



ANALYSIS AND FINDINGS

Autumn Sunrise Annexation

Case #:	ANN 19-0002
Project:	Autumn Sunrise Annexation
Location:	23620 and 23740 SW Boones Ferry Road; 9185, 9335, and 9415 SW Greenhill Lane
Tax Map: 2S135D	Lots: 400, 401, 500, 501, 600, 800, & 900
Owner/Applicant:	Gordon Root, Autumn Sunrise, LLC Levi Levasa, Stafford Development Company, LLC

INTRODUCTION

A. Applicable Criteria

Annexations are reviewed under Tualatin Development Code (TDC) Chapter 33.010, *Annexations*. This code refers to Metro Code 3.09, *Local Government Boundary Changes*, and the applicable provisions of ORS Chapter 222, which also govern annexations.

B. Project and Site Description

The applicant, Stafford Development Company on behalf of Autumn Sunrise, requests approval to annex seven tax lots comprising approximately 38 acres of land. The properties are currently located within unincorporated Washington County and the City of Tualatin Urban Planning Area – north of SW Greenhill Lane between Interstate-5 and SW Boones Ferry Road. Three single family homes and assorted accessory structures are located on the Greenhill Lane properties. The overall site can be described as generally flat farmland. No development or other modifications to the property is proposed at this time.

The area proposed for annexation is comprised of approximately 36.62 acres of private property and approximately 1.38 acres of adjacent rights-of-way; including the eastern portion of SW Boones Ferry Road to centerline, as described and shown in Exhibit A. If approved for annexation, the subject properties would be withdrawn from the Washington County Enhanced Sheriff Patrol District (ESPD) and designated a combination of Medium Low Density Residential (RML) and Neighborhood Commercial (CN) planning districts, as shown on the Community Plan Map (Exhibit B).

C. Exhibit List

- A. Application Materials
- B. Community Plan Map 9-1

Exhibit 3
Ordinance No. 1430-20

TDC CHAPTER 33, APPLICATIONS AND APPROVAL CRITERIA

Section 33.010 Annexations

To grant an annexation application, the Council must find:

(a) The territory to be annexed is within the Metro Urban Growth Boundary;

Finding:

As shown in Exhibit B, the subject property is within the Metro Urban Growth Boundary and within Tualatin's Urban Planning Area. This standard is met.

(b) The owners of the territory to be annexed have petitioned to be annexed;

Finding:

Autumn Sunrise, is the sole property owner and petitioner of the subject property, as shown in Exhibit A. This standard is met.

(c) The application conforms to the applicable criteria in Metro Code 3.09; and

Metro Chapter 3.09 Local Government Boundary Changes

Metro Chapter 3.09.045 Expedited Decisions

D. To approve a boundary change through an expedited process, the city shall:

1. Find that the change is consistent with expressly applicable provisions in:

a. Any applicable urban service agreement adopted pursuant to ORS 195.065;

Finding:

The Basalt Creek Planning Area was added to the Portland Metropolitan Urban Growth Boundary by Metro Council adoption of Ordinance 04-1040B, which conditioned the area to undergo concept planning. The City of Tualatin has adopted the Basalt Creek Concept Plan through Resolution 5392-18 and Ordinance No. 1418-19.

Planning, Zoning, and Building

Washington County currently provides long-range planning, development review and building inspection services to the property. Once the annexation becomes effective, the city will conduct all planning and zoning functions associated with the property. A Tualatin land-use designation of Residential Medium-Low (RML) Density and Neighborhood Commercial (CN) will be applied to the subject property.

Sanitary Sewer

The City of Tualatin has adopted the 2019 Sewer Master Plan through Resolution 5457-19. An 8-inch sewer line terminates at Boones Ferry Road within 1,896 feet of the property. In support of Tualatin Community Plan Chapter 13.015, the property owner will connect to this sewer line upon development. Upon development, sanitary sewer will be provided by the City of Tualatin and Clean Water Services.

Water

The City of Tualatin has adopted the 2013 Water Master Plan through Ordinance 1359-13. No amendments to the Water Master Plan have been made in response to the Basalt Creek Concept Plan. A 12-inch water line terminates at the Boones Ferry Road and Norwood Road intersection within 1,640 feet

Exhibit 3
Ordinance No. 1430-20

of the property. In support of Tualatin Community Plan Chapter 12.020, the property owner will connect to this water line upon development. Upon development, water will be provided by the City of Tualatin.

Streets and Roads

The City of Tualatin has amended the Tualatin Transportation System Plan through Ordinance 1367-14. No further amendments to the TSP have been made in response to the Basalt Creek Concept Plan. The Concept Plan assumed property owners will plan and build local roads as the area develops. Identified network improvements include widening of Boones Ferry Road to five lanes and extension of Basalt Creek Parkway. Boones Ferry Road is classified as a Major Arterial under Washington County's jurisdiction.

Schools

The subject properties are presently within the Sherwood School District and will remain so upon annexation.

Fire

The subject properties are presently within the Tualatin Valley Fire and Rescue District and will remain so upon annexation.

Police

The annexation would prompt withdrawal from the Washington County Enhanced Sheriff Patrol District. Upon annexation the City of Tualatin will provide police service. In practice, whichever law enforcement agency is able to respond first to an emergency does so in accordance with a mutual aid agreement.

In summary, the annexation would not create any inconsistencies with any urban service agreements. This standard is met.

b. Any applicable annexation plan adopted pursuant to ORS 195.205;

Finding:

No applicable annexation plan exists for this area. This standard is not applicable.

c. Any applicable cooperative planning agreement adopted pursuant to ORS 195.020(2) between the affected entity and a necessary party;

Finding:

No applicable cooperative planning agreement exists for this area. This standard is not applicable.

d. Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services;

Finding:

The Basalt Creek Concept Plan amended the City's Transportation System Plan and public facilities plans contained within Tualatin's Comprehensive Plan reflect the Urban Planning Area that contains this property and plans for eventual annexation as initiated by property owners. The proposed annexation is consistent with these plans. This standard is met.

e. Any applicable comprehensive plan;

Exhibit 3
Ordinance No. 1430-20

Finding:

The City of Tualatin's Comprehensive Plan contains the Community Plan Map 9-1, (Exhibit B) showing this property as part of the Urban Planning Area. The provisions of the Comprehensive Plan that relate to annexations, found in TDC Chapter 4, Community Growth, are fully reflected in the criteria presented in the implementing sections of the TDC Chapter 33.010, Annexations, and Chapter 32.260, Annexation Procedures. The proposed annexation has been reviewed against and has been deemed to be consistent with these requirements. This standard is met.

f. Any applicable concept plan; and

Finding:

The City of Tualatin has adopted the Basalt Creek Concept Plan through Resolution 5392-18 and Ordinance No. 1418-19. The proposed annexation is consistent with this plan. This standard is met.

2. Consider whether the boundary change would:

- a. Promote the timely, orderly and economic provision of public facilities and services;**
- b. Affect the quality and quantity of urban services; and**
- c. Eliminate or avoid unnecessary duplication of facilities or services.**

Finding:

The boundary change would promote the timely, orderly, and economic provision of public facilities and services. The property is contiguous to the current Tualatin city limits. The property was identified as being eligible for annexation in the Basalt Creek Concept Plan that was adopted and implemented into the Tualatin Comprehensive Plan. The boundary change itself would not affect the quality or duplication of urban services. Rather, the orderly provision of public services will be addressed at the time of future development of the property, which is not proposed at this time. Standards a.-c. are met.

E. A city may not annex territory that lies outside the UGB, except it may annex a lot or parcel that lies partially within and partially outside the UGB.

Finding:

The subject property is wholly within the UGB. This standard is not applicable.

(d) The application is consistent with applicable provisions of ORS Chapter 222.

ORS Chapter 222.111 Authority and procedure for annexation

(1) When a proposal containing the terms of annexation is approved in the manner provided by the charter of the annexing city or by ORS 222.111 to 222.180 or 222.840 to 222.915, the boundaries of any city may be extended by the annexation of territory that is not within a city and that is contiguous to the city or separated from it only by a public right of way or a stream, bay, lake or other body of water. Such territory may lie either wholly or partially within or without the same county in which the city lies."

Finding:

As shown on the Community Plan Map 9-1 (Exhibit B), the subject property is not within a city and is contiguous to the City of Tualatin. This standard is met.

Exhibit 3
Ordinance No. 1430-20

ORS Chapter 222.520 Annexation of less than entire district; assumption of obligations by city conditional.

(1) Whenever a part less than the entire area of a district named in ORS 222.510 becomes incorporated as or annexed to a city in accordance with law, the city may cause that part to be withdrawn from the district in the manner set forth in ORS 222.120 or at any time after such incorporation or annexation in the manner set forth in ORS 222.524. Until so withdrawn, the part of such a district incorporated or annexed into a city shall continue to be a part of the district.

Finding:

The subject properties are in the Washington County Enhanced Sheriff Patrol District. If the proposed annexation is approved, the subject properties would be withdrawn from the Enhanced Sheriff Patrol District. Law enforcement services would be provided by the City of Tualatin. Because the proposed boundary change is consistent with state and local law, this standard is met.

D. Conclusion and Recommendation:

Based on the application and the above analysis and findings, the proposed annexation complies with applicable Oregon Revised Statutes, Metro Code, and TDC. Accordingly, staff recommends City Council approval of File No. ANN-19-0002.

Exhibit A. Application Materials



CITY OF TUALATIN
Community Development Department-Planning Division
Land Use Application—Type IV

PROPOSAL NAME Autumn Sunrise Annexation

PROPOSAL SUMMARY (Brief description)

The applicant is proposing annexation of the below noted property and all or part of the adjacent rights-of-way from Unincorporated Washington County into the City of Tualatin.

PROPERTY INFORMATION

Location (address if available): North of SW Greenhill Ln. and between 1-5 and SW Boones Ferry Rd.

Tax Map & Lot #(s): 2S135D & 400,401,500,501,600,800,900 Planning District: RML & CN

Total site size: Property=36.617 Ac. & ROW=2.883 Ac. [] Developed [X] Undeveloped
Property=36.62 Ac. & ROW=1.38 Ac.

APPLICANT/CONTACT INFORMATION

Applicant or Primary Contact Name: Stafford Development Company, LLC - Levi Levasa

Mailing Address: 8840 SW Holly Ln.

City/State: Wilsonville, Oregon Zip: 97070

Phone: 503-250-3651 Email: levi@staffordlandcompany.com

Applicant's Signature: [Signature] Date: 10/16/2019

I hereby acknowledge that I have read this application and understand the requirements for approving and denying the application, that the information provided is correct, that I am the owner or authorized agent of the owner, and that plans submitted are in compliance with the City of Tualatin Development (TDC) and Municipal (TMC) Codes.

PROPERTY OWNER/DEED HOLDER INFORMATION

Name: Autumn Sunrise, LLC - Gordon Root

Mailing Address: 8840 SW Holly Ln.

City/State: Wilsonville, Oregon Zip: 97070

Phone: 503-720-0914 Email: gordonroot@aol.com

Property Owner Signature: [Signature] Date: 10/16/2019

Power of attorney or letter of authorization required if application not signed by the property owner/deed holder.

LAND USE APPLICATION TYPE

- [X] Annexation (ANN) [] Plan Map Amendment (PMA)
[] Conditional Use Permit (CUP) [] Plan Text Amendment (PTA)
[] Central Urban Renewal Master [] Other
[] Historic Landmark Designation or Removal of Designation (HIST)

FOR STAFF USE ONLY
Case No.:
Date Received:
By:
Fee Amount \$:
Received by:

Exhibit A. Application Materials

**AUTUMN SUNRISE
ANNEXATION APPLICATION**



APPLICANT:

Stafford Development Company, LLC
8840 SW Holly Ln, Wilsonville, OR 97070
Levi Levasa, Project Manager
levi@staffordlandcompany.com
(971) 206-4614

OWNER:

Autumn Sunrise, LLC
8840 SW Holly Ln, Wilsonville, OR 97070
Gordon Root, Manager

Exhibit A. Application Materials

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Exhibit A. Application Materials

I. Introduction

The purpose of this application is to seek approval for the annexation of approximately 38.00 acres of real property and public right-of-way that is contiguous to the Tualatin City Limits from unincorporated Washington County into the Tualatin City Limits. The subject property is within the Basalt Creek Concept Plan area. Only annexation of the subject properties and relevant abutting right-of-way is proposed. Future development of the annexation area would require a subsequent application and review.

This application will address the requirements outlined in the Tualatin Development Code (TDC).

