

ORDINANCE NO. 635

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A COMPREHENSIVE PLAN MAP AMENDMENT from *RESIDENTIAL 0 – 1 du/ac* to *RESIDENTIAL 4 - 5 du/ac* and a corresponding ZONE MAP AMENDMENT from the *RESIDENTIAL AGRICULTURAL - HOLDING (RA-H)* zone to the *RESIDENTIAL (R)* zone on approximately 0.69 Acres of Tax Lot 2400, Section 13B, T3S, R1W, Clackamas County, Oregon. *SFA Design Group, LLC*, acting as agent for the applicant, *Mr. Chuck Knorr*.

WHEREAS, *SFA Design Group, LLC* has requested a Comprehensive Plan Map Amendment and a Zone Map Amendment described in attached Zoning Order DB07-0008; and

WHEREAS, the Wilsonville Planning Staff analyzed the request and prepared a staff report, with conditions, to the Development Review Board dated June 4, 2007, wherein it reported that the request is consistent with and meets requirements for approval of a Comprehensive Plan Map Amendment and a Zone Map Amendment; and

WHEREAS, the Development Review Board Panel 'A' held a public hearing on this request on June 11, 2007, and after taking testimony, gave full consideration to the matter and recommended approval of the request; and

WHEREAS, the Wilsonville Planning Staff prepared a memo to City Council dated July 2, 2007; and

WHEREAS, on July 2, 2007, the Wilsonville City Council held a public hearing regarding the above described matter, considered the record before the Development Review Board and staff report, took testimony, and, upon deliberation, has concluded that the proposed Comprehensive Plan Map Amendment and Zone Map Amendment meets the applicable approval criteria under the City's land development code and Comprehensive Plan,

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

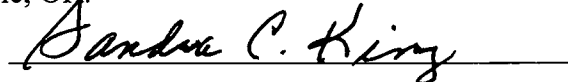
Section 1. Findings. The City Council adopts as findings and conclusions the forgoing recitals and the staff report in this matter dated June 4, 2007, which Exhibit A is attached hereto and incorporated herein as if fully set forth.

Section 2. Order. The official City of Wilsonville Zone Map is hereby amended in Zoning Order: DB07-0008, attached hereto, from Residential Agricultural – Holding (RA-H) to Residential (R) on Tax Lot 2400 Section 13B, T3S, R1W, Clackamas County, Oregon, depicted

on the attached map (Attachment 2), and in the attached Legal Description (Attachment 1), Clackamas County, Wilsonville, Oregon.

Section 3. Order. The official City of Wilsonville Comprehensive Plan Map is hereby amended from Residential (0 – 1 du/ac) to Residential (4 - 5 du/ac) from *Residential Agricultural* on Tax Lot 2400, Section 13B, T3S, R1W, Clackamas County, Oregon, as depicted on the attached map (Attachment 2), and in the attached Legal Description (Attachment 1), Clackamas County, Wilsonville, Oregon.

SUBMITTED to the Wilsonville City Council and read the first time at a regular meeting thereof on the 2nd day of July, 2007, commencing at the hour of 7 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, OR.


Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the 16th day of July, 2007, by the following votes:

Yes: 5 No: 0


Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this 17th day of July, 2007.


CHARLOTTE LEHAN, MAYOR

SUMMARY OF VOTES:

Mayor Lehan	Yes
Councilor Knapp	Yes
Councilor Ripple	Yes
Councilor Kirk	Yes
Councilor Núñez	Yes

Attachments:

1. Zoning Order DB07-0008
Attachment 1: Legal Description
Attachment 2: Map depicting zone change and comprehensive map change
2. Planning Division Staff Report to the City Council, June 4, 2007, labeled Exhibit A



SFA Design Group, LLC
STRUCTURAL | CIVIL | LAND USE PLANNING | SURVEYING

Legal Description:

June 21, 2007

Zone Change

DB07-0008

Basis of Bearings:

The bearings noted hereon are based upon Partition Plat 1999-077, a plat of record in Clackamas County, a copy attached hereto as Exhibit 1.

