

AFFIDAVIT OF POSTING

ORDINANCE #187

STATE OF OREGON)
)
COUNTIES OF CLACKAMAS)
 AND WASHINGTON)
)
CITY OF WILSONVILLE)

I, the undersigned, City Recorder of the City of Wilsonville, State of Oregon, being first duly sworn on oath depose and say:

On the 15th day of July, 1981, I caused to be posted copies of the attached Ordinance #187, an ordinance amending the Zoning Map of the City of Wilsonville (Application of Western International Properties for a Zone Change to: the property known as Parkway Avenue, in the following four public and conspicuous places of the City, to wit:

WILSONVILLE POST OFFICE

WILSONVILLE CITY HALL

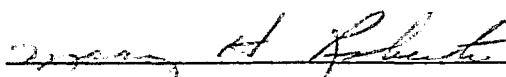
LOWRIE'S FOOD MARKET

KOPPER KITCHEN

The ordinance remained posted for more than five (5) consecutive days prior to the time for said public hearing on the 20th day of July, 1981.


DEANNA J. THOM, City Recorder

Subscribed and sworn to before me
this 31 day of July, 1981.


NOTARY PUBLIC, STATE OF OREGON

My commission expires: 12-4-81

ORDINANCE NO. 187

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF WILSONVILLE (APPLICATION OF WESTERN INTERNATIONAL PROPERTIES FOR A ZONE CHANGE TO THE PROPERTY KNOWN AS PARKWAY CENTER FROM RA-1 TO PDR AND PDI, TAX LOTS 1400, 1402 AND 1500, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SECTION 1, AND TAX LOTS 300 AND 400, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SECTION 12).

WHEREAS, application was filed with the Wilsonville City Recorder on behalf of primary applicant, WESTERN INTERNATIONAL PROPERTIES, for the purpose of changing the classification of zone for a parcel of real property known as Parkway Center from RA-1 (Rural Agricultural) to PDR (Planned Development Residential) and PDI (Planned Development Industrial), and joined by the ownership interest as represented by James Berrey in Tax Lot 1400, so that Tax Lot 1400, which has been previously zoned PDI, would be apportioned so as to reflect a rezoning of a part as Planned Development Residential and a part as Planned Development Industrial; and joined by ownership interests as represented by Robert Randall in Tax Lot 1402, which was previously zoned Planned Development Residential, but now applies for a density consistent with the Comprehensive Plan, although remaining as Planned Development Residential; and joined in by the ownership interests as represented by James H. and Patricia L. Green in Tax Lot 300, such that Tax Lot 300 would be zoned Planned Development Residential. The respective parties have joined in the application in order to provide a master planning approach to the total acreage of approximately 156.5 acres to

be comprehensively planned and zoned for commercial, industrial and residential uses pursuant to the reasons and in accordance with the procedures set forth in Article 6 of the Wilsonville Zoning Ordinance No. 154 and the Wilsonville Comprehensive Plan. The application fee, as required by Article 16 of Zoning Ordinance No. 154, has been paid. The description of the real property which shall be zoned PDI pursuant to Ordinance No. 154, and for which this application for zone change was filed is set forth in Exhibit "A", attached hereto, and incorporated by reference as if fully set forth herein. The description of the real property to be zoned Planned Development Residential, pursuant to Zoning Ordinance No. 154, and for which the application for a zone change was also filed, is set forth in Exhibit "B", attached hereto and incorporated by reference as if fully set forth herein;

WHEREAS, the Wilsonville City Planning Commission scheduled and held a public hearing on the matter as required by the provisions of Article 12 of said Zoning Ordinance No. 154, and said hearing was held on April 13, 1981, commencing at the hour of 7:00 o'clock p.m., at the Wilsonville City Hall. Notice of the time, place and purpose of said hearing were duly and regularly given in the manner and for the time required by the provisions of Article 13 of Zoning Ordinance No. 154. The required newspaper affidavit of publication and the City Recorder's

affidavit of mailing are on file in the City Recorder's records in the file with this zone change matter; and

