

Final Documents
for
Annexation to
Lake Oswego

CL2207
Ordinance: 2485
Annexation: AN 06-0013
DOR: 3-1795-2007
Secretary of State: AN 2007-0248



June 25, 2007

Metro
Linda Martin
600 NE Grand Ave
Portland, Oregon 97232-2736

Dear Ms. Martin:

Please be advised that we have received and filed, as of June 25, 2007, the following records annexing territory to the following:

Ordinance/Resolution Number(s)		Our File Number
07-113	(Clean Water Services District)	SD 2007-0104
07-114	(Clean Water Services District)	SD 2007-0105
2482/2488	(Lake Oswego)	AN 2007-0246
2487	(Lake Oswego)	AN 2007-0247
2485	(Lake Oswego)	AN 2007-0248
06-38	(Clean Water Services District)	SD 2007-0106

For your records please verify the effective date through the application of ORS 199.519.

Our assigned file number(s) are included in the above information.

Sincerely,

Linda Bjornstad
Official Public Documents

cc: County Clerk(s)
Department of Revenue
ODOT
Population Research Center

Notice to Taxing Districts

ORS 308.225



Cadastral Information Systems Unit
PO Box 14380
Salem, OR 97309-5075
(503) 945-8297, fax 945-8737

City of Lake Oswego Planning Dept.
Attn: Annexation Planner
PO Box 369
Lake Oswego, OR 97034

Description and Map Approved
May 24, 2007
As Per ORS 308.225

Description Map received from: CITY
On: 5/21/2007

This is to notify you that your boundary change in Clackamas County for

ANNEX TO CITY OF LAKE OSWEGO; WITHDRAW FROM SEVERAL DISTRICTS
(18675,18605,18275 PILKINGTON RD)

ORD. #2485 (AN 06-0013)

has been: Approved 5/24/2007
 Disapproved

Notes:

Department of Revenue File Number: 3-1795-2007

Prepared by: Carolyn Sunderman, 503-945-8882

Boundary: Change Proposed Change
The change is for:

- Formation of a new district
- Annexation of a territory to a district
- Withdrawal of a territory from a district
- Dissolution of a district
- Transfer
- Merge



Community Development Planning Division

Memorandum

TO: Carol Hall
Metro Data Resource Center

FROM: Iris Treinen, Long Range Planning

DATE: June 14, 2007

SUBJECT: Final Boundary Change Submission for
AN 06-0013 (Ordinance 2485)

Attached please find:

- Final signed ordinance (with legal description)
- Approved Notice to Taxing Districts from Oregon Department of Revenue
- Filing fee
- Staff Reports (April 16, 2007 and May 7, 2007)

Property information:

18605, 18675 and 18275 Pilkington Road
(21E18CD02800, 21E18CD10900 and 21E18CA01100)

This is being sent to you as required by Metro Code 3.09.030 (e). Any questions should be directed to me at:

City of Lake Oswego
P.O. Box 369
Lake Oswego, OR 97034
(503) 697-6591

Thank you.

Ordinance No. 2485

AN ORDINANCE ANNEXING TO THE CITY OF LAKE OSWEGO THREE PARCELS COMPRISING APPROXIMATELY 3.41 ACRES AND THE ADJACENT ROAD RIGHT OF WAY AT 18675, 18605 AND 18275 PILKINGTON ROAD, DECLARING CITY OF LAKE OSWEGO ZONING PURSUANT TO LOC 50.05.025; AND REMOVING THE PARCELS FROM CERTAIN DISTRICTS (AN 06-0013).

WHEREAS, annexation to the City of Lake Oswego of the territory shown in the map in Attachment "A" and described below, would constitute a contiguous boundary change under ORS 222.111, initiated by petition from the property owners; and,

WHEREAS, the City received consent to the proposed annexation from 100 percent of the owners of land and 100 percent of the electors in the territory; and,

WHEREAS, the territory that lies within the Lake Grove Fire District may, by operation of ORS 222.520, be withdrawn from that district immediately upon approval of the annexation; and,

WHEREAS, the territory lies within the Clackamas County Enhanced Sheriff's Patrol District and may, by operation of ORS 222.520, be withdrawn from that district immediately upon approval of the annexation; and,

WHEREAS, the territory lies within the Surface Water Management Agency of Clackamas County and may by operation of ORS 222.250 be withdrawn from that agency immediately upon approval of the annexation; and,

WHEREAS, some portions of the territory lies within the Clackamas County Lighting Service District #5 and may by operation of ORS 222.250 be withdrawn from that agency immediately upon approval of the annexation; and,

WHEREAS, LOC 50.05.025 specifies that where the Comprehensive Plan Map requires a specific Zoning Map designation to be placed on the territory annexed to the City, such a zoning designation shall automatically be imposed on territory as of the effective date of the annexation; and,

WHEREAS, this annexation is consistent with Chapter 14, (Urbanization) of the City of Lake Oswego's acknowledged Comprehensive Plan and Metro Code 3.09.050(b) and (d).

The City of Lake Oswego ordains as follows:

Section 1. The real property described as follows is hereby annexed to the City of Lake Oswego:

Two tracts of land and a segment of public right of way located in the south half of Section 18, Township 2 South, Range 1 East of the Willamette Meridian, Clackamas County, Oregon; more particularly described as follows:

Tract 1: 18275 Pilkington Road (21E18CA 01100)

The easterly 159 feet of Lots 22 and 23, REPLAT OF A PORTION OF ROSEWOOD (Plat # 502), EXCEPTING the northerly 80 feet thereof.

Tract 2: 18605 & 18675 Pilkington Road (21E18CD 02800 & 10900)

A portion of Lots 52 and 67, ROSEWOOD (Plat # 102); more particularly described as follows:

Beginning at the southeast corner of Lot 1, Block 2, FERNBROOK (Plat # 959), said point being on the west right of way line of Pilkington Road (County Road No. 2334);

thence along said west right of way line, South 00° 14' 00" East, 391.00 feet to the southeast corner of a parcel described in Clackamas County Deed #99-090776;

thence along the southerly line of said Deed #99-090776 parcel, North 89° 09' 08" West, 330.00 feet to a point on the easterly line of the plat of FERNBROOK No. 4 (Plat # 1111);

thence along said easterly line, North 00° 14' 00" West, 264.00 feet to the northwest corner of said Deed #99-090776 parcel;

thence along the north line of said Deed #99-090776 parcel, South 89° 09' 08" East, 15.00 feet to the southwest corner of a parcel described in Clackamas County Deed # 2003-141951;

thence along the westerly line of said Deed #2003-141951 parcel, North 00° 14' 00" West, 127.00 feet to a point on the southerly line of the plat of FERNBROOK (Plat # 959);

thence along said southerly line, South 89° 09' 05" East, 315.00 feet to the point of beginning.

Right of way: Pilkington Road

A segment of the entire right of way width of Pilkington Road (County Road No. 2334) cut off on the south by the easterly extension of the south line of Tract 2 as described above and cut off on the north by the easterly projection of the north line of Lot 21, REPLAT OF A PORTION OF ROSEWOOD (Plat # 502). Said segment being approximately 1,284 feet in length.

Section 2. The annexed area lies within the following districts and shall be retained within these districts upon the effective date of annexation:

Lake Grove Park District
Rivergrove Water District

Section 3. The annexed area lies within the following districts and shall be withdrawn from these districts upon the effective date of annexation:

Lake Grove Fire District
Clackamas County Enhanced Sheriff's Patrol District
Surface Water Management Agency of Clackamas County

Section 4. Map and Tax Lots 21E18CA 01100 and 21E18CD 02800 are located within the following district and will be withdrawn from the district upon the effective date of annexation:

Clackamas County Lighting Service District #5

Section 5. In accordance with LOC 50.05.025, the City zoning designation of R-10 will be applied to Map and Tax Lots 21E18CD 02800 and 10900, and the City zoning designation of R-7.5 will be applied to Map and Tax Lot 21E18CA 01100, immediately upon the effective date of annexation.

Section 6. The City Council hereby adopts the findings of facts and conclusions set forth in the April 16, 2007 and May 7, 2007 staff reports in support of this annexation ordinance.

Section 7.

a. Effective Date of Decision to Annex. Pursuant to Metro Code 3.09.050(f), the effective date of this annexation decision shall be immediately upon adoption, unless a governmental entity that qualifies as a "necessary party" under Metro Code 3.09.020(j) has contested this annexation, in which event this annexation decision shall be effective on the 10th day following the mailing of this ordinance by the City Recorder to Metro and to all necessary parties who appeared in this proceeding.

b. Effective Date of Annexation Ordinance. Pursuant to Lake Oswego City Charter, Section 34, this ordinance shall be effective on the 30th day after its enactment.

c. Effective Date of Annexation. Following the filing of the annexation records with the Secretary of State as required by ORS 222.177, this annexation shall be effective upon the later of either:

1. the 30th day following the date of adoption of this ordinance; or
2. the date of filing of the annexation records with the Secretary of

State.

Provided, however, that pursuant to ORS 222.040(2), if the effective date of the annexation as established above is a date that is within 90 days of a biennial primary or

general election or after the deadline for filing notice of election before any other election held by any city, district or other municipal corporation involved in the area to be annexed, then the effective date of the annexation shall be delayed until the election, and the annexation shall become effective on, the day after the election.

Section 8. Mailing Copies of this Ordinance: Metro Notice.

Within 30 days following the date of adoption:

a. The City Recorder is hereby directed to mail a copy of this ordinance to all persons and governmental entities that appeared at the public hearing and requested a copy of the ordinance following adoption.

b. The City Recorder shall mail a copy of this ordinance together with the applicable mapping and notice fee charged by Metro pursuant to Metro Code 3.09.110, to Metro Data Resource Center, 600 NE Grand Ave., Portland, OR 97232.

Read by title only and enacted at the regular meeting of the City Council of the City of Lake Oswego held on 15 day of May, 2007.

AYES: Mayor Hammerstad, McPeak, Turchi, Groznik, Hennagin, Jordan, Johnson

NOES: none

ABSTAIN: none

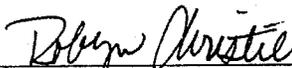
EXCUSED: none



Judie Hammerstad, Mayor

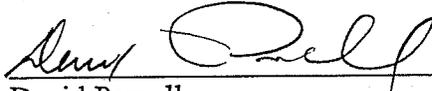
Dated: 5-15-07

ATTEST:



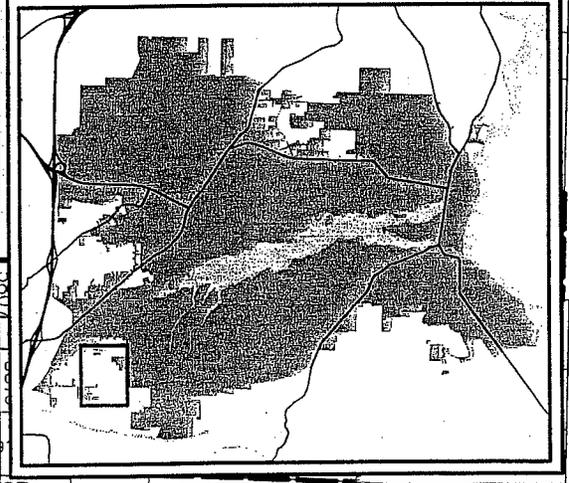
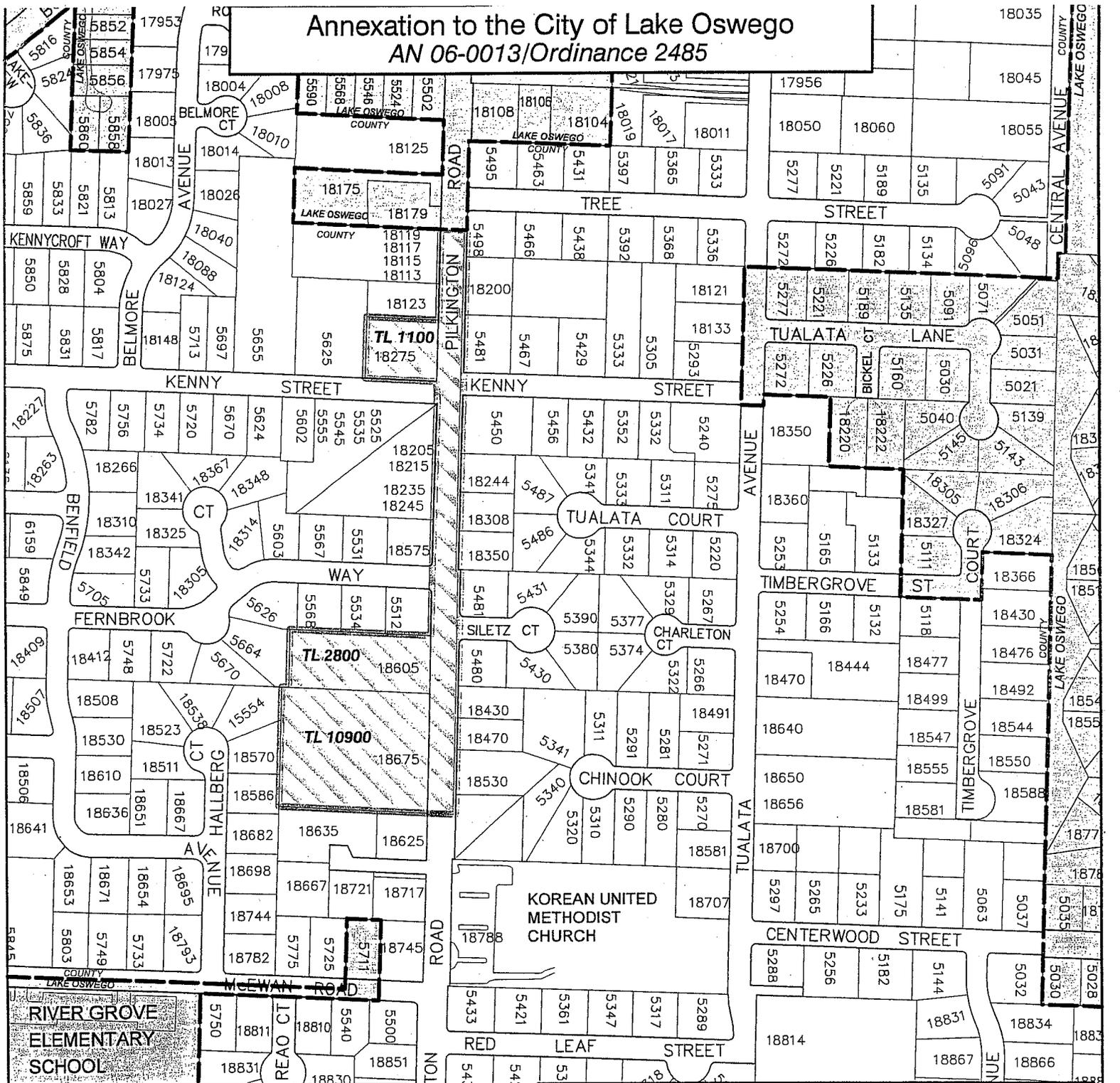
Robyn Christie, City Recorder

APPROVED AS TO FORM:



David Powell
City Attorney

Annexation to the City of Lake Oswego AN 06-0013/Ordinance 2485



Effective Date: 6/14/07

Map and Lot #: 21E18CA TL 1100, 21E18CD TL 2800 & 10900

City of Lake Oswego:
 COMPREHENSIVE PLAN= R-7.5, Residential (TL 1100) & R-10, Residential (TL 2800 & 10900)
 ZONING= R-7.5, Residential (TL 1100) & R-10, Residential (TL 2800 & 10900)

**ATTACHMENT A
(AN 06-0013/Ordinance 2485)**

Clackamas County:
 ZONING= R-10, Residential (TL 1100, 2800 & 10900)

 Subject Properties

 Lake Oswego City Limits

0 100 200 400 600 800 1000 FEET

AJB/GIS Services/City of Lake Oswego



LEGAL DESCRIPTION
AN 06-0013

Two tracts of land and a segment of public right of way located in the south half of Section 18, Township 2 South, Range 1 East of the Willamette Meridian, Clackamas County, Oregon; more particularly described as follows:

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The easterly 159 feet of Lots 22 and 23, REPLAT OF A PORTION OF ROSEWOOD (Plat # 502), EXCEPTING the northerly 80 feet thereof.

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thence along said west right of way line, South 00° 14' 00" East, 391.00 feet to the southeast corner of a parcel described in Clackamas County Deed #99-090776;

thence along the southerly line of said Deed #99-090776 parcel, North 89° 09' 08" West, 330.00 feet to a point on the easterly line of the plat of FERNBROOK No. 4 (Plat # 1111);

thence along said easterly line, North 00° 14' 00" West, 264.00 feet to the northwest corner of said Deed #99-090776 parcel;

thence along the north line of said Deed #99-090776 parcel, South 89° 09' 08" East, 15.00 feet to the southwest corner of a parcel described in Clackamas County Deed # 2003-141951;

thence along the westerly line of said Deed #2003-141951 parcel, North 00° 14' 00" West, 127.00 feet to a point on the southerly line of the plat of FERNBROOK (Plat # 959);

thence along said southerly line, South 89° 09' 05" East, 315.00 feet to the point of beginning.

Right of way: Pilkington Road

A segment of the entire right of way width of Pilkington Road (County Road No. 2334) cut off on the south by the easterly extension of the south line of Tract 2 as described above and cut off on the north by the easterly projection of the north line of Lot 21, REPLAT OF A PORTION OF ROSEWOOD (Plat # 502). Said segment being approximately 1,284 feet in length.



CITY COUNCIL PUBLIC HEARING

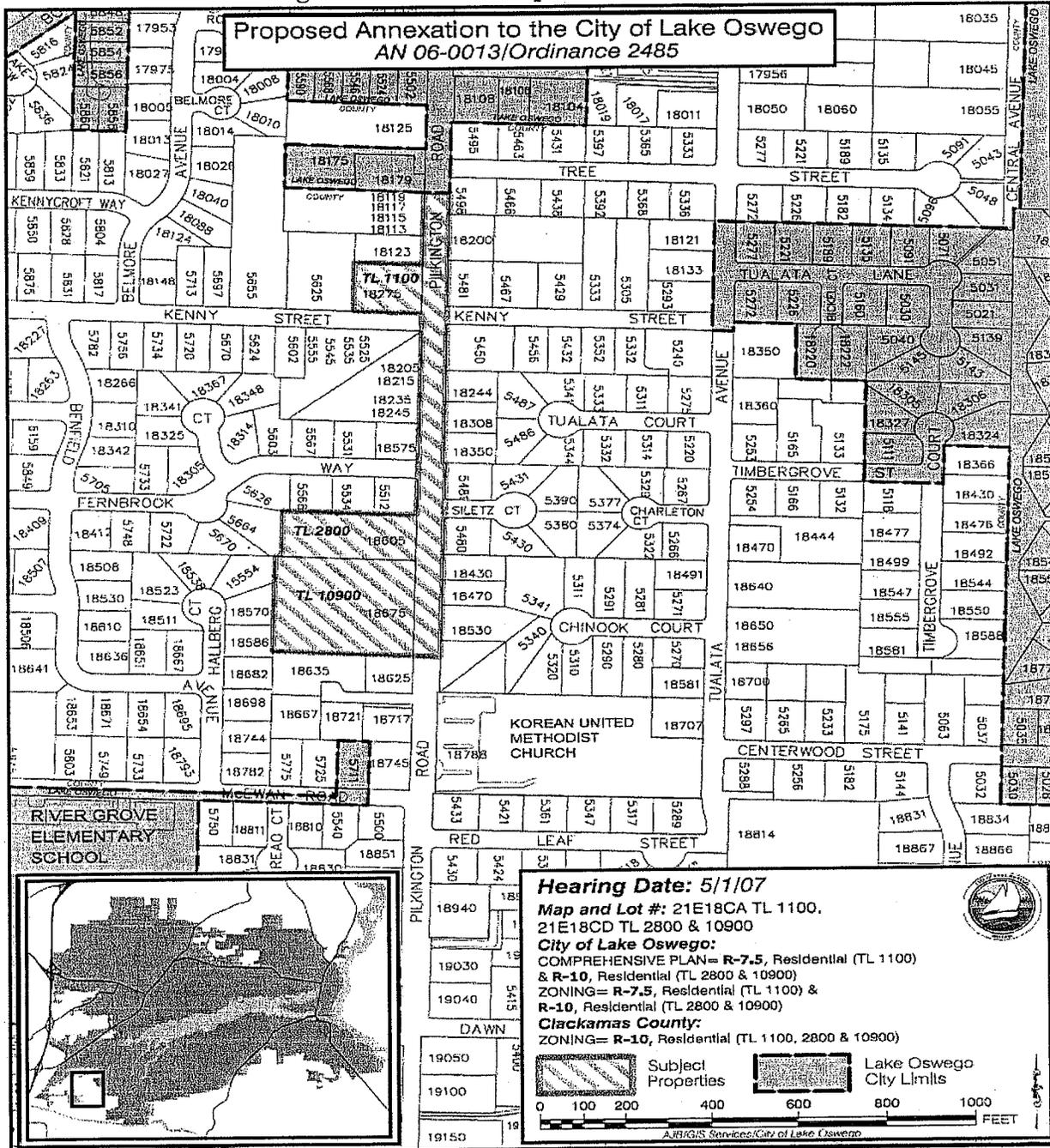
May 1, 2007

Staff Report for AN 06-0013

CITY OF LAKE OSWEGO ANNEXATION REQUEST

18605, 18675 Pilkington Road (Tax Map 21E18CD tax lots 2800 and 10900) 18275

Pilkington Road Tax Map 21E18 CA tax lot 1100





CITY OF LAKE OSWEGO

COUNCIL REPORT

TO: Judie Hammerstad, Mayor
Members of the City Council
Doug J. Schmitz, City Manager

FROM: Paul Espe, Associate Planner

SUBJECT: Annexing to the City of Lake Oswego three parcels comprising approximately 3.41 acres and the adjacent road right of way at 18675, 18605 AND 18275 Pilkington Road, declaring City of Lake Oswego zoning pursuant to Loc 50.05.025 and removing the parcels from certain districts (AN 06-0013).

DATE: April 16, 2007

ACTION:

Enact Ordinance 2485 (Exhibit F-1)

PLANNING COMMISSION SUMMARY

There was no Planning Commission hearing on this item as annexation applications go directly to the City Council for a final decision.

BACKGROUND:

The proposed annexation consists of three parcels on the west side of Pilkington Road and the associated right of way as shown on Exhibit F-1 Attachment A. The parcels are located in the Rosewood Neighborhood Association. This application was initiated through a request by the property owners of 18605 and 18675 Pilkington Road (tax map 21E18CB tax lots 02800 and 10900) in order to facilitate future development of these parcels. In response to the letter of invitation the owners of 18275 Pilkington Road (tax map 21E18CA, tax lot 01100) also submitted an application for annexation.

Tax lot 01100 has an assessed value of \$147,979 and is .49 acres in size. It is occupied by a single family dwelling and has two registered voters (or electors) in Clackamas County. Staff notes that voters must be registered in Clackamas County in order to be considered a part of the double majority for annexation.

Tax Lot 02800 has an assessed value of \$164,077 and is .92 acres in size. It is occupied by a single family dwelling and there is one registered voter on the property. Tax lot 10900 has an assessed value of \$402,219 and is 2.0 acres in size. It is occupied by a single family dwelling and there are two registered voters (or electors) on the property. There are a total of five voters (registered in Clackamas County) residing in the territory to be annexed, five of which have consented to the annexation. The total assessed value of these properties is \$714,275.

The parcels are currently under Clackamas County's jurisdiction and are zoned Low Density Residential R-10. Upon annexation to the City of Lake Oswego, the zoning for tax lot 01100 will be automatically changed to City Low Density R-7.5 and tax lots 02800 and 10900 will be rezoned to City Low Density R-10 as shown on the City's Comprehensive Plan Map. There are two separate comprehensive designations because they are consistent with the County's comprehensive plan as required under the Urban Growth Management Agreement (UGMA adopted in December 1997.

APPLICABLE CRITERIA:

- 1) Oregon Revised Statutes (ORS), Boundary Changes; Mergers and Consolidations.
 - ORS 222.111(2) Annexation of Contiguous Territory, Authority and procedure for annexation, generally.
 - ORS 222.125 Annexation by consent of all owners of land and majority of electors.
 - ORS 222.170 Annexation by consent of more than half of the owners of land in the territory to be annexed, who also own more than half of the land in the territory.
- 2) Metro Code
 - 3.09.040(a)(1-7) Minimum Requirements for Petitions.
 - 3.09.050 Uniform Hearing Requirements for Final Decisions.
 - 3.09.050(b)(1-5), (d)(1-5).

FINDINGS:

1. **ORS 222.111(2) and 222.170 Annexation of Contiguous Territory, Authority and procedure for annexation, generally.**

ORS 222.111(2) provides that a proposal for annexation of territory to a city may be initiated by the legislative body of the city, on its own motion, or by a petition to the legislative body of the city by owners of real property in the territory to be annexed.