That tract of land situated in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 13, Township 3 South, Range 1 West, of the Willamette Meridian, City of Wilsonville, Clackamas County, Oregon, being more particularly described as follows:

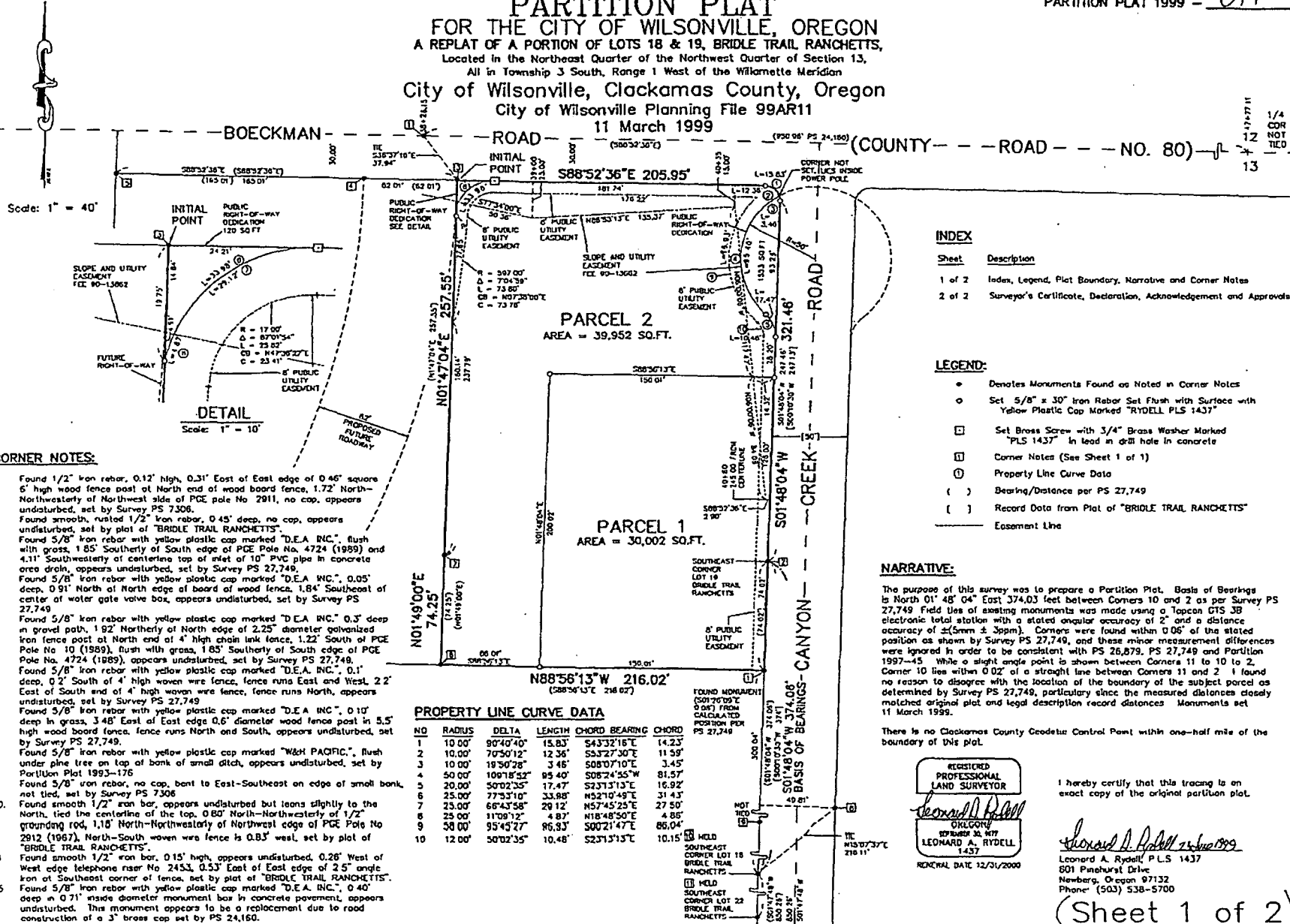
Parcel 1 of Partltion Plat 1999-077, a duly recorded plat in Clackamas County, Oregon.