II. Property Information

The total annexation area of 38.00 acres is comprised of approximately 36.62 acres of real property owned by Autumn Sunrise, LLC and approximately 1.38 acres of adjacent Boones Ferry Road right-of-way. See attached **Exhibit 1** for a legal description and map of the proposed annexation territory boundaries.

The subject properties and their approximate area, per the Washington County Assessor's Map 2S1W35D (**Exhibit 2**), are listed below.

Table 1: Subject Properties (not including R-O-W)

Owner	R Number	Tax Map	Tax Lot	~ Acres	County Zoning	City Designation
Autumn Sunrise, LLC	R560253	2S-1W-35D	400	1.88	FD-20	RML
Autumn Sunrise, LLC	R560262	2S-1W-35D	401	17.46	FD-20	RML
Autumn Sunrise, LLC	R560271	2S-1W-35D	500	3.72	FD-20	CN
Autumn Sunrise, LLC	R560280	2S-1W-35D	501	0.45	FD-20	CN
Autumn Sunrise, LLC	R560299	2S-1W-35D	600	2.87	FD-20	RML
Autumn Sunrise, LLC	R560306	2S-1W-35D	800	3.75	FD-20	RML
Autumn Sunrise, LLC	R560315	2S-1W-35D	900	6.68	FD-20	RML

The properties listed above are all in the Washington County Future Development 20-Acre Land Use District (FD-20). Upon annexation they would take on the City of Tualatin Medium Low Density Residential (RML) and Neighborhood Commercial (CN) planning district designations as determined by the adopted City maps and indicated in the table above.

Exhibit A. Application Materials

III. Pre-Application Conference

A Pre-Application Conference was held on October 2nd, 2019 at 2pm to discuss the proposed annexation in accordance with TDC 32.110. The Pre-App Meeting Request was submitted on September 19, 2019. Materials related to the meeting, including the Pre-App Meeting Request submittal package, Fee receipt, and Agenda are attached in **Exhibit 3**. The requirements of TDC 32.110 have been satisfied.

IV. Neighborhood/Developer Meeting

A Neighborhood/Developer Meeting was held on October 9th, 2019 at 6:30 pm at Horizon Community Church. Sign Postings provided notice of the neighborhood/developer meeting in accordance with TDC 32.150. Mailed Notice was provided, a sign-in sheet and meeting notes were kept, and the meeting was held in accordance with TDC 32.120. In addition to the October 9th meeting, the Applicant held an earlier neighborhood meeting on August 22nd, 2019. Materials for each meeting, including the notices, sign-in sheets, minutes, and mailing labels are attached in **Exhibit 4**. The requirements of TDC 32.120 have been satisfied.

V. Approval Criteria

(A) Tualatin Development Code

TDC 33.010 identifies the approval criteria for an annexation application. Approval criteria identified by the TDC 33.010(5) will be quoted in *italics* and a **Response** will be provided below each criterion and/or code section.

TDC 33.010. – Annexations

(5) Approval Criteria. To grant an annexation application, the Council must find:

(a) The territory to be annexed is within the Metro Urban Growth Boundary;

Response: The territory to be annexed is within the Metro Urban Growth Boundary (UGB) and has been since 2004. This criterion is met.

(b) The owners of the territory to be annexed have petitioned to be annexed;

Response: A Petition to Annex to the City of Tualatin that is signed by 100% of the owners of the territory to be annexed and a Certification of Ownership are attached as **Exhibit 5**. This criterion is met.

(c) The application conforms to the applicable criteria in Metro Code 3.09; and

Response: The applicable criteria in Metro Code 3.09 have been satisfied per the responses listed below in section V.(B) of this application. This criterion is met.

(d) The application is consistent with applicable provisions of ORS Chapter 222.

Response: This application is consistent with the applicable provisions of ORS Chapter 222 per the responses listed below in section V.(C) of this application. This criterion is met.

Exhibit A. Application Materials

(B) Metro Code 3.09

Per TDC 33.010(5)(c) above, applicable criteria in Metro Code 3.09 will be addressed below. Relevant Metro Code sections will be quoted or summarized in *italics* and a **Response** will be provided below each criterion and/or code section.

Metro Code 3.09 – Local Government Boundary Changes

3.09.040 Requirements for Petitions

A. A petition for a boundary change must contain the following information:

1. The jurisdiction of the reviewing entity to act on the petition;

Response: The City of Tualatin is identified on the signed petition attached in **Exhibit 5**. This criterion is met.

2. A map and a legal description of the affected territory in the form prescribed by the reviewing entity;

Response: A Certified legal description and Map are attached in **Exhibit 1**. This criterion is met.

3. For minor boundary changes, the names and mailing addresses of all persons owning property and all electors within the affected territory as shown in the records of the tax assessor and county clerk.

Response: The name and mailing address of all property owners within the affected territory are attached in **Exhibit 6**. There are no electors within the affected territory. This criterion is met.

3.09.045 Expedited Decisions

A. The governing body of a city or Metro may use the process set forth in this section for minor boundary changes for which the petition is accompanied by the written consents of one hundred percent of property owners and at least fifty percent of the electors, if any, within the affected territory. No public hearing is required.

Response: The proposed annexation is a Minor Boundary Change as identified in Metro Code 3.09.020(I.) and 100% of the property owners have signed a consent to the change; and there are no electors. As such, the City may use the Expedited Decision process. The Applicant must satisfy the same criteria whether it is an Expedited Decision or not, so the information submitted will be the same.

D. To approve a boundary change through and expedited process, the city shall:

1. Find that the change is consistent with expressly applicable provision in:

a. Any applicable urban service agreement adopted pursuant to ORS 195.065;

b. Any applicable annexation plan adopted pursuant to ORS 195.205;

Exhibit A. Application Materials

c. Any applicable cooperative planning agreement adopted pursuant to ORS 195.020(2) between the affected entity and a necessary party;

d. Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services;

e. Any applicable comprehensive plan;

f. Any applicable concept plan; and

Response: The proposed annexation is consistent with planning agreements with other jurisdictions including Metro, Washington County, and the City of Wilsonville. Adoption of the Basalt Creek Concept Plan through Resolution 5392-18 was the result of the joint planning efforts of the previously mentioned jurisdictions. The City of Tualatin then implemented the Basalt Creek concept plan by approving the Plan Text Amendment (PTA) 19-0001 and Plan Map Amendment (PMA) 19-0001 and ultimately adopting Ordinance No. 1418-19 which also included amendments to the Transportation System Plan (TSP). The annexation of this property is only possible because the extensive planning efforts that have been made to serve this area. Additionally, The City of Tualatin has an intergovernmental agreement (IGA) with Clean Water Services (CWS) and has recently adopted an update to the Sewer Master Plan that identifies the need for additional facilities to serve this annexation area specifically and identifies how that expansion can be accomplished. These criteria have been met.

2. Consider whether the boundary change would:

a. Promote the timely, orderly and economic provision of public facilities and services;

Response: The boundary change would promote the timely, orderly, and economic provision of public facilities and services as the annexation territory is included in the Basalt Creek Concept Plan that was adopted and implemented into the adopted Tualatin Comprehensive Plan and Sewer Master Plan. Additionally, the subject properties are contiguous to the Tualatin City Limits and expansion of urban services to this area is anticipated by the City of Tualatin's guiding documents. The provisions of this section have been satisfied.

b. Affect the quality and quantity of urban services; and

Response: The boundary change itself would not affect the quality of urban services and would not likely affect the quantity of urban services as the use of the land would not change as a result of annexation. Future development, on the other hand, could affect the quality and would affect the quantity of urban services. The provisions of this section have been satisfied.

c. Eliminate or avoid unnecessary duplication of facilities or services.

Response: The boundary change itself would not eliminate or avoid unnecessary duplication of facilities or services. To the extent currently known, future development would not likely eliminate or avoid unnecessary duplication of facilities or services either. The provisions of this section have been satisfied.

E. A city may not annex territory that lies outside the UGB, except it may annex a lot or parcel that lies partially within and partially outside the UGB.

Response: The proposed annexation territory is entirely within the UGB. This criterion is met.

Exhibit A. Application Materials

3.09.050 Hearing and Decision Requirements for Decisions Other Than Expedited Decisions

D. To approve a boundary change, the reviewing entity shall apply the criteria and consider the factors set forth in subsections (D) and (E) of section 3.09.045.

Response: The criteria and factors for consideration set forth in the referenced subsections have been addressed above, under section 3.09.045. Based on the responses above, the factors have been considered and the criteria have been met.

(C) ORS Chapter 222

Per TDC 33.010(5)(c) above, applicable provisions of ORS Chapter 222 will be addressed below. Many sections of ORS 222 include procedural instructions only that do not require a response as they would be satisfied after an annexation is approved. The currently relevant sections of the Oregon Revised Statutes (ORS) Chapter 222 will be identified in *italics* and a **Response** will be provided below each criterion and/or code section.

ORS Chapter 222 – City Boundary Changes; Mergers; Consolidations; Withdrawals

222.030 Assessor to furnish statement of assessed valuation of property in territory to be annexed.

Response: The attached property tax statements from the Washington County Tax Assessor in **Exhibit 6** show the assessed value of each property included in the territory to be annexed. Additionally, the total assessed value of the annexation territory is included on the Annexation Property Information Sheet (**Exhibit 7**). This criterion is met.

222.111 Authority and procedure for annexation.

Response: This annexation proposal has been initiated by 100% of the owners of the real property to be annexed and if the proposed annexation is approved the boundaries of the City can be extended to include the annexation territory as it is contiguous to the Tualatin City Limits. The relevant provisions of this section have been satisfied.

VI. Conclusion

This application includes all required submittal documents/forms/exhibits and provides responses demonstrating that the applicable and relevant approval criteria of the Tualatin Development Code, Metro Code, and Oregon Revised Statutes are satisfied. As such, the Applicant requests approval of the proposed annexation.

Exhibit A. Application Materials

EXHIBIT A

CITY OF TUALATIN ANNEXATION PROPERTY DESCRIPTION

Page 1

A tract of land in the South one-half of Section 35, Township 2 South, Range 1 West of the Willamette Meridian; being those properties conveyed by Document Number 2007-105096, Washington County Deed Records; and S.W. Boones Ferry Road; Washington County, Oregon; being more particularly described as follows:

Beginning at a northwesterly corner of said properties conveyed by Document Number 2007-105096, being a point which bears South 89°41'31" West a distance of 1333.30 feet and then South 00°09'07" East a distance of 1334.31 feet, from the East one-quarter corner of Section 35;

thence along the north line, North 89°38'49" East a distance of 16.50 feet to an angle point;

thence, North 00°09'07" West a distance of 16.50 feet to an angle point, also being the most northerly northwest corner of said properties;

thence along the most northerly line, North 89°35'49" East a distance of 674.70 feet, more or less, to the west right-of-way line of Interstate Highway No. 5 (Baldock Freeway, West Portland Hubbard Highway);

thence along said west right-of-way line, South 15°44'54" West a distance of 1,126.97 feet, more or less, to the southeast corner of that tract of land conveyed to Autumn Sunrise, LLC as recorded in Document Number 2007-105096, Washington County Deed Records, also being on the north- right-of-way line of S.W. Greenhill Lane, as per "Tualatin Orchard Tract" subdivision plat;

thence along said north right-of-way line and a westerly extension thereof, South 89°40'38" West a distance of 1,801.59 feet, more or less, to the centerline of SW Boones Ferry Road (Market RD 24);

thence along said centerline, North 03°23'20" West a distance of 409.46 feet, more or less, to a point of curvature;

thence along said curve to the right, having a radius of 918.87 feet, through a central angle of 20°29'37" (Chord bears North 06°51'29" East, 326.91 feet), an arc length of 328.66 feet,

thence along said Tualatin City Limits line, South 72°53'43" East a distance of 30.00 feet to an angle point therein at the (old) easterly right-of-way line of S.W. Boones Ferry Road being on a line laying 30.00 feet east of the (old) centerline when measured at right angles thereto;

thence along said Tualatin City Limits line, North 89°36'05" East a distance of 1365.65 feet;

thence along said Tualatin City Limits line, North 00°09'07" West a distance of 313.47 feet to the Point of Beginning.

Bearings are based upon Survey Number 29,037 Washington County Surveys.

Area equals 38.00 acres, more or less, (R/W = 1.38 acres and property = 36.62 acres).

