

AFFIDAVIT OF POSTING

ORDINANCE #117

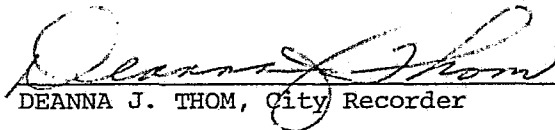
STATE OF OREGON        )  
                              )  
COUNTIES OF CLACKAMAS)  
  AND WASHINGTON        )  
                              )  
CITY OF WILSONVILLE )

I, the undersigned, City Recorder of the City of Wilsonville, State of Oregon, being first duly sworn on oath depose and say:

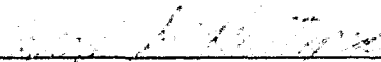
On the 31st day of January, 1979 I caused to be posted copies of the attached Ordinance #117, An Ordinance Amending the Zoning Map of the City of Wilsonville (Application of Loren V. Flomer: RA-1 to PC&I) in the following four public and conspicuous places of the City, to wit:

Wilsonville Post Office  
Wilsonville City Hall  
Lowrie's Food Market  
Kopper Kitchen

The Ordinance remained posted for more than five (5) consecutive days prior to the time for said public hearing on the 5th day of February, 1979.

  
DEANNA J. THOM, City Recorder

Subscribed and sworn to before me  
this   6   day of February, 1979.

  
\_\_\_\_\_  
NOTARY PUBLIC, STATE OF OREGON

My Commission Expires:   12/31/1981

ORDINANCE NO. 117

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF WILSONVILLE (Application of Loren V. Flomer: RA-1 to PC&I)

WHEREAS, an application was filed with the Wilsonville City Recorder, on September 8, 1978 by Loren V. Flomer on behalf of Graphic Properties, contract purchaser of the hereinafter described property for the purpose of changing the classification of the zone in which said property is located from RA-1 (Rural Agricultural) to PC&I (Planned Commercial and Industrial). The application fee as required by Section 17.01 of Ordinance No. 23 (the City's zoning ordinance) has been paid. The following is a description of the real property, consisting of approximately 1.82 acres (79,280 square feet) for which the application for a zone change was filed, to-wit:

North half of Tax Lot 301 in Southeast quarter of Section 11, Township 3 South, Range 1 West of the Willamette Meridian, Wilsonville, Clackamas County, Oregon.

WHEREAS, the Wilsonville City Planning Commission, before taking final action on said application, and the proposed amendment, scheduled and held a public hearing on the matter as required by Section 11.02 of the Zoning Ordinance No. 23, and said hearing was held on Tuesday, November 14, 1978, and Notice of the time, place and purpose of the said hearing was duly and regularly given by publishing in the Tigard Times, a newspaper of general circulation in the City of Wilsonville, not less than five days prior to the date of hearing and by written notice mailed by the City Recorder to all owners of property within 250 feet of the exterior boundaries of the property affected not less than ten days prior to the date of hearing as required by Section 14.01(1)(A) and (B) of the Zoning Ordinance No. 23, and the Newspaper's Affidavit of publication and the City Recorder's Affidavit of mailing are on file in the City Recorder's records and file of this zone change matter; and

WHEREAS, the City of Wilsonville Planning Commission met at the time and place of public hearing on such matters, i.e. Tuesday, November 14, 1978, and heard and considered testimony regarding the proposed zone change, and upon conclusion of the hearing, by motion duly made, seconded and carried, recommended to the Wilsonville City Council that the proposed zone change be allowed, so as to change the zoning of the property from RA-1 (rural agricultural) to PC&I (Planned Commercial and Industrial); and

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

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

1. The proposed zone change is in accordance with the existing zoning ordinance and comprehensive plan.
2. There is a public need for the change.
3. The public need is better served by the proposed zone change on the subject property rather than on other property.

4. The change will preserve and protect the health, safety and general welfare of the residents in the area.

5. The proposed zone change conforms to the goals and guidelines of the Land Conservation and Development Commission (LCDC).

