in land improvement;**

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The proposal is for public schools and a future city park which is responding to a public need to relieve crowded schools and to meet the demand for more recreational sport fields.

**Density of development;**

**Finding:** This criterion is not applicable.

**Explanation of Finding:** The proposal does not plan for residential development.

**Property values;**

**Finding:** This criterion is satisfied.

**Explanation of Finding:** A professional analysis of property values has not been provided to staff. However in the professional opinion of staff when Lowrie Primary School was recently constructed it contributed to a flurry of single-family home construction in Villebois. The creation of more park land in this request can add more livability to the east side of Wilsonville and to Clackamas County residents in the area.

**Needs of economic enterprises in the future development of the area;**

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The subject property is within the City UGB and would involve capital projects for public infrastructure improvements.

**Transportation access:**

**Finding:** This criterion is satisfied.

**Explanation of Finding:** On pages 5 and 6 of The DKS Transportation Impact Analysis (Exhibit D of Exhibit B1) DKS proposes several transportation mitigation recommendations for the subject property. The City Engineering Division has considered the mitigation recommendations and has factored them in the proposed Public Facilities (PF) conditions of approval for the Stage I Preliminary Plan in this staff report.

**Natural resources; and Public need for healthful, safe and aesthetic surroundings and conditions:**

**B7. Finding:** This criterion is satisfied.

**Explanation of Finding:** In Request E the applicant is requesting to map and incorporate a SROZ area along the west side of the subject property. A portion of Meridian Creek is on the School District property. Since the subject property is currently outside the City Limits, SROZ has not been established for Meridian Creek that is adjacent to and on the property. The proposed SROZ area is approximately 1.95 acres. The proposed SROZ is a Metro Title 3/13 and Statewide Planning Goal 5 natural resource area. The applicant does not intend to modify or impact the SROZ. It will also serve as a buffer to the adjacent Landover subdivision to the west. The applicant has also conducted a natural resources assessment prepared by Taya MacLean, M.S., found in Exhibit C of Exhibit B1.

**B8. Review Criteria: e. Proposed changes or amendments to the Comprehensive Plan do not result in conflicts with applicable Metro requirements.**

**Wilsonville Development Code (WC) – Comprehensive Plan Changes**

**Subsection 4.198(.01) of the Development Code stipulates, “Proposals to amend the Comprehensive Plan, or to adopt new elements or sub-elements of the Plan, shall be subject to the procedures and criteria contained in the Comprehensive Plan. Each such amendment shall include findings in support of the following:**

**B9. Review Criterion: Approval Criterion A: “That the proposed amendment meets a public need that has been identified;”**

**Finding:** This criterion is satisfied.

**Explanation of Finding:** In 2014, voters approved a school bond entitling the school district to proceed with development on the subject 30 acre area of the property.

**B10. Review Criterion: Approval Criterion B: “That the proposed amendment meets the identified public need at least as well as any other amendment or change that could reasonably be made;”**

**Finding:** This criterion is satisfied.

**Explanation of Finding:** As stated in Finding B9, a school bond was passed authorizing the school district to proceed with development on the subject property for schools. The current Clackamas County Zoning Map identifies the subject property as ‘EFU.’ It is appropriate to designate these properties as Public Lands.

**B11. Review Criterion: Approval Criterion C: “That the proposed amendment supports applicable Statewide Planning Goals, or a Goal exception has been found to be appropriate;”**

**Finding:** This criterion is satisfied.

**Explanation of Finding:** With the implementation of the proposed conditions of approval, the propose amendment supports the applicable Statewide Planning Goals. Findings to the Statewide Planning Goals were prepared by the applicant in Exhibit B1.

**B12. Review Criterion: Approval Criterion D: “That the proposed change will not result in conflicts with any portion of the Comprehensive Plan that is not being amended.”**

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The applicant is requesting an amendment to the Comprehensive Plan Map for the subject property referenced herein. The applicant does not propose to modify or amend any other portion of the City of Wilsonville Comprehensive Plan.

**B13. Review Criterion: Policy 3.1.10 The City of Wilsonville shall continue to coordinate planning for educational facilities with all three local school districts and Clackamas Community College.**

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The City of Wilsonville has and will continue to coordinate planning for educational facilities with the three local school districts and Clackamas Community College with the development of Clackamas Community College in Town Center, Wilsonville High School, Wood Middle School, Boeckman Creek Primary School, Boones Ferry Primary School and Lowrie Primary School. In this application, the West Linn – Wilsonville School District proposes to annex the site and ultimately develop the subject property for a middle school, primary school. The School District and the City Parks and Recreation Department are coordinating site planning to share outdoor recreational facilities for public use.

**B14. Review Criterion: Implementation Measure 3.1.10.a. To provide better continuity throughout the community and realize the maximum benefit to the local tax structure, the City will continue to support the consolidation of the entire City limits into one school district.**

**Finding:** This is an ongoing effort.

**Explanation of Finding:** Currently the city is within three school districts; West Linn – Wilsonville School District (land area between the Willamette River and the northerly boundary of the Ralph Elligsen property); Canby School District (Charbonneau) and Sherwood School District (land north of the Ralph Elligsen property). The respective school district boundaries have remained relatively unchanged for over 35 years.

**B15. Review Criterion: Implementation Measure 3.1.10.c.** The City shall continue to coordinate with the school districts for the planning, scheduling, and construction of needed educational facilities. To minimize unnecessary duplication, the City will also work in concert with the school districts for the provision of recreational facilities and programs.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** As stated in Finding B14, the City of Wilsonville has and will continue to coordinate planning for educational facilities with the three local school districts and Clackamas Community College demonstrated by development of Clackamas Community College in Town Center, Wilsonville High School, Wood Middle School, Boeckman Creek Primary School, Boones Ferry Primary School and Lowrie Primary School. In this application the West Linn – Wilsonville School District and the City have partnered in site planning of the school property and the city park. The school district and the City Parks and Recreation Department are coordinating to share outdoor recreational facilities for public use.

**B16. Review Criterion: Implementation Measure 3.1.10.e.** It is the basic reasoning of these policies that development within the City should not be regulated based on the availability of school facilities and services. Rather, these services should be planned for and provided to meet the demands created by development. If, however, school facilities and/or services were determined to be severely inadequate and the school district is unable to provide satisfactory improvement, then growth limitations would be appropriate.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** West Linn – Wilsonville School District in this application has planned for and provided to meet the demands created by residential development with passage of several school bond measures over decades.