ANNEXATION CERTIFIED

BY VF

MAR 02 2020

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

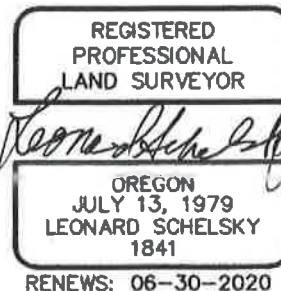
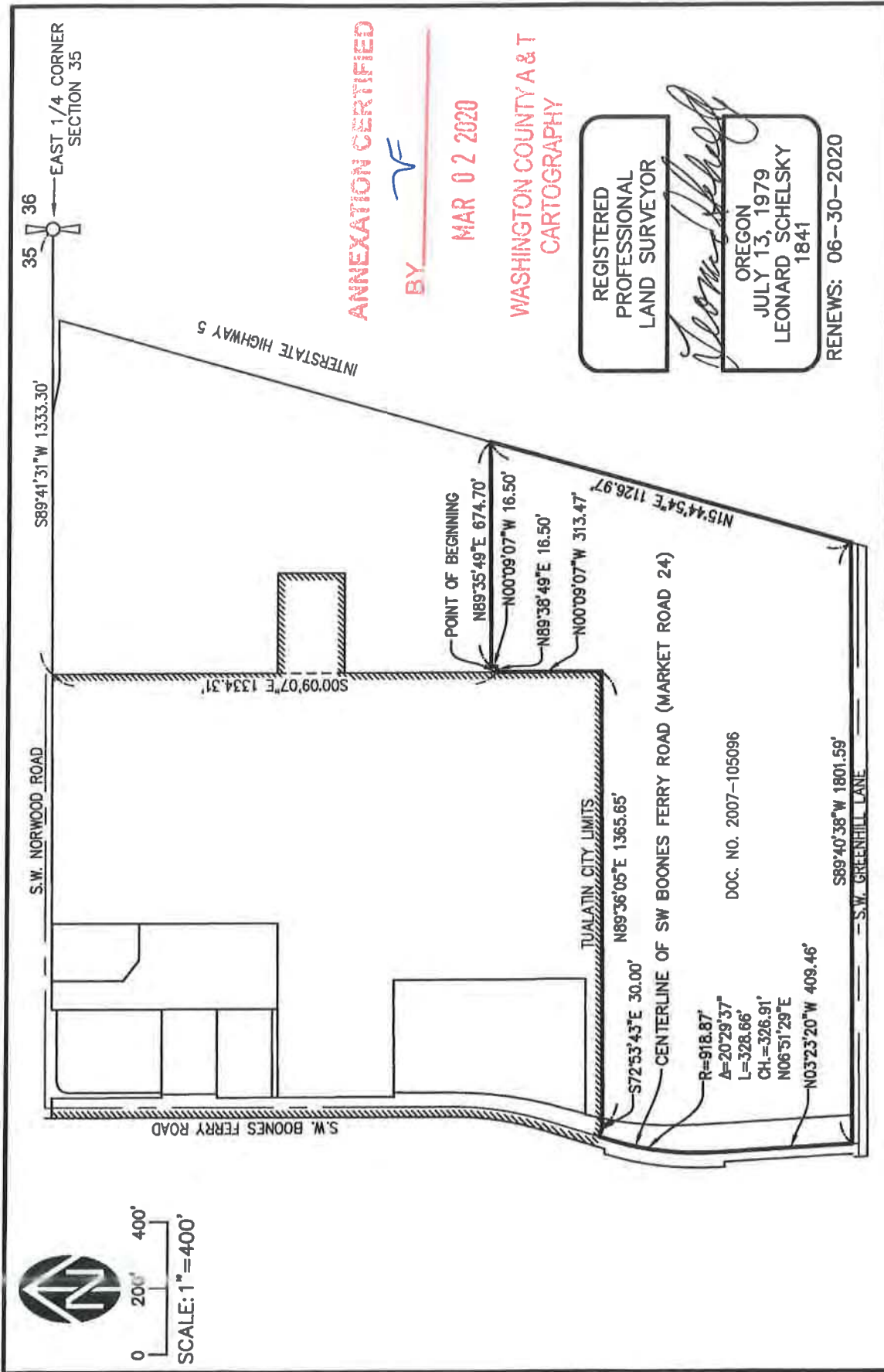


Exhibit A. Application Materials



0 200' 400'
SCALE: 1"=400'

ANNEXATION CERTIFIED
BY *[Signature]*

MAR 0 2 2020

WASHINGTON COUNTY A & T
CARTOGRAPHY

REGISTERED
PROFESSIONAL
LAND SURVEYOR
[Signature]
OREGON
JULY 13, 1979
LEONARD SCHELFSKY
1841

RENEWS: 06-30-2020

DATE	3/02/2020
DRAWN BY	CAJ
CHECKED BY	LJS
REVISION	1
JOB NO.	2401-001

WESTLAKE
CONSULTANTS INC.

ENGINEERING • SURVEYING • PLANNING
PACIFIC CORPORATE CENTER
15115 S.W. SEQUOIA PARKWAY, SUITE 150
TIGARD, OREGON 97224
(503) 684-0652
FAX (503) 624-0157

EXHIBIT B

LOCATED IN THE SOUTH 1/2 OF SECTION 35
TOWNSHIP 2 S., RANGE 1 W., W.M.
WASHINGTON COUNTY, OREGON

Exhibit A. Application Materials

Annexation Application
Community Development Department - Planning Division

CERTIFICATION OF LEGAL DESCRIPTION AND MAP

I certify that the description of the property included within the attached petition (located on Assessor's Map 2S 1 3S D) has been checked by me and it is a true and exact description of the property under consideration, and the description corresponds to the attached map indicating the property under consideration.

TED FOSTER

Printed Name

GIS TECH

Title

[Signature]

Signature

3/2/20

Date

CARTOGRAPHY

Department

WASHINGTON

County of

ANNEXATION CERTIFIED

BY TF

MAR 02 2020

**WASHINGTON COUNTY A & T
CARTOGRAPHY**

Exhibit A. Application Materials

Washington County, Oregon 2007-105096
09/28/2007 03:29:27 PM
D-DW Cnt=1 Stn=16 D HOFFMAN
\$25.00 \$5.00 \$11.00 \$7,143.00 - Total = \$7,184.00

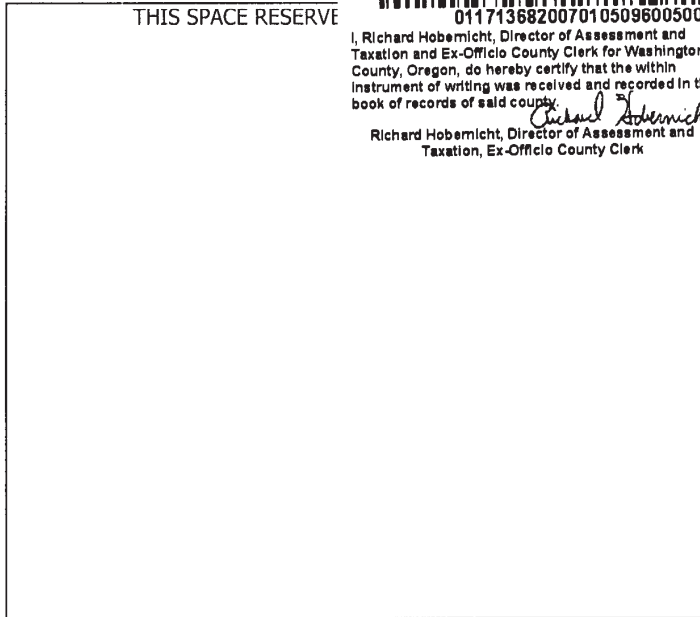


01171368200701050960050056

I, Richard Hobermicht, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.
Richard Hobermicht, Director of Assessment and Taxation, Ex-Officio County Clerk



THIS SPACE RESERVE



After recording return to:
Autumn Sunrise LLC
1400 SW Schaeffer Road
West Linn, OR 97068

Until a change is requested all tax statements shall be sent to the following address:
Autumn Sunrise LLC
1400 SW Schaeffer Road
West Linn, OR 97068

File No.: 7073-1087491 (LSH)
Date: September 14, 2007

22
1105
41



1087491-LLC

FATCO. NO.

STATUTORY SPECIAL WARRANTY DEED

Kimball Hill Homes Oregon, Inc., an Oregon Corporation, Grantor, conveys and specially warrants to Autumn Sunrise LLC, an Oregon limited liability company, Grantee, the following described real property free of liens and encumbrances created or suffered by the Grantor, except as specifically set forth herein:

This property is free from liens and encumbrances, EXCEPT:

1. The 2007/08 Taxes, a lien not yet payable.
2. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

The true consideration for this conveyance is \$7,143,000.00.



WASHINGTON COUNTY
REAL PROPERTY TRANSFER TAX
\$ 7143.00 9-28-07
FEE PAID DATE

Exhibit A. Application Materials


APN: R560253

Statutory Special Warranty Deed
- continued

File No.: 7073-1087491 (LSH)
Date: 09/14/2007

Dated this 26TH day of SEPTEMBER, 2007.

Kimball Hill Homes Oregon, Inc., an Oregon corporation


By: Dudley McGee, Vice President

STATE OF California)
)ss.
County of SACRAMENTO)

This instrument was acknowledged before me on this 26TH day of SEPTEMBER, 2007 by Dudley McGee as Vice President of Kimball Hill Homes Oregon, Inc., on behalf of the corporation.





Notary Public for California
My commission expires: APRIL 20, 2008

Exhibit A. Application Materials

APN: R560253

Statutory Special Warranty Deed
- continued

File No.: 7073-1087491 (LSH)
Date: 09/14/2007

EXHIBIT A

LEGAL DESCRIPTION:

PARCEL I:

BEGINNING AT A POINT WHICH POINT IS 5 CHAINS SOUTH OF THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON, AND RUNNING THENCE SOUTH 5 CHAINS TO A POINT; THENCE WEST 20 CHAINS, MORE OR LESS, TO THE CENTER OF THE COUNTY ROAD; THENCE NORTHERLY ALONG THE CENTER OF SAID COUNTY ROAD TO THE SOUTHWEST CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED BY ANNIE C. VOGET IN FEE SIMPLE REMAINDER TO BEN D. ANDREWS AND HARRIET K. ANDREWS AS DESCRIBED IN BOOK 294 PAGE 587, DEED RECORDS OF WASHINGTON COUNTY; THENCE EAST ALONG THE SOUTH LINE OF SAID TRACT SO CONVEYED TO BEN D. ANDREWS AND HARRIET K. ANDREWS AS DESCRIBED IN BOOK 294 PAGE 587, DEED RECORDS OF SAID COUNTY, TO THE POINT OF BEGINNING, EXCEPT THAT PORTION DESCRIBED IN CONTRACT OF SALE IN FAVOR OF ROBERT K. COLE, AND WIFE, RECORDED MARCH 25, 1968 IN BOOK 686, PAGE 495, RECORDS OF WASHINGTON COUNTY.

PARCEL II:

A TRACT OF LAND SITUATED IN THE SOUTH ONE-HALF OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF WASHINGTON AND STATE OF OREGON, AND BEING A PART OF THAT CERTAIN TRACT OF LAND DESCRIBED IN BOOK 294, PAGE 585, DEED OF RECORDS, WASHINGTON COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE INTERSECTION OF THE WESTERLY LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 35, WITH THE NORTHERLY LINE OF SAID TRACT OF LAND DESCRIBED IN BOOK 294, PAGE 585, DEED RECORDS. FROM SAID PLACE OF BEGINNING THENCE NORTH 89°53'45" EAST ALONG SAID NORTHERLY LINE OF SAID TRACT DESCRIBED IN BOOK 294, PAGE 585, 1319.70 FEET TO THE NORTHEAST CORNER OF SAID TRACT OF LAND; THENCE SOUTH 0°14' WEST 330.00 FEET TO THE NORTHERLY LINE OF TUALATIN ORCHARD TRACT; THENCE SOUTH 89°53'45" WEST ALONG SAID NORTHERLY LINE OF TUALATIN ORCHARD TRACT, 802.80 FEET; THENCE LEAVING SAID NORTHERLY LINE OF TUALATIN ORCHARD TRACT, NORTH 0°06'15" WEST 144 FEET; THENCE SOUTH 89°53'45" WEST PARALLEL WITH SAID NORTHERLY LINE OF TUALATIN ORCHARD TRACT, 618.35 FEET TO THE INTERSECTION OF EASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY NO. 217; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 883.87 FEET THROUGH A CENTRAL ANGLE OF 10°55'20" A DISTANCE OF 169.44 FEET TO A POINT OF TANGENT; THENCE NORTH 17°16' EAST 251.58 FEET; THENCE LEAVING SAID EASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY NO. 217, NORTH 89°53'45" EAST 60.42 FEET TO THE PLACE OF BEGINNING.