Containing 30,002 SQ. FT.

ATTACHMENT 1

PARTITION PLAT FOR THE CITY OF WILSONVILLE, OREGON

A REPLAT OF A PORTION OF LOTS 18 & 19, BRIDLE TRAIL RANCHETTS,
Located in the Northeast Quarter of the Northwest Quarter of Section 13,
All in Township 3 South, Range 1 West of the Willamette Meridian
City of Wilsonville, Clackamas County, Oregon
City of Wilsonville Planning File 99AR11
11 March 1999



Scale: 1" = 40'

DETAIL
Scale: 1" = 10'

CORNER NOTES:

- 1 Found 1/2" iron rebar, 0.12' high, 0.31' East of East edge of 0.46' square 6' high wood fence post at North end of wood board fence, 1.72' North-Northwestly of Northwest side of PCE pole No. 2911, no cap, appears undisturbed, set by Survey PS 7306.
- 2 Found smooth, rusted 1/2" iron rebar, 0.45' deep, no cap, appears undisturbed, set by plat of "BRIDLE TRAIL RANCHETTS".
- 3 Found 5/8" iron rebar with yellow plastic cap marked "D.E.A. INC.", flush with grass, 1.65' Southerly of South edge of PCE Pole No. 4724 (1989) and 4.11' Southeastly of centerline top of 10" PVC pipe in concrete area drain, appears undisturbed, set by Survey PS 27,749.
- 4 Found 5/8" iron rebar with yellow plastic cap marked "D.E.A. INC.", 0.05' deep, 0.91' North of North edge of board of wood fence, 1.84' Southeast of center of water gate valve box, appears undisturbed, set by Survey PS 27,749.
- 5 Found 5/8" iron rebar with yellow plastic cap marked "D.E.A. INC.", 0.3' deep in gravel path, 1.92' Northerly of North edge of 2.25" diameter galvanized iron fence post at North end of 4' high chain link fence, 1.22' South of PCE Pole No. 10 (1989), flush with grass, 1.65' Southerly of South edge of PCE Pole No. 4724 (1989), appears undisturbed, set by Survey PS 27,749.
- 6 Found 5/8" iron rebar with yellow plastic cap marked "D.E.A. INC.", 0.1' deep, 0.2' South of 4' high woven wire fence, fence runs East and West, 2.2' East of South end of 4' high woven wire fence, fence runs North, appears undisturbed, set by Survey PS 27,749.
- 7 Found 5/8" iron rebar with yellow plastic cap marked "D.E.A. INC.", 0.10' deep in grass, 3.48' East of East edge of 0.6' diameter wood fence post in 5.5' high wood board fence, fence runs North and South, appears undisturbed, set by Survey PS 27,749.
- 8 Found 5/8" iron rebar with yellow plastic cap marked "W&H PACIFIC", flush under pine tree on top of bank of small ditch, appears undisturbed, set by Partition Plat 1993-176.
- 9 Found 5/8" iron rebar, no cap, bent to East-Southeast on edge of small bank, not tied, set by Survey PS 7306.
- 10 Found smooth 1/2" iron bar, appears undisturbed but leans slightly to the North, tied the centerline of the top, 0.80' North-Northwestly of 1/2" grounding rod, 1.10' North-Northwestly of Northwest edge of PCE Pole No. 2912 (1987), North-South woven wire fence is 0.83' west, set by plat of "BRIDLE TRAIL RANCHETTS".
- 11 Found smooth 1/2" iron bar, 0.15' high, appears undisturbed, 0.26' West of West edge telephone riser No. 2433, 0.53' East of East edge of 2.5" angle iron at Southeast corner of fence, set by plat of "BRIDLE TRAIL RANCHETTS".
- 15 Found 5/8" iron rebar with yellow plastic cap marked "D.E.A. INC.", 0.40' deep in 0.71' inside diameter monument box in concrete pavement, appears undisturbed. This monument appears to be a replacement due to road construction of a 3' brass cap set by PS 24,160.