ORS 222.125 permits the legislative body of the city to waive holding an election on the question of annexation within the area proposed to be annexed if all of the owners of land in the territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation. All of the property owners have signed the application and petition consenting to this annexation (Exhibit F-2). ORS 222.170

permits the same action if, more than half of the owners of land in the territory to be annexed, who also own more than half of the land in the territory consent to the annexation. There are a total of five registered voters (electors) residing on the territory to be annexed three of which have consented to the annexation. The proposed annexation complies with the statutes.

2. **Metro Code**

3.09.040 Minimum Requirements for Petitions.

- (a) **A petition for a boundary change shall be deemed complete if it includes the following information:**
- 1) **The jurisdiction of the approving entity to act on the petition;**
 - 2) **A narrative, legal and graphical description of the affected territory in the form prescribed by the Metro Executive Officer;**
 - 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;**
 - 4) **A listing of the present providers of urban services to the affected territory;**
 - 5) **A listing of the proposed providers of urban services to the affected territory following the proposed boundary change;**
 - 6) **The current tax assessed value of the affected territory; and**
 - 7) **Any other information required by state or local law.**

The above information was submitted as required by Metro Code. All of the property owners have signed the application, petition and Measure 37 waiver. The providers of urban services include Lake Grove Fire District, Rivergrove Water District, Clackamas County Enhanced Sheriff's Patrol District, Clackamas County Lighting District (tl's 1100 and 2800, but not tl 10900) Surface Water Management Agency of Clackamas County, Lake Grove Park District and Tri-Met. Upon annexation, the City of Lake Oswego will provide police and fire services as well as storm water. The Rivergrove Water District will provide water service and the City of Lake Oswego will provide sanitary sewer to the site. The current total assessed value of the parcels is \$714,275.

3.09.050 Uniform Hearing and Decision Requirements for Final Decisions Other Than Expedited Decisions.

- (b) **Not later than 15 days prior to the date set for a boundary change decision, the approving entity shall make available to the public a report that addresses the criteria in subsection (d) below, and that includes at a minimum, the following:**
- (1) **The extent to which urban services presently are available to serve the affected territory including any extra-territorial extensions of service;**

The subject parcels are located within the urban growth boundary and the City's urban services boundary. The Metro Code, 3.09.020 defines urban services as

including sanitary sewers, water, fire protection, parks, open space, recreation, streets, roads and mass transit.

Water: The territory lies within the Rivergrove Water District. Water service will be obtained from the 10-inch water line provided by the Rivergrove Water District in Pilkington Road. It will not be withdrawn from the District at this time pursuant to the agreement between the City and the Rivergrove Water District executed on February 8, 1984. The agreement stipulates that the Rivergrove Water District will continue to serve parcels upon annexation if it is capable of delivering a minimum flow of 1500 gallons per minute with a 20 psi residual pressure during periods of peak domestic demand. If upon development or partitioning, this level of service is not provided, then City water may need to be provided. Hydrants are located at the intersection of Kenny Street and Pilkington Road and at the southeast corner of 18675 Pilkington Road (tax lot 10900).

Fire: Lake Grove Fire District #57 provides fire protection services to the subject parcels by agreement with the City of Lake Oswego. Upon annexation, the parcels will be withdrawn from this fire district and will be served directly by the City. The Jean Road Fire Station located northeast of the parcels, would be able to respond to emergencies under the 8-minute goal as set out in the Comprehensive Plan.

Sanitary Sewer: Sanitary sewer services will be provided by the City. The City's Engineering Division indicates that there is no wastewater collection system in the roadway section that lies in front of the parcels at this time. The system terminates at the south city boundary, about 200 feet north of 18275 Pilkington Road (tax lot 01100). The City's Master Plan indicates that the local topography will permit the southerly extension of the wastewater collection system up to the southern property line of 18675 Pilkington Road (tax lot 10900) where the road begins to drop in elevation. Service can be provided from the existing sanitary sewer line in Pilkington Road north of this territory. Sanitary sewer service is also located on McEwan Road; however, connection to this line would require a booster pump where the sewer line to the north can be a gravity line.

Surface Water Management: Tax lot 01100 is located in the Jean Road sub-basin of the Oswego Lake watershed. This parcel has level topography, and no observable water features or drainage courses. Tax lots 02800 and 10900 are located in the Rivergrove sub-basin of the Tualatin River watershed and also have level topography. The City's drainage map indicates an open channel that extends diagonally across the center of tax lot 01100. The engineering staff conducted a field investigation of this site and discovered that the drainage course follows the edge of the road and passes through the southeast corner of the lot instead of at the location indicated on the map. Once the parcels are annexed, on-site surface water management will be regulated by the City. Other than the drainage ditch in front of tax lot 01100, there are no storm drainage systems or well-defined drainage ditches on Pilkington Road.

Police: The Clackamas County Sheriff's Department currently serves the subject parcels. Upon annexation, the parcels will be withdrawn from the Clackamas County Enhanced Sheriff's Patrol District and will be served by the City of Lake Oswego Police Department. The Police Department has reviewed the proposal and did not indicate any concerns with serving the parcels.

Parks: The City has 675 acres of park and open space lands, or 19.76 acres per 1,000 population. Pilkington Park, Bryant Woods Park, River Run Park the Lake Oswego Skate Park on Jean Road and Canal Acres Natural Area located south of the subject parcels are the closest parks. These parks have 58 acres of active and natural passive areas.

Lake Grove Park District: These parcels are located within the Lake Grove Park District. This district funds the operation of the Lake Grove Swim Park located at 3800 Lakeview Boulevard, which is managed by the Lake Oswego School District. The swim park is approximately 1.3 acres in size with restrooms, play and swim facilities. The parcels will remain within the Lake Grove Park District following annexation.

Transportation - Streets and Mass Transit: Pilkington Road is a 22-foot wide, two lane, uncurbed major collector in a 55-foot wide right of way with a posted speed of 35 mph. There are no streetlights, sidewalks or bike lanes on Pilkington Road south of Jean Road. Sidewalks (P-58) and bike lanes (B-10) are identified in the Public Facilities Plan as needed improvements to this roadway. Those projects have not been designated as a funded project in the Capital Improvement Plan (CIP). The Transportation System Plan (TSP) and the Public Facilities Plan (T-12) also call for added left turn lanes and a traffic signal at Pilkington and Jean Roads. The left turn lanes have been installed, but the signalization portion of the project has not yet been listed in the CIP. Pilkington Road is currently maintained by Clackamas County and the County will continue to be the road authority on Pilkington Road until the City and County formally engage in a transfer of jurisdiction by their respective governing bodies. Tri-Met line 36 provides service to this section of Pilkington Road.

ORS 222.111 authorizes the boundaries of any city to 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. None of these parcels are contiguous to the City limits, however they would be made contiguous through the portion of Pilkington Road that will be annexed with the territory (approximately 1284 feet). This application proposes to annex the portion of right of way along the parcels' frontage and extending northward to the annexed portion of Pilkington Road. The City's 1997 intergovernmental agreement (IGA) with Clackamas County coordinates development within the Dual Interest Area (DUA). These parcels are located within the DUA. Section 7(A) of the IGA states:

- A. *The City may undertake annexations in the manner provided for by law within the Dual Interest Area. The City annexation proposal shall include adjacent road right-of-way to properties proposed for annexation. The County shall not oppose such annexations.*

The City is annexing this portion of the right of way consistent with the IGA. In addition, the parcels are located within the City's Urban Services Boundary (USB). As described in the City's Comprehensive Plan, the USB is Lake Oswego's ultimate growth area within which the City shall be the eventual provider of the full range of urban services. Those urban services include the provision for urban streets and roadways, which include pedestrian and bicycle facilities. The City's 20-year Public Facilities Plan outlines future improvements within the USB. As further described, later in this report, under Metro Section 3.09.050(b)(3), those include sidewalks and bike lanes on Pilkington Road between Jean and Childs Roads.

The property owners have requested annexation in order to develop the properties. At the time of development review for any subdivision or partition, it is the City's opportunity to exact any roadway improvements proportional to the impact of the proposed development. Exactions may include, among other things, the construction of sidewalks or bike lanes along the frontage of the parcels. The City may require these improvements at the time of development or require that the developer sign a non-remonstrance for future improvements of the roadway. The roadway in front of the parcels, northward to the annexed portion of Pilkington Road is proposed for annexation so that the city can facilitate and coordinate the economical and logical extension of urban facilities (roadway, sidewalk, and bike facilities) as outlined in the Public Facilities Plan.

This reasonable and logical extension of city boundaries along this segment of Pilkington Road also promotes better police coordination in that it more clearly defines the city boundary for police enforcement purposes.

- (2) **A description of how the proposed boundary change complies with any urban service provider agreements adopted pursuant to ORS 195.065 between the affected entity and all necessary parties;**

The City has entered into four ORS 195.065 agreements with Clackamas County, Lake Oswego School District, Lake Grove Fire District, and the Southwood Park Water District. Only three agreements are applicable to this annexation application: the Clackamas County Road Agreement, the Lake Oswego School District and the Lake Grove Fire District agreement.

- A. Clackamas County Agreement

The City and Clackamas County entered into an ORS 195.065 urban service agreement for roads in July 2003. The agreement states that the

City shall initiate proceedings for the transfer of jurisdiction and maintenance to the City of all County roads within annexed areas.

B. Lake Oswego School District / Lake Grove Swim Park

The City and the Lake Oswego School District entered into an ORS 195.065 urban service agreement for park services in July 2003. The School District operates the Lake Grove Swim Park located at 3800 Lakeview Boulevard. The agreement states that the annexation by the City of territory within the Lake Grove Park District shall not cause the withdrawal of the territory from the area benefited by the operation of the Lake Grove Swim Park.

C. Lake Grove Fire District

The City and District entered into an ORS 195.065 urban service agreement for fire protection in July 2003. The agreement states that upon annexation by the City of territory within the District, the annexed territory shall be withdrawn from the District and the City shall provide fire protection services.

(3) **A description of how the proposed boundary change is consistent with the comprehensive land use plans, public facility plans, regional framework and functional plans, regional urban growth goals and objectives, urban planning agreements and similar agreements of the affected entity and of all necessary parties.**

Consistency of the proposed boundary change with comprehensive plan policies is discussed in section (d)(3), below.

Consistency of the proposed boundary change with the City's Public Facility Plans (PFP) for water, sewer, storm and transportation are discussed below:

Sanitary Services. The City's Public Facilities Plan does not identify any sanitary sewer projects in this area that would affect the subject parcels.

Water. The City's Public Facilities Plan does not identify any water projects in this area that would affect the subject parcels.

Storm Water. The City's Public Facilities Plan does not identify any storm water projects in this area that would affect the subject parcels.

Transportation. Sidewalks (P-58) and bike lanes (B-10) are identified in the Public Facilities plan as needed improvements to this roadway, but have not been designated as a funded project in the Capital Improvement Plan. The Transportation System Plan (TSP) and the Public Facilities Plan (T-12) also calls for added left turn lanes and a traffic signal at Pilkington and Jean Roads. The left turn lanes have been installed, but the

signalization portion of the project has not yet been listed in the CIP. The transportation section under the Metro Code 2(B)(1) discusses the transportation stem in greater detail.

There are no regional framework plans or regional urban growth goals or objectives that are directly applicable to this annexation.

Compliance with urban planning agreements and other agreements with necessary parties is discussed in section (d)(2), below.

(4) Whether the proposed boundary change will result in the withdrawal of the affected territory from the legal boundary of any necessary party; and

The territory proposed for annexation will, by operation of ORS 222.520, be withdrawn from the Lake Grove Fire District, the Clackamas County Enhanced Sheriff's Patrol District, and Surface Water Management Agency of Clackamas County upon approval of the annexation.

(5) The proposed effective date of the decision.

The proposed effective date of the decision is outlined in the final section of this report.

(d) An approving entity's final decision on a boundary change shall include findings and conclusions addressing the following criteria:

(1) Consistency with directly applicable provisions in an urban service provider agreement or annexation plan adopted pursuant to ORS 195.065;

ORS 195.065 agreements are discussed under Metro Code Section 3.09.050(b)(2).

(2) Consistency with directly applicable provisions of urban planning or other agreements, other than agreements adopted pursuant to ORS 195.065, between the affected entity and a necessary party;

The Metro Code defines necessary party as "a county, city or district whose jurisdictional boundary or adopted urban service area includes any part of the affected territory, or who provides any urban service to any portion of the affected territory." The list of necessary parties for the proposed annexation includes:

Rivergrove Water District
Clackamas County

Rivergrove Water District : The territory lies within the Rivergrove Water District. It will be retained within the District at this time pursuant to the agreement between the City and the Rivergrove Water District executed on February 8, 1984. Further details can be found in the previous section earlier in this report.