**B17. Comprehensive Plan - Parks/Recreation/Open Space**

“Encourage commercial recreation carefully sited within, or adjacent to, other uses. These standards recognize the importance of an adequate park and recreation system to the physical, mental and moral health of the community. They also represent a common-sense approach to parks planning and are, therefore, reaffirmed by this Plan. The Park and Recreation system envisioned is a combination of passive and active recreational areas including specified park lands, schools, and linear open spaces in both public and private ownership. It is a basic premise of this Plan that the availability of conveniently located open recreational spaces is more important than the form of ownership. In planning for such a system, it is helpful to classify the individual components (neighborhood parks, community parks, Greenway, etc.) which will or could comprise the park system. In addition, the establishment of a reasonable acquisition and development program requires a listing of priorities and a guide to desirable service levels. To maximize effectiveness, however, the actual development of such a system requires relating the

provision of facilities and services to the particular needs and recreational desires of the residents to be served. In recognition of Statewide Planning Goals and to provide a framework for development of park and recreation facilities, the following policy and implementation measures have been established:"

"Parks and recreational facilities in and around Wilsonville are provided for by the City, County, State and local school districts. The City's close proximity to Portland provides local residents with numerous recreational and entertainment opportunities provided throughout the metropolitan area, all within a 30 to 40 minute drive. Even the ocean beaches, Mt. Hood and other Cascade Mountains and several campgrounds, rivers and lakes are close at hand. within a couple of hours drive, thus providing an abundance of recreational activities. Within the City, recreational planning is coordinated with the West Linn-Wilsonville School District. The District provides traditional physical education programs as part of their regular school curriculum plus competitive sports programs in the upper grade levels. Other youth sports programming is provided by the City and a variety of non-profit organizations. The School District's community education program also provides recreational programs for both youth and adult activities and coordinates the use of District facilities. As the City continues to grow, additional facilities and services will need to be developed. The following Park and Recreation policies are further supported by policies in the Land Use and Development Section of the Comprehensive Plan regarding the natural environment, natural resources, and general open space. The 1971 General Plan and the 1988 Comprehensive Plan sought to:

1. Preserve the natural integrity of the Willamette River. Provide for frequent contact with the river. Encourage development of an adequate park and recreation system which would contribute to the physical, mental and moral health of the community.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The subject property for the proposed city park is not within the Willamette River Greenway Boundary. The City has an extensive park system with a variety of parks dispersed throughout with convenient access. They provide for a wide range of recreational attractions which contributes to the physical, mental and moral health of the community.

2. Encourage the school/park concept as a basic feature of the park element of the Plan.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The subject property for the proposed 10 acre city park is immediately adjacent to the proposed site for two schools.

3. Develop parks and open spaces where the land and surrounding development make it least suited for intensive development.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The subject property for the proposed 10 acre city park is currently agricultural land within Clackamas County and it would be annexed with this application.

4. Develop an extensive system of trails along stream courses and power line easements.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The subject property for the proposed schools and the city park is adjacent to the Meridian Creek corridor at its westerly boundary. The Parks and Recreation Master Plan shows a trail along Meridian Creek connecting existing and future schools. Pathway access to the subject property is dependent upon the steepness of the creek banks and other factors. The subject property does not have power line easements.

5. Encourage early acquisition of recreation sites to protect them from development and to reduce the public cost of acquiring the land.”

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The City and the school district have demonstrated excellent vision to plan for new schools and for a city park at a location that would reduce the public cost to acquire.

**Policy 3.1.11 The City of Wilsonville shall conserve and create open space throughout the City for specified objectives including park lands.**

- B18. Review Criterion: Implementation Measure 3.1.11.a.** Identify and encourage conservation of natural, scenic, and historic areas within the City.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The City Natural Resources Department and the school district’s natural resources consultant, Taya MacLean, MS., has coordinated their efforts to map Metro Title 3/13 and Goal 5 natural resources on the subject property. SROZ is included along the west side of the subject property is part of the proposed zone map amendment to PF. The subject property is not identified by the US Government, State of Oregon or Clackamas County as a historic site.

- B19. Review Criterion: Implementation Measure 3.1.11.b.** Provide an adequate diversity and quantity of passive and active recreational opportunities that are conveniently located for the people of Wilsonville.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** See Finding B17.

- B20. Review Criterion: Implementation Measure 3.1.11.d.** Continue the acquisition, improvement, and maintenance of open space.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** in addition to the recreational amenities at the school, which include a track, football and soccer, this application includes the site for a city community park at 10 acres in size for development of a future public park.

- B21. Review Criterion: Implementation Measure 3.1.11.g.** Where appropriate, require developments to contribute to open space.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The proposed zone change will create SROZ along the west side of the subject property of approximately 1.95 acres. The Stage I Master Plan for the proposed school site shows tack/soccer field and a future soccer field. The future city park

at the northeast corner of the property is anticipated be programmed with active recreation, specifically sports fields.

**B22. Review Criterion: Implementation Measure 3.1.11.h.** Protect residents from bearing the cost for an elaborate park system, excessive landscape maintenance, and excessive public facility costs.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** Sport fields associated with the school site will be maintained by the school district. Sports fields are anticipated at the city park. Wilsonville has a variety of sports available for area residents. Many of the sports are handled by organizations not directly affiliated with the City of Wilsonville. Wilsonville Parks and Recreation is responsible for the management and maintenance of the sports fields. Fields are available for rental from spring to fall. The ability to share recreational amenities between the two sites is a benefit to the community helping to save costs.

**B23. Review Criterion: Implementation Measure 3.1.11.i.** Develop limited access natural areas connected where possible by natural corridors for wildlife habitat and watershed and soil/terrain protection. Give priority to preservation of contiguous parts of that network which will serve as natural corridors throughout the City for the protection of watersheds and wildlife.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The proposed SROZ may have soft trail pathway access from the subject property to the Meridian Creek corridor.

**B24. Review Criterion: Implementation Measure 3.1.11.j.** Identify areas of natural and scenic importance and where appropriate, extend public access to, and knowledge of such areas, to encourage public involvement in their preservation.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** See Finding B18.

**B25. Review Criterion: Implementation Measure 3.1.11.l.** Encourage the interconnection and integration of open spaces within the City and carefully manage development of the Willamette River Greenway.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The subject school property and the future city park will be interconnected in terms of program use and parking provisions. The subject property is not within the Willamette River Greenway Boundary.

**B26. Review Criterion: Implementation Measure 3.1.11.n.** Park classifications and standards shall be developed to guide a program for acquisition and development of a park and open space system to insure an adequate supply of usable open space and recreational facilities, directly related to the specific needs of the local residents.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The future 10 acre city park is classified in the Parks and Recreation Master Plan a 'Community Park'.



**B27. Review Criteria: Implementation Measure 3.1.11.o.** Individual park and recreational sites, as defined by the parks and open space standards and classification system will be developed according to the following priorities:

1. Where possible, facilities within a park should be adjusted to meet the needs and desires of the local residents and the characteristics of the site. Park and/or recreational facilities in demand and least supply should receive the highest priorities.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The future 10 acre city is not currently master planned for site development. It is anticipated that it will have sports fields. Final development review requires public involvement and a public hearing process to determine desires of the local residents and the characteristics of the site.

