

ORDINANCE NO. 5680

ZC 13-06: TANASBOURNE MARKET CENTER

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP, A PORTION OF HILLSBORO ZONING ORDINANCE NO. 1945, AS AMENDED, BY CHANGING THE ZONING OF CERTAIN TRACTS OF LAND FROM A-1: DUPLEX RESIDENTIAL AND C-4: NEIGHBORHOOD COMMERCIAL TO MU-C: MIXED USE -COMMERCIAL.

WHEREAS, the City of Hillsboro Planning and Zoning Hearings Board held a public hearing on the proposed zone change on August 16, 2006, and voted to recommend to the City Council that the subject zone change be granted, based on the findings adopted by the Board as Opinion No. 1615, dated August 23, 2006, and

WHEREAS, the City Council hereby adopts the findings of the Planning and Zoning Hearings Board as its own in regard to this matter, and

WHEREAS, based on those findings, the City Council hereby determines that the zone change conforms with the Hillsboro Comprehensive Plan and Zoning Ordinance, and the particular zone recommended is the best suited for the subject site.

NOW, THEREFORE, THE CITY OF HILLSBORO DOES ORDAIN AS FOLLOWS:

Section 1. The following described tracts of land are hereby rezoned from A-1: Duplex Residential and C-4: Neighborhood Commercial to MU-C: Mixed Use - Commercial, as described and illustrated in Exhibit A.

Tax Lots 600, 700 and 800 on Washington County Tax Map 1N2-36AB, Section 36, Township 1 North, Range 2 West, Willamette Meridian, on record as of August 31, 2006, a copy of which is attached hereto and thereby made a part of this Ordinance.

Section 2. Approval of this zone change is subject to the following conditions:

1. Prior to the issuance of building permits for any parcel contained in the subject site, provisions shall be made for the design, dedication, and construction of all public roadways and associated improvements, as identified in the Transportation System Plan and Tanasbourne Town Center Plan. Such provisions shall be reviewed and approved by the City Engineer and Planning Director, and as necessary by Washington County.
2. Development on the property shall comply with all applicable standards of Zoning Ordinance Section 48A, except where exceptions may be approved under Section 48A.V.D: Mixed Use Districts Variances, or to Sections 106 to 111: Variances.
3. Prior to the issuance of building permits, the applicant shall apply for, and receive Development Review approval for development and construction on the site as specified in Section 133 of the Zoning Ordinance.

4. A Clean Water Services Service Provider Letter shall be required prior to issuance of permits for any new development on the site, and the new development shall comply with any conditions required by the Letter.

Section 3. The City Planning Director is hereby instructed to cause the official zoning map, a part of Ordinance No. 1945, to be amended to include the zone change set forth in Section 1 hereof.

Section 4. Except as herein amended, Zoning Ordinance No. 1945, as amended, shall remain in full force and effect.

Passed by the Council this 19th day of September, 2006

Approved by the Mayor this 19th day of September, 2006



Mayor

ATTEST: 

City Recorder

EXHIBIT A
PAGE 1 OF 1

LEGAL DESCRIPTION

A parcel of land being a portion of that tract of land described in deed to Arthur Iwasaki and Teruko Teri Iwasaki, in Deed Document No. 78- 8890, and all that tract of land described in deed to North Plains Limited Partnership, an Oregon corporation, in Deed Document No. 96064645, Washington County Deed Records, located in the Northeast quarter of Section 36, Township 1 North, Range 2 West, Willamette Meridian, in the City of Hillsboro, County of Washington and State of Oregon, being more particularly described as follows:

Commencing at the northwest corner of said Iwasaki tract, said point being the intersection of the south right-of-way line of N.W. Cornell Road and the westerly line of said Iwasaki tract, and bears South 79°57'13" East 282.84 feet from the North quarter corner of said Section 36; thence South 88°34'06" East, along said right-of-way line, 364.32 feet to the True Point of Beginning;

Thence South 88°34'06" East, along the north line of said Iwasaki tract, 61.76 feet to a point on the east line of said Iwasaki tract; thence South 01°46'35" West, along said east line, 470.13 feet to a point on the north line of said North Plains tract; thence South 88°13'25" East, along said north line, 165.00 feet to a point on the east line of said North Plains tract; thence South 01°46'35" West, along said east line, 154.00 feet; thence South 88°13'25" East, 75.53 feet to a point on the east line of said Iwasaki tract; thence South 01°50'43" West, along said east line, 445.22 feet to a 5/8 inch iron rod with yellow plastic cap inscribed "Tetsuka Assoc. Inc."; thence North 88°10'06" West, continuing along said east line, 12.51 feet; thence South 01°50'43" West, 262.53 feet to the south line of said Iwasaki tract, said point also being on the north right-of-way of N.W. Walker Road; thence North 59°46'31" West, along said south line and north right-of-way, 325.38 feet to a point on the west line of said Iwasaki tract; thence North 01°38'18" East, along said west line and its northerly extension, 1176.32 feet to the True Point of Beginning.

EXCEPTING THEREFROM that portion lying within "TANASBOURNE PLACE", a duly recorded plat of Washington County, Oregon.

TOGETHER WITH the following described tract of land:

Commencing at the southeast corner of Tract "N" of the plat of "TANASBOURNE PLACE", Washington County Plat Records; thence North 88°14'33" West, along the south line of said Tract, a distance of 28.29 feet to the True Point of Beginning; thence North 88°14'33" West, continuing along said south line, a distance of 7.55 feet to the southwest corner of said Tract and the beginning of a 20.00 feet radius non-tangent curve to the left; thence along the west line of said Tract and along said non-tangent curve to the left (the chord of which bears North 26°48'48" East, 17.38 feet) through a central angle of 51°29'54", an arc distance of 17.98 feet to a point of non-tangency; thence South 01°03'51" West, leaving said west line, a distance of 15.74 feet to the True Point of Beginning.

ALSO TOGETHER WITH that portion of NW Gallatin Street vacated by Ordinance No. 5527, recorded August 8, 2005 as Recorder's Fee No. 2005-095540, that inures thereto.

EXHIBIT "A"

Legal Description:

A tract of land in Section 36, Township 1 North, Range 2 West, of the Willamette Meridian, in the City of Hillsboro, County of Washington and State of Oregon, described as follows:

Beginning at a point on the North line of Section 36, Township 1 North, Range 2 West, of the Willamette Meridian, in the County of Washington and State of Oregon, which point bears South $89^{\circ}16'$ East 140.1 feet from the Northwest corner of the Northeast quarter of said Section 36; thence South $0^{\circ}08'$ West 30.0 feet to an iron pipe on the South line of Cornell Road; thence continuing South $0^{\circ}08'$ West 382.6 feet to an iron pipe; thence South $89^{\circ}48'$ East 140.0 feet to an iron pipe; thence North $0^{\circ}08'$ East 361.4 feet to an iron pipe on the South line of Cornell Road; thence continuing North $0^{\circ}08'$ East 30.0 feet to the North line of said Section 36; thence North $89^{\circ}16'$ West 140.0 feet to the place of beginning.

EXHIBIT

A-3

Tax Lot 800

EXHIBIT "A"

A parcel of land lying in the Northeast quarter of Section 36, Township 1 North, Range 2 West, Willamette Meridian, Washington County, Oregon, described as follows:

BEGINNING at a point in the center of NW Cornell Road (County Road No. 2-95) which point is South 89° 16' East 280 feet from the quarter corner on the North line of said Section 36; running thence South 0° 08' West 30 feet to a point on the South line of said road, thence continuing South 361.4 feet; thence North 89° 46' West 278.8 feet to a point on the West line of the Northeast quarter of said Section 36; thence South 0° 04' East 276 feet to a point on the North line of that tract conveyed to Ralph Hess in Book 374, Page 552; running thence South 89° 46' East 645 feet; thence South 0° 04' West 580 feet, more or less, to a point in the center of NW Walker Road; running thence South 61° 37' East 320 feet, more or less, to a point on the West line of a 50 foot public roadway as described in instrument recorded in Book 445, Page 339, Records of Washington County; thence leaving said NW Walker Road and running along the West line of the above 50 foot roadway North 0° 11' West 300 feet; thence North 89° 49' East 10 feet, more or less, to the Southwest corner of that tract of land as described as Parcel I in deed to Robert L. Penson, recorded in Book 440, Page 677; running thence North 0° 11' West 445.3 feet to the Northwest corner of said Penson tract; thence North 89° 44' West 240 feet to the Northwest corner of Parcel I as contained in deed to Frank V. Rofinot, et ux, recorded in Book 216, Page 569, Records of Washington County; thence North along the West line of that tract of land as described in Contract of Sale to Robert Orma as recorded in Book 982, Page 113, Records of Washington County, 658.5 feet to the Northwest corner of said Orma tract, a point in the center of NW Cornell Road; running thence North 89° 16' West 419 feet, more or less, to the point of beginning.

Bargain and Sale Deed from W. S. National Bank of Oregon, Trustee, to Arthur Iwasaki, et ux.

STATE OF OREGON
County of Washington

I, Roger Thompson, Director of Records and Elections and Ex-Officio Recorder of Conveyances for said county, do hereby certify that the within instrument of writing was required and recorded in book of records

No. _____
of said County

Witness my hand and seal, official,

6:00 PM ROGER THOMPSON, Director of
Records & Elections

Deputy

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