Clackamas County Urban Growth Management Agreement/City of Lake Oswego
The City currently has an urban planning agreement with Clackamas County. This agreement ensures coordination and consistency between the City and County comprehensive plans and outlines responsibilities in providing services and managing growth within the Dual Interest Area. The two following subsections are applicable to annexations.

“6. City and County Notice and Coordination:

The City shall provide notification to the County, and an opportunity to participate, review and comment, at least 35 days prior to the first public hearing on all proposed public facilities plans, legislative changes to the City Comprehensive Plan, or quasi-judicial land use actions adjacent to or in close proximity to unincorporated areas. The City shall provide notice to the County of private or City initiated annexation requests within five days of the filing of an application with the Portland Metropolitan Boundary Commission.”

This policy specifies that the City notify the County of an annexation request within five days of when it is submitted to the Boundary Commission. There is no longer a Boundary Commission for the Portland Metropolitan area. Staff relies on the notice requirements of Metro Code 3.09.030, which requires notice 45 days prior to the scheduled hearing for an annexation for all necessary parties (other governmental entities), unless a shorter time is agreed upon. The County is a necessary party under the Metro Code definition and, therefore, has been notified.

“7. City Annexations

A. The City may undertake annexations in the manner provided for by law within the Dual Interest Area. The City annexation proposals shall include adjacent road right-of-way to property proposed for annexation. The County shall not oppose such annexations.

B. Upon annexation, the City shall assume jurisdiction of the County roads and local access roads pursuant to a separate road transfer agreement between the City and County.”

The City is undertaking this annexation in the manner provided in the applicable ORS and Metro Code for the territories that lie within the Dual Interest Area. The separate road agreement referenced in 7(B) is now

expired. In July 2003, the City and County entered into an urban service agreement for the transfer of roadway jurisdiction.

These parcels have frontage on and take direct access from Pilkington Road. 1,284 feet of Pilkington Road is proposed to be annexed with this application. The transfer shall occur after annexation.

(3) Consistency with specific directly applicable standards or criteria for boundary changes contained in the comprehensive land use plans and public facility plans;

a) Comprehensive Plan Map

The subject parcels are currently designated Low Density Residential on Clackamas County's Comprehensive Plan Map and has a County Zoning Designation of R-10.

The City's Comprehensive Plan Map designates tax lot 01100 as Low Density Residential R-7.5 and tax lots 02800 and 10900 as Low Density Residential R-10. Pursuant to the Lake Oswego Community Development Code 50.05.25, upon annexation, a City zone of R-7.5 will be automatically applied to tax lot 0100 and R-10 will be automatically applied to tax lots 02800 and 10900. The City and County have coordinated their comprehensive plans within the "Dual Interest Area" outlined in the City/County Urban Growth Management Agreement (dated February 4, 1992 and updated November 18, 1997), hence the City/County designations have been determined to be compatible. Therefore, this annexation is compatible with the City's Comprehensive Plan Map.

The City's Comprehensive Plan Map, as illustrated on the Sensitive Lands Atlas, indicates that there is a "1-B" resource site on 18605 and 18675 Pilkington Road (tl's 02800 and 10900) (Exhibit E-1). A "1-B" site is a temporary site designation for those sites where information about the location, quality, and quantity of a resource site is not adequate to allow a determination of significance (or the city cannot gain access to the site). This term comes from the State's Goal 5 process and has been utilized in the City's Natural Resource Inventory.

Jonna Papaefthimiou, The Natural Resources Planner, visited the site and performed a Habitat Assessment Study where it was determined that the overall Habitat Assessment Score (HAS) was below the threshold score of 35 for resource designation. This was due in part, from the reduction in the overall size of the resource and the removal of the majority of the trees on the site before the City's policies discouraging the destruction of natural resources were in place. Therefore, designation of the site for Resource Conservation (RC) is not anticipated. The 1-B designation will be removed from the City's inventory maps.

b) **Comprehensive Plan Policies:**

Goal 14, Urbanization

Policy 10:

- 10. The Urban Services Boundary is Lake Oswego's ultimate growth area within which the City shall be the eventual provider of the full range of urban services.**

The parcels to be annexed are within the City's Urban Services Boundary as outlined in the Comprehensive Plan. As previously discussed, City services are available or can be made available to the parcels. The annexation of these parcels is consistent with this policy.

Policy 13:

- 13. Ensure that annexation of new territory or expansion of Lake Oswego's Urban Service Boundary does not:**
- a) **Detract from the City's ability to provide services to existing City residents; and,**

The approval of this annexation will result in the addition of 3.41 acres to be served by the City.

Police: The addition of residents who will live on this territory to the existing population of more than 35,000 will not detract from the City's ability to provide police protection to the existing City residents. The parcels are currently included in the Clackamas County Enhanced Sheriff's Patrol District and will be withdrawn from this district upon annexation.

Fire: These parcels are within the eight-minute response time of the Jean Road Fire Station as specified in the Comprehensive Plan. The potential addition of these parcels to the City will not detract from the Fire Department's ability to provide fire protection to existing City residents.

Parks: The City has 675 acres of park and open space lands, or 19.76 acres per 1,000 population. Pilkington Park, Bryant Woods Park, Lake Oswego Skate Park, River Run Park and Canal Acres Natural Area are all located south of the subject site and are the closest parks. These parks have 58 acres of active and natural passive areas. The addition of residents who will live on this territory to the existing population of more than 35,000 residents would not detract from the city's ability to provide adequate park and open space.

Recreation: The City has many recreation programs available to youth and adults. The potential addition of these parcels would not degrade the recreation programs because the increased usage would result in additional revenue to address any greater demand. The addition of residents who will live on this territory to the existing population of more than 35,000 residents would not detract from the city's ability to provide adequate recreation programs.

Sewer: Sanitary sewer services will be provided by the City. The City's Engineering Division indicates that there is no wastewater collection system in the roadway section that lies in front of the parcels at this time. The system terminates at the south city boundary, about 200 feet north of 18275 Pilkington Road (tax lot 01100). The City's Master Plan indicates that the local topography will permit the southerly extension of the wastewater collection system up to the southern property line of 18675 Pilkington Road (tax lot 10900) where the road begins to drop in elevation. Service can be provided from the existing sanitary sewer line in Pilkington Road north of this territory. Sanitary sewer service is also located on McEwan Road; however, connection to this line would require a booster pump, where the sewer line to the north can be a gravity sewer line. The addition of residents who will live on this territory to the existing population of more than 35,000 residents would not detract from the city's ability to provide adequate sanitary facilities to these parcels.

Water: Water service will be obtained from the 10-inch water line provided by the Rivergrove Water District in Pilkington Road. Hydrants are located at the intersection of Kenny Street and Pilkington Road and at the southeast corner of 18675 Pilkington Road (tax lot 10900). The addition of residents who will live on this territory to the existing population of more than 35,000 residents would not detract from the city's ability to provide an adequate water system to these parcels.

The territory lies within the Rivergrove Water District. It will not be withdrawn from the District at this time pursuant to the agreement between the City and the Rivergrove Water District executed by the City of Lake Oswego on February 8, 1984. See previous discussions on water earlier in this report.

b) Result in property owners paying for urban services which do not benefit their property.

This policy ensures that existing City property owners do not subsidize newly annexed areas in the provision of urban services. The City has established systems development charges, and imposes rates that result in payment by users for different City services such as sewer, water, and

transportation systems. Therefore, existing property owners will not pay for urban services that do not benefit their property.

Policy 14

- 14. Prior to the annexation of non-island property, the City shall ensure urban services are available and adequate to serve the subject property or will be made available in a timely manner by the City or a developer commensurate with the scale of the proposed development. Urban services consist of water, sanitary sewer, surface water management, police and fire protection, parks, and transportation including: streets, transit, pedestrian and bicycle facilities.**

Community Development Code 50.64.015 requires that all development be provided the following utility services: sanitary sewer, water, sidewalks, pedestrian and bicycle paths, traffic control signs and devices, street lights, streets, and TV cable. These utilities are now in place or can be put in place to serve the subject parcels.

In the event future development occurs, an applicant for development is obligated to construct all necessary public facilities to serve their development. [Community Development Code 50.87.020, See also discussion of consistency with Public Facilities Plan (Section 2, Metro Code 3.09.050 above) and discussion regarding effect on service of existing city residents (Section 2, Goal 14, Policy 13) for current impacts and planned improvements.]

As noted above, police and fire services are available upon annexation. The amount of protection provided will be similar to protection provided to other city residents because the proposed annexation area is not isolated from other areas of the city.

- (4) Consistency with specific directly applicable standards or criteria for boundary changes contained in the Regional Framework Plan or any functional plan.**

There is no Regional Framework Plan or functional plan criteria or standards applicable to annexations at this time.

- (5) Whether the proposed change will promote or not interfere with the timely, orderly and economic provisions of public facilities and services.**

Due to the proximity of the subject parcels to existing urban services, this annexation will promote the timely, orderly and economical extension of public facilities and services.

CONCLUSION:

Staff concludes that the proposed annexation complies with all applicable State statutes and Metro code requirements.

RECOMMENDATION:

Staff recommends approval of AN 06-0013.

EFFECTIVE DATE:

a. Effective Date of Decision to Annex. Pursuant to Metro Code 3.09.050(j), the effective date of this annexation decision shall be immediately upon adoption, unless a governmental entity that qualifies as a “necessary party” under Metro Code 3.09.020(j) has contested this annexation, in which event this annexation decision shall be effective on the 10th day following the mailing of the ordinance by the City Recorder to Metro and to all necessary parties who appeared in this proceeding.

b. Effective Date of Annexation Ordinance. Pursuant to Lake Oswego City Charter, Section 34, the ordinance shall be effective on the 30th day after its enactment.

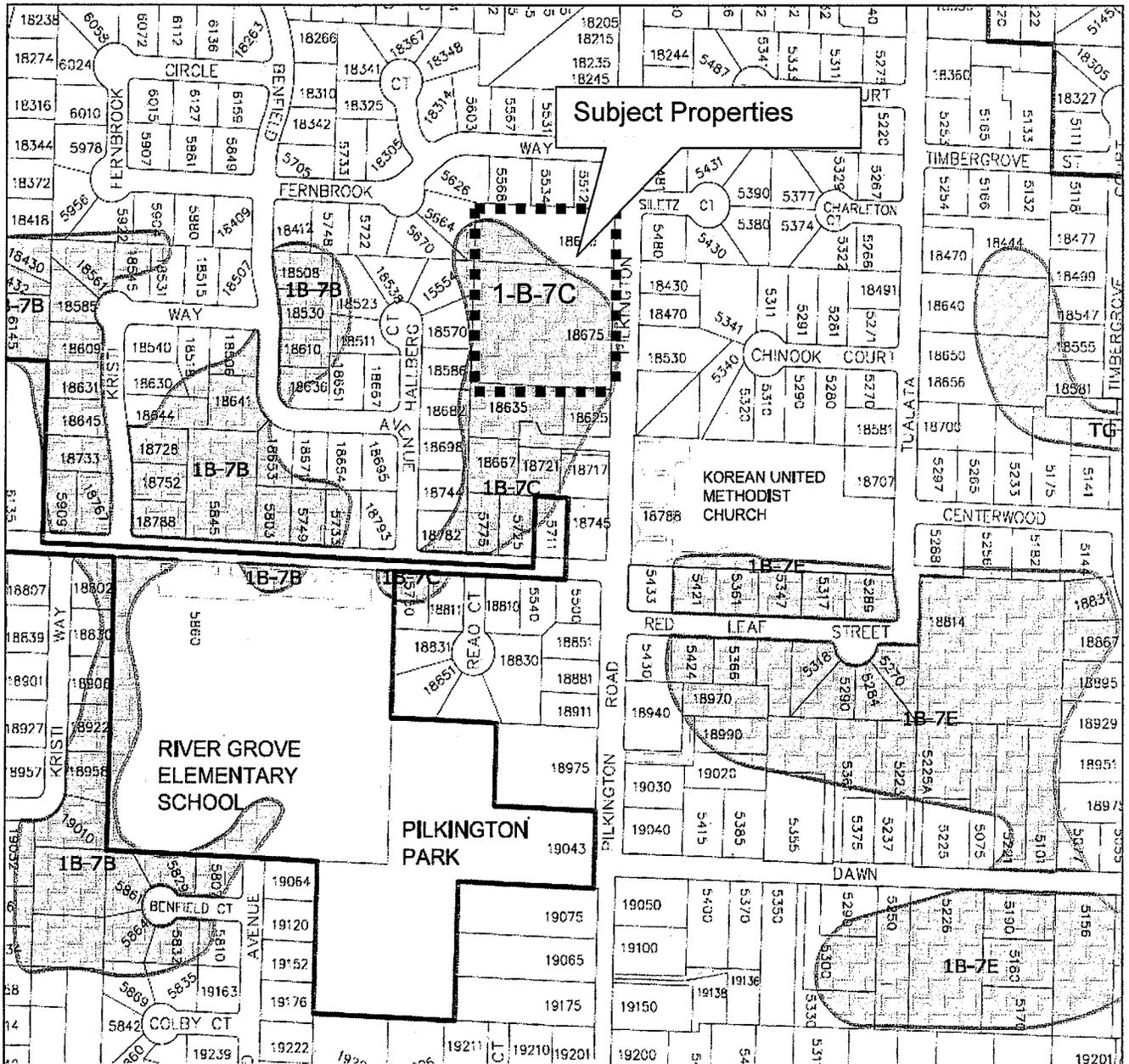
c. Effective Date of Annexation. Following the filing of the annexation records with the Secretary of State as required by ORS 222.177, this annexation shall be effective upon the later of:

1. the 30th day following the date of adoption of this ordinance; or
2. the date of filing of the annexation records with the Secretary of State;

provided however that pursuant to ORS 222.040(2); if the effective date of the annexation as established above is a date that is within 90 days of a biennial primary or general election or after the deadline for filing notice of election before any other election held by any city, district or other municipal corporation involved in the area to be annexed, then the effective date of the annexation shall be delayed until, and the annexation shall become effective on, the day after the election.