2. Parks should be planned to insure maximum benefit to the greatest number of local residents. For this reason, acquisition and development of community level parks should be given the highest park priority.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The Parks and Recreation Master Plan described a ‘Community Park’ as being the Advance Road School Community Park (P18) as well as a City Community Park (P15)

**“P18 - Advance Road School Community Park:**

The vision for the proposed Advance Road community school park (P18) is to develop an innovative combination school and community park as a partnership between the City of Wilsonville and the West Linn/Wilsonville School District. The schools planned at Advance Road are a middle school and a primary school. The school park at this site will need to reflect the character of both school populations and potentially offer the opportunity for a larger multiuse recreational facility. The vision for the site at the new schools is for a park that combines major active recreation elements, a naturalized area which serves as a community resource and an outdoor classroom, as well as community picnic facilities and exercise trails. As the design opportunity approaches, evaluate the needs for the age level and number of sports fields and work with the school district for their facility design. Interim development of sports fields ahead of the school development and located in a way that can be incorporated in the future school design will reduce interruption and create a better blend of facilities. The following process is recommended in the design and development of a signature school community park:

1. Involve appropriate stakeholders to develop a detailed site concept and building program for a shared use facility. Because the site is large and planned for two school levels, the park will be well-suited for more mixed use recreation. The following elements should be incorporated:

- a. Dedicated athletic fields, possibly including lighting;
- b. Paved courts, including some that are covered for year round use;
- c. A natural area, or naturalized area that provides an opportunity for environmental education;
- d. At least one picnic shelter (for 30+ people) that serves as a community gathering place and can be used as an outdoor classroom;

- e. Multi-use fields to support organized sports played by younger age groups (T-ball, U8 soccer, etc.);
  - f. At least one gymnasium designed to support community use, including an entrance directly to the grounds and restrooms accessible from the gymnasium. A staffing desk and office should be provided to facilitate after school and evening hours programming;
  - g. A creative play environment that may incorporate a second shelter;
  - h. A connection to Local Access Trail 10 (as designated in the Bicycle and Pedestrian Master Plan); **Staff comment:** Local Access Trail 10 is northwest and off site of the subject property has no reasonable connection.
  - i. Restrooms available for public use;
  - j. Bouldering or other active play features suitable for older age groups; and
  - k. Skate feature.
2. Establish an updated joint use agreement with the School District that spells out daytime public use areas, public use hours of school facilities, and responsibilities for financing, operations, maintenance, and staffing.
  3. Contribute to the design, construction, and other costs to finance the project.”
3. Development of additional neighborhood Parks will have a lower priority for public funding. To assure localized benefit, development and maintenance on neighborhood parks shall continue to be accomplished through homeowner associations.  
**Finding:** This criterion is satisfied.  
**Explanation of Finding:** The future 10 acre city park is not designed. It would require separate Stage II and Site Design Review applications for consideration of all of its park amenities. The future 10 acre city park is classified as a ‘Community Park’ not a ‘Neighborhood Park’.
  4. **Small neighborhood parks** have the lowest development priority and should be supplied at public expense only if an area is determined to be isolated from access to other parks, or where space is extremely limited, and the park is supported by the adjacent neighborhood. Maintenance of such parks should be assigned to a homeowners’ association or other neighborhood organization. Small neighborhood parks tend to benefit a very localized population. It is, therefore, the intent of these standards to assign, where possible, the financial burden of maintenance and even development to those that benefit the most. In addition, a significant factor affecting maintenance costs is one of transporting equipment from park to park. Therefore, by concentrating public maintenance efforts to a few community parks, efficient use of maintenance dollars can be maximized.  
**Finding:** This criterion is satisfied.  
**Explanation of Finding:** The future 10 acre city park will be classified as a ‘Community Park’ not a ‘small neighborhood park’.
  5. Provision of regional park facilities will only be considered as an inter-jurisdictional project; and should have a low priority unless unusual circumstances arise.  
**Finding:** This criterion is satisfied.

**Explanation of Finding:** The future 10 acre city park will be classified as a 'Community Park' not a 'Regional Park'.

6. The City will encourage dedication or acquisition of land for parks and other public purposes in excess of lands needed to satisfy immediate needs.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The school district will make a separate application to partition the subject 40 acres into 2 parcels that will create the proposed 10 acre city park. However, it has not been designed and funded to satisfy immediate park needs.

**B28. Review Criterion: Implementation Measure 3.1.11.r.** The City shall continue to work on cooperative arrangements with the school districts to encourage provision of adequate year-round recreational programs and facilities, and to eliminate unnecessary overlap of facilities. Joint ventures in providing facilities and programs should be carefully considered in order to maximize the use of public funds in meeting local needs. Safe and convenient access to park and recreation facilities is an important factor in a successful park system. The pedestrian/bicycle/equestrian paths are essentially an element of the City's transportation system and policies regarding their development are included in the Transportation Systems Plan. Pathways do, however, also serve a recreational function and are, therefore, referenced in this element. This is particularly true with respect to coordination/alignment of proposed pathways with park and recreational facilities, including schools.

**Finding:** This criterion is satisfied.

**Explanation of Finding:** The Parks and Recreation Department is anticipating updating the Parks and Recreation Master Plan to: "encourage provision of adequate year-round recreational programs and facilities, and to eliminate unnecessary overlap of facilities. Joint ventures in providing facilities and programs should be carefully considered in order to maximize the use of public funds in meeting local needs."

**B29. Review Criterion: Implementation Measure 3.1.11.s.** Facilities constructed to implement the Bicycle and Pedestrian Master Plan shall be designed to insure safe and convenient pedestrian, bike and, where appropriate, equestrian access from residential areas to park, recreational and school facilities throughout the City.

**Finding:** This criterion is satisfied.

**Explanation of Finding:**

**Pedestrian Trails:** Sidewalks and bike lanes do not currently exist adjacent to the subject property on Advance Road and SW 60<sup>th</sup> 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 Bicycle Routes of the TSP shows "Future Shared-Use Path" within the Meridian Creek corridor. The City 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 which would connect southwest along Meridian Creek to the existing primary and high schools. As the design opportunity approaches in the next application submittal for the Stage II Final Plan of the middle school, the applicant and the city should further evaluate the needs for on and off-site pathways(s) adjacent to the subject school and city park properties.

***OAR 660-012-0060 Transportation Planning Rule for Plan and Land Use Regulation Amendment***

- B30. Review Criteria:** Amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. This shall be accomplished by either:
- (a) Limiting allowed land uses to be consistent with the planned function, capacity, and performance standards of the transportation facility;
  - (b) Amending the TSP to provide transportation facilities adequate to support the proposed land uses consistent with the requirements of this division;
  - (c) Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes; or
  - (d) Amending the TSP to modify the planned function, capacity and performance standards, as needed, to accept greater motor vehicle congestion to promote mixed use, pedestrian friendly development where multimodal travel choices are provided.

(2). A plan or land use regulation amendment significantly affects a transportation facility if it:

- (a) Changes the functional classification of an existing or planned transportation facility;
- (b) Changes standards implementing a functional classification system;
- (c) Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or
- (d) Would reduce the performance standards of the facility below the minimum acceptable level identified in the TSP.

**Finding:** These criteria are satisfied.

**Explanation of Finding:** The applicant's proposal would not significantly affect transportation facilities identified in the City's Transportation Systems Plan (TSP) (See the discussion at OAR-660-012-0060(2) below). The proposed conditions of approval would mitigate any impacts. The Comprehensive Plan Amendment and Zone Map Amendment do not propose any new amendments to the TSP.

**Explanation of Finding:** The applicant did not propose amendments to the TSP which would significantly affect transportation facilities identified in the City's Transportation Systems Plan (TSP) (See the discussion at OAR-660-012-0060(2) below). The Comprehensive Plan Amendment and Zone Map Amendment do not propose any new amendments to the TSP.

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 of their report states:

The City's TSP was approved by the City Council on June 17, 2013.

The on-site circulation system proposed in the Conceptual Master Plan in Exhibit B1 is designed to reflect the principles of smart growth encouraging alternatives to the automobile while accommodating all travel modes, including school buses, passenger cars, bicycles and pedestrians. Accordingly, there is separated bus, passenger car, bicycle and pedestrian circulation that will connect users of the various modes to the major activities inside and outside the school property. It shows the planned improvements of the impacted street system with ten (10) foot wide multi-model sidewalks and bicycle lanes. Safe Routes to School planning is a key concept that will be implemented through the construction phase.

The proposed Comprehensive Plan Map and Zone Map Amendments do not propose to change the functional classification of an existing City street facility or one planned in the TSP. Advance Road and SW 60<sup>th</sup> Avenue are currently under Clackamas County jurisdiction and agreement will be made to allow the City to improve those streets to City TSP designs and Public Works Standards.

The proposed Comprehensive Plan Map and Zone Map Amendments legislative do not propose to change standards implementing a functional classification system (see also the discussion at OAR 660-012-0060(2)(a), above).

The City has adopted traffic concurrency standards which will be applied to development in the subject school property UGB area during subsequent development review to ensure levels of travel and access are not inconsistent with the functional classification of a transportation facility and maintain performance standards adopted in the TSP.

**SUMMARY FINDING FOR REQUEST (B):**

The proposed Comprehensive Plan Map Amendment meets all applicable requirements and its approval may be recommend to the City Council.

**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

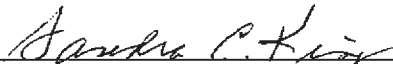
WHEREAS, on August 17, 2015, the Wilsonville City Council held a public hearing regarding the above described matter, wherein the City Council considered the full public record made before the Development Review Board, including the Development Review Board and City Council staff reports; took public 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.

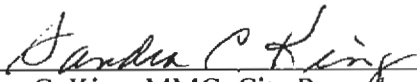
SUBMITTED to the Wilsonville City Council and read for the first time at a regular meeting thereof on the 17<sup>th</sup> day of August 2015, and scheduled for a second reading at a regular meeting of the Council on the 10th day of September 2015, commencing at the hour of 7:00 P.M. at the Wilsonville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

  
Sandra C. King, MMC, City Recorder

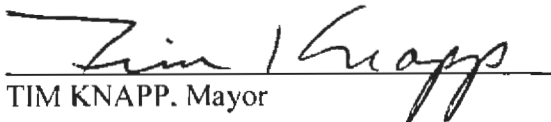


ENACTED by the City Council on the 10th day of September, 2015 by the following votes:

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).

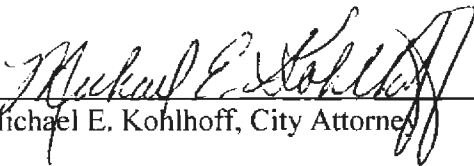
The Council having heard and considered all matters relevant to the application for a zone Map Amendment, including the Development Review Board record and recommendation, finds that the application should be approved.

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 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 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: 12/31/2010

EXPIRES: 12/31/2010

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.38., R.1E., W.M.  
 CLACKAMAS COUNTY, OREGON

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



**LEGEND:**

- ⊙ DENOTES MONUMENT FOUND AS NOTED
  - ⊘ DENOTES 5/8" DIAMETER BY 30" LONG IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "COMPASS ENGINEERING" SET ON AUGUST 3, 2011
  - ⊙ DENOTES IRON PIPE
  - ⊙ DENOTES IRON ROD
  - ⊙ DENOTES YELLOW PLASTIC CAP
  - M DENOTES MEASURED DATA
  - Z DENOTES RECORD DATA, SEE REFERENCE SURVEYS
  - P DENOTES PLAT DATA, SEE REFERENCE SURVEYS
  - ⊙ DENOTES FIELD DATA, SEE REFERENCE SURVEYS
  - U.C. UNKNOWN CORNER
  - S.N. DENOTES SURVEY NUMBER ON FILE WITH CLACKAMAS COUNTY SURVEYOR'S OFFICE
  - DOC. DOCUMENT NUMBER, CLACKAMAS COUNTY DEED RECORDS
- NOTES: IRON PIPES NOTED ARE MEASURED FROM FRAMEWORK. TAX LOT NUMBERS ARE FROM CURRENT ASSESSOR'S MAP 05-17-18 AND ARE SHOWN FOR REFERENCE ONLY.

**INDEX**

- SHEET 1 SITE AND LEGEND, REFERENCE SURVEYS, REFERENCE DEEDS
- SHEET 2 NORTH HALF OF SITE, LEGAL REFERENCE SURVEYS, REFERENCE DEEDS
- SHEET 3 SOUTH HALF OF SITE, LEGAL REFERENCE SURVEYS, REFERENCE DEEDS
- SHEET 4 MAINFRAME

**REFERENCE SURVEYS**

- P1 LANGGOSH, PLAT NO. 2246
- R1 S.W. 1/4
- S.W. 1/4
- S.W. 1/4
- S.W. 1/4
- S.W. 1/4
- S.W. 1/4

U.S.B.T. 2003-020  
 U.S.B.T. 2004-091  
 U.S.B.T. 2005-095  
 U.S.B.T. 2010-023  
 R.T. BOOK 8, PAGE 120

**REFERENCE DEEDS**

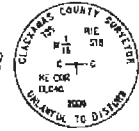
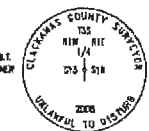
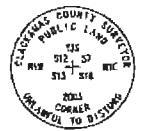
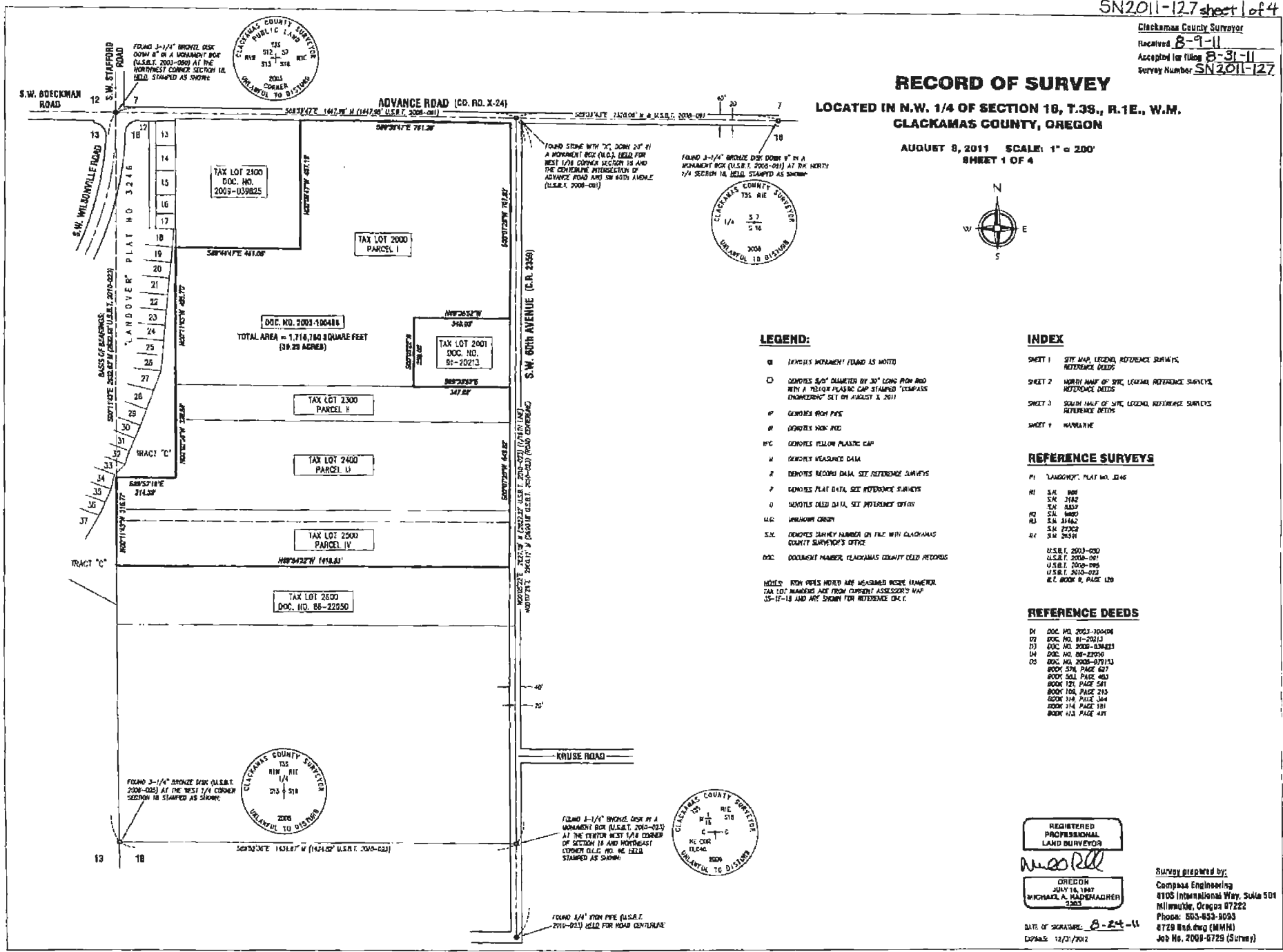
- D1 DOC. NO. 2003-100406
- D2 DOC. NO. 01-20213
- D3 DOC. NO. 2008-034223
- D4 DOC. NO. 08-22250
- D5 DOC. NO. 2008-071131
- BOOK 376, PAGE 627
- BOOK 381, PAGE 483
- BOOK 121, PAGE 581
- BOOK 100, PAGE 215
- BOOK 144, PAGE 344
- BOOK 114, PAGE 181
- BOOK 113, PAGE 491

REGISTERED PROFESSIONAL LAND SURVEYOR  
*Missy Rell*

OREGON  
 JULY 16, 1987  
 MICHAEL A. MADENBACHER  
 1383

DATE OF SIGNATURE: 8-24-11  
 DPA/SLS 12/31/2012

Survey prepared by:  
 Compass Engineering  
 4105 International Way, Suite 501  
 Milwaukie, Oregon 97222  
 Phone: 503-653-9925  
 8729 Wadsworth (MWH)  
 Job No. 2009-0729 (Survey)



# RECORD OF SURVEY

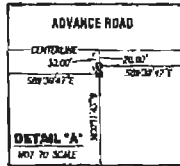
LOCATED IN N.W. 1/4 OF SECTION 18, T.36., R.1E., W.M.  
CLACKAMAS COUNTY, OREGON

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

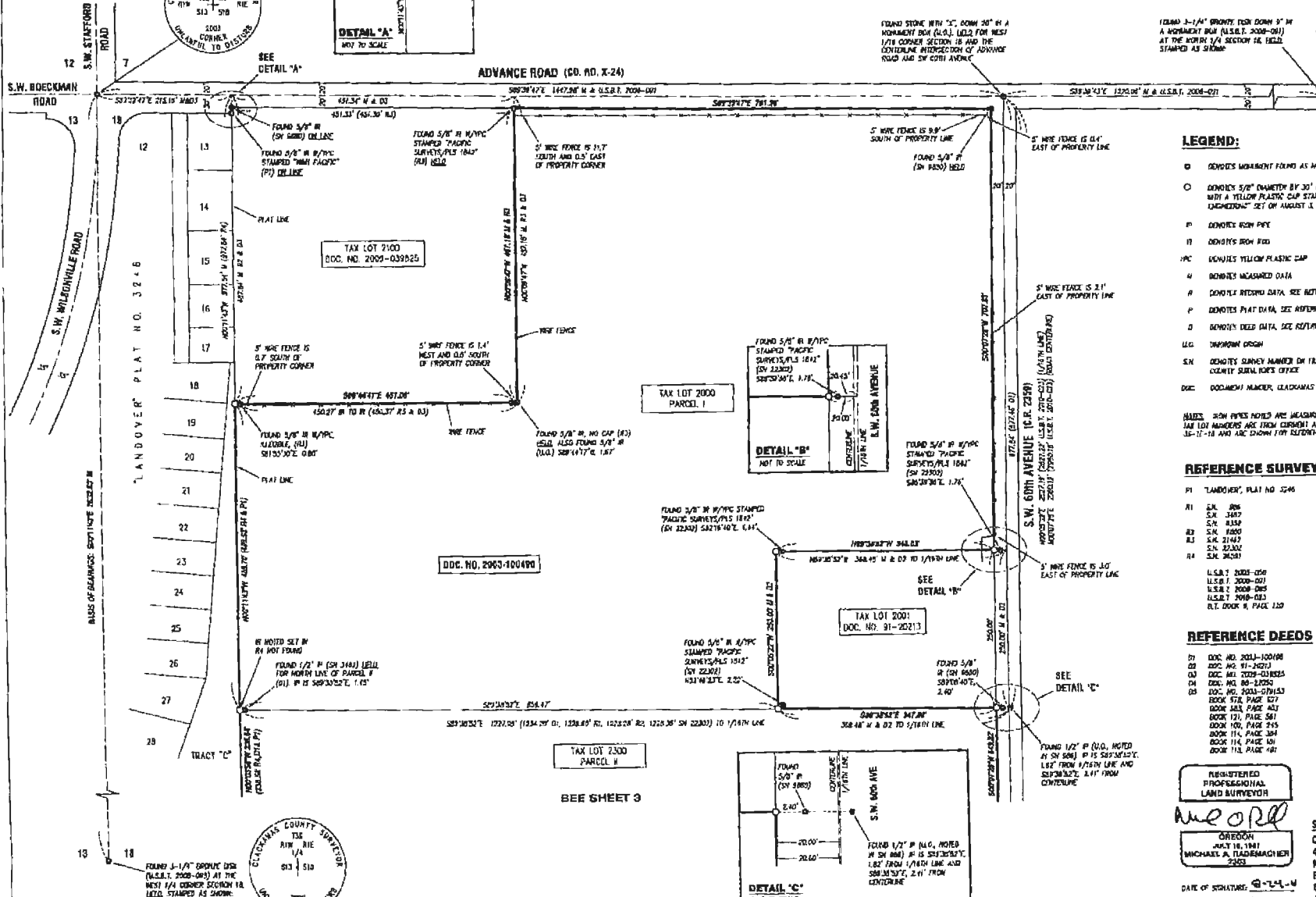


FOUND 3-1/4" BRONZE DISK DOWN 8" IN A MONUMENT BOX (U.S.G.T. 2008-058) AT THE NORTHWEST CORNER SECTION 18. LEGS STAMPED AS SHOWN.



FOUND STONE WITH "C" DOWN 20" IN A MONUMENT BOX (U.S.G.T. LEGS FOR WEST 1/4th CORNER SECTION 18 AND THE CONTIGUOUS INTERSECTION OF ADVANCE ROAD AND SW CORNER.

FOUND 3-1/4" BRONZE DISK DOWN 8" IN A MONUMENT BOX (U.S.G.T. 2008-058) AT THE NORTH 1/4 SECTION 18. LEGS STAMPED AS SHOWN.



### LEGEND:

- DENOTES MONUMENT FOUND AS NOTED
- DENOTES 5/8" DIAMETER BY 30" LONG IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "COMPASS" (MAGNETIC) SET ON AUGUST 1, 2011
- P DENOTES IRON PIPE
- IT DENOTES IRON ROD
- IPC DENOTES YELLOW PLASTIC CAP
- # DENOTES MEASURED DATA
- H DENOTES INTERPOL DATA. SEE REFERENCE SURVEYS
- D DENOTES PLAT DATA. SEE REFERENCE SURVEYS
- DB DENOTES DEED DATA. SEE REFERENCE DEEDS
- UGL UNKNOWN DEPTH
- SN DENOTES SURVEY NUMBER OF FILE WITH CLACKAMAS COUNTY SURVEYOR'S OFFICE
- DOC DOCUMENT NUMBER, CLACKAMAS COUNTY DEED ARCHIVES

### REFERENCE SURVEYS

- P1 LANDOWNER, PLAT NO. 3246
- R1 S.M. 806
- S.M. 3487
- S.M. 8184
- R2 S.M. 8680
- R3 S.M. 2142
- S.M. 2232
- R4 S.M. 26281

### REFERENCE DEEDS

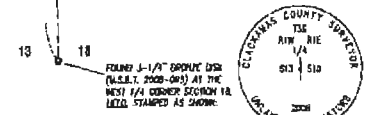
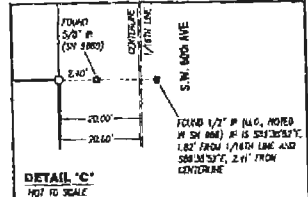
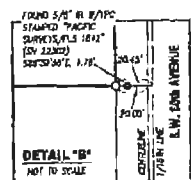
- D1 DOC. NO. 2003-100408
- D2 DOC. NO. 91-26210
- D3 DOC. NO. 7028-032825
- D4 DOC. NO. 80-12053
- D5 DOC. NO. 2003-071833
- BOOK 57A, PAGE 127
- BOOK 12B, PAGE 451
- BOOK 121, PAGE 561
- BOOK 10, PAGE 245
- BOOK 114, PAGE 354
- BOOK 114, PAGE 101
- BOOK 113, PAGE 481

REGISTERED PROFESSIONAL LAND SURVEYOR

*meord*  
MICHAEL A. PADENMAGHER  
2008

Survey prepared by:  
Compass Engineering  
4105 International Way, Suite 501  
Milwaukie, Oregon 97222  
Phone: 503-683-8083  
8728 TRACE AVE (N.W.M.)  
Job No. 2008-6729 (Survey)

DATE OF SIGNATURE: 8-12-11  
COPIES: 12/31/12



FOUND 3-1/4" BRONZE DISK (U.S.G.T. 2008-058) AT THE WEST 1/4 CORNER SECTION 18. LEGS STAMPED AS SHOWN.

SEE SHEET 3

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:**

- ⊙ DENOTES MONUMENT FOUND AS NOTED
- ⊠ DENOTES 5/8" DIAMETER BY 30" LONG IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "COMPASS ENGINEERING" SET ON AUGUST 3, 2011
- ⊢ DENOTES IRON PIPE
- ⊡ DENOTES IRON ROD
- ⊣ DENOTES YELLOW PLASTIC CAP
- M DENOTES MEASURED DATA
- A DENOTES RECORD DATA, SEE REFERENCE SURVEYS
- P DENOTES PLAT DATA, SEE REFERENCE SURVEYS
- D DENOTES DEED DATA, SEE REFERENCE DEEDS
- ⊞ UNKNOWN CROWN
- SA DENOTES SURVEY MONUMENT ON FILE WITH CLACKAMAS COUNTY SURVEYOR'S OFFICE
- DOC DETACHMENT NUMBER, CLACKAMAS COUNTY DEED RECORDS

NOTES: IRON PIPES NOTED ARE MEASURED PERCE DIAMETER. THE LOT NUMBERS ARE FROM CURRENT ASSESSOR'S MAP 10-10-10 AND ARE SHOWN FOR REFERENCE ONLY.