TOGETHER WITH A PORTION OF PARCEL 1 OF THOSE CERTAIN TRACTS OF LAND IN THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON CONVEYED TO GRACE COMMUNITY CHURCH OF THE ASSEMBLIES OF GOD, INC., BY DEED RECORDED AS DOCUMENT NUMBER 200155727 WASHINGTON COUNTY, OREGON DEED RECORDS, SAID PORTION BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Exhibit A. Application Materials

APN: **R560253**

Statutory Special Warranty Deed
- continued

File No.: **7073-1087491 (LSH)**
Date: **09/14/2007**

BEGINNING AT THE SOUTHEAST CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED TO GRACE COMMUNITY CHURCH BY DEED RECORDED AS DOCUMENT NUMBER 2002004397 SAID DEED RECORDS AND RUNNING THENCE ALONG THE BOUNDARY OF SAID PARCEL 1, NORTH 89°34'48" EAST 485.62 FEET, NORTH 15°44'54" EAST 690.21 FEET, SOUTH 89°35'49" WEST 674.70 FEET SOUTH 00°09'07" EAST 16.50 FEET AND SOUTH 89°38'49" WEST 16.50 FEET; THENCE SOUTH 00°09'07" EAST 313.47 FEET TO A POINT ON THE NORTH LINE OF SAID DOCUMENT NUMBER 2002004397; THENCE ALONG THE BOUNDARY THEREOF NORTH 89°36'05" EAST 16.50 FEET AND SOUTH 00°08'37" EAST 313.16 FEET TO THE POINT OF BEGINNING.

PARCEL III:

LOT 1, TUALATIN ORCHARDS TRACT, EXCEPTING THE WEST 140 FEET OF THE EAST 260 FEET OF THE SOUTH 140 FEET, IN THE COUNTY OF WASHINGTON AND STATE OF OREGON.

PARCEL IV:

THE WEST 140 FEET OF THE EAST 260 FEET OF THE SOUTH 140 FEET OF LOT 1, TUALATIN ORCHARD TRACTS, IN THE COUNTY OF WASHINGTON AND STATE OF OREGON.

PARCEL V:

THE WESTERLY MOST 207.5 FEET, BEING A PORTION OF THAT CERTAIN TRACT OF LAND LOCATED IN SECTION 35, TOWNSHIP 2 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN, CONVEYED BY GRACE SCHUSTER TO JOHN DAY AND JESSIE DAY, UNDER DATE OF APRIL 20, 1949, AS SET FORTH IN DEED RECORDED IN BOOK 294 AT PAGE 446, DEED RECORDS, SAID TRACT SO CONVEYED, OF WHICH THE LAND HEREBY CONVEYED FORMS A PART, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN; THENCE NORTH 233 FEET; THENCE NORTH 87°15' WEST 1255.52 FEET TO THE SOUTHEAST CORNER OF THE TRACT HEREBY CONVEYED; THENCE NORTH 420 FEET ALONG THE WEST LINE OF LOT 4, TUALATIN ORCHARD TRACTS, TO THE SOUTH LINE OF TRACT CONVEYED BY DEED TO GEORGE ANDREWS, ET AL, IN BOOK 70, PAGE 374, RECORDED DECEMBER 27, 1905; THENCE NORTH 87°15' WEST 990.32 FEET ALONG THE SOUTH LINE OF SAID ANDREWS TRACT; THENCE SOUTH 420 FEET ALONG THE EAST LINE OF LOT 1, TUALATIN ORCHARDS TRACTS; THENCE SOUTH 87°15' EAST 990.32 FEET TO THE SOUTHEAST CORNER OF PROPERTY HEREBY CONVEYED.

PARCEL VI:

BEGINNING AT THE NORTHEAST CORNER OF TRACT 1, TUALATIN ORCHARD TRACTS, A DULY RECORDED SUBDIVISION IN SECTION 35, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON; THENCE SOUTH 87°15' EAST 207.5 FEET TO THE POINT OF TRUE BEGINNING OF THIS DIRECTION; THENCE SOUTH PARALLEL TO THE EAST LINE OF SAID TRACT 1, TUALATIN ORCHARD TRACTS, AND 207.5 FEET EASTERLY THEREFROM 420.0 FEET TO A POINT; THENCE SOUTH 87°15' EAST 90 FEET TO A POINT; THENCE NORTH PARALLEL TO THE EAST LINE OF SAID TRACT 1, 420.0 FEET; THENCE NORTH 87°15' WEST 90 FEET TO THE POINT OF TRUE BEGINNING OF THIS DESCRIPTION.

PARCEL VII:

Exhibit A. Application Materials

APN: **R560253**

Statutory Special Warranty Deed
- continued

File No.: **7073-1087491 (LSH)**
Date: **09/14/2007**

A TRACT OF LAND IN THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 12, TUALATIN ORCHARD TRACTS; THENCE NORTH 89°44'43" EAST 1159.47 FEET; THENCE NORTH 3°00'17" WEST 880.00 FEET TO A POINT ON A LINE EXTENDED FROM THE NORTHEAST CORNER OF LOT 1, TUALATIN ORCHARD TRACTS TO THE NORTHWEST CORNER OF LOT 4, TUALATIN ORCHARD TRACTS, SAID POINT FALLING NORTH 89°44'43" EAST 686.11 FEET FROM THE NORTHEAST CORNER OF SAID LOT 1 AND BEING THE TRUE POINT OF BEGINNING; THENCE SOUTH 3°00'17" EAST 420.00 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF GREENHILL LANE; THENCE WESTERLY ALONG SAID RIGHT OF WAY LINE SOUTH 89°44'43" WEST 389.06 FEET; THENCE NORTH 3°00'17" WEST 420.00 FEET; THENCE NORTH 89°44'43" EAST 389.06 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL VIII:

A TRACT OF LAND IN THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 12, TUALATIN ORCHARD TRACTS; THENCE NORTH 89°44'43" EAST 1159.47 FEET; THENCE NORTH 3°00'17" WEST 880.00 FEET TO A POINT ON A LINE EXTENDED FROM THE NORTHEAST CORNER OF LOT 1, TUALATIN ORCHARD TRACTS TO THE NORTHWEST CORNER OF LOT 4, TUALATIN ORCHARD TRACTS, SAID POINT FALLING NORTH 89°44'43" EAST 686.11 FEET FROM THE NORTHEAST CORNER OF SAID LOT 1 AND BEING THE TRUE POINT OF BEGINNING; THENCE NORTH 89°44'43" EAST 763.79 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY OF THE BALDOCK FREEWAY; THENCE SOUTH 15°49'15" WEST 436.59 FEET ALONG SAID RIGHT OF WAY TO THE NORTH RIGHT OF WAY LINE OF GREENHILL LANE; THENCE WESTERLY ALONG SAID RIGHT OF WAY SOUTH 89°44'43" WEST 622.75 FEET; THENCE NORTH 3°00'17" WEST 420.00 FEET TO THE TRUE POINT OF BEGINNING.

Exhibit A. Application Materials

**PETITION FOR A CONSENT ANNEXATION
TO THE CITY OF TUALATIN, OR**

To the Council and City of Tualatin:

We, the undersigned owners of the property described below, hereby petition for, and give consent to, annexation of said property to the City of Tualatin. We understand that the City will review this request in accordance with ORS Chapter 222 and applicable regional and local policies prior to approving or denying the request for annexation.

Autumn Sunrise, LLC, an Oregon limited liability company, is the record owner of all the property listed in the table below.

Ref#	Address	Quarter	Township	Range	Section	Lot
1	23740 SW Boones Ferry Road, Tualatin, OR 97062	SE	2S	1W	35D	400
2	23620 SW Boones Ferry Road, Tualatin, OR 97062	SE	2S	1W	35D	401
3	No Address	SE	2S	1W	35D	500
4	9415 SW Greenhill Lane, Tualatin, OR 97062	SE	2S	1W	35D	501
5	9335 SW Greenhill Lane, Tualatin, OR 97062	SE	2S	1W	35D	600
6	9185 SW Greenhill Lane, Tualatin, OR 97062	SE	2S	1W	35D	800
7	No Address	SE	2S	1W	35D	900

AUTUMN SUNRISE, LLC

An Oregon limited liability company

By: _____



Gordon Root, Manager

Date: _____

09/10/2019

Exhibit A. Application Materials

Annexation Application
Community Development Department - Planning Division

CERTIFICATION OF PROPERTY OWNERSHIP

I certify that the attached petition for annexation of the described territory to the City of Tualatin contains the names of the owners* of a majority of the land area of the territory to be annexed, as shown on the last available complete assessment roll.

<u>TED FOSTER</u>	<u>GIS TECH</u>	<u>ANNEXATION CERTIFIED</u>
Printed Name	Title	<u>EV</u> <u>TF</u>
<u>[Signature]</u>	<u>10/7/19</u>	<u>OCT 07 2019</u>
Signature	Date	<u>WASHINGTON COUNTY A & T</u>
<u>CARTOGRAPHY</u>	<u>WASHINGTON</u>	<u>CARTOGRAPHY</u>
Department	County of	

*Owner means the owner of the title to real property or the contract purchaser of the real property.

CERTIFICATION OF REGISTERED VOTERS

I certify that the attached petition for annexation of described territory to the City of Tualatin contains the names of at least a majority of the electors registered in the territory to be annexed.

_____	_____	_____
Printed Name	Title	
_____	_____	_____
Signature	Date	
_____	_____	_____
Department	County of	

Exhibit A. Application Materials

February 19, 2020

Sean Brady, City Attorney
City of Tualatin
18880 SW Martinazzi Ave
Tualatin, OR 97062

Dear Mr. Brady,

Washington County staff have reviewed the materials provided for the City of Tualatin's proposed annexation of properties north of SW Greenhill Lane, between SW Boones Ferry Road and I-5 ("Autumn Sunrise Annexation") into the city of Tualatin. The proposed annexation also includes portions of the right-of-way for SW Boones Ferry Road.

The proposed annexation is entirely within the area referenced in Washington County's Urban Planning Area Agreement (UPAA) with the City of Tualatin. That agreement contains the following clause:

G. The COUNTY shall not oppose annexations to the CITY within the CITY's Urban Planning Area.

The County consents to this annexation but would like to note opportunities for future coordination with the city, as described in the next paragraphs of this letter.

In 2013 Washington County adopted Ordinance 761 amending the County's Transportation System Plan (TSP) to show SW Greenhill Lane as the future Basalt Creek Parkway, a 4/5-lane arterial between SW Boones Ferry Road and the Urban Growth Boundary (UGB) line (west right-of-way line of I-5). The same future alignment was also adopted in the Regional Transportation Plan (RTP project #11436) and depicted in the Basalt Creek Concept Plan adopted by the cities of Tualatin and Wilsonville in August 2018. However, when Tualatin adopted the Basalt Creek Comprehensive Plan and associated city TSP amendments in April 2019, the line for Basalt Creek Parkway ended at SW Boones Ferry Road instead of extending to the UGB line. Washington County requests that upon this annexation, Tualatin initiate a city TSP amendment to show the 4/5 lane arterial extending from Boones Ferry Road to the Urban Growth Boundary, matching the County's TSP and the RTP.

Pursuant to the County TSP designation, the County's expectation is that any future City development approvals on the subject properties will reflect adequate right-of-way dedication, measured from the existing Greenhill Lane centerline, for one half of the ultimate required width for a 4-5 lane arterial roadway per the Washington County TSP, including

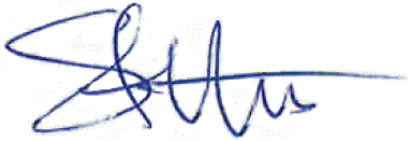
Exhibit A. Application Materials

placement of any necessary retaining walls and/or fill material that may be needed to construct the future Basalt Creek Parkway overcrossing of I-5. No vehicular access shall be permitted from the subject properties to the future Basalt Creek Parkway.

SW Boones Ferry Road is a County road. At this time Washington County will retain road jurisdiction and maintenance authority of that portion of the right-of-way that will be annexed by Tualatin.

County staff look forward to further coordination with the City of Tualatin.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. Roberts", with a long horizontal flourish extending to the right.

Stephen Roberts, Director of Land Use & Transportation

cc: Andy Back, Planning and Development Services Manager
Erin Wardell, Principal Transportation Planner
Theresa Cherniak, Principal Community Planner

Exhibit A. Application Materials

PROPERTY OWNER INFORMATION

(This form is NOT the petition)

Metro Code 3.09.040 requires the names and address of all property owners and/or registered voters of the property, regardless of support shown on petition to annex. This is not for notification purposes. A signature on this form does not indicate support or opposition to the request.