PROPERTY LINE CURVE DATA

NO	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD
1	10.00'	90°40'40"	15.83'	S43°32'16"E	14.23'
2	10.00'	70°50'12"	12.36'	S53°27'30"E	11.59'
3	10.00'	19°50'28"	3.46'	S08°07'10"E	3.45'
4	50.00'	109°18'52"	95.40'	S08°24'55"W	81.57'
5	20.00'	50°02'35"	17.47'	S23°31'12"E	16.92'
6	25.00'	77°31'00"	33.88'	N52°10'49"E	31.43'
7	23.00'	66°43'58"	29.12'	N57°45'25"E	27.50'
8	25.00'	11°09'12"	4.87'	N18°48'50"E	4.86'
9	38.00'	95°45'27"	96.83'	S00°21'47"E	86.04'
10	12.00'	50°02'35"	10.48'	S23°17'13"E	10.15'

INDEX

Sheet	Description
1 of 2	Index, Legend, Plat Boundary, Narrative and Corner Notes
2 of 2	Surveyor's Certificate, Declaration, Acknowledgement and Approvals

LEGEND:

- Denotes Monuments Found as Noted in Corner Notes
- Set 5/8" x 30" Iron Rebar Set Flush with Surface with Yellow Plastic Cap Marked "RYDELL PLS 1437"
- Set Brass Screw with 3/4" Brass Washer Marked "PLS 1437" in lead in drill hole in concrete
- ⊠ Corner Notes (See Sheet 1 of 1)
- ⊙ Property Line Curve Data
- () Bearing/Distance per PS 27,749
- [] Record Data from Plat of "BRIDLE TRAIL RANCHETTS"
- Easement Line

NARRATIVE:

The purpose of this survey was to prepare a Partition Plat. Basis of Bearings is North 01° 48' 04" East 374.03 feet between Corners 10 and 2 as per Survey PS 27,749. Field lines of existing monuments was made using a Topcon GTS JB electronic total station with a stated angular accuracy of 2" and a distance accuracy of ±(3mm + 3ppm). Corners were found within 0.06' of the stated position as shown by Survey PS 27,749, and these minor measurement differences were ignored in order to be consistent with PS 26,879, PS 27,749 and Partition 1997-45. While a slight angle point is shown between Corners 11 to 10 to 2, Corner 10 lies within 0.02' of a straight line between Corners 11 and 2. I found no reason to disagree with the location of the boundary of the subject parcel as determined by Survey PS 27,749, particularly since the measured distances closely matched original plat and legal description record distances. Monuments set 11 March 1999.

There is no Clackamas County Geodetic Control Point within one-half mile of the boundary of this plat.

REGISTERED PROFESSIONAL LAND SURVEYOR
Leonard A. Rydell
OKLONKY
601 PINEHURST DRIVE
LEONARD A. RYDELL
1437
RENEWAL DATE 12/31/2009

I hereby certify that this tracing is an exact copy of the original partition plat.
Leonard A. Rydell 11 March 1999
Leonard A. Rydell, P.L.S. 1437
601 Pinehurst Drive
Newberg, Oregon 97132
Phone: (503) 538-5700

(Sheet 1 of 2)

Partition 1999-77

ZCFB

PARTITION PLAT
FOR THE CITY OF WILSONVILLE, OREGON
A REPLAT OF A PORTION OF LOTS 18 & 19, BRIDLE TRAIL RANCHETTS,
 Located in the Northeast Quarter of the Northwest Quarter of Section 13,
 All in Township 3 South, Range 1 West of the Willamette Meridian
City of Wilsonville, Clackamas County, Oregon
 City of Wilsonville Planning File 99AR11
 11 March 1999

PARTITION PLAT 1999 - 077

SURVEYOR'S CERTIFICATE

I, Leonard A. Rydell, Oregon Registered Professional Land Surveyor No. 1437, do hereby certify that I have correctly surveyed and marked with proper monuments the land represented on the attached Partition Plat, a replat of portions of Lots 18 and 19 of "BRIDLE TRAIL RANCHETTS", a subdivision recorded in Book 37, Page 1147, Clackamas County Plat Records, and described as Lot 19, excepting the West 227 feet thereof and the East 216 feet of Lot 18, excepting South 113 feet thereof, and located in the Northeast Quarter of the Northwest Quarter of Section 13, Township 3 South, Range 1 West of the Willamette Meridian, of Wilsonville, Clackamas County, Oregon, and more fully described as follows:

Beginning of the Initial Point, a 5/8-inch iron rebar with a yellow plastic cap marked "D.E.A. INC." on the North line of said Lot 18 of "BRIDLE TRAIL RANCHETTS", said rebar being South 01° 48' 04" West 74.02 feet, North 88° 56' 13" West 216.02 feet, North 01° 49' 00" East 74.25 feet and North 01° 47' 04" East 257.55 feet from the Southeast corner of Lot 19 of said "BRIDLE TRAIL RANCHETTS" and being also the Northwest corner of that tract of land described in Warranty Deed - Statutory Form from Emory L. Reedy and Laverne Reedy to the City of Wilsonville, a municipal corporation, recorded 12 October 1998, document Number 98-095536, Clackamas County Deed Records; thence South 88° 56' 13" East 205.95 feet along the North line of said Lot 18 to a 5/8-inch iron rebar with a yellow plastic cap marked "RYDELL PLS 1437"; thence on a 100 foot radius curve right (long chord bears South 43° 32' 16" East 14.23 feet) along the boundary of said Lot 18 an arc distance of 15.83 feet to a 5/8-inch iron rebar with a yellow plastic cap marked "RYDELL PLS 1437" on the East line of said Lot 18; thence South 01° 48' 04" West 321.46 feet along the East line of said Lots 18 and 19 to the Southeast corner of said City of Wilsonville Tract; thence North 88° 56' 13" West 216.02 feet along the South line of said Wilsonville Tract to a 5/8-inch iron rebar with a yellow plastic cap marked "D.E.A. INC." at the Southwest corner of said Wilsonville Tract; thence North 01° 49' 00" East along the West line of said Wilsonville Tract 125 feet to a 5/8-inch iron rebar with a yellow plastic cap marked "D.E.A. INC."; thence North 01° 47' 04" East along the West line of said Wilsonville Tract 257.55 feet to the Initial Point.

Said tract containing 1.6443 acres.

The above plat by which the accompanying plot accurately depicts the above described tract, is drawn to scale and all points are monumented in accordance with Oregon Survey Law.

Leonard A. Rydell 29 June 1999
 Leonard A. Rydell, P.L.S. No. 1437
 10901 Hurst Drive
 Wilsonville, Oregon 97132
 (503) 538-5700



I do hereby certify that this tracing is an exact copy of the original partition plat.

Leonard A. Rydell 29 June 1999
 Leonard A. Rydell, P.L.S. 1437
 10901 Hurst Drive
 Wilsonville, Oregon 97132
 (503) 538-5700

36F13

DECLARATION

KNOW ALL MEN BY THESE PRESENTS that the City of Wilsonville being the owner of the land described in the Surveyor's Certificate herein made, do hereby make, establish and declare that the attached Partition Plat is a true and correct map and plat thereof, all Parcels being the dimensions shown and all public right-of-ways and easements being the dimensions shown thereon, said City of Wilsonville does hereby dedicate and donate to the use of the public forever all public right-of-ways and public easements shown on said plat. This plat is subject to restrictions as noted.

IN WITNESS WHEREOF, we have set our hands:
Charlotte Lehan Sandra C. King
 Charlotte Lehan, Mayor Sandra C. King, City Recorder
 City of Wilsonville City of Wilsonville

ACKNOWLEDGEMENTS:

State of Oregon }
 County of Clackamas } ss
 On this 29th day of June, 1999, personally appeared before me Charlotte Lehan, Mayor, and Sandra C. King, City Recorder, for the City of Wilsonville, who being first duly sworn did say that they are the authorized signatories of the City of Wilsonville, owner of the land described in the Surveyor's Certificate herein, and that the instrument was signed in behalf of the City of Wilsonville, by authority of its City Council, and acknowledged the instrument to be its voluntary act and deed.



NOTES:

- The "Slope and Utility Easement" recorded 28 March 1990 by Fee No. 90-13662 refers to Exhibit "A" for a description based on the centerline of Boeckman Road. The Quarter Corner of Sections 12 and 13 was held for Station 47+77.11 of the easement at 950.95' per Clackamas County Survey Record PS 24,160 from Corner 1. Exhibit "A" contains a description of the Boeckman Road centerline along with centerline offsets for the easement which are shown on this plat. Exhibit "A" also contains an Exhibit Map that shows a "construction easement, approx 3,400 sf". This "construction easement" is not mentioned in the easement document, and the map does not contain dimensions and therefore is not locatable from the information provided.
- This plat is located within the boundaries of the Urban Renewal Plan "Neighborhood Development Project" as revealed by instrument recorded 12 October 1990, Recorder's Fee No. 90-081076. The terms and provisions of this instrument were modified by instrument recorded 16 July 1991, Recorder's Fee No. 91-034796.

CITY OF WILSONVILLE APPROVALS:

Approved this 29th day of June, 1999.
Steph L. ...
 City of Wilsonville Planning Director
 Approved this 29th day of June, 1999.
E. Colon ...
 City of Wilsonville Community Development Director

CLACKAMAS COUNTY APPROVALS

Approved this 29 day of June, 1999.
[Signature]
 Clackamas County Surveyor

All taxes, fees, assessments or other charges as provided by O. R. S. 92.095 have been paid through June 30, 1999.

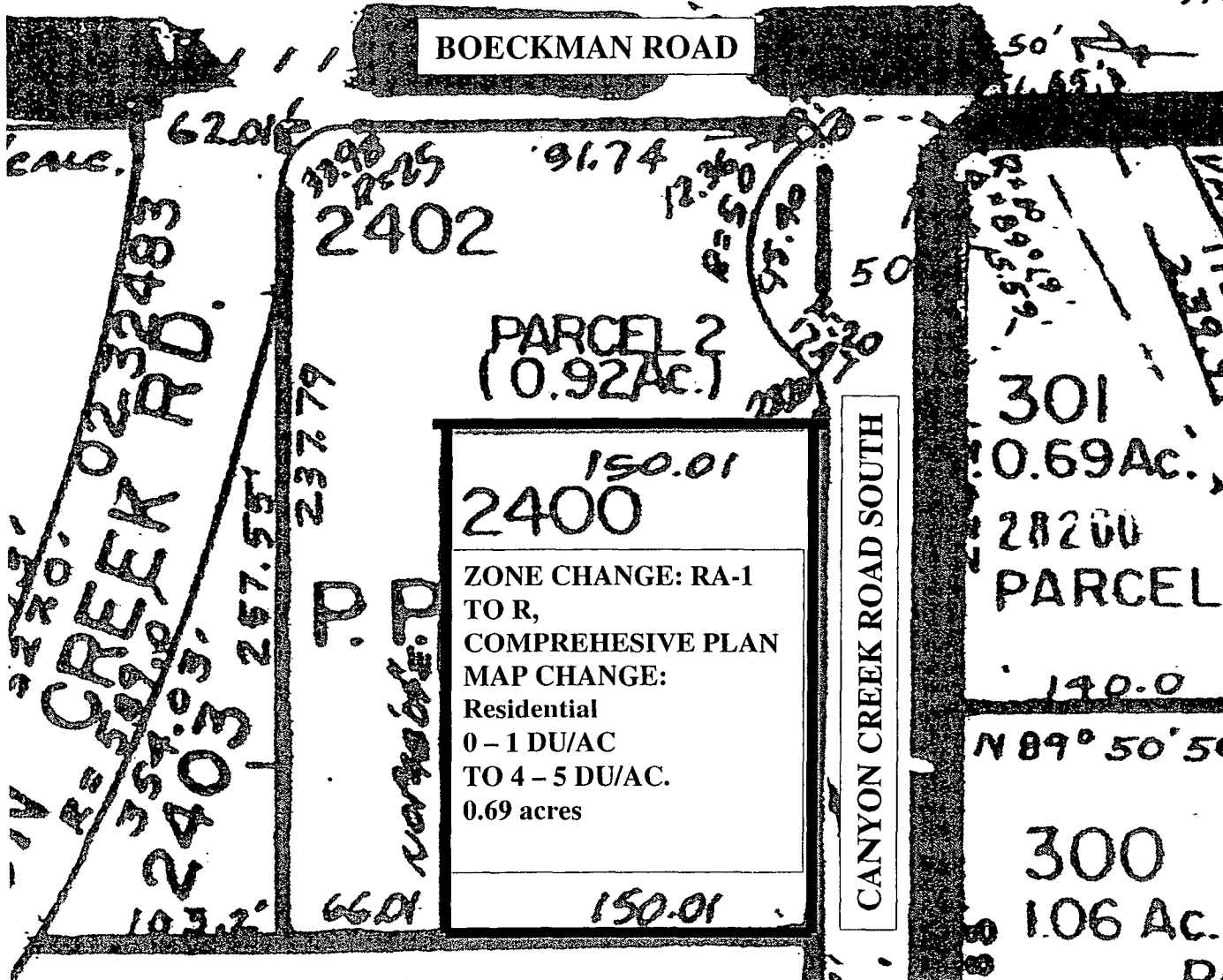
Certified June 30, 1999
Roy Enland
 Clackamas County Assessor and Tax Collector
 By Craig Ferris Deputy By Carol Williams Deputy

State of Oregon }
 County of Clackamas } ss

I do hereby certify that the attached partition plat was received for record on the 29th day of June, 1999 at 3:02 o'clock P.M. and recorded in the County Clerk Records

Jahn Kaufman
 Clackamas County Clerk
 By Melissa Taylor
 Deputy

ATTACHMENT 2



CHUCK KNORR, ZONE MAP AMENDMENT AND COMPREHENSIVE PLAN AMENDMENT

**BEFORE THE CITY COUNCIL OF THE
CITY OF WILSONVILLE, OREGON**

In the Matter of the Application of)
SFA Design Group, LLC, acting as agent for)
the applicant,)
for a Rezoning of Land and Amendment of) **ZONING ORDER DB07-0008**
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 *SFA Design Group, LLC*, acting as agent for the applicant, *Mr. Chuck Knorr*, for a Zone Map Amendment and an order amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code.

It appears to the Council that the property, which is the subject of this application, is described as follows: Tax Lot 2400 in Section 13B, T3S R1W, Clackamas County, Wilsonville, Oregon, and such property has heretofore appeared on the Wilsonville Zoning Map as *Residential Agricultural – Holding (RA-H)*.

The Council having heard and considered all matters relevant to the application, including the Development Review Board record and recommendation, finds that the application should be approved, and it is therefore,

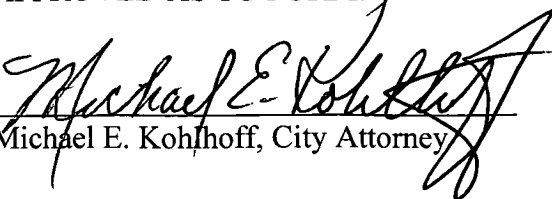
ORDERED that approximately 0.69 acres of Tax Lot 2400 in Section 13B, T3S R1W, Wilsonville, Clackamas County, Oregon, more particularly described in Attachment 1 to this order, is hereby rezoned to *Residential (R)*, and such rezoning is hereby declared an amendment to the Wilsonville Zoning Map (Section 4.102 WC) and shall appear as such from and after entry of this Order.

Dated: This 2nd day of July, 2007.

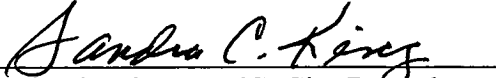


CHARLOTTE LEHAN, MAYOR

APPROVED AS TO FORM:


Michael E. Kohlhoff, City Attorney

ATTEST:


Sandra C. King, MMC, City Recorder

Attachment 1: Legal Description

Attachment 2: Map depicting zone change and comprehensive map change