

AFFIDAVIT OF POSTING ORDINANCE NO. 53

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 Wednesday, the 17th day of September, 1975, I caused to be posted copies of the attached Ordinance No. 53, an ordinance amending the zoning map of the City of Wilsonville (Application of Parkway Acres, Jack Kohl, Jr., Mgr. Partner and Skyland, Inc., Mgr. Partner), in the following three (3) public and conspicuous places of the City, to wit:

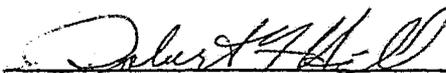
- 1) Wilsonville Post Office
- 2) Lowries Market
- 3) Kopper Kitchen

The notices remained posted for more than five (5) consecutive days prior to the time for final reading and passage of the Ordinance on the 16th day of September, 1975.

Dated at Wilsonville, State of Oregon, this 17th day of September, 1975.


DEANNA THOM - City Recorder

Subscribed and sworn to before me this 17th day of September, 1975


NOTARY PUBLIC for Oregon

My Commission expires: 11-11-78

ORDINANCE NO. 53

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF WILSONVILLE
(Application of Parkway Acres, Jack Kohl, Jr., Mgr. Partner
and Skyland, Inc., Mgr. Partner.)

WHEREAS, an application was filed with the Wilsonville City Recorder by Jack E. Kohl, Jr., Managing Partner for Parkway Acres of the hereinafter described property, to amend the zoning map of the City of Wilsonville for the purpose of changing the classification of the zone in which the following described real property is located from an RA-1 (Rural Agricultural Zone) to a PC & I (Planned Commercial and Industrial Zone), and 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, which consists of approximately two and one-half (2 1/2) acres, for which the Application for Zone Change was filed, to-wit:

A parcel of property being described as Lots 100 and 300 in Section 23, T3S., R1W., of the W.M., in the City of Wilsonville, Clackamas County, State of Oregon.

WHEREAS, the Wilsonville City Planning Commission, before taking final action on said application and the proposed amendment, scheduled and held a public meeting on the matter on Monday, July 14, 1975, and notice of the time, place and purpose of 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 City Ordinance No. 23, and the Recorder's Affidavit of publication and mailing is

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

WHEREAS the City of Wilsonville Planning Commission at the time and place of the public hearing on such matter, i.e., July 14, 1975, heard and considered discussion for 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 approved, and that the City's zoning map be changed accordingly, and that the zone classification of the above described real property be changed from that of RA-1 (Rural Agricultural Zone) to PC & I (Planned Commercial and Industrial Zone); whereupon a written report and recommendation of the Wilsonville City Planning Commission was duly made and filed with the Wilsonville City Council; and

WHEREAS the Wilsonville City Council held a public hearing on the matter and the proposed zone change as required by the provisions of Section 11.02 of the City Zoning Ordinance No. 23, and said public hearing was held on Monday, August 4, 1975, at the Wilsonville City Hall in Wilsonville, Clackamas County, State of Oregon, after proper notice thereof was first duly given in the manner and for the time required by the said Zoning Ordinance and ORS 227.260, and proof of the written notification of said public hearing and publication of such notice in the Tigard Times, a newspaper of general circulation printed and published in Tigard, Washington County, State of Oregon, is on file in the office of the Wilsonville City Recorder at the Wilsonville City Hall and in a part of the records and file of this matter; and

WHEREAS, opponents and proponents voiced their opinion on the zone change at the hearing before the Wilsonville City Council on Monday, August 4, 1975, and after further consideration of the matter and due deliberation on the report and recommendations of the City Planning Commission, the Wilsonville City Council determined:

1. The change is in conformance with the existing zoning ordinance.
2. There is a public need for the change.
3. The public need is met best by the proposed change.
4. The change conforms to the general welfare standards in the enabling legislation.

The Wilsonville City Council made the above decisions based on the following determination of facts:

1. Zoning Ordinance No. 23 contemplates zoning amendments.
2. Intent of Zoning Ordinance No. 23 is to fully utilize property to its highest and best use.
3. The proposed change can take advantage of existing municipal sewer and water systems. It would not impose an undue burden on either system, nor would it impair the quantity of available water.
4. The proposed zone change would not diminish the quality of the air.
5. The described real estate is better suited for commercial development and would be isolated from more desirable areas for the conservation of open spaces, natural and scenic resources.

6. The zone change preserves prime recreational areas and farm land and provides for an orderly and efficient transition from rural to urban land use.
7. The zone change diversifies and improves the economy of the city.
8. The zone change for the limited area would best suit future development in the surrounding area.
9. The growth trends of Wilsonville indicate a need for more office buildings to serve the public.
10. There will be no environmental problems. For example, there is no "Soil limitation" which would present building problems.
11. There are no other areas in the City currently zoned which would accomodate the proposed construction.
12. The current site is the most suitable area within the City for such construction.
13. The area is in close proximity to the commercial center of the City.
14. Construction of the office buildings will not be detrimental nor reduce the value to the surrounding property.
15. The buildings are aesthetically designed and compatible with surrounding property.
16. The buildings will be landscaped to improve the aesthetic beauty.
17. The buildings will be of good quality and will not deteriorate more rapidly than normal.

18. There is presently no suitable office space for rent within the City.
19. The public has requested office space.
20. The existing road system is adequate to serve the increased traffic, if any.
21. The construction of the office buildings provides for a much needed development of facilities to better serve the need of the rural and urban sections of the City of Wilsonville.
22. The character of the area is better suited for commercial development rather than agricultural use.
23. The zone change is in conformance and consistent with the zoning ordinance including the goal and policies of residential and commercial districts.

NOW THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

Section 1. That the zoning map of the City of Wilsonville dated June 1, 1971, and adopted as a part of the City 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 Zone) shall now include the following described real property, to-wit:

A parcel of property being described as Lots 100 and 300 in Section 23, T3S., R1W., of the W.M., in the City of Wilsonville, Clackamas County, State of Oregon;

and upon the adoption of this Ordinance, said property shall thereupon be classified as a PC & I Zone and not as an RA-1 Zone.

Section 2. The Mayor, attested by the City Clerk, is hereby authorized and directed to make the appropriate changes in the City's Zoning Map.

Section 3. 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.

Passed on first reading of the Wilsonville City Council at a meeting thereof on the 2nd day of September, 1975; ordered posted as provided by the Wilsonville City Charter; and to come up for final reading and action of the Wilsonville City Council at a meeting thereof to be held on Tuesday, the 16th day of September, 1975, at the hour of 7:30 o'clock p.M., at the Wilsonville City Hall.


PHILLIP R. BALSIGER - Mayor

ATTEST:


DEANNA THOM - City Recorder

Passed on final reading of the Wilsonville City Council at a meeting thereof held on this 16th day of September, 1975, by the following vote: Yeas 4 Nays 1.


PHILLIP R. BALSIGER - Mayor

ATTEST:


DEANNA THOM - City Recorder