NAME OF OWNER/VOTER (V)

PROPERTY DESIGNATION

(Indicate Section, Township, Range and Lot No.)

MAILING ADDRESS

PROPERTY ADDRESS (If different)

(1) Autumn Sunrise, LLC 8840 SW Holly Ln, Wilsonville, OR 97070

SE 1/4 Section 35, Township 2S, Range 1W, Tax Map & Lot 2S135D & 400

(2) Autumn Sunrise, LLC 8840 SW Holly Ln, Wilsonville, OR 97070

SE 1/4 Section 35, Township 2S, Range 1W, Tax Map & Lot 2S135D & 401

(3) Autumn Sunrise, LLC 8840 SW Holly Ln, Wilsonville, OR 97070

SE 1/4 Section 35, Township 2S, Range 1W, Tax Map & Lot 2S135D & 500

(4) Autumn Sunrise, LLC 8840 SW Holly Ln, Wilsonville, OR 97070

SE 1/4 Section 35, Township 2S, Range 1W, Tax Map & Lot 2S135D & 501

(5) Autumn Sunrise, LLC 8840 SW Holly Ln, Wilsonville, OR 97070

SE 1/4 Section 35, Township 2S, Range 1W, Tax Map & Lot 2S135D & 600

(6) Autumn Sunrise, LLC 8840 SW Holly Ln, Wilsonville, OR 97070

SE 1/4 Section 35, Township 2S, Range 1W, Tax Map & Lot 2S135D & 800

(7) Autumn Sunrise, LLC 8840 SW Holly Ln, Wilsonville, OR 97070

SE 1/4 Section 35, Township 2S, Range 1W, Tax Map & Lot 2S135D & 900

(8) _____

(9) _____

(10) _____

Exhibit A. Application Materials

ANNEXATION PROPERTY INFORMATION SHEET

EXISTING CONDITIONS IN AREA TO BE ANNEXED:

Land area, in acres: Property= Approximately 36.62 Ac. & ROW= Approximately 1.38 Ac.

General description of territory *(Include topographic features such as slopes, vegetation, drainage basins, and floodplain areas which are pertinent to this proposal):* Generally flat farmland with minimal vegetation beyond ground cover.

3 single family residents are located on the property off SW Greenhill Ln with some small outbuildings nearby.

Describe land uses on surrounding parcels *(Use tax lots as reference points)*

North: Institutional (Horizon) and rural residential

South: SW Greenhill Lane, then rural residential and vacant farmland

East: Interstate 5, then rural residential and vacant farmland

West: Boones Ferry Rd, then rural residential

EXISTING LAND USE:

Number of existing units/structures:

Single-family: 3 Multi-family: 0 Commercial: 0 Industrial: 0

Describe existing units/structures: 3 existing homes built between 1920-1952, a small shed, a shop, and an old hay barn.

What is the current use(s) of the land proposed to be annexed: residential and vacant farmland

Exhibit A. Application Materials

Public facilities or other uses: N/A

Total current year assessed valuation – \$: 2,470,550.00

Total existing population: N/A

Is the territory contiguous to the City limits: Yes

Is the subject territory inside or outside of the Metro Regional Urban Growth Boundary: Inside

URBAN SERVICE PROVIDERS:

If the territory described in the proposal is presently included within the boundaries of any of the following types of governmental units, please indicate so by stating the name or names of the governmental units involved.

County: Washington County

Highway Lighting District: N/A

Fire District: Tualatin Valley Fire & Rescue

Sanitary District: N/A

Water District: N/A

Grade School District: Sherwood

High School District: Sherwood

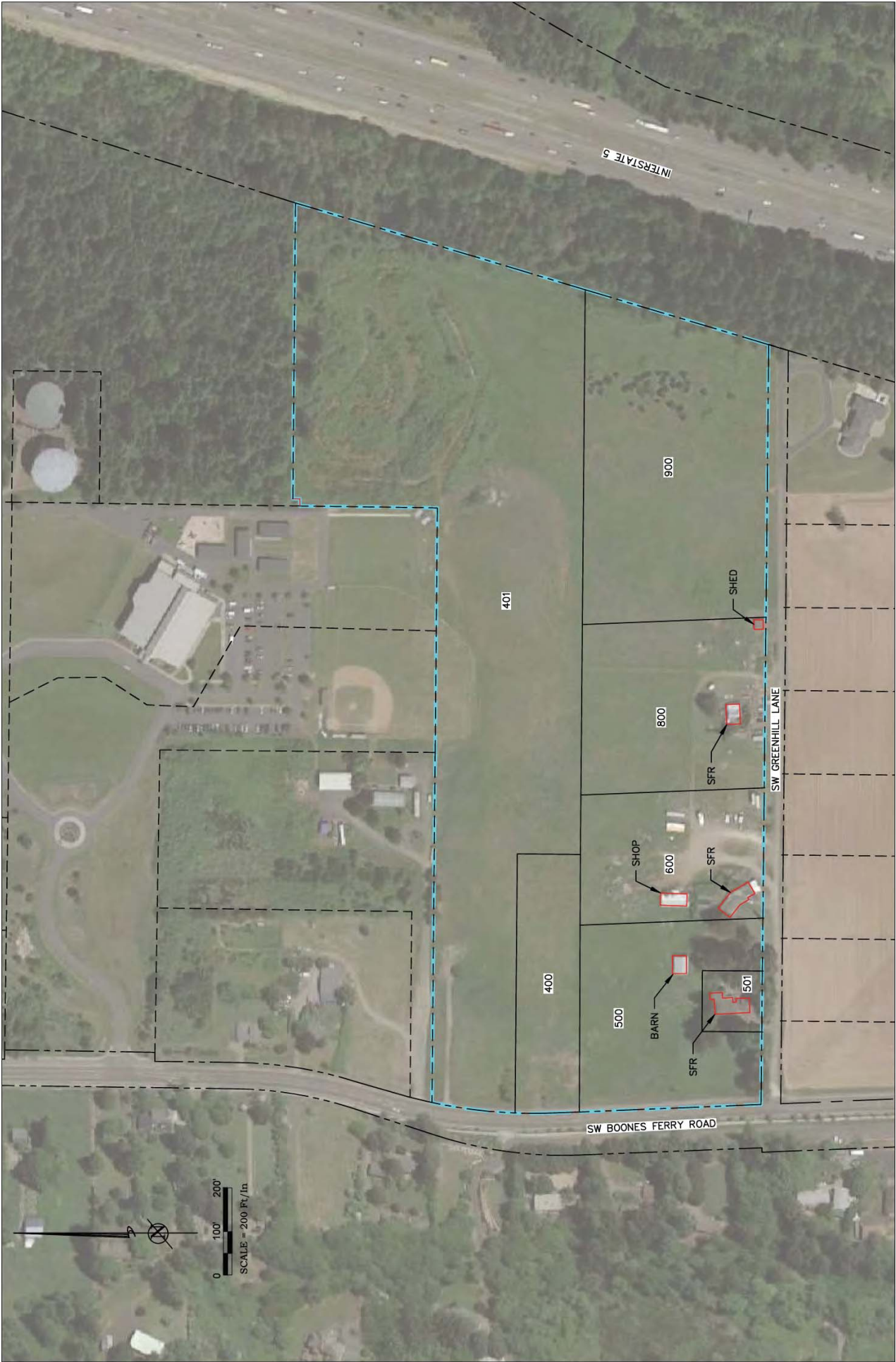
Library District: N/A

Drainage District: N/A

Parks & Recreation District: N/A

Other: N/A

Is the territory served by any of the providers listed above *(describe existing connections to public services)*: N/A



INTERSTATE 5

401

900

800

SHED

SFR

600

SHOP

SFR

400

500

BARN

SFR

501

SW GREENHILL LANE

SW BOONES FERRY ROAD

0 100' 200'
SCALE = 200 Ft./In



Exhibit A. Application Materials

Annexation Application
Community Development Department - Planning Division

<p><u>NAME OF DOCUMENT FOR RECORDING:</u> Waiver Of Rights And Remedies Grantor: (Petitioner(s)) Grantee: City of Tualatin Consideration: None. Tax Statement to be mailed to: No change. <u>After Recording, Return To:</u> City of Tualatin, Attn: City Recorder, 18880 SW Martinazzi, Tualatin, OR 97062</p>	<p><i>(For County Recording Use Only)</i></p>
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MEASURE 37 & 49 WAIVER OF RIGHTS AND REMEDIES

Whereas, Autumn Sunrise, LLC (“Petitioner”, including collectively all petitioners) has petitioned to the City of Tualatin (“City”) to commence certain proceedings, i.e., annexation, planning district change, and/or plan text amendment for the following described real property,

See attached legal description

Whereas, under Ballot Measure 37 (effective December 2, 2004), as amended by Ballot Measure 49 (effective December 6, 2007), a property owner may seek just compensation or waiver of certain land use regulations if a public entity enacts or enforces the land use regulations after the property owner acquired the property; and

Whereas, Oregon electors or the Oregon Legislature may, in the future, enact further statutory or constitutional amendments relating to compensation for the impact of local regulations upon real property, under certain circumstances; and

Whereas, City does not wish to approve the Petitioner’s requested proceedings if such approval could result in the owner or the owner’s successors or assigns filing a claim for compensation for the land use regulations in effect upon the effective date of the proceedings or a claim seeking to require the City to waive its land use regulations, which are being newly imposed upon the property as a result of the Petitioner’s requested proceedings; and

Whereas, Petitioner wishes to obtain the City’s approval of Petitioner’s requested proceedings and therefore agrees to eliminate the potential of claim for compensation or the right to seek waiver from the City’s land use regulations existing as of the effective date of the proceedings.

Now, therefore, Petitioner warrants that the Petitioner executing this Waiver Agreement holds the full and complete present ownership or any interest therein in the property, and agrees as follows:

1. As inducement to the City to proceed with the following proceeding(s) affecting the subject real property: Annexation, planning district change, and/or plan text amendment which may include designation of the property as subject to additional applicable land use regulations and overlay zones and districts, which may include, but are not limited to the Mixed Use Commercial Overlay District, Industrial Business Park Overlay District, Flood Plain District, Wetlands Protection District, Greenway Protection Overlay District and Natural Areas, and/or design districts (“proceedings”), the undersigned Petitioner, on behalf of Petitioner, Petitioner’s heirs, devisees, executors, administrators, successors and assigns, agrees and covenants to the City of Tualatin, its officers, agents, employees and assigns that the Petitioner hereby waives, releases and

Exhibit A. Application Materials

Annexation Application
Community Development Department - Planning Division

forever discharges, and agrees that Petitioner shall be estopped from asserting any rights and remedies, actions, causes of action, suits, claims, liabilities, demands, and rights to waivers arising under or granted by any statutory or constitutional regulatory compensation or waiver provisions, including but not limited to Ballot Measure 37 (2004) and Ballot Measure 49 (2007) or otherwise enacted after the date of this proceeding which would create a right of claim for compensation or waiver from city land use regulations that exist upon the effective date of the proceeding and which, by the approval of the proceeding, are then applicable to the property.

2. This covenant, waiver, release, and discharge binds the undersigned's heirs, devisees, executors and administrators, successors in interests, and assigns. This covenant, waiver, release, and discharge will run with the land, and this instrument or a memorandum of it may be recorded in the official records of the County in which the subject real property is located. This instrument may be terminated upon the filing of a Notice of Termination of Waiver filed by the City of Tualatin.
3. If this instrument is given contemporaneous with a consent to future proceedings to be initiated by the City, Petitioner acknowledges that the proceedings may be initiated by the City of Tualatin at any time in the discretion of the City and that this waiver and release is applicable to any ordinances adopted prior to the effective date of the proceeding.
4. This document is executed of my own free will and without duress. I/we respectively acknowledge that I/we have been advised to obtain legal advice prior to the execution of this document, and that either I, or each of us respectively, have either obtained legal advice or have independently elected not to seek legal advice prior to the execution of this document, recognizing that this document may affect our legal rights and remedies.

DATED this 14 day of October, 2019

<hr/> <p style="text-align: center;"><i>(signature)</i></p> <p>Petitioner Name:</p> <hr/> <p>Date Signed:</p> <hr/>	<hr/> <p style="text-align: center;"><i>(signature)</i></p> <p>Petitioner Name:</p> <hr/> <p>Date Signed:</p> <hr/>
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Exhibit A. Application Materials

Annexation Application
Community Development Department - Planning Division

Petitioner (corporation, etc.) Name: Autumn Sunrise, LLC

By: *[Signature]*

Name of Signor: Gordon C. Root

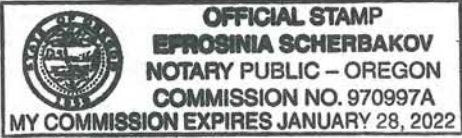
Office/Title of Signor: Manager

State of Oregon _____
County of Clackamas

On this 14th day of October, 2019, before me the undersigned Notary Public, personally appeared

Gordon C. Root
(Name of Petitioners signing; not Notary name)

- Personally known to me
- Proved to me on the basis of satisfactory evidence
- To be the person who executed the within instrument
- As Manager or on behalf of the entity therein named, pursuant to authority, and acknowledged to me the execution hereof.

WITNESS my hand and official seal <i>(Do not write outside of the box)</i>	Place Notary Seal Below
Notary Signature: <u><i>Efrosinia Scherbakov</i></u> Notary name (legible): <u>Efrosinia Scherbakov</u>	

This document is accepted pursuant to authority and approved for recording.

City of Tualatin, Oregon

[Signature]
City Manager

Exhibit A. Application Materials

Annexation Application
Community Development Department - Planning Division

CERTIFICATION OF SIGN POSTING



The applicant shall provide and post a sign pursuant to Tualatin Development Code ([TDC 32.150](#)). Additionally, the 18" x 24" sign must contain the application number, and the block around the word "NOTICE" must remain medium purple composed of the RGB color values Red 112, Green 48, and Blue 160. Staff has a Microsoft PowerPoint 2007 template of this sign design available through the Planning Division homepage at: <https://www.tualatinoregon.gov/planning/land-use-application-sign-templates>

As the applicant for the Autumn Sunrise Annexation project, I hereby certify that on this day, November 9, 2019 sign(s) was/were posted on the subject property in accordance with the requirements of the Tualatin Development Code and the Community Development Division.

Applicant's Name: Levi Levasa
(Please Print)

Applicant's Signature: 

Date: 2/20/2020

Tax Lots 400, 401, 500, 501, 600, 800, 900 (1,000 ft Radius)

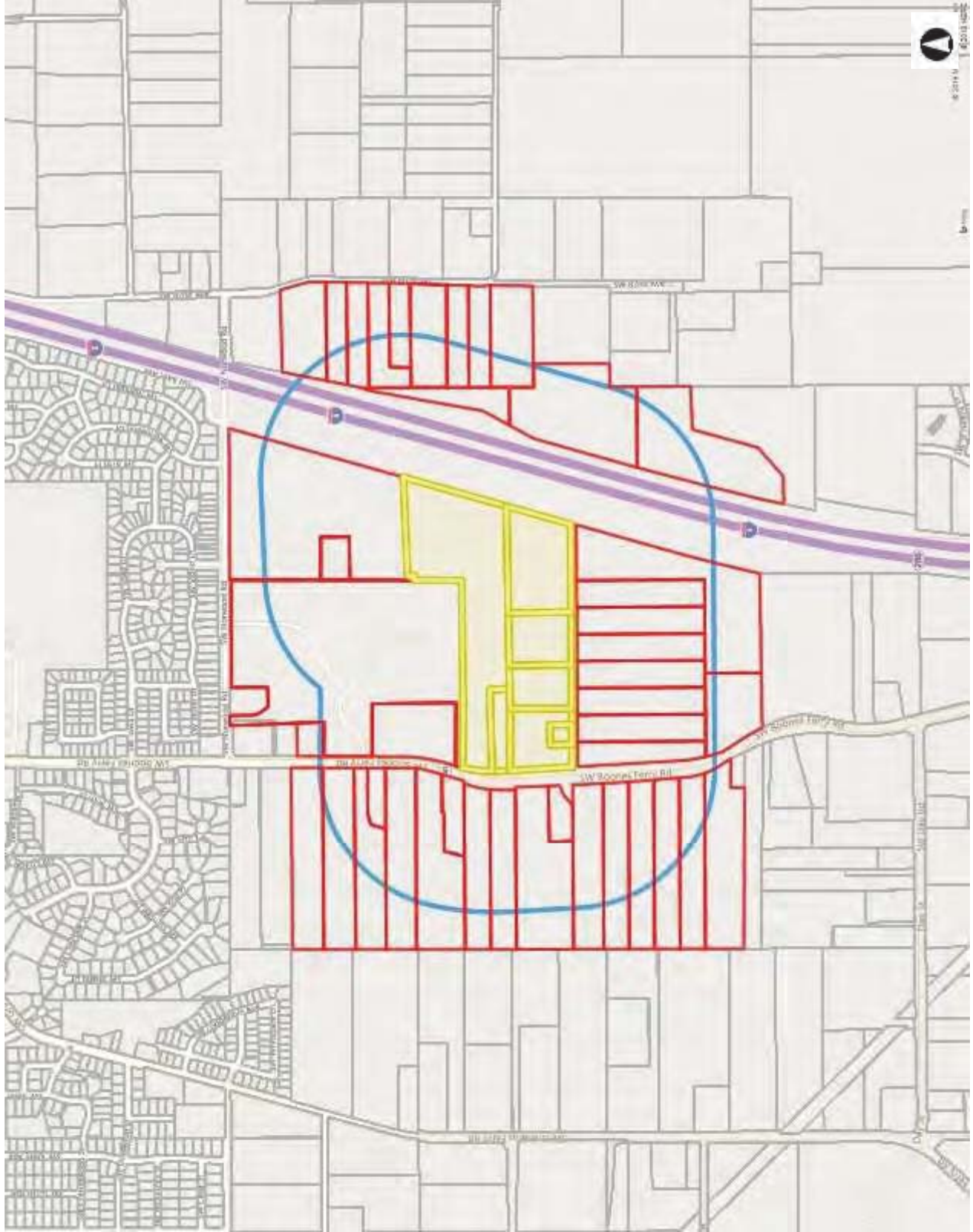


Exhibit A. Application Materials

Taxlot

7/26/2019

Notes



First American Title Insurance Company makes no express or implied warranty respecting the information presented and assumes no responsibility for errors or omissions. FIRST AMERICAN, the Eagle logo, and FIRST AMERICAN TITLE INSURANCE COMPANY are trademarks owned by First American Financial Corporation.

0.6 Miles

0.28

0

0.6

Exhibit A. Application Materials

Mailing address document available for review in Case File: ANN 19-0002

Exhibit A. Application Materials

September 25, 2019



Tualatin – Autumn Sunrise Annexation

Dear Neighbor,

We would like to invite you to another neighborhood meeting to discuss our proposed annexation application of the property located between SW Norwood Road, Greenhill Lane, I-5 and Boones Ferry Road. A map on the back page of this letter illustrates the area we are applying to annex.

While this meeting is a requirement by the City of Tualatin, we also believe this to be an excellent opportunity to receive input from the local community. The meeting also allows us to elaborate on our future plans for the property and provide clarity for any questions community members may have.

We hope you will be able to join us for this meeting.

Meeting Location: **Horizon Christian High School Room #211**
23370 SW Boones Ferry Rd
Tualatin, OR 97062

Meeting Date & Time: **9 October 2019**
6:30 PM – 7:30 PM

Please feel free to call or email me with any questions or comments if you are unable to attend this meeting.

Sincerely,

Levi Levasa - Project Manager
Email: Levi@staffordlandcompany.com
Phone: 971.206.8614

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project Name: Autumn Sunrise Annexation Subject Properties: Tax Lots - 400,401,500,501,600,800,900 on Tax Map 2S 1 35D			
Proposal: Annexation of the Subject Properties and adjacent rights-of-way from Unincorporated Washington County to the City of Tualatin			
Meeting Location: Horizon Community Church, Room 211, 23370 SW Boones Ferry Rd, Tualatin, OR 97062	Meeting Date & Time: 10/09/2109 @ 6:30PM		
PUBLIC RECORDS LAW DISCLOSURE: This sign-in sheet will become a public record of the City of Tualatin and become subject to public disclosure under Oregon Public Records Law			
NAME	MAILING ADDRESS	E-MAIL ADDRESS	PHONE NUMBER
PATSY APRIN	[REDACTED]		
APRIL ANAN			
STU PETERSON			
Randy McLeod			
ANDREW HANSON			
Rose Tolet			
GRACE LUCINI			
SARA LUCINI			
ALISA BEAR			
Jim Odams			
Christina Brant			
Keno Jo Aust			

8
03

Exhibit A. Application Materials

Neighborhood Meeting Minutes

Autumn Sunrise Annexation

October 9, 2019

6:30 PM at Horizon High School

Presentation By: Levi Levasa (L)

Introduction:

- Brief description of Stafford. We build homes and develop large projects for single family homes, townhouses, and occasionally multi-family.
- Brief description of the Autumn Sunrise property. It's 39 ½ acres. It's bounded by Boones Ferry Road to the west, I-5 to the East, and Greenhill lane to the south.
- The purpose of the meeting is to discuss annexation of the property in to the City of Tualatin.
- Brief explanation of 2004 UGB expansion, Basalt Creek Concept Plan (BCCP) process and adoption, and City of Tualatin implementation of the BCCP.
- Annexation does not change the use of the property, it only moves the boundary of the City and adopts their land use designation. That is what we are proposing to do.
- We will go over what can happen in the future a bit later.

Q: What is the timeline for annexation completion?

L: I will be turning in a final application by the end of the month. I anticipate the property to be annexed by the end of the year or the beginning of 2020.

Q: Will there be any change to neighboring non-annexed property?

L: There would be no change in use to this property or to any neighboring properties as a result of this annexation.

Q: What does annexation mean?

L: Annexation means that the Tualatin city limits line will be redrawn on a map to include our property. It also means that the tax district maps will change.

Q: What are the next steps after annexation?

L: The next step after annexation is to subdivide the property. This process will require a whole new round of applications, permits, and planning. I anticipate the subdividing process to take between 6-24 months depending on the jurisdiction.

Q: Will school district boundaries change with annexation like tax boundaries?

L: School district boundaries are different than tax boundaries. It's in the best interest of a school district to cast a wide net and collect the construction excise taxes that will benefit the school district. The school district lines are difficult to change and annexation will not affect them. As much as we'd like to change them, we anticipate that they will stay in place as is.

Q: How many homes will be built on your property?

Exhibit A. Application Materials

L: Before I answer that I want to make sure that there are no more Annexation questions. Remember that we are only proposing annexation.

[No Response]

Now I will open the conversation to include what can happen with future subdivision applications and eventual construction.

L: Our preliminary plan has 236 dwelling units. The lots will vary in size and type. The number of dwelling units was determined by the net density set forth in the Basalt Creek Comprehensive Plan. They want 10 dwelling units per net buildable acre. We subtracted the land that we will be dedicating to the city, primarily roads and multiply the remaining acreage by 10. The remaining area on our most recent concept plan came to 23.6 acres, so there are 236 dwelling units shown.

Q: Will there be any other road outlets for the development other than Greenhill lane?

L: Yes. This plan shows that there would be another road constructed in the northwest corner of the property.

Q: I live on Boones Ferry Road and this will further affect traffic in the area.

L: Tualatin has a comprehensive transportation system plan. In addition to Tualatin's traffic plan there is also a traffic plan in the Basalt Creek Comprehensive Plan. Our job is to abide by the rules set by those plans. I will admit that these plans can be reactive to development. What will eventually help the area is the expansion of Boone Bridge and the Abernathy Bridge by ODOT.

Q: What is ODOT doing?

L: I'm not fully aware of the status of ODOT projects in the area. My understanding is that they are expanding lanes and working south towards the Boone Bridge.

Q: Your development will affect the traffic capacity of the area.

L: Future development must satisfy the requirements of the jurisdictional authority regarding traffic. We would likely conduct traffic studies. A traffic engineer will make recommendations. If they say our development triggers a need elsewhere, we will be burdened with paying for it. If we don't trigger a need we will not be building or paying for it.

Q: Will Stafford be doing any frontage improvements on Boones Ferry Road?

L: Boones Ferry Road is already improved, so probably not, but that is determined during the subdivision review process.

Q: If you add 236 homes then you are adding some 400 new cars on to Boones Ferry making it worse.

L: We pay our proportionate share in development. There are system development charges we pay to any city we build in and generate income for the city and county who's burden it is to improve public infrastructure.

Q: I live off of Boones Ferry Road and I already fear for the safety of myself and property when entering in to the road.

Exhibit A. Application Materials

L: We can't fix all the problems of Boones Ferry Road. We will pay for and build what is proportionately required of us.

Q: You're causing a problem.

Gordon Root: [Introduces himself as an owner and principle of Stafford] If we widen Boones Ferry along our frontage, the choke point will just move a couple hundred feet down the road. This project has taken more time and more planning than any other I've been involved in. There have been meetings coinciding with the Basalt Creek Comprehensive plan for nearly fifteen years. The Basalt Creek Parkway will eventually be built and will offset some of the traffic concerns. It will also setup queuing which will help those who live on Boones Ferry safely enter the road. Furthermore, the amount of money the city and county will be gaining through permits and system development fees is tremendous. I will echo what Levi said and say that the area is more reactive than proactive. Good examples of infrastructure showing up before development are Washington state. That is not the case here, but it will not stop our property from being developed.

Q: Will there be a bridge and light for the Basalt Creek Parkway intersection?

L: There will be a bridge over Basalt Creek and a light at the intersection of Basalt Creek Pkwy and Boones Ferry Rd.

Q: I have a few questions. The comprehensive plan doesn't address stormwater runoff. How will your development address stormwater? Will all overhead utilities be moved below ground?

L: Stormwater has become a big issue in developments. The project will be monitored by Clean Water Services which has high standards that we will comply with. The overhead utilities on the frontage of our property will likely be buried.

Q: If we don't annex will the burying of power line affect us?

L: Burying the power line should not affect anyone's services.

Q: Where are utilities being brought from?

L: Utilities are currently in place on Norwood and Boones Ferry Rd. It is uphill from our property so a sewer pump station will also be built on our development.

Q: What's going to be done with the property south of Greenhill?

L: That property will eventually need annexed into Wilsonville if it is going to developed. The Basalt Creek Concept Plan has it zoned as a high-tech employment district.

Q: Will there be regional parks dedicated in your development?

L: I don't think there will be a regional park but there is land shown for a neighborhood park in this concept plan.

Any other questions?

Conclusion: If you received notice for this meeting then you would receive notice for any future meetings or hearings as well. We will also have signs posted for any future meetings or hearings.

Exhibit A. Application Materials

August 8, 2019



Tualatin – Autumn Sunrise Annexation

Dear Neighbor,

This letter is a second notice to correct the map that was sent out in the first letter. The meeting will still be happening on the same day, time, and location. We apologize for the error and hope you can make it.

Meeting Location: Horizon Christian High School Room #211
23370 SW Boones Ferry Rd
Tualatin, OR 97062

Meeting Date & Time: 22 August 2019
6:30 PM – 7:30 PM

Please feel free to call or email me with any questions or comments if you are unable to attend this meeting.

Sincerely,

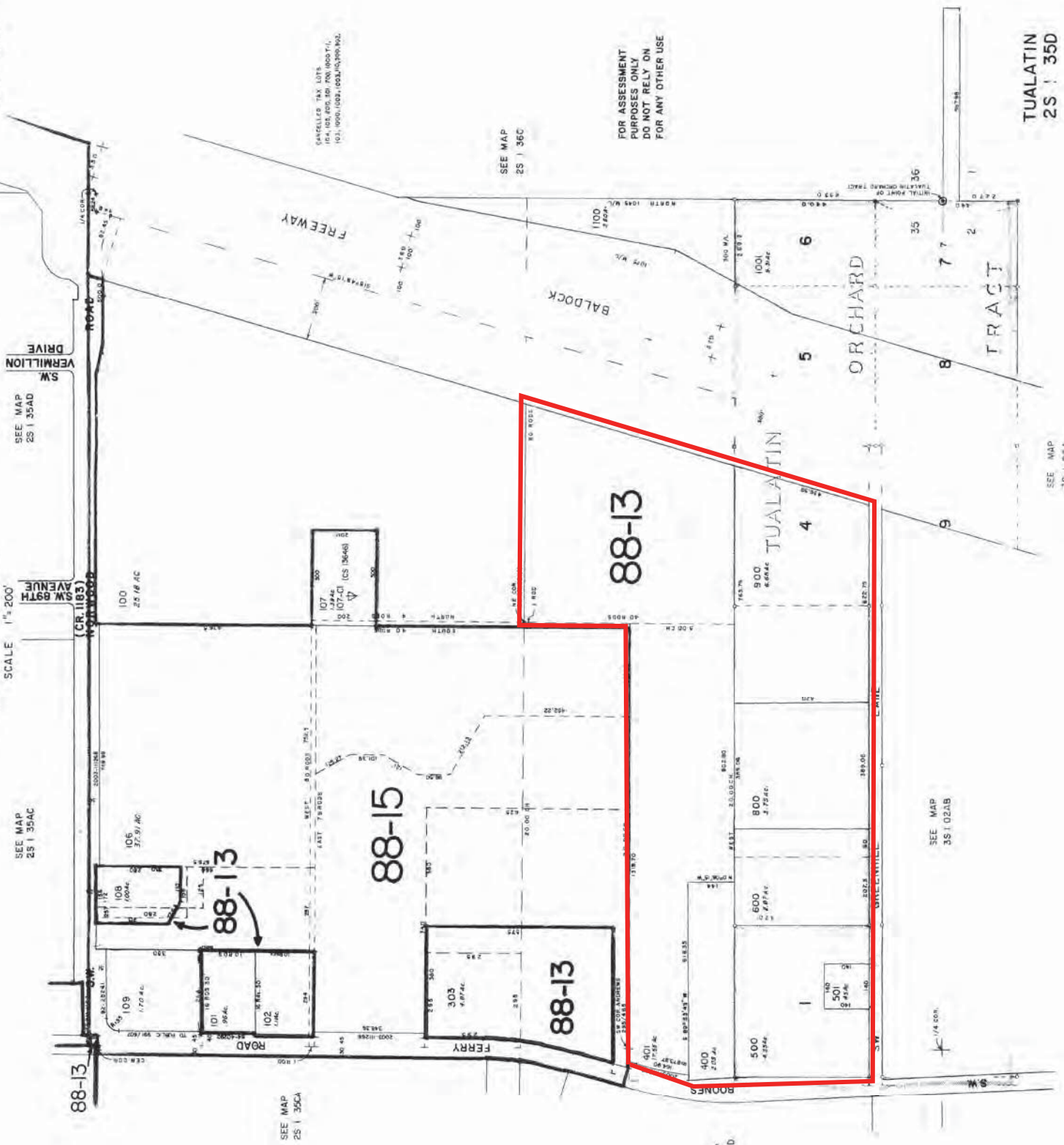
Levi Levasa - Project Manager
Email: Levi@staffordlandcompany.com
Phone: 971.206.8614

Exhibit A. Application Materials

2S | 35D
TUALATIN

SE 1/4 SECTION 35 T2S R1W W.M.
WASHINGTON COUNTY OREGON

TUALATIN
2S | 35D



NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project Name: Autumn Sunrise Annexation	Subject Properties: Tax Lots - 400,401,500,501,600,800,900 on Tax Map 2S 1 35D		PHONE NUMBER
Proposal: Annexation of the Subject Properties and adjacent rights-of-way from Unincorporated Washington County to the City of Tualatin			
Meeting Location: Horizon Community Church, Room 211, 23370 SW Boones Ferry Rd, Tualatin, OR 97062		Meeting Date & Time: 8/22/2109 @ 6:30PM	
PUBLIC RECORDS LAW DISCLOSURE: This sign-in sheet will become a public record of the City of Tualatin and become subject to public disclosure under Oregon Public Records Law			
NAME	MAILING ADDRESS	E-MAIL ADDRESS	PHONE NUMBER
Tom & Kathryn Re			
David Force			
Christine & John Gazant			
Jillian Saurage Felton			
RANDY ALVSTAD			
Athine Rdy			
Kim Charvach			
John Cattan Pearlman			
George LeDoux			
Bob Burchfield			
Dylan Potter			
Dan Hood			
JULIE HEIRONIMUS			
Allisa Bear			
Jim & Margie Peterson			

NEIGHBORHOOD MEETING ATTENDANCE ROSTER

Project Name: Autumn Sunrise Annexation		Subject Properties: Tax Lots - 400,401,500,501,600,800,900 on Tax Map 2S 1 35D	
Proposal: Annexation of the Subject Properties and adjacent rights-of-way from Unincorporated Washington County to the City of Tualatin			
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NAME	MAILING ADDRESS	E-MAIL ADDRESS	PHONE NUMBER
Sueby/Karen/Dave Wilson			
Danny F. O'Neal			
Melki Sampedro			
Mick Hergert			
Peter Dow			
Holly Winick			
Caroly Anderson			
Suzanne Lynde			
Amelia Adams			
Julie Welborn			
Rose Toler			
JOAN LUCINI			
GRAE LUCINI			
Heather Yuhus-Have			
MARK ENNIS			
BRAD PITTS			
Tom Stimson			

Exhibit A. Application Materials

Neighborhood Meeting Minutes

Autumn Sunrise Annexation

August 22, 2019

6:30 PM at Horizon High School

Presentation By: Gordon Root (G) and Levi Levasa (L)

G: Introduction:

- I've spent 14 years with the property. I bought in 2004, sold it, and bought it back in 2007.
- I've been a part of the Basalt Creek Concept Plan (BCCP) since its infancy.
- Annexation meeting is emphasized. Development meetings will be in the future.

L: Introduction

- Explanation of comprehensive plan for the area.
- The property is zoned Medium Low Density Residential (RML) and Neighborhood Commercial (CN) on the Tualatin Maps and would be designated as such upon annexation.

Q: What could go into the CN zone?

A: Gordon: The city wants neighborhood convenience stores. I can't say specifically what may or may not go in them

G: Quick Description of Urban Growth Boundary (UGB)

- Describes how the UGB came about
- Metro, the tri county government, oversees it
- They have minimum density standards rather than max standards
- The purpose is for the preservation of wetlands, farms, and other natural areas
- These decisions for density requirements have been repeatedly voted on and passed

L:

- The density for the RML zone is 10 units per net acre.
- Stressing that the concept plan for development is preliminary and is not part of this application
- There will likely be a variety of housing types proposed for future development.
- Future development applications will give more details about the types of houses.

Q: Can this be stopped?

L: We're making sure that it can't by meeting the criteria.

G:

- Background about Basalt Creek Concept Plan (BCCP)
- It's taken 14 years with numerous community meetings to get to this point
- The BCC has been adopted into a comprehensive plan which we are following

Exhibit A. Application Materials

Q: When will the annexation be completed?

L: Probably by the end of the year.

Q: When will the property be developed?

L: Development depends on market forces, so I can't say for certain. The City can't accept development applications until the property is annexed. Once development is approved, then the Civil engineering design and review process must be completed for permits to be issued for construction. These things can take a long time depending on the project and jurisdiction.

Q: Traffic is a concern. What is Stafford going to do to improve Boones Ferry Road?

G: Improvements have already been made. The future Developer responsibilities for Boones Ferry Rd are dependent on the comprehensive plan and conditions of approval.

L: Traffic engineering explanation

- We have to rely on professionals.
- Traffic engineers have a ton of rules and tools they use to come up with the different Cities' and Regional Transportation System Plans (TSP) which guide us in our development.

Q: What kind of use and how much space will the CN zone take up?

L: We don't have specifics for what may or may not be there.

Q: Have you done a traffic study to know what a bunch of houses are going to do to the roads around here?

L: We have not done a traffic study. That may be included in a future development plan and application. Right now, we are only applying for annexation. The only reason we are currently sharing one of the many concept plans we have come up with for this area is to encourage discussion

Q: Is public transportation considered?

L: Sometimes but not always. These details will be ironed out during the development application and review process. This location will likely take public transportation into consideration since it is on Boones Ferry Rd.

Q: How many units will be in the subdivision?

L: Again, we are not applying for a subdivision, but this concept plan shows 236 units which is still very preliminary.

Q: Will there be any affordable housing or apartments?

L: No

Q: What kind of homes do you build?

G: We build efficient, single family, Energy Star certified homes. Our current projects can be found in McMinville, Woodburn, and Dallas.

Exhibit A. Application Materials

Q: How much will the houses in this subdivision sell for?

G:

- Prices are dictated by what the market can bare.
- We build to this density and this price because of the housing shortage and the UGB

Q: Will apartments be built in the area?

G: The area to the north of our property bordering Boones Ferry Road is zoned for high density residential. That area probably will have apartments, but we are not developing them.

Q: Are the roads dead ending to the north on the preliminary plan required?

L: As part of a subdivision application we would be required to show streets stubbing to the north to allow for future extension and connectivity..

Q: Will there be stoplights for the subdivision?

L: No plans have been made yet. Those decisions will be made during the development stage with a different application.

Q: Will there be other exits onto Boones Ferry Road than what is shown on the preliminary plan?