**REFERENCE SURVEYS**

- F1 LANGOVER, PLAT NO. 3248
- R1 S.N. 895
- S.N. 3482
- S.N. 8327
- S.N. 8080
- R2 S.N. 21482
- S.N. 22002
- S.N. 20001

- U.S.S.T. 2003-050
- U.S.S.T. 2008-091
- U.S.S.T. 2008-085
- U.S.S.T. 2010-023
- B.T. BOOK 4, PAGE 170

**REFERENCE DEEDS**

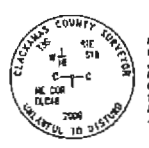
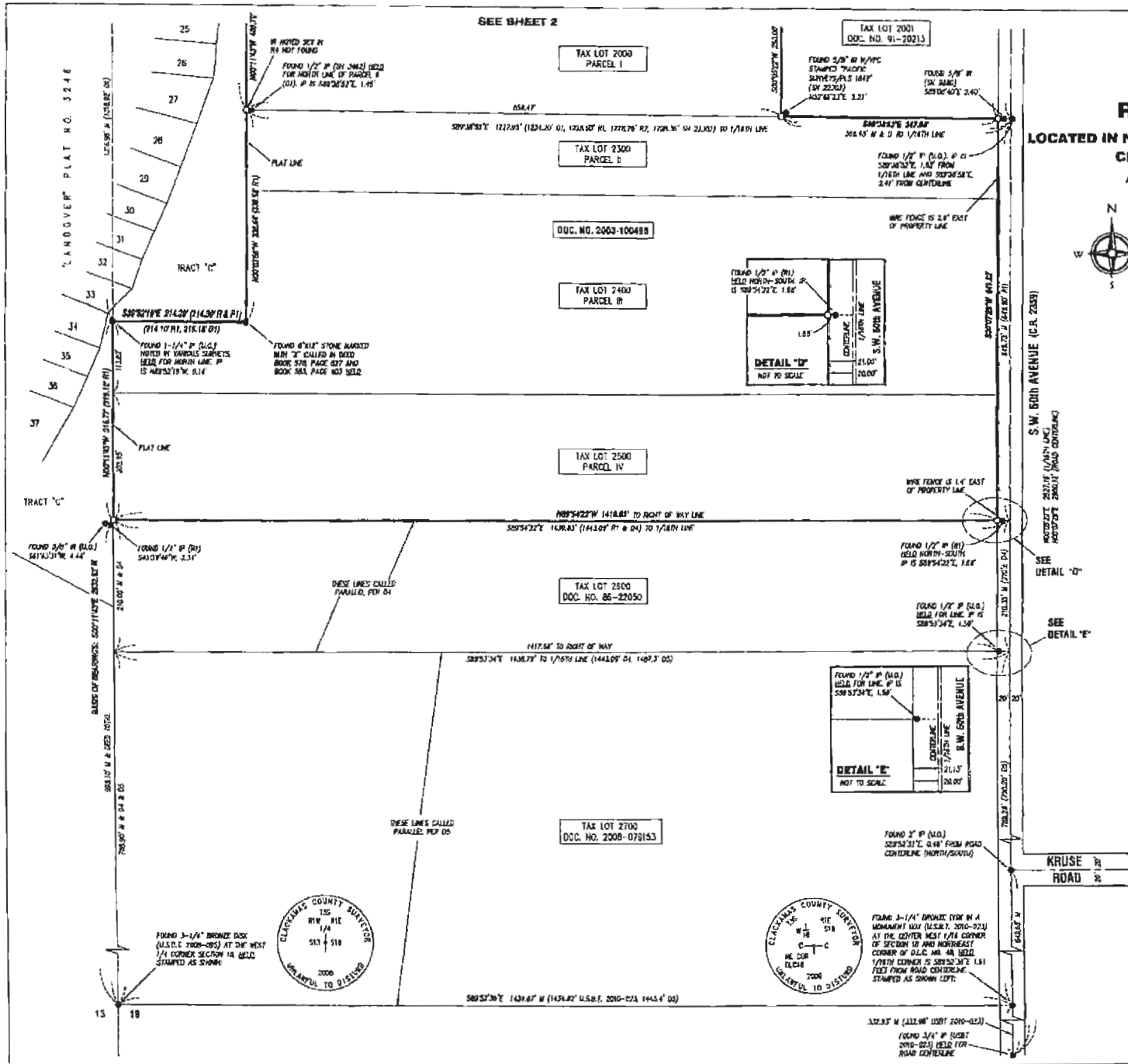
- D1 DOC. NO. 2003-100488
- D2 DOC. NO. 91-20213
- D3 DOC. NO. 2008-08225
- D4 DOC. NO. 84-52000
- D5 DOC. NO. 2008-078133
- BOOK 312, PAGE 817
- BOOK 384, PAGE 425
- BOOK 123, PAGE 241
- BOOK 120, PAGE 245
- BOOK 116, PAGE 349
- BOOK 114, PAGE 181
- BOOK 113, PAGE 491

PROFESSIONAL  
 LAND SURVEYOR

*Michael A. Rademacher*  
 CREATOR  
 JULY 14, 1993  
 MICHAEL A. RADEMACHER  
 2503

Survey prepared by:  
 Compass Engineering  
 4105 International Way, Suite 501  
 Milwaukie, Oregon 97222  
 Phone: 503-683-0003  
 6726 Bnd3.dwg (MAMM)  
 Job No. 2009-0728 (Survey)

DATE OF SIGNATURE: 8-24-11  
 DEDUCE: 12/21/2012

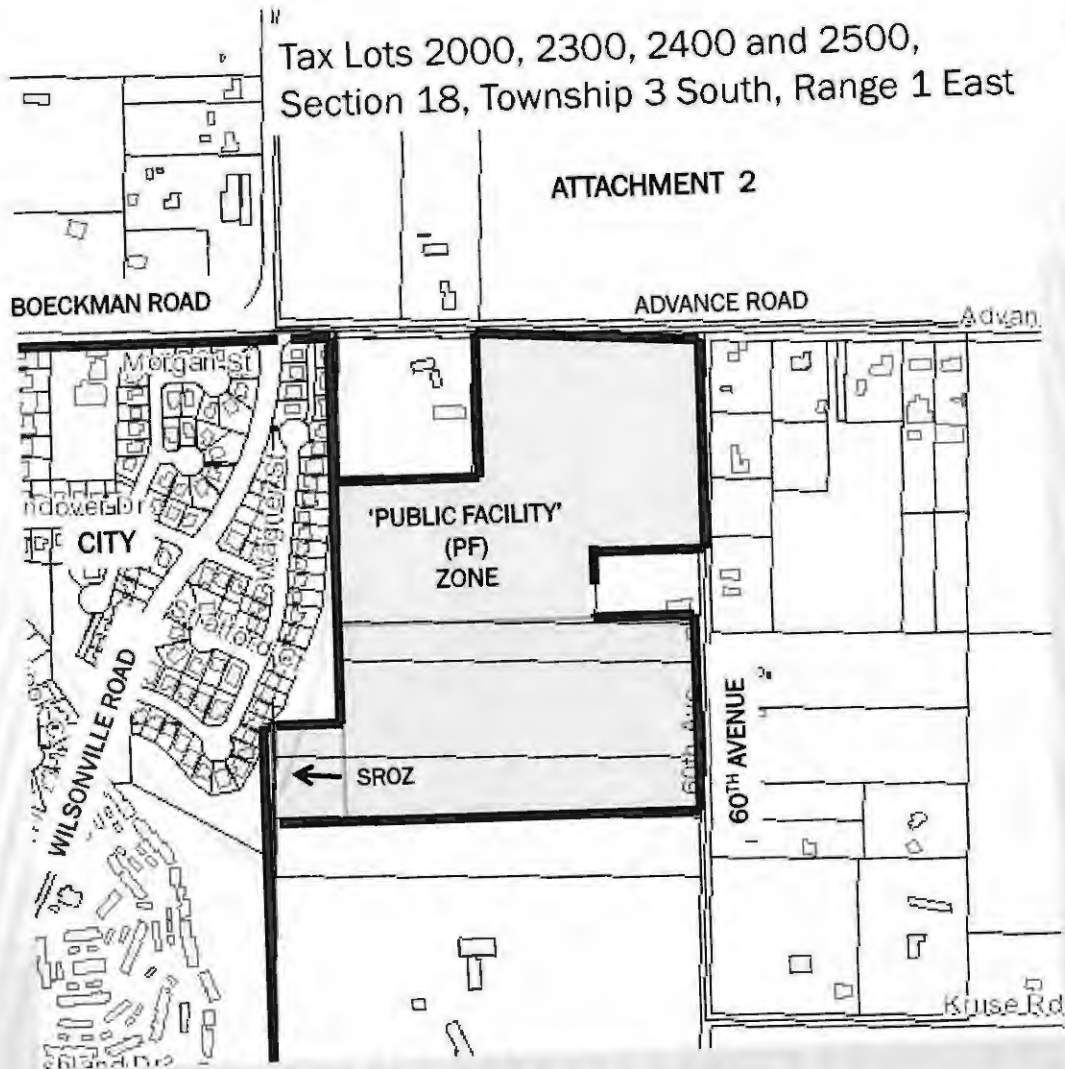






Tax Lots 2000, 2300, 2400 and 2500,  
Section 18, Township 3 South, Range 1 East

ATTACHMENT 2



**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., 338.84 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

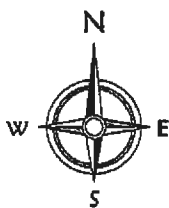
EXPIRES: 12/31/2016



4107 SE International Way, Suite 705, Milwaukie, Oregon 97222

Phone: 503.653.9093 Fax: 503.653.9095 Email: compass@compass-landsurveyors.com

DOCUMENT NO. 2014-011271  
TAX LOT 2100, MAP 3S-1E-18



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

"LANDOVER"  
PLAT NO. 3 2 4 6

TRACT "C"

POINT OF BEGINNING  
MOST EASTERLY CORNER  
TRACT "C", "LANDOVER"

TRACT "C"

TAX LOT 2000  
MAP 3S-1E-18

TAX LOT 2300  
MAP 3S-1E-18

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

TAX LOT 2500  
MAP 3S-1E-18

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

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°46'45"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

SROZ BOUNDARY  
84,257 SQUARE FEET  
= 1.93 ACRES

**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 60<sup>th</sup> 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**

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

Section 4.197	Zone Changes and Amendments to Development Code-Procedures
URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN	<p data-bbox="743 296 1414 390"><b>Title 3 – Water Quality Resource Boundary and Title 13 (Sections 3.07.1310 – 3.07.1370)– Nature in Neighborhoods</b></p> <ul data-bbox="792 432 1398 554" style="list-style-type: none"> <li data-bbox="792 432 1398 554">• <b>conserves, protects and restores a continuous ecologically viable streamside corridor system integrated with upland wildlife habitat and the urban landscape</b></li> </ul>

**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).”

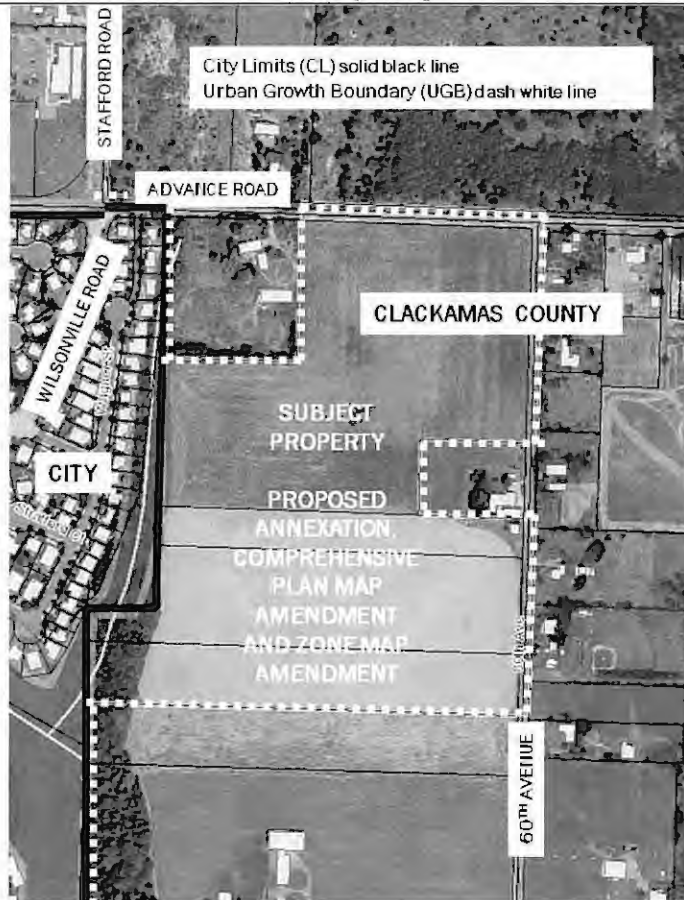
“The property is not actively farmed. The northern 20+ acres (TL 2000) is an open field, and the southern portion contained an old Filbert orchard, which was removed several years ago due to age and disease (TL 2300, 2400 and 2500). According to the Clackamas County Planning Department, Tax Lot 2000 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.

**Vicinity Map**



## **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 60<sup>th</sup> 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 60<sup>th</sup> 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 60<sup>th</sup> 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

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City Council

Staff Report August 4, 2015

Attachment B

**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.

<b>GENERAL INFORMATION</b>
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***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.

<b>REQUEST C: ZONE MAP AMENDMENT</b>
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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 60<sup>th</sup> 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 60<sup>th</sup> 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.

<b>SROZ INCLUSION</b>
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**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.

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