WHEREAS, the Wilsonville City Planning Commission, after said hearings, reviewed the records and files of this matter and considered and discussed the submittals of the applicant and reports of the Planning staff and the public testimony given by the applicants, proponents and opponents, if any, and upon conclusion of the hearing, voted to approve the requested zone change, subject to conditions and recommended to the City Council that the change be made subject to conditions. The findings of the Planning Commission, procedures it followed, the exhibits and other evidence it considered, the conclusions it reached and recommendations it made are set forth in its resolution entitled "PLANNING COMMISSION RESOLUTION - PARKWAY CENTER ZONE CHANGE - RA-1 TO PDR AND PDI: TAX LOTS 1400, 1402 AND 1500, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SECTION 1 AND TAX LOTS 300 AND 400, TOWNSHIP 3 SOUTH, RANGE 1 WEST, SECTION 12", which was finally completed, dated as of April 13, 1981, and filed in the Planning Commission's records and filed with this zone change herein; and

WHEREAS, the City Council met at a regular session of public hearing on May 18, 1981, and reviewed the records and files in this matter and findings, conclusions and recommendations of the Planning Commission and also the reports of City staff and Planning Department and also heard and considered public testi-

mony on the matter. Western International Properties, represented by Gregory Baldwin of Zimmer, Gunsul, Frasca Partnership, Architects and Planners, appeared for the applicant and spoke as a proponent. The other ownership interests indicated their concurrence in the application by letters entered into the record. The journal of the meeting was duly kept, recording those who spoke as proponents and opponents and recording and filing of supplemental exhibits entered during the applicants' presentation. Upon conclusion of the meeting/hearing, the City Council determined the zone change request should be approved, and in support of its decision, upon motion duly made, seconded and adopted, the Council adopted the Planning Commission's findings, conclusions and recommendations as set forth in its Resolution, marked Exhibit "C", attached hereto, and incorporated by reference as if fully set forth herein, save and except the Council made the following additions, corrections and deletions: That at the time of the adoption of the formal written ordinance there shall be included therein accurate legal descriptions to define the properties intended to be included in the zone change and further define the proposed boundary line between the PDI and PDR zoning districts; same being to be the correction in response to the last paragraph of Finding 1 in the Resolution; that reference in Finding No. 3 of the Resolution should be to Zoning Ordinance No. 154 in correction of the reference to Zoning Ordinance No. 164;

that Condition of Approval No. 10 as set forth in the Resolution shall be corrected to read "the applicant will build roads to the current Public Works standards or to any alternative standards as may be approved by the City Council; that the Conditions of Approval Nos. 11 and 13, as set forth in the Resolution, shall be deleted.

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

Section 1: That the zoning map of the City of Wilsonville, dated August 26, 1980, and adopted as part of the City Zoning Ordinance No. 154, adopted on the same date, shall be and the same is hereby amended and changed so that the zone boundaries of the City's PDI (Planned Development Industrial) zone shall now include the real property hereinabove described as set forth in Exhibit "A" and that the City's PDR (Planned Development Residential) zone shall now include the real property hereinabove described and set forth in Exhibit "B", and upon final reading and enactment of this Ordinance, said property shall thereupon be classified as PDI (Planned Development Industrial) and PDR (Planned Development Residential), respectively and not as RA-1 (Rural Agricultural) zone.

Section 2: The zone change is approved, subject to full compliance with all of the conditions set forth in Exhibit "C", the Planning Commission Resolution, said conditions being subject to the following amendments:

1. The aforementioned legal descriptions as set forth in Exhibit "A" and Exhibit "B", attached hereto, accurately define the properties intended to be included in the zone change and, further, define the proposed boundary line between the PDI and PDR zoning districts;
2. The first paragraph of Finding No. 3 on page 4 of the Resolution is amended so that the reference to the Zoning Ordinance is 154, not 164;
3. Condition of Approval No. 10, as set forth on pages 15 and 16 of the Resolution, shall now read: "The applicant will build roads to the current Public Works standards or to any alternative standard as may be approved by the City Council;
4. Conditions of Approval Nos. 11 and 13, as set forth on page 16 of the Resolution, shall be deleted.

Section 3: The Mayor, attested by the City Recorder, is hereby authorized and directed to make the appropriate changes on the City Zoning Map in compliance with the dictates of Section 1 of this Ordinance.

Section 4: It being determined by the Wilsonville City Council that under the circumstances of the current negative economic climate, it is in the interest of the citizens of the City of Wilsonville that development of Parkway Center commence, and the applicants have indicated that there is a very limited time frame for them to obtain favorable financing for

their project. Therefore, it is concluded that an emergency does exist, and this Ordinance shall take effect immediately upon final reading and passage by the Wilsonville City Council.


