

RESOLUTION NO. 1793

A RESOLUTION OF THE CITY OF WILSONVILLE ADOPTING THE ZONING ORDER 02DB07(1) AND AMENDING THE CITY'S ZONE MAP TO APPROVE A ZONE CHANGE FROM RESIDENTIAL AGRICULTURAL - HOLDING (RA-H) TO PLANNED DEVELOPMENT COMMERCIAL (PDC) ON TAX LOTS 1200, 1600 AND 1700 IN SECTION 23AB, T3S-R1W, ALONG WITH THE ADDITION OF TAX LOTS 1202 AND 1400 (SOUTHWESTERLY PORTION) IN SECTION 23AB, T3S-R1W, TOGETHER WITH APPROVAL OF STAGE I PRELIMINARY PLANS FOR OPTIONS A AND B ON TAX LOTS 1200, 1202, 1400, 1401, 1600 AND 1700 IN SECTION 23AB, T3S-R1W, CLACKAMAS COUNTY, WILSONVILLE OREGON, KILLIAN PACIFIC, APPLICANT.

WHEREAS, Killian Pacific has requested a Zone Map Amendment of the property described in Exhibit A; and

WHEREAS, the Wilsonville Planning Staff analyzed the request and prepared a staff report, with conditions, to the Development Review Board dated July 8, 2002, wherein they reported that the request is consistent with and meets requirements for approval of a Zone Map Amendment and Stage I Preliminary Plan; and

WHEREAS, the Development Review Board Panel 'A' held public hearing on this request on July 15, 2002 and after taking testimony, gave full consideration to the matter and recommended approval of the request on July 15, 2002, in DRB Resolution No. 02DB07(1) which action, along with the testimony, evidence, and staff report of July 8, 2002, is attached hereto as Exhibit A; and

WHEREAS, the Wilsonville Planning Staff prepared a supplemental staff report to City Council dated August 19, 2002, attached hereto as Exhibit B, which is hereby adopted as additional findings; and

WHEREAS, the supplemental staff report (Exhibit B) explains the need to correct the property description to include the historic record. The property description inadvertently omitted two tax lots, which are hereby incorporated into the description by

correcting and adding "Tax Lots 1202 and 1400 (southwesterly portion) in Section 23AB T3S-R1W"; and

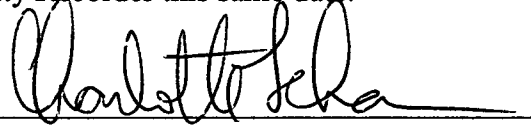
WHEREAS, the Wilsonville City Council on August 19, 2002, held a public hearing regarding the above described matter, took testimony and concluded that the proposed Zone Map Amendment and Stage I Preliminary Plan met the approval criteria as detailed in the Development Review Board action and staff report adopted July 15, 2002.

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

1. The City Council adopts the above-described recitals, the findings and the referenced staff reports and DRB Resolution, along with Exhibits A and B, as findings of fact, which documents are incorporated herein by reference. Provided, however, the City Council finds that the applicant may not be able to comply with all the applicable development standards pursuant to WC 4.197(.02)G. It appears that seven significant trees are scheduled for removal, which should not be removed. Applicant indicates the trees can be saved through minor modifications to their stage II plans as a condition to the adoption of the zoning order addressed herein. The Planning Director shall review the modifications and verify that the trees will be saved through such minor modifications. The Planning Director shall also have the authority to allow removal if subsequent arborist's opinion is found by the Director to merit removal. The trees are identified on the Tree Plan, Red Oaks 189, 190, 191, 192, and 193, English Oak 324 and Douglas Fir 150. The Tree Plan is attached, marked as B1, and incorporated by reference herein.
2. The City Council adopts Zoning Order 02DB07(1) marked Exhibit C attached hereto and incorporated by reference herein, subject to subsection 1 above.
3. The official City of Wilsonville Zone Map is hereby amended in Zoning Order 02DB07(1), incorporated herein and attached hereto, from Residential Agricultural - Holding (RA-H) to Planned Development Commercial (PDC) on Tax Lots 1200, 1202, 1400 (southwesterly portion) 1600 and 1700 in Section 23AB, T3S R1W, Clackamas County, Wilsonville, Oregon.
4. The Stage I Preliminary Plans for two options, A and B, are approved for Tax Lots 1200, 1202, 1400, 1401, 1600 and 1700 in Section 23AB, T3S R1W, Clackamas County, Wilsonville, Oregon, subject to subsection 1 above.

5. This resolution is effective upon adoption.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 19th day of August, 2002, and filed with the Wilsonville City Recorder this same date.



CHARLOTTE LEHAN, MAYOR

ATTEST:



Sandra C. King, CMC, City Recorder

SUMMARY OF VOTES:

Mayor Lehan	<u>Yes</u>
Councilor Helser	<u>Yes</u>
Councilor Barton	<u>Yes</u>
Councilor Kirk	<u>Abstain*</u>
Councilor Holt	<u>Yes</u>

*Councilor Kirk recused himself from the discussion and vote due to conflict of interest.

BEFORE THE CITY COUNCIL OF THE
CITY OF WILSONVILLE, OREGON

In the Matter of the Application of)
Killian Pacific)
for a rezoning of land and amendment of) ZONING ORDER 02DB07(1)
the City of Wilsonville Zoning Map)
incorporated in Section 4.102 of the)
Wilsonville Code.)

The above-entitled matter is before the City Council to consider the application of Killian Pacific for a Zone Map Amendment and an order amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code.

The property that is the subject of this application is described as Tax Lots 1200, 1202, 1400 (southwesterly portion), 1600 and 1700 in Section 23AB, T3S R1W, Clackamas County, Wilsonville, Oregon, and such property has heretofore appeared on the official Zoning Map as *Residential Agricultural - Holding (RA-H)*.

Council has heard and considered all matters relevant to the application, including the addendum Staff Report to the City Council (Resolution No.1793, Exhibit B) dated August 19, 2002, staff report (Resolution No. 1793, Exhibit A) dated July 15, 2002, the Development Review Board adopted resolution 02DB07(1), and minutes of the public hearing of July 15, 2002, including conditions of approval.

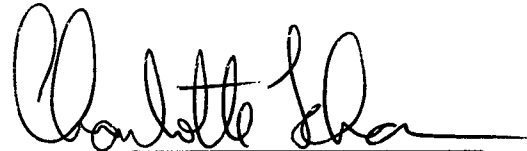
Therefore, based on the testimony and evidence presented, THE CITY COUNCIL ORDERS as follows:

1. Tax Lots 1200, 1202, 1400 (southwesterly portion), 1600 and 1700 in Section 23AB, T3S R1W, Clackamas County, Wilsonville, Oregon are rezoned to Planned Development Commercial (PDC).
2. This action also approves Stage I Preliminary Plans A and B (Exhibits 74 and 90 of July 8, 2002, and staff report, attached), either of which may be developed, subject to subsection 1 of Resolution No. 1793.
3. The Council further finds that the application shall be approved, and subject to the conditions contained in Exhibit B, and subsection 1 of Resolution No. 1793,

the zoning shall become Planned Development Commercial (PDC) and the same is hereby declared an amendment to the Wilsonville Zoning Map (Section 4.102 Wilsonville Code) and shall appear as such from and after entry of this order, as shown in map attachment 1.

4. Such rezoning is hereby declared an amendment to the Wilsonville Zoning Map (Section 4.102 Wilsonville Code) and shall appear as such from and after entry of this Order.

Dated: August 21, 2002.



CHARLOTTE LEHAN, MAYOR

ATTEST:


Sandra C. King, CMC, City Recorder

APPROVED AS TO FORM:


Michael E. Kohlhoff, City Attorney

GRO CER / RETAIL
56,133 sf

BANK
5,500 sf

SERVICE
2,880 sf

Exhibit B-1
Resolution No. 1793

English Oak
#324

CHURCH IS CLOSED
GRAVEL ROAD