EXHIBITS:

- A. Notice of Appeal [No current exhibits; reserved for hearing use]
- B. Findings and Conclusion [No current exhibits; reserved for hearing use]
- C. Minutes [No current exhibits; reserved for hearing use]
- D. Staff Report [No current exhibits; reserved for hearing use]
- E. Graphics
 - E-1 Sensitive Lands Atlas, 1-B Resource Site
- F. Written Materials
 - F-1. Ordinance 2485 and Maps
 - F-2. Annexation Petitions and Applications
- G. Letters- None



Sensitive Lands Atlas
 1-B Resource Site
 Map 21E18CD
 TL 2800 and 10900
 18605 & 18675 Pilkington Road

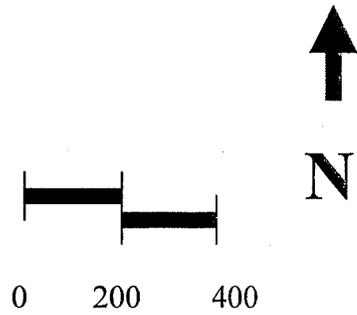


EXHIBIT E-1

Ordinance No. 2485

AN ORDINANCE ANNEXING TO THE CITY OF LAKE OSWEGO THREE PARCELS COMPRISING APPROXIMATELY 3.41 ACRES AND THE ADJACENT ROAD RIGHT OF WAY AT 18675, 18605 AND 18275 PILKINGTON ROAD DECLARING CITY OF LAKE OSWEGO ZONING PURSUANT TO LOC 50.05.025; AND REMOVING THE PARCELS FROM CERTAIN DISTRICTS (AN 06-0013).

WHEREAS, annexation to the City of Lake Oswego of the territory shown in the map in Attachment "A" and described below, would constitute a contiguous boundary change under ORS 222.111, initiated by petition from the property owners; and,

WHEREAS, the City received consent to the proposed annexation from 100 percent of the owners of land and 60 percent of the electors in the territory, and,

WHEREAS, the territory that lies within the Lake Grove Fire District may, by operation of ORS 222.520, be withdrawn from that district immediately upon approval of the annexation; and,

WHEREAS, the territory lies within the Clackamas County Enhanced Sheriff's Patrol District and may, by operation of ORS 222.520, be withdrawn from that district immediately upon approval of the annexation; and,

WHEREAS, the territory lies within the Surface Water Management Agency of Clackamas County and may by operation of ORS 222.250 be withdrawn from that agency immediately upon approval of the annexation; and,

WHEREAS, the territory lies within the Rivergrove Water District and may by operation of ORS 222.250 be withdrawn from that agency immediately upon the approval of annexation; and

WHEREAS, LOC 50.05.025 specifies that where the Comprehensive Plan Map requires a specific Zoning Map designation to be placed on the territory annexed to the City, such a zoning designation shall automatically be imposed on territory as of the effective date of the annexation; and,

WHEREAS, this annexation is consistent with Chapter 14, (Urbanization) of the City of Lake Oswego's acknowledged Comprehensive Plan and Metro Code 3.09.050(b) and (d).

The City of Lake Oswego ordains as follows:

Section 1. The real property described as follows is hereby annexed to the City of Lake Oswego:

EXHIBIT F-1

Two tracts of land and a segment of public right of way located in the south half of Section 18, Township 2 South, Range 1 East of the Willamette Meridian, Clackamas County, Oregon; more particularly described as follows:

Tract 1: 18275 Pilkington Road (21E18CA01100)

The easterly 159 feet of Lots 22 and 23, REPLAT OF A PORTION OF ROSEWOOD (Plat # 502), **EXCEPTING** the northerly 80 feet thereof.

Tract 2: 18605 & 18675 Pilkington Road (21E18CD02800 & 10900)

A portion of Lots 52 and 67, ROSEWOOD (Plat # 102); more particularly described as follows:

Beginning at the southeast corner of Lot 1, Block 2, FERNBROOK (Plat # 959), said point being on the west right of way line of Pilkington Road (County Road No. 2334);

thence along said west right of way line, South 00° 14' 00" East, 391.00 feet to the southeast corner of a parcel described in Clackamas County Deed #99-090776;

thence along the southerly line of said Deed #99-090776 parcel, North 89° 09' 08" West, 330.00 feet to a point on the easterly line of the plat of FERNBROOK No. 4 (Plat # 1111);

thence along said easterly line, North 00° 14' 00" West, 264.00 feet to the northwest corner of said Deed #99-090776 parcel;

thence along the north line of said Deed #99-090776 parcel, South 89° 09' 08" East, 15.00 feet to the southwest corner of a parcel described in Clackamas County Deed # 2003-141951;

thence along the westerly line of said Deed #2003-141951 parcel, North 00° 14' 00" West, 127.00 feet to a point on the southerly line of the plat of FERNBROOK (Plat # 959);

thence along said southerly line, South 89° 09' 05" East, 315.00 feet to the point of beginning.

Right of way: Pilkington Road

A segment of the entire right of way width of Pilkington Road (County Road No. 2334) cut off on the south by the easterly extension of the south line of Tract 2 as described above and cut off on the north by the easterly projection of the north line of Lot 21, REPLAT OF A PORTION OF ROSEWOOD (Plat # 502). Said segment being approximately 1,284 feet in length.

Section 2. The annexed area lies within the Lake Grove Park District and Rivergrove Water District and will be retained within these districts upon the effective date of annexation.

Section 3. The annexed area lies within the following districts and shall be withdrawn from these districts upon the effective date of annexation:

Lake Grove Fire District
Clackamas County Enhanced Sheriff's Patrol District
Rivergrove Water District
Surface Water Management Agency of Clackamas County

Section 4. In accordance with LOC 50.05.025, the City zoning designation of R-10 will be applied to Tax Lots 2800 and 10900, Map 21E18CD and the city zoning designation of R-7.5 will be applied to Tax Lot 01100, Map 21E18CA will be applied to the annexed area immediately upon the effective date of annexation.

Section 5. The City Council hereby adopts the findings of facts and conclusions set forth in the April 16, 2007 staff report in support of this annexation ordinance.

Section 6.

a. Effective Date of Decision to Annex. Pursuant to Metro Code 3.09.050(f), the effective date of this annexation decision shall be immediately upon adoption, unless a governmental entity that qualifies as a "necessary party" under Metro Code 3.09.020(j) has contested this annexation, in which event this annexation decision shall be effective on the 10th day following the mailing of this ordinance by the City Recorder to Metro and to all necessary parties who appeared in this proceeding.

b. Effective Date of Annexation Ordinance. Pursuant to Lake Oswego City Charter, Section 34, this ordinance shall be effective on the 30th day after its enactment.

c. Effective Date of Annexation. Following the filing of the annexation records with the Secretary of State as required by ORS 222.177, this annexation shall be effective upon the later of either:

1. the 30th day following the date of adoption of this ordinance; or
2. the date of filing of the annexation records with the Secretary of

State.

Provided, however, that pursuant to ORS 222.040(2), if the effective date of the annexation as established above is a date that is within 90 days of a biennial primary or general election or after the deadline for filing notice of election before any other election held by any city, district or other municipal corporation involved in the area to be annexed, then the effective date of the annexation shall be delayed until the election, and the annexation shall become effective on, the day after the election.

Section 7. Mailing Copies of this Ordinance; Metro Notice.

Within 30 days following the date of adoption:

a. The City Recorder is hereby directed to mail a copy of this ordinance to all persons and governmental entities that appeared at the public hearing and requested a copy of the ordinance following adoption.

b. The City Recorder shall mail a copy of this ordinance together with the applicable mapping and notice fee charged by Metro pursuant to Metro Code 3.09.110, to Metro Data Resource Center, 600 NE Grand Ave., Portland, OR 97232.

Read by title only and enacted at the regular meeting of the City Council of the City of Lake Oswego held on _____ day of _____, 2007.

AYES:

NOES:

ABSTAIN:

EXCUSED:

Judie Hammerstad, Mayor

Dated:

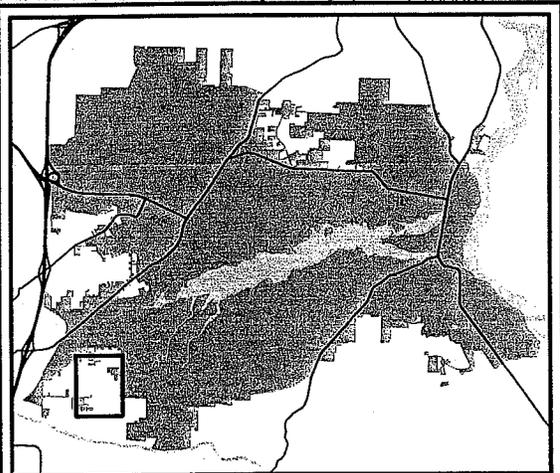
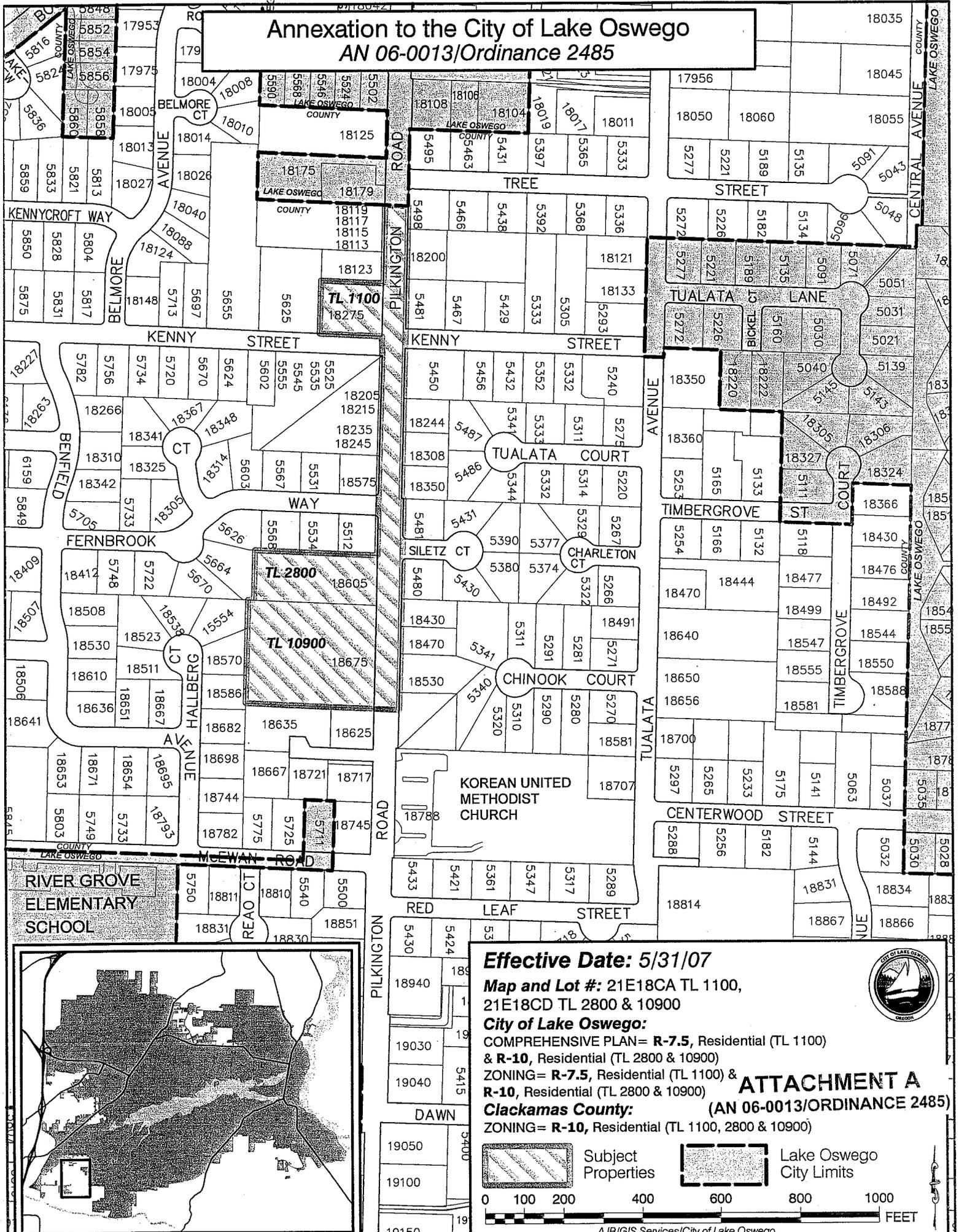
ATTEST:

Robyn Christie, City Recorder

APPROVED AS TO FORM:

David Powell
City Attorney

Annexation to the City of Lake Oswego AN 06-0013/Ordinance 2485



Effective Date: 5/31/07

Map and Lot #: 21E18CA TL 1100, 21E18CD TL 2800 & 10900

City of Lake Oswego:
 COMPREHENSIVE PLAN= **R-7.5**, Residential (TL 1100)
 & **R-10**, Residential (TL 2800 & 10900)
 ZONING= **R-7.5**, Residential (TL 1100) & **R-10**, Residential (TL 2800 & 10900)

Clackamas County:
 ZONING= **R-10**, Residential (TL 1100, 2800 & 10900)

ATTACHMENT A
(AN 06-0013/ORDINANCE 2485)

Subject Properties

Lake Oswego City Limits

0 100 200 400 600 800 1000 FEET

A/B/GIS Services/City of Lake Oswego





CITY OF LAKE OSWEGO
 COMMUNITY DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 380 A Avenue
 P.O. BOX 369
 Lake Oswego, OR 97034
 PHONE: (503) 635-0290

APPLICATION FOR ANNEXATION

FILE NAME: Stowell, Fugate Grettler SUBMIT: Nov 17, 2006 REVIEW: _____
 RESUBMIT: _____ REVIEW: _____
 FILE NUMBER(S): AN 06-0013 HEARING DATE: MAY 1, 2007
 CITY FEE RECEIVED: \$ 875.00 METRO FEE RECEIVED: \$ _____ CHECK #: _____
 NEIGHBORHOOD ASSN.: Rosewood RECEIPT #: 272729
 CHECKLIST: Legal Description Title Report COMPLETENESS DATE: _____
 Assessor's Map Petition Fees (City and Metro) Waiver
 Delineation of Natural Resources (if required) NA
 Resolution 04-38 given to Applicant on _____ (date)

PRINT OR TYPE ALL INFORMATION BELOW

APPLICANT USE MAILING ADDRESS FOR HEARING NOTIFICATION

RICK STOWEL 503 997-5517
 YOUR NAME PHONE #
STOWELL GROUP LLC 503 699-9704
 BUSINESS NAME FAX #
P.O. BOX 957
 ADDRESS SUITE
LAKE OSWEGO OR 97034
 CITY STATE ZIP
RSCRINC@QWEST.NET
 E-MAIL ADDRESS
[Signature] 11/7/06
 SIGNATURE (ORIGINAL REQUIRED) DATE
 Note: I consent to an on-site inspection by an employee(s) of the City of Lake Oswego

PROPERTY OWNER (ADDITIONAL OWNER-SEE PAGE 2)

Peggy L. Fugate
 YOUR NAME PHONE #
 BUSINESS NAME FAX #
18605 SW Pilkington Road
 ADDRESS SUITE
Lake Oswego Oregon 97035
 CITY STATE ZIP
 E-MAIL ADDRESS
[Signature] 9-15-06
 SIGNATURE (ORIGINAL REQUIRED) DATE
 Note: I consent to an on-site inspection by an employee(s) of the City of Lake Oswego

EXHIBIT F-2

**ATTACH ANNEXATION PETITION AND LEGAL DESCRIPTION FROM DEED
 ADDITIONAL PROPERTY OWNER IF MORE THAN ONE OWNER**

Heidi Ann Earls Guettler and Christopher Eric Guettler		503-638-0850
YOUR NAME	PHONE #	
BUSINESS NAME	FAX #	
3565 SW Halcyon Road		
ADDRESS	SUITE	
Tualatin	Oregon 97062	
CITY	STATE	ZIP
guettlers@msn.com		
E-MAIL ADDRESS		
SIGNATURE (ORIGINAL REQUIRED)		DATE
<i>Heidi Ann Earls Guettler</i>		9/15/06
<i>Chris Guettler</i>		9/16/06
Note: I consent to an on-site inspection by an employee(s) of the City of Lake Oswego		

PROPERTY/ZONING DATA

18605 and 18675 Pilkington Road, Lake Oswego, Oregon 97035

Address

Location Description

MAP & TAX LOT (list one per line)	(DO NOT USE LOT & BLOCK)	SITE ACRES	ZONING/PROPERTY INFORMATION			
			EXISTING COUNTY ZONING DESIGNATION	CITY COMPREHENSIVE PLAN DESIGNATION	CURRENT ASSESSED VALUE	TOTAL EXISTING POPULATION
2 1E 18CD	- 2800	.92	R-10	Residential	261,216	1
2 1E 18CD	- 10900	2.0	R-10	Residential	630,274	2
-	-	-	-	-	-	-
-	-	-	-	-	-	-
-	-	-	-	-	-	-
TOTAL OF PARCEL AREAS:		ACRES 2.92	SQ. FT. 127,125			
RIGHTS-OF-WAY TO BE INCLUDED:		Pilkington Road				
REASON FOR ANNEXATION:		Future residential subdivision				

DESCRIBE NUMBER AND TYPES OF STRUCTURES ON THE PARCEL(S) (USE TAX LOTS AS REFERENCE):	
Tax Lot 2800 - Home and outbuildings	
Tax Lot 10900 - Home and outbuildings	
EXISTING USE OF AREA TO BE ANNEXED:	
Residential - Single Family Class 3	
PROPOSED USE OF AREA TO BE ANNEXED:	
Subdivision 9-11 Lots	
DESCRIBE SURROUNDING LAND USES (USE TAX LOTS AS REFERENCE)	
NORTH	EXISTING
TAX MAP 2 1E 18CD TAX LOTS 2500, 2600, 2700, 3000 RESIDENTIAL LOTS	
SOUTH	TAX MAP 2 1E 18CD TAX LOTS 11,000, 10800 EXISTING-RESIDENTIAL LOTS
EAST	PILKINGTON ROAD PUBLIC ROW - RESIDENTIAL LOTS EAST OF ROW
WEST	TAX MAP 2 1E 18CD TAX LOTS 10100, 10000, 9900, 3100 EXISTING-RESIDENTIAL LOTS

PETITION FOR ANNEXATION TO THE CITY OF LAKE OSWEGO, OREGON

To the City Council of the City of Lake Oswego:

We, the undersigned owners and/or electors, petition and consent to be annexed to the City of Lake Oswego.

A map is attached, marked Exhibit A, showing the affected territory and its relationship to the present City boundaries.

PETITION SIGNERS							
Signature	Printed Name	I Am A* (check both if applicable)		Owner's/Elector's Mailing Address	Property Description		Date**
		PO	RV		Tax Map	Tax Lot	
<i>Peggy Fugate</i>	Peggy L. Fugate	X	X	18675 Pilkington Rd Lake Oswego OR 97035	21E18CD	2800	9-15-06
<i>Heidi Ann Earls Guettler</i>	Heidi Ann Earls Guettler	X		3565 SW Hale Way Tualatin, OR 97062	21E18CD	10900	9/15/06
<i>Christopher Eric Guettler</i>	Christopher Eric Guettler	X		3565 SW Hale Way Tualatin, OR 97062	21E18CD	10900	9/15/06
<i>David Rich</i>	David Rich		X	18675 Pilkington Rd Lake Oswego OR 97035	21E18CD	10900	9-13-07
<i>Tina Rich</i>	Tina Rich		X	18675 Pilkington Rd Lake Oswego Or 97035	21E14CD	10900	4-13-07

* PO = Property Owner, RV = Registered Voter

** Within 1 year from the date of filing petition with City



CITY OF LAKE OSWEGO
 COMMUNITY DEVELOPMENT DEPARTMENT
 PLANNING DIVISION
 380 A Avenue
 P.O. BOX 369
 Lake Oswego, OR 97034
 PHONE: (503) 635-0290

RECEIVED

JAN 05 2007

APPLICATION FOR ANNEXATION

FILE NAME: Nieman SUBMIT: _____ REVIEW: _____
 RESUBMIT: _____ REVIEW: _____
 FILE NUMBER(S): AND6-0013 HEARING DATE: ~~4-3-07~~ 5-1-07
 CITY FEE RECEIVED: \$ _____ METRO FEE RECEIVED: \$ _____ CHECK #: _____
 NEIGHBORHOOD ASSN.: Rosewood RECEIPT #: _____
 CHECKLIST: Legal Description Title Report COMPLETENESS DATE: _____
 Assessor's Map Petition Fees (City and Metro) *NA* Waiver
 Delineation of Natural Resources (if required) *NA*
 Resolution 04-38 given to Applicant on 5/24/06 (date)

PRINT OR TYPE ALL INFORMATION BELOW

APPLICANT USE MAILING ADDRESS FOR HEARING NOTIFICATION

Bruce & Gena Nieman 503-704-9308
 YOUR NAME PHONE #
 BUSINESS NAME FAX #
18275 Pilkington Road
 ADDRESS SUITE
Lake Oswego OR 97035
 CITY STATE ZIP
BRYNIE@SAFECO.COM
 E-MAIL ADDRESS
Bruce Nieman 12-18-06 Gena Nieman 12-18-06
 SIGNATURE (ORIGINAL REQUIRED) DATE
 Note: I consent to an on-site inspection by an employee(s) of the City of Lake Oswego

PROPERTY OWNER (ADDITIONAL OWNER-SEE PAGE 2)

Bruce & Gena Nieman 503-704-9308
 YOUR NAME PHONE #
 BUSINESS NAME FAX #
18275 Pilkington Road
 ADDRESS SUITE
Lake Oswego OR 97035
 CITY STATE ZIP
BRYNIE@SAFECO.COM
 E-MAIL ADDRESS
Bruce Nieman 12/18/06 Gena Nieman 12-18-06
 SIGNATURE (ORIGINAL REQUIRED) DATE
 Note: I consent to an on-site inspection by an employee(s) of the City of Lake Oswego

ATTACH ANNEXATION PETITION AND LEGAL DESCRIPTION FROM DEED
ADDITIONAL PROPERTY OWNER IF MORE THAN ONE OWNER

YOUR NAME	PHONE #	
BUSINESS NAME	FAX #	
ADDRESS	SUITE	
CITY	STATE	ZIP
E-MAIL ADDRESS		
SIGNATURE (ORIGINAL REQUIRED)		DATE

Note: I consent to an on-site inspection by an employee(s) of the City of Lake Oswego

PROPERTY/ZONING DATA

18275 Pilkington Road, Lake Oswego, OR 97035
 Address

Location Description

MAP & TAX LOT (list one per line)	(DO NOT USE LOT & BLOCK)	SITE ACRES	ZONING/PROPERTY INFORMATION			TOTAL EXISTING POPULATION
			EXISTING COUNTY ZONING DESIGNATION	CITY COMPREHENSIVE PLAN DESIGNATION	CURRENT ASSESSED VALUE	
21E18CA	- 01100	.49	R-10		246,916	2
-	-					
-	-					
-	-					
-	-					

TOTAL OF PARCEL AREAS: ACRES .49 SQ. FT. 21,465

RIGHTS-OF-WAY TO BE INCLUDED:

REASON FOR ANNEXATION: Possible subdivision, need sanitary/storm sewer in order to qualify

DESCRIBE NUMBER AND TYPES OF STRUCTURES ON THE PARCEL(S) (USE TAX LOTS AS REFERENCE):

1 SINGLE FAMILY HOME, R-10
 EXISTING USE OF AREA TO BE ANNEXED: 2 SINGLE FAMILY HOMES R-7.5
 PROPOSED USE OF AREA TO BE ANNEXED:

DESCRIBE SURROUNDING LAND USES (USE TAX LOTS AS REFERENCE)

NORTH — 1000 SINGLE FAMILY
 SOUTH — 100, 200, 300 SINGLE FAMILY
 EAST — 200 SINGLE FAMILY
 WEST — 1200 SINGLE FAMILY

PETITION FOR ANNEXATION TO THE CITY OF LAKE OSWEGO, OREGON

To the City Council of the City of Lake Oswego:

We, the undersigned owners and/or electors, petition and consent to be annexed to the City of Lake Oswego.

A map is attached, marked Exhibit A, showing the affected territory and its relationship to the present City boundaries.

PETITION SIGNERS							
Signature	Printed Name	I Am A* (check both if applicable)		Owner's /Elector's Mailing Address	Property Description		Date**
		PO	RV		Tax Map	Tax Lot	
<i>Bryce Nieman</i>	Bryce Nieman	X	X	18275 Pilkington Rd Lake Oswego, OR 97035	21E18CA	01100	12/18/06
<i>Gena Nieman</i>	Gena Nieman	X	X	18275 Pilkington Rd Lake Oswego, OR 97035	21E18CA	01100	12/18/06

* PO = Property Owner, RV = Registered Voter **Within 1 year from the date of filing petition with City

* Bryce and Gena Nieman are registered voters in Washington county (not Clackamas).



2007 APR 13 PM 01:36:16

SEL 500 rev 1/06

1 qualifications *If you mark no in response to either of these questions, do not complete this form.*

Are you a citizen of the United States of America? Yes No
Will you be 18 years of age on or before election day? Yes No

2 personal information *denotes optional information*

name last: Nieman first: Bryce middle: Edward
Oregon residence address (include apt. or space number): 18275 Pilkington Road city: Lake Oswego zip code: 97035
date of birth (month/day/year): 03/20/1975 county of residence*: Clackamas
phone number: 503-704-9308 email address*: BRYNIE3140E@hotmail.com
mailing address (required if different than residence address) city zip code

3 political party *choose one of the following:*

- Constitution
- Democratic
- Libertarian
- Pacific Green
- Republican
- Not a member of a party
- Other

4 Oregon DMV Driver's License/ID number *If you fill in this section, do not send a copy of ID.*

5 4 0 1 5 3 2
valid Oregon DMV Driver's License/ID number

Mark here only if you **do not have** a valid Oregon DMV Driver's License/ID and go to step 4a.

4a last four digits of Social Security number *If you fill in this section, do not send a copy of ID.*

x x x - x x - 9 2 6 1
Last four digits of Social Security number

Mark here only if you **do not have** a valid Oregon DMV Driver's License/ID or a Social Security number. If you are registering by mail, please include a copy of acceptable identification, listed to the left.

5 signature *I swear or affirm that I am qualified to be an elector and I have told the truth on this registration.*

sign here: Bryce Nieman date today: 4/13/07

! If you sign this card and know it to be false, you can be fined up to \$125,000 and/or jailed for up to 5 years.

6 registration updates *If you are previously registered and updating your information, fill out this section*

previous registration name: Bryce Nieman previous county and state: Washington
home address on previous registration: SW Murray Blvd date of birth (month/day/year): 03/20/1975

CERTIFIED COPY OF THE ORIGINAL
SHERRY HALL, COUNTY CLERK
BY: Nancy Berthel



1 qualifications *If you mark no in response to either of these questions, do not complete this form.*

Are you a citizen of the United States of America? yes no
Will you be 18 years of age on or before election day? yes no

2 personal information *denotes optional information*

Nieman Gen Marie
name last first middle
18275 Pilkington Rd. Lake Oswego 97035
Oregon residence address (include apt. or space number) city zip code
04.05.1979 Clackamas
date of birth (month/day/year) county of residence*
503.504.2355 genrade@hotmail.com
phone number* email address*
same as above
mailing address (required if different than residence address) city zip code

3 political party *choose one of the following:*

- Constitution
- Democratic
- Libertarian
- Pacific Green
- Republican
- Not a member of a party
- Other

4 Oregon DMV Driver's License/ID number *If you fill in this section, do not send a copy of ID.*

6000810

valid Oregon DMV Driver's License/ID number

Mark here only if you **do not have** a valid Oregon DMV Driver's License/ID and go to step 4a.

4a last four digits of Social Security number *If you fill in this section, do not send a copy of ID.*

x x x - x x - 8 2 3 2

Last four digits of Social Security number

Mark here only if you **do not have** a valid Oregon DMV Driver's License/ID or a Social Security number. If you are registering by mail, please include a copy of acceptable identification, listed to the left.

5 signature *I swear or affirm that I am qualified to be an elector and I have told the truth on this registration.*

sign here Gen Nieman date today 4.13.07

! If you sign this card and know it to be false, you can be fined up to \$125,000 and/or jailed for up to 5 years.

6 registration updates *If you are previously registered and updating your information, fill out this section*

Gen Nieman (Radko) Washington
previous registration name previous county and state
SW Murray Blvd. 04.05.1979
home address on previous registration date of birth (month/day/year)

CERTIFIED COPY OF THE ORIGINAL
SHERRY HALL, COUNTY CLERK

BY: Nancy Berthier



CITY OF LAKE OSWEGO COUNCIL REPORT

TO: Judie Hammerstad, Mayor
Members of the City Council
Doug J. Schmitz, City Manager

FROM: Sidaro Sin, Senior Planner *SS*

SUBJECT: Annexing of three parcels comprising approximately 3.41 acres and the adjacent road right of way at 18675, 18605 and 18275 Pilkington Road; declaring City of Lake Oswego zoning pursuant to LOC 50.05.025; and removing the parcels from certain districts (AN 06-0013).

DATE: May 7, 2007

ACTION:

Adopt Ordinance 2485 (Exhibit F-3).

BACKGROUND:

On May 1, 2007, the Council moved to tentatively adopt Ordinance 2485, subject to the addition of a section in the ordinance withdrawing 18275 and 18605 Pilkington Road from Clackamas County Lighting Service District #5. The revised ordinance is attached as Exhibit F-3.

The Council also requested that staff provide an analysis comparing different sanitary sewer options to serve the territory under consideration for annexation. Three options¹ were compared: Option 1, as proposed from Pilkington Road; Option 2, Pilkington Park route; and Option 3, Childs Road route. Exhibit F-4 compares these three options against factors typically considered when determining the best alternative. Exhibit E-2 graphically represents the options.

In summary, Option 1; current option proposed by the annexation is the best option because it provides the most sewer service coverage to residences within the City's Urban Services Boundary (USB), is the most economical, does not conflict with any existing storm water facilities, and does not require any sewer easements. In addition, this proposal does not create an island of land that is not a part of the annexation, and it is comparable to the other options for the potential to create an island.

¹ A fourth option was initially considered; a connection to the east to an 8-inch sewer stub in Centerwood Street. This option was deemed unadvisable and removed from consideration early in the evaluation process because of inadequate sewer depth.

Lastly, the addition of three additional acres (18605 & 18675 Pilkington Road) into the 809 acre South Lake Basin is considered to be an insignificant shift of wastewater flow from the Canal Basin to the South Lake Basin. The pipeline network within any given basin has adequate capacity to allow for minor shifting of the basin boundary without negatively impacting the system capacity.

RECOMMENDATION:

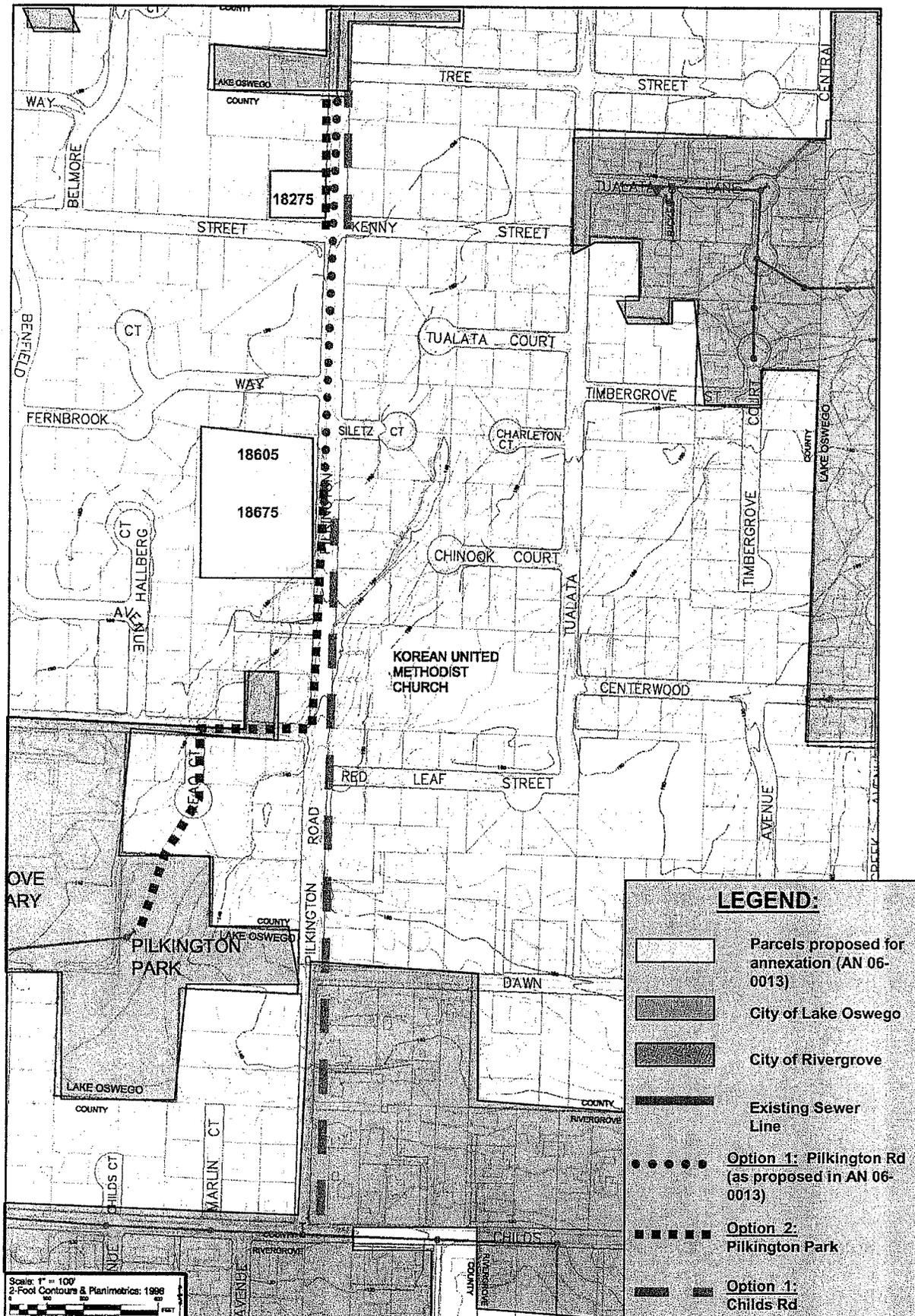
Staff recommends adoption of Ordinance 2485.

EXHIBITS:

Only those exhibits **underlined and in bold** are included in this supplemental staff report:

- A. Notice of Appeal [No current exhibits; reserved for hearing use]
- B. Findings and Conclusion [No current exhibits; reserved for hearing use]
- C. Minutes [No current exhibits; reserved for hearing use]
- D. Staff Report [No current exhibits; reserved for hearing use]
- E. Graphics:
 - E-1 Sensitive Lands Atlas, 1-B Resource Site
 - E-2 Sanitary Sewer Options**
- F. Written Materials:
 - F-1. Ordinance 2485 and Map
 - F-2. Annexation Petitions and Applications
 - F-3 Amended Ordinance 2485 with Map**
 - F-4 Comparison of Sewer Options**
- G. Letters- None

Sanitary Sewer Options: AN 06-0013



Ordinance No. 2485

AN ORDINANCE ANNEXING TO THE CITY OF LAKE OSWEGO THREE PARCELS COMPRISING APPROXIMATELY 3.41 ACRES AND THE ADJACENT ROAD RIGHT OF WAY AT 18675, 18605 AND 18275 PILKINGTON ROAD, DECLARING CITY OF LAKE OSWEGO ZONING PURSUANT TO LOC 50.05.025; AND REMOVING THE PARCELS FROM CERTAIN DISTRICTS (AN 06-0013).

WHEREAS, annexation to the City of Lake Oswego of the territory shown in the map in Attachment "A" and described below, would constitute a contiguous boundary change under ORS 222.111, initiated by petition from the property owners; and,

WHEREAS, the City received consent to the proposed annexation from 100 percent of the owners of land and 100 percent of the electors in the territory; and,

WHEREAS, the territory that lies within the Lake Grove Fire District may, by operation of ORS 222.520, be withdrawn from that district immediately upon approval of the annexation; and,

WHEREAS, the territory lies within the Clackamas County Enhanced Sheriff's Patrol District and may, by operation of ORS 222.520, be withdrawn from that district immediately upon approval of the annexation; and,

WHEREAS, the territory lies within the Surface Water Management Agency of Clackamas County and may by operation of ORS 222.250 be withdrawn from that agency immediately upon approval of the annexation; and,

WHEREAS, some portions of the territory lies within the Clackamas County Lighting Service District #5 and may by operation of ORS 222.250 be withdrawn from that agency immediately upon approval of the annexation; and,

WHEREAS, LOC 50.05.025 specifies that where the Comprehensive Plan Map requires a specific Zoning Map designation to be placed on the territory annexed to the City, such a zoning designation shall automatically be imposed on territory as of the effective date of the annexation; and,

WHEREAS, this annexation is consistent with Chapter 14, (Urbanization) of the City of Lake Oswego's acknowledged Comprehensive Plan and Metro Code 3.09.050(b) and (d).

The City of Lake Oswego ordains as follows:

Section 1. The real property described as follows is hereby annexed to the City of Lake Oswego:

EXHIBIT F-3

Two tracts of land and a segment of public right of way located in the south half of Section 18, Township 2 South, Range 1 East of the Willamette Meridian, Clackamas County, Oregon; more particularly described as follows:

Tract 1: 18275 Pilkington Road (21E18CA 01100)

The easterly 159 feet of Lots 22 and 23, REPLAT OF A PORTION OF ROSEWOOD (Plat # 502), EXCEPTING the northerly 80 feet thereof.

Tract 2: 18605 & 18675 Pilkington Road (21E18CD 02800 & 10900)

A portion of Lots 52 and 67, ROSEWOOD (Plat # 102); more particularly described as follows:

Beginning at the southeast corner of Lot 1, Block 2, FERNBROOK (Plat # 959), said point being on the west right of way line of Pilkington Road (County Road No. 2334);

thence along said west right of way line, South 00° 14' 00" East, 391.00 feet to the southeast corner of a parcel described in Clackamas County Deed #99-090776;

thence along the southerly line of said Deed #99-090776 parcel, North 89° 09' 08" West, 330.00 feet to a point on the easterly line of the plat of FERNBROOK No. 4 (Plat # 1111);

thence along said easterly line, North 00° 14' 00" West, 264.00 feet to the northwest corner of said Deed #99-090776 parcel;

thence along the north line of said Deed #99-090776 parcel, South 89° 09' 08" East, 15.00 feet to the southwest corner of a parcel described in Clackamas County Deed # 2003-141951;

thence along the westerly line of said Deed #2003-141951 parcel, North 00° 14' 00" West, 127.00 feet to a point on the southerly line of the plat of FERNBROOK (Plat # 959);

thence along said southerly line, South 89° 09' 05" East, 315.00 feet to the point of beginning.

Right of way: Pilkington Road

A segment of the entire right of way width of Pilkington Road (County Road No. 2334) cut off on the south by the easterly extension of the south line of Tract 2 as described above and cut off on the north by the easterly projection of the north line of Lot 21, REPLAT OF A PORTION OF ROSEWOOD (Plat # 502). Said segment being approximately 1,284 feet in length.

Section 2. The annexed area lies within the following districts and shall be retained within these districts upon the effective date of annexation:

Lake Grove Park District
Rivergrove Water District

Section 3. The annexed area lies within the following districts and shall be withdrawn from these districts upon the effective date of annexation:

Lake Grove Fire District
Clackamas County Enhanced Sheriff's Patrol District
Surface Water Management Agency of Clackamas County

Section 4. Map and Tax Lots 21E18CA 01100 and 21E18CD 02800 are located within the following district and will be withdrawn from the district upon the effective date of annexation:

Clackamas County Lighting Service District #5

Section 5. In accordance with LOC 50.05.025, the City zoning designation of R-10 will be applied to Map and Tax Lots 21E18CD 02800 and 10900, and the City zoning designation of R-7.5 will be applied to Map and Tax Lot 21E18CA 01100, immediately upon the effective date of annexation.

Section 6. The City Council hereby adopts the findings of facts and conclusions set forth in the April 16, 2007 and May 7, 2007 staff reports in support of this annexation ordinance.

Section 7.

a. Effective Date of Decision to Annex. Pursuant to Metro Code 3.09.050(f), the effective date of this annexation decision shall be immediately upon adoption, unless a governmental entity that qualifies as a "necessary party" under Metro Code 3.09.020(j) has contested this annexation, in which event this annexation decision shall be effective on the 10th day following the mailing of this ordinance by the City Recorder to Metro and to all necessary parties who appeared in this proceeding.

b. Effective Date of Annexation Ordinance. Pursuant to Lake Oswego City Charter, Section 34, this ordinance shall be effective on the 30th day after its enactment.

c. Effective Date of Annexation. Following the filing of the annexation records with the Secretary of State as required by ORS 222.177, this annexation shall be effective upon the later of either:

1. the 30th day following the date of adoption of this ordinance; or
2. the date of filing of the annexation records with the Secretary of

State.

Provided, however, that pursuant to ORS 222.040(2), if the effective date of the annexation as established above is a date that is within 90 days of a biennial primary or

general election or after the deadline for filing notice of election before any other election held by any city, district or other municipal corporation involved in the area to be annexed, then the effective date of the annexation shall be delayed until the election, and the annexation shall become effective on, the day after the election.

Section 8. Mailing Copies of this Ordinance: Metro Notice.

Within 30 days following the date of adoption:

a. The City Recorder is hereby directed to mail a copy of this ordinance to all persons and governmental entities that appeared at the public hearing and requested a copy of the ordinance following adoption.

b. The City Recorder shall mail a copy of this ordinance together with the applicable mapping and notice fee charged by Metro pursuant to Metro Code 3.09.110, to Metro Data Resource Center, 600 NE Grand Ave., Portland, OR 97232.

Read by title only and enacted at the regular meeting of the City Council of the City of Lake Oswego held on _____ day of _____, 2007.

AYES:

NOES:

ABSTAIN:

EXCUSED:

Judie Hammerstad, Mayor

Dated: _____

ATTEST:

Robyn Christie, City Recorder

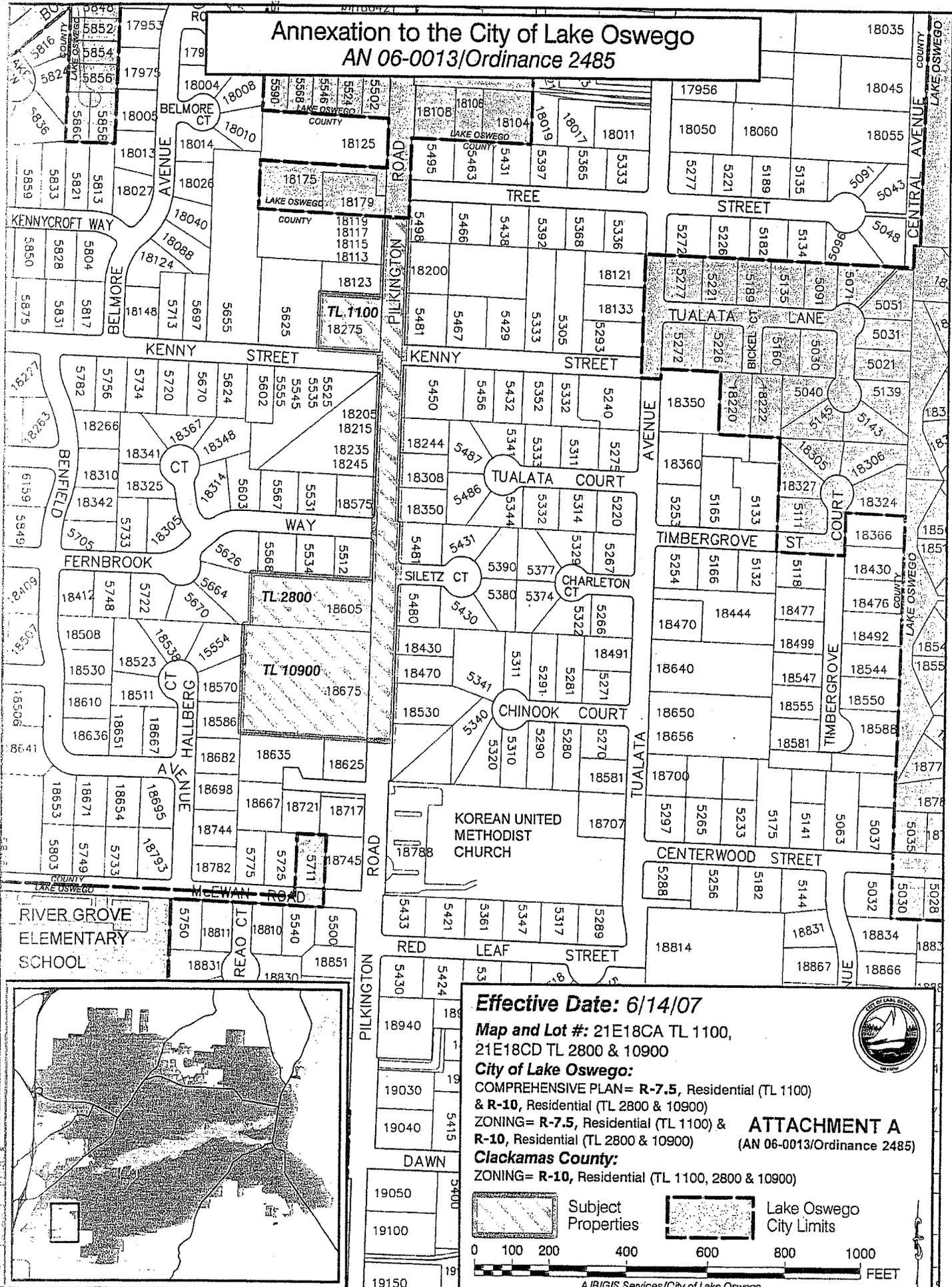
APPROVED AS TO FORM:



David Powell
City Attorney

Annexation to the City of Lake Oswego

AN 06-0013/Ordinance 2485



RIVER GROVE
ELEMENTARY
SCHOOL

Effective Date: 6/14/07

Map and Lot #: 21E18CA TL 1100,
21E18CD TL 2800 & 10900

City of Lake Oswego:
 COMPREHENSIVE PLAN= R-7.5, Residential (TL 1100)
 & R-10, Residential (TL 2800 & 10900)
 ZONING= R-7.5, Residential (TL 1100) &
 R-10, Residential (TL 2800 & 10900)

Clackamas County:
 ZONING= R-10, Residential (TL 1100, 2800 & 10900)

ATTACHMENT A
(AN 06-0013/Ordinance 2485)

Subject Properties

Lake Oswego City Limits

0 100 200 400 600 800 1000 FEET

AJBIGIS Services/City of Lake Oswego

Sewer Option Analysis - AN 06-0013

Factors Considered for Best Option						Background
1) Feasibility	2) Length of Sewer (L.F.)	3) Estimated Cost	4) ROW included (L.F.)	5) Residences Served	6) Easements	Background
Option 1 - As proposed, Pilkington Rd. Feasible and supported by staff	1,100'	\$165,000	1,260'	29	0 - all in ROW	510'
Option 2 - Pilkington Park Feasible, BUT storm water line conflict in McEwan Rd, which may require a change in the storm water line in Pilkington Rd.	1,830'	\$274,500	1,420'	27	1 on private property	550'
Option 3 - Childs Rd. Feasible, BUT storm possible storm water line conflict in Pilkington Rd.	2,230'	\$334,500	1,370' (+660' of City of Rivergrove ROW)	37 (9 are in the City of Rivergrove)	0 - all in ROW	550'

Note: The Sewer Option Analysis and staff report was prepared in conjunction and with the concurrence of the City's Engineering Division.

Description of Factors:

- Feasibility** = Are there any circumstances that would make this option not feasible (topography, sewer depth, conflict with other facilities, etc)?
- Length of Sewer** = Indicates the length of the sewer line in lineal feet (L.F.) from an existing sewer stub to the property line.
- ROW Included** = Includes all of the ROW that would need to be annexed.
- Residences Served** = Considers how many existing residences may be directly served by the extension of the sewer (ie. The sewer line is in front of the house to be served). The total number includes the three residences proposed to be annexed.
- Estimated Cost** = Assumes \$150 per lineal foot for design, construction and administration of the sewer line.
- Easements** = Considers if any public easements are required as part of the sewer extension. The City's preference is to keep the sewer in the ROW where no easements are required.
- Annexation Island** = This factor considers if an island would be created or if it increases the chances of an island annexation occurring compared to the proposed annexation. This is not a consideration for determining the preferred sewer route option. This is included as background information because it was raised at the public hearing.

EXHIBIT F-4