Submitted to the Council and read the first time at a regular meeting thereof on the 7th day of July, 1981, and scheduled for second reading at a regular meeting of the Council on the 20th day of July, 1981, commencing at the hour of 7:30 o'clock p.m., at the Wilsonville City Hall.


Deanna J. Thom, City Recorder

ENACTED by the Council on the 20th day of July, 1981,
by the following votes: YEAS 5 NAYS 0.


Deanna J. Thom, City Recorder

DATED and signed by the Mayor this 21st day of July,
1981.


William G. Lowrie, Mayor



LEGAL DESCRIPTION

CGF003
5/22/81

INDUSTRIAL/COMMERCIAL AREA

Parcel 1

The Southwest one-quarter of the Southwest one-quarter of Section 1, Township 3 South, Range 1 West of the Willamette Meridian in Washington County, Oregon.

EXCEPT THEREFROM that portion under lease to Burns Brothers, Inc., an Oregon Corporation, recorded November 22, 1968, in Book 724, page 909, and excepting that portion lying within the boundaries of Elligsen Road.

Parcel 2

A portion of the Southeast one-quarter of the Southwest one-quarter of Section 1, Township 3 South, Range 1 West of the Willamette Meridian in Washington County, Oregon, more particularly described as follows:

BEGINNING at the Southwest corner of said legal subdivision; thence North $0^{\circ}12'35''$ East along the West line thereof a distance of 798.77 feet to a point on the North right-of-way line, as constructed, of the Portland General Electric Company 230 KV Transmission Line from McLoughlin to Sherwood; thence South $89^{\circ}52'32''$ East along said North line 546.11 feet; thence South 797.78 feet to a point on the South line of Section 1; thence North $89^{\circ}58'42''$ West along said South line 549.03 feet to the point of beginning.

Parcel 3

The North one-half of the Northwest one-quarter of Section 12, Township 3 South, Range 1 West of the Willamette Meridian in Clackamas County, Oregon.

EXCEPT THEREFROM the following described tract:

BEGINNING at the North one-quarter corner of said Section 12; thence North $89^{\circ}58'42''$ West along the North line of Section 12 a distance of 1330.81 feet to the Northwest corner of the Northeast one-quarter of the Northwest one-quarter of said Section 12; thence South 45° West 490.00 feet; thence South 53° East 535.00 feet; thence South $89^{\circ}58'42''$ East, parallel with the North line of Section 12, a distance of 755 feet, more or less, to a point in the West line of that certain tract conveyed to Louis Bruck, et al, by deed recorded February 19, 1957 in Book 322, page 214, Deed Records; thence Southerly along said West line 620 feet, more or less, to the North line of Wiedeman Road; thence Easterly along said North line 495 feet, more or less, to the East line of the Northwest one-quarter of Section 12; thence Northerly along said East line 1290 feet, more or less, to the point of beginning, and further excepting that portion within public roads.



LEGAL DESCRIPTION

CGF003
5-22-81

RESIDENTIAL AREA

Parcel 1

A tract of land situated in the Southwest one-quarter of Section 1, Township 3 South, Range 1 West of the Willamette Meridian in Washington County, Oregon, more particularly described as follows:

BEGINNING at the South one-quarter corner of said Section 1; thence North $89^{\circ}58'42''$ West along the South line of Section 1, a distance of 781.78 feet; thence North 797.78 feet to a point on the North right-of-way line, as constructed, of the Portland General Electric Company 230 KV Transmission Line from McLoughlin to Sherwood; thence North $89^{\circ}52'32''$ West along said North line 546.11 feet to a point in the West line of the Southeast one-quarter of the Southwest one-quarter of said Section 1; thence North $0^{\circ}12'35''$ East along said West line 505.72 feet to a point on the south line of S.W. Elligsen Road; thence East along said South line a distance of 500.06 feet to the Northwest corner of a tract conveyed to Elbert Ohling by deed recorded November 4, 1908 in Book 81, page 170, Deed Records; thence South along the West line of said Ohling tract 194.50 feet to the Southwest corner thereof; thence East along the South line of said Ohling tract 396.00 feet to a point in the West line of that tract conveyed to the City of Wilsonville by deed recorded December 9, 1969 in Book 764, page 863, Deed Records; thence South along said West line and the extension thereof, a distance of 184.25 feet; thence East 214.75 feet; thence North 378.75 feet to a point on the South line of Elligsen Road; thