



Ordinance No. 895 Exhibit B
Zone Map Amendment Findings

OrePac Site Improvements

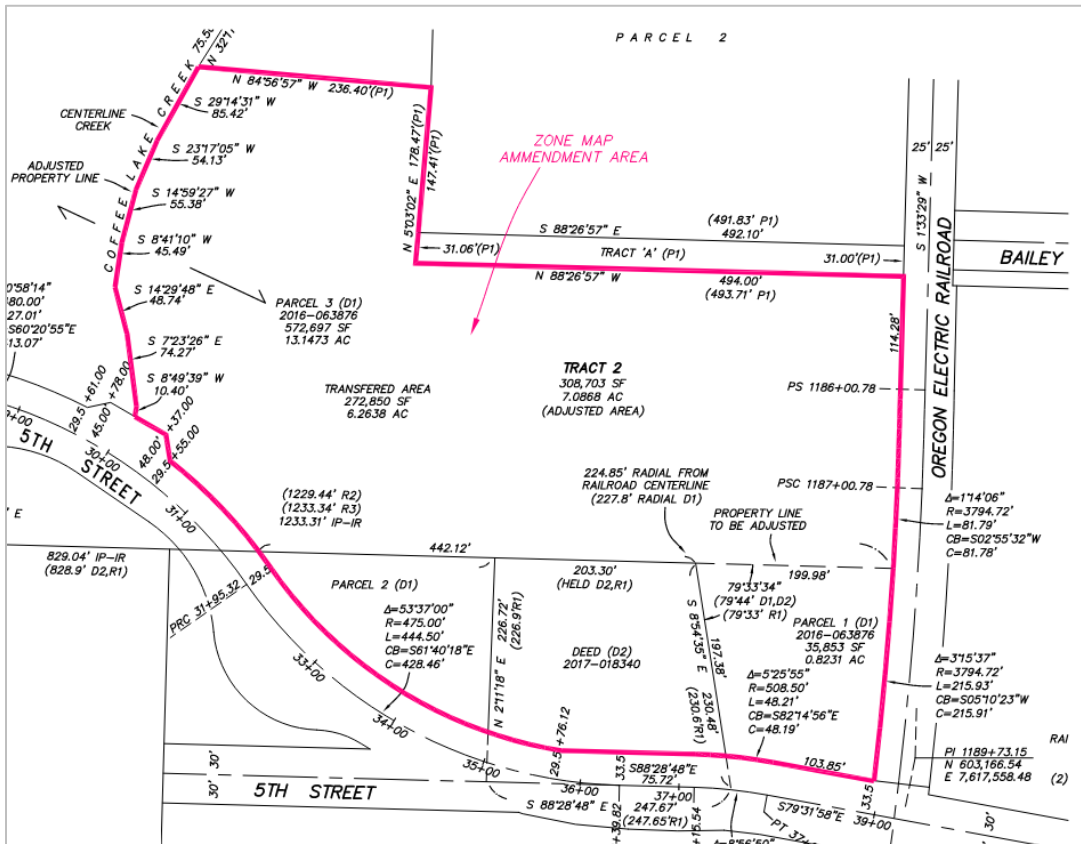
City Council
Quasi-Judicial Public Hearing

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| Hearing Date: | October 7, 2024 |
| Date of Report: | September 17, 2024 |
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| Application Nos.: | DB24-0001 OrePac Site Improvements (ZONE24-0001 Zone Map Amendment) |
| Request/Summary: | City Council approval of a quasi-judicial Zone Map Amendment of approximately 8.66 acres. |
| Location: | Property subject to the Zone Map Amendment is located at 9655 SW 5 th Street, Tax Lots 101 (adjusted by Lot Line Adjustment ARC224-0002; DB24-0001), 200, and 300, Section 23BD, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon. |
| Owner/Applicant: | Inland Pacific Properties LLC (Contact: Darin Coder) |
| Applicant's Representative: | Mackenzie (Contact: Sid Hariharan Godt) |
| Comprehensive Plan Designation: | Industrial |
| Zone Map Classification: | Current/Proposed: Tax Lots 101 (adjusted), 200, 300: FDA-H (Future Development Agricultural – Holding)/PDI (Planned Development Industrial) |
| Staff Reviewer: | Cindy Luxhoj AICP, Associate Planner |
| Staff Recommendation: | <u>Adopt</u> the requested Zone Map Amendment. |

Applicable Review Criteria:

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| Development Code: | |
| Section 4.008 | Application Procedures-In General |
| Section 4.009 | Who May Initiate Application |
| Section 4.010 | How to Apply |
| Section 4.011 | How Applications are Processed |
| Section 4.014 | Burden of Proof |
| Section 4.031 (.01) F. | Authority of the Development Review Board: Zone Changes |
| Subsection 4.033 (.01) A. | Authority of City Council: Zone Changes |
| Section 4.110 | Zones |
| Section 4.135 | Planned Development Industrial (PDI) Zone |
| Section 4.140 | Planned Development Regulations |
| Section 4.197 | Zone Changes |
| Other Planning Documents: | |
| Wilsonville Comprehensive Plan | |
| Area of Special Concern G | |
| Previous Land Use Approvals | |

Vicinity Map



Summary:

Zone Map Amendment (ZONE24-0001)

A Zone Map Amendment is requested to change the zoning of the southern portion of the OrePac site, Tax Lots 101 (adjusted), 200, and 300, from Future Development Agricultural-Holding (FDA-H) to Planned Development Industrial (PDI) consistent with the Comprehensive Plan designation of Industrial and existing zoning on the northern part of the subject site.

Conclusion and Conditions of Approval:

Staff recommends approval with the following conditions:

Request: Zone Map Amendment (ZONE24-0001)

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| This action recommends to the City Council adoption of the Zone Map Amendment for the subject properties. Requests STG124-0001, STG224-0001, SDR24-0001, ARC224-0002, and TPLN24-0001 (Case File No. DB24-0001) are contingent on City Council action on the Zone Map Amendment request. |
| No conditions for this request. |

Findings of Fact:

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

General Information

Application Procedures-In General
Section 4.008

The City’s processing of the application is in accordance with the applicable general procedures of this Section.

Initiating Application
Section 4.009

The owners of all property included in the application signed the application forms and initiated the application.

Request: Zone Map Amendment (ZONE24-0001)

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

Comprehensive Plan

Areas of Special Concern-Area G-Summary and Special Considerations

1. The OrePac property is located in Area of Special Concern G (Area G) in the Comprehensive Plan. This area includes a concrete plant (Wilsonville Concrete), building products distribution and an office building (OrePac), rural residential/agricultural use, and Coffee Lake Creek (Seely Ditch). The summary about Area G notes that extension of SW Kinsman Road, south to SW Industrial Way, and extension of SW Bailey and/or SW 5th Streets, west at least to SW Industrial Way/SW Kinsman Road, would improve access to and from Old Town. It further notes that the extension would also provide a signalized intersection for the industrial truck traffic generated to the south. Tract A on the OrePac property was identified as a possible alignment for the SW Bailey Street extension. However, the location was subsequently changed to be an extension of SW 5th Street rather than SW Bailey Street. As a result, the existing dedicated public right-of-way is now redundant and the applicant is requesting its vacation.

Areas of Special Concern-Area G-Master Plan for Compatibility and Continuity

Design Objective 1

2. The applicant proposes a Zone Map Amendment, lot line adjustment, right-of-way vacation and other site improvements to bring the subject site into compliance with Code standards, as well as to accommodate future potential expansion of OrePac's operations. These actions are consistent with master planning (Stage I) of large areas required by this Design Objective to accommodate new compatible residential, industrial, and office development, and provide for continuity of design and coordination of uses.

Areas of Special Concern-Area G-Coordinate Access and Circulation

Design Objective 2

3. The SW 5th Street to SW Kinsman Road project, completed in 2023 and bordering the OrePac site on the south, achieves the intent of Design Objective 2 to provide coordinated access and circulation that accommodates industrial development and helps minimize congestion on SW Wilsonville Road. The applicant's proposed new driveway access for the property to SW 5th Street consistent is consistent with this Design Objective.

Areas of Special Concern-Area G-Identify Appropriate Street Alignments

Design Objective 3

4. The applicant's request to vacate a portion of SW Bailey Street right-of-way within the subject property that is no longer needed, so that the property may be used for future industrial development as part of OrePac operations, is consistent with this Design Objective's intent to

identify appropriate street alignments that provide needed access and circulation while serving adjacent properties and Old Town.

Areas of Special Concern-Area G-Provide Buffer for Residential Developments

Design Objective 4

5. This Design Objective, which requires buffering along the western perimeter of Area G for adjacent residential developments, does not apply to the current application.

Areas of Special Concern-Area G-Maintain and Enhance Natural Features

Design Objective 5

6. The applicant does not propose any site improvements that would affect the aesthetic or environmental quality of Coffee Lake Creek (Seely Ditch), which runs through the property, consistent with this Design Objective.

Areas of Special Concern-Area G-Limit Incompatible Uses

Design Objective 6

7. The applicant's current operations and proposed site improvements are consistent with Design Objective 6, which requires careful limitation of incompatible uses in Area G while minimizing noise and air quality impacts on adjacent residential neighborhoods.

Areas of Special Concern-Area G-Identify Appropriate Street Alignments

Design Objective 7

8. The site improvements proposed in the current application (DB24-0001) will not affect the viability of or result in minimization of the disruptive and incompatible nature of the railroad, which abuts the eastern side of the subject property.

Development Code

Zoning Consistent with Comprehensive Plan

Section 4.029

9. Concurrently with the Stage 1 Preliminary Plan (in DB24-0001), the applicant is applying for a Zone Map Amendment to change the zoning of Tax Lots 101 (adjusted by Lot Line Adjustment ARC224-0002; DB24-0001), 200, and 300, from Future Development Agricultural-Holding (FDA-H) to Planned Development Industrial (PDI), consistent with the Comprehensive Plan designation of Industrial.

Base Zones

Subsection 4.110 (.01)

10. The requested zoning designation of PDI is among the base zones identified in this subsection.

Standards for Planned Development Industrial Zone

Purpose of PDI

Subsection 4.135 (.01)

11. The zoning will allow a variety of industrial operations and associated uses, such as those proposed by the applicant, consistent with the purpose stated in this subsection.

Uses Typically Permitted

Subsection 4.135 (.03)

12. The proposed zoning will allow uses such as those proposed by the applicant including manufacturing and associated office use, warehousing, storage, and distribution, consistent with the list established in this subsection.

Zone Change Procedures

Subsection 4.197 (.02) B. and C. 1.

13. The request for a Zone Map Amendment has been submitted as set forth in the applicable Code sections including Section 4.008, Section 4.140, and Subsections 4.197 (.02) B. and C.

Conformance with Comprehensive Plan Map, etc.

Subsection 4.197 (.02) C. 2.

14. The proposed Zone Map Amendment is consistent with the Comprehensive Plan Map designation of Industrial with consideration given to Design Objectives for Area of Special Concern G in the Comprehensive Plan (see Findings 1 through 8).

Public Facility Concurrency

Subsection 4.197 (.02) C. 4. and C. 8.

15. Based on existing nearby utilities and utility master plans, and the Transportation System Plan, necessary facilities are or can be made available for development of the subject property consistent with the proposed zoning. A preliminary review of the application materials appears to confirm the site can be adequately served by streets and utilities. Details of required street and utility connections and improvements will be established with review of subsequent Stage 2 Final Plans.

Impact on Significant Resource Overlay Zone (SROZ) Areas

Subsection 4.197 (.02) C. 5.

16. Coffee Lake Creek (Seely Ditch), identified as SROZ and its associated Impact Area, runs north-south along the western boundary of the portion of the property that is subject to the Zone Map Amendment. No other identified natural or geologic hazards are located within the area to be rezoned. An Abbreviated SROZ Map Verification or Significant Resource Impact Report (SRIR) were not required as part of the current application, however, the City's Natural Resources Manager reviewed the application and prepared advisory findings, conditions and requirements. Briefly, the Natural Resources Manager found that the proposed stormwater facility within the SROZ qualifies as exempt development and that, due

to the current condition of the site, the placement and operation of the stormwater facility will provide water quality and habitat benefit through the planting of vegetation and the installation of soil media.

Development within 2 Years

Subsection 4.197 (.02) C. 6.

- 17.** The applicant proposes full development in a single phase to commence within two (2) years of initial approval of the zone change. In the scenario where the applicant or their successors do not start development within two (2) years, thus allowing related land use approvals to expire, the zone change shall remain in effect.

Development Standards and Conditions of Approval

Subsection 4.197 (.02) C. 7.

- 18.** As can be found in the findings for the accompanying request for a Stage I Preliminary Plan (Case File No. DB24-0001), the applicable development standards will be met either as proposed or as a condition of approval.