L: Possibly, but this concept plan does not show any.

G:

- We encourage you to look at the transportation study for the area
- The transportation plan is a long-term planning document that identifies infrastructure that will get built eventually

Q: When is stormwater addressed?

L: The process goes something like this. First annexation, then preliminary planning approval of a subdivision, then engineering and permitting. Stormwater will be addressed in great detail during the engineering phase. Generally, stormwater issues that neighboring properties experience are improved with development.

Q: Will stormwater be retained on the property?

L: Yes.

G: The CN zoned area could be consumed by stormwater management.

Q: What school district will this subdivision be in?

L: This property is currently in the Sherwood School District and annexation/future development does not change that.

Q: Do you have any plans for work or know of any work being done on Norwood Rd?

L: We don't have any plans and I am not aware of any other pending plans.

Exhibit A. Application Materials

Q: Will Boones Ferry Road be widened further?

G: There are no further plans for improvements on Boones Ferry Road.

Q: Will there be fences or wall around the subdivision?

L: The future subdivision will likely require buffering from I-5. Other walls and fencing will be addressed during the next stage of the development or eventual homebuilding.

Q: Where will services from Tualatin be connected?

L: Boones Ferry Road.

Q: What will happen to the property south of Norwood and west of I-5?

L: We don't own it, but it will likely be developed in the future.

Q: Has the land in the High Density Residential zone sold yet?

L: Not that I'm aware of.

Q: What else is being done to meet our traffic concerns because of development?

L: Developments pay SDC fees which fund Capital Improvement Projects. Some of the infrastructure that impacts the traffic in Tualatin are under Washington County and ODOT jurisdiction and they each have projects lists and plans that identify where issues need to be addressed. Individual developments typically only make improvements when they are warranted, adjacent to the project, and proportional to the impacts of development.

Q: The school district for the property will be Sherwood even if it gets annexed into Tualatin?

L: Yes

Conclusion: Thanks for coming.

CITY OF TUALATIN
RECEIVED

SEP 19 2019

COMMUNITY DEVELOPMENT
PLANNING DIVISION



City of Tualatin

COMMUNITY DEVELOPMENT PLANNING DIVISION

Pre-Application Meeting Request

The purpose of the Scoping and Pre-Application meetings is to offer early assistance in the land use and permitting process. This includes thoughtful feedback on preliminary design direction and visioning, outlining expectations, and to assist the applicant in attaining a complete application at first submittal.

PROJECT DESCRIPTION

Project name/title: Autumn Sunrise Annexation

What is the primary purpose of this pre-application meeting (What would you like to accomplish)? (Attach additional sheets if needed.)

Annexation to the City of Tualatin from Washington County.

PROPERTY INFORMATION

Property address/location(s): 23740 SW Boones Ferry Rd. & 23620 SW Boones Ferry Rd. & 9415 SW Greenhill Ln. & 9335 SW Greenhill Ln. & 9185 SW Greenhill Ln. & 2 other properties not yet addressed.

Tax map and tax lot no.(s): 2S135D - TL 400,401,500,501,600,800,900

Zoning: County - FD-20, City (upon annexation) - RML/Commercial

PROPERTY OWNER/HOLDER INFORMATION

Name(s): Autumn Sunrise, LLC
Gordon Root, Manager

Address: 8840 SW Holly Ln Phone: 503-720-0914

City/state: Wilsonville, OR Zip: 97070

APPLICANT INFORMATION

Name: Stafford Development Company, LLC

Address: 8840 SW Holly Ln Phone: 503-305-7647

City/state: Wilsonville, OR Zip: 97070

Contact person: Levi Levasa

Phone: 503-250-3651 Email: levi@staffordlandcompany.com

Pre-application Conference Information

All of the information identified on this form is required and must be submitted to the Planning Division with this application. Conferences are scheduled subject to availability and a minimum of two weeks after receiving this application and all materials. Pre-application conferences are one (1) hour long and are typically held on Wednesdays between 2-4 p.m.

If more than four (4) people are expected to attend the pre-application conference in your group, please inform the City in advance so that alternate room arrangements can be made to accommodate the group.

REQUIRED SUBMITTAL ELEMENTS

(Note: Requests will not be accepted without the required submittal elements)

- A complete application form and accompanying fee.
- 1 hard copy and an electronic set of the following:**
 - Preliminary site and building plans, drawn to scale, showing existing and proposed features. (Plans do not need to be professionally prepared; just accurate and reliable.)
 - A detailed narrative description of the proposal that clearly identifies the location, existing and proposed uses, and any proposed construction.
 - A list of all questions or issues the applicant would like the City to address.

FOR STAFF USE ONLY

Case No.: PRE 19-0021

Related Case No.(s): _____

Application fee: \$227.50

Application accepted: _____

By: [Signature] Date: 9-19-19

Date of pre-app: _____

Time of pre-app: _____

Planner assigned to pre-app: [Signature]

Exhibit A. Application Materials

What type of development are you proposing? (Check all that apply)

Industrial Commercial Residential Institutional Mixed-use

No development proposed at this time, any future development will include the above per Tualatin designations
Please provide a brief description of your project: (Attach additional sheets if needed.) Please include description of existing uses and structures in addition to what is proposed.

We are not proposing any development at this time, only annexation. Eventually, however, the intent is to develop the property as allowed by the City of Tualatin Development Code. In the attached exhibits, there are several examples of what future development layouts could look like. However, none of these plans are intended to be submitted and reviewed as part of the Annexation application. Currently there are homes on 3 of the properties and the remainder are vacant or have small barns/sheds on them.

Are you familiar with the development process in Washington or Clackamas County or Tualatin?

Yes No

If yes, please identify an example project:

Washington County - Gales Creek Terrace (Forest Grove). Clackamas County - Beck Pond (Canby).

Are you familiar with the sections of the Tualatin Development Code (TDC) that pertain to your proposed development?

Yes No

However, please detail any code sections that should be addressed beyond those mentioned specifically in the annexation application instructions and requirements packet.

Is the property under enforcement action? If yes, please attached a notice of the violation.

No

Please provide the names of City, TVF&R, CWS, and County staff with whom you have already discussed this proposal:

Exhibit A. Application Materials

Autumn Sunrise Proposed Annexation

Pre-Application Conference Narrative

Introduction/Proposal

This pre-application conference is requested as required by TDC 32.110(2) and TDC 32.010 Table 32-1, to discuss, in accordance with TDC 32.110, the proposed annexation of approximately 39.50 acres of property that is contiguous to the City of Tualatin city limits from unincorporated Washington County into the City of Tualatin city limits. Only annexation of the subject properties and abutting rights-of-way is proposed. Future development of the annexation area will be subject to a separate application process and review.

The current use of the properties includes vacant land on most of the parcels and three single family residences on Tax Lots 501, 600, & 800. Upon annexation, the use of the properties will not change.

The proposed annexation is considered a “Minor Boundary Change” as defined in Metro Code 3.09.020 and the petition for annexation will be accompanied by 100% of property owner signatures as the subject properties all share the same owner. As such, the Applicant would like to propose an Expedited Decision process per Metro Code 3.09.045 in review of the Complete application submittal.

Property Information

The total annexation area of 39.50 acres is comprised of approximately 36.617 acres of real property owned by Autumn Sunrise, LLC and approximately 2.883 acres of adjacent rights-of-way; including portions of SW Boones Ferry Road and SW Greenhill Lane. See attached **Exhibit A** for a legal description and map of the proposed annexation area boundaries.

The subject properties and their approximate area, per the Washington County Assessor’s Map (**Exhibit B**), are listed below.

Owner	Property Address	Tax Map	Tax Lot	~ Acres
Autumn Sunrise, LLC	23740 SW Boones Ferry Road, Tualatin, OR 97062	2S-1W-35D	400	1.88
Autumn Sunrise, LLC	23620 SW Boones Ferry Road, Tualatin, OR 97062	2S-1W-35D	401	17.46
Autumn Sunrise, LLC	No Situs	2S-1W-35D	500	3.72
Autumn Sunrise, LLC	9415 SW Greenhill Lane, Tualatin, OR 97062	2S-1W-35D	501	0.45
Autumn Sunrise, LLC	9335 SW Greenhill Lane, Tualatin, OR 97062	2S-1W-35D	600	2.87
Autumn Sunrise, LLC	9185 SW Greenhill Lane, Tualatin, OR 97062	2S-1W-35D	800	3.75
Autumn Sunrise, LLC	No Situs	2S-1W-35D	900	6.68

The properties listed above are all in the Washington County Future Development 20-Acre Land Use District (FD-20). Upon annexation they would take on the City of Tualatin Medium Low Density Residential and Neighborhood Commercial planning district designations as determined by the adopted City maps.

Procedure

In accordance with TDC 32.130(1)(a), the owner of the subject property, Autumn Sunrise, LLC, is initiating this Annexation Application as a Type IV-A application per TDC 32.260(a), with Stafford Development Company, LLC representing them as the Applicant and each party understands the process and responsibilities of the City, Applicant, and Owner as described in TDC 32.240.

Exhibit A. Application Materials

Application Submittal Requirements

The applicant understands that submittal requirements and approval criteria are listed in TDC 33.010

Questions

Note: Some of these questions will not apply in the case of an Expedited Decision.

1. Will the City use the permitted Expedited Decision process as outlined in Metro Code 3.09.045? If so, how do the procedures and submittal requirements change?
2. Does Annexation of public right-of-way require a signature on the petition from the authority having jurisdiction over that right-of-way?
3. Are there any additional items not mentioned in the annexation application instruction and requirements packet that are either required to be addressed or would be helpful to staff in reviewing the proposed annexation?
4. Are there any items listed above that we are planning to address that do not need to be addressed in the proposed annexation application?
5. Can you please confirm whether any City recognized Citizen Involvement Organizations boundaries are within, adjacent to, or within 1,000 feet of the subject properties? Reference TDC 32.140(1)(h).
6. Can you please confirm whether the reference to TDC 33.240(1) and (2) in TDC 32.260(2)(a) is an error?
7. Can you please clarify TDC 33.010(4)(i)(ii)?
8. Will the City accept an alternative format for the annexation petition? The attached Petition (**Exhibit C**) has been submitted to Clackamas County Assessment for review and certification.
9. Does the City require approval of legal descriptions from the Department of Revenue prior to approving an annexation? The attached legal description and map (**Exhibit A**) have been submitted to the Clackamas County Assessment/Cartography department for review and certification.
10. Are there any deadlines for annexation and official taxing district changes that we should be aware of?
11. Can you please clarify TDC 33.010(4)(k)? Will the attached **Exhibit D** showing the 1,000 ft. radius around the territory suffice to satisfy this requirement? Will the City review and approve the mailing list submitted by the applicant?
12. Will anything need submitted to satisfy TDC 33.010(4)(l) and (m)?
13. Can you confirm that property within the public ROW along the subject properties' frontage, including the full width of SW Boones Ferry Rd. and half width of SW Greenhill Ln., is sufficient to satisfy TDC 33.010(4)(c)?
14. I've included a graphic showing where current single-family residences and structures on the properties are located (**Exhibit E**). Is this a sufficient drawing for an existing/proposed conditions map?
15. We already held a neighborhood meeting. If we have another neighborhood meeting, do we need to submit anything about the first one we had?
16. We have many concept plans for the potential future development of this area. Do we need to include anything about future development in the annexation application?

Map 9-1 Community Plan Map

Notes:

- All plan designation boundaries are intended to follow property lines, center lines of streets, or can be called pursuant to the scale of this map. If mapping errors occur, the City Council shall be the sole arbitration body to decide the location of boundaries.
- Specific requirements for each Planning District are found within the Tualatin Development Code.
- The Wetland Protection District and the Greenway and Riverbank Protection District locations are described in the Tualatin Development Code. Maps of the districts are available from the Planning Department.
- Properties within the Tualatin Urban Renewal Area boundary are subject to the Tualatin Urban Renewal Plan which may contain specifications and requirements that are more restrictive than those found within the Planning District standards.



Residential		Commercial		Manufacturing		Institutional	
RL Low Density (1-6-4)	CR Recreational	ML Light	IN Institutional				
RML Medium-Low Density (7-10)	CO Office	MG General					
RMH Medium-High Density (11-15)	CC Central	MP Park					
RH High Density (16-25)	CG General	MBP Manufacturing Business Park					
RH/HR High Density/High Rise (26-30)	CN Neighborhood						
	COMR Mid-Rise Office						
	MC Medical						

Planning Area Boundary
 City of Tualatin
 Mobile Home Parks
 Planning Districts
 In Planning Area/Outside of City