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

1. That the Wilsonville Comprehensive General Plan Map (ordinance #58) identifies the site in question as Industrial Park under the industrial land use category and, therefore, the proposed PC&I zoning classification is in compliance with the adopted land use policies and zoning regulations of the City of Wilsonville.

2. That existing industrial land uses within the immediate vicinity are compatible with the proposed use.

3. That the property in question is located within the urban growth boundary for the City of Wilsonville in that the site is located near the I-5 interstate freeway and towards the center of the urban growth area.

4. That urban facilities, such as water, sewer, and transportation are available to the site for immediate use and that the use of urban facilities represents an orderly pattern of growth in the industrial area.

5. That the schedule of development for the industrial use coincides with the anticipated residential growth for the City of Wilsonville, thereby assuring a reasonable balance for demand of urban services between the residential and industrial zones for the City of Wilsonville.

6. That the proposed land use represents a diversification in industrial growth which will result in a broader spectrum of employment opportunities for the public.

7. That the industrial use of the property in question will add to the assessed evaluation for the West Linn School District, which is considered by the City of Wilsonville to be in the interest of the general public.

8. That provisions for the widening of Parkway Avenue have been provided for by the property owner through the proposed dedication of a 14' wide corridor extending parallel with Parkway Avenue for the entire frontage of the site.

9. That the site development plan, as required through the PC&I zoning process, identifies a system of development for off-street parking, landscaping, building placement, and vehicular access which is consistent with the PC&I zoning process as identified in Section 13.04 of Ordinance #23.

10. That points of access/egress on the property are in compliance with standards established by Clackamas County Department of Public Works and are located to insure adequate site distance clearance for safe fields of vision.

11. That public testimony by the applicant and representatives of Graphic Properties has been entered into the public record together with planning exhibits (site development plan and Fasano requirements) in support of the zone change and have been deemed by the Planning Commission and City Council to be acceptable in relation to the degree of the proposed land use intensification and anticipated impact on the surrounding area.

NOW, THEREFORE,

THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

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

Section 2: (Conditions of the zone change).

1. That the property owner submit to the City Attorney's office, prior to the PC&I Stage III review of site plans, the necessary legal documents to dedicate to the public the additional 14 feet of right-of-way as indicated on the site development plans.

2. That no outdoor storage be authorized on the premises other than the siting of the storage area for the delivery vans as proposed and indicated on the site development plan.

3. That the City's consulting engineer, Westech, approve the construction plans and the culvert improvements which will be necessary in order to adequately drain the property.

4. That Stage II and Stage III PC&I plans be drawn in compliance with Ordinance 38 in order to provide for an expeditious review by the Planning Commission and Design Review Board of on-site developments as required by said Ordinance, thereby synchronizing the system of final preliminary plan review prior to the issuance of a building permit.

5. That the applicant obtain an access permit from the Clackamas County Department of Public Works for access onto Parkway

Avenue and that said permit be acquired prior to the issuance of a building permit by the City of Wilsonville.

6. That no additional on-site advertising of the use of the property be authorized other than that which is so designated on the site development plan.

7. That consideration be given by the Design Review Board for placement of additional trees on the north and west side of the proposed structure to provide for a visual buffer between the I-5 freeway and the property in question.

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

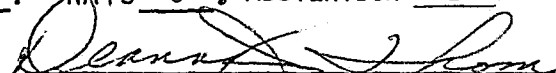
Section 4: The Mayor, attested by the City Recorder, is hereby authorized and directed to make the appropriate changes on the City's zoning map in compliance with the dictates of Section 1 of this ordinance.

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

Submitted to the Council and read the first time at a meeting of the Council on the 22nd day of January , 1979 and scheduled for second reading at a regular meeting of the Council on the 5th day of February , 1979 at the hour of 8:00 p.m. at the Wilsonville Grade School.

  
DEANNA J. THOM - City Recorder

ENACTED by the Council on the 5th day of February , 1979  
by the following vote: YEAS 4 . NAYS 0 . ABSTENTION 1 .

  
DEANNA J. THOM - City Recorder

DATED and SIGNED by the mayor this 6th day of February , 1979.

  
WILLIAM G. LOWRIE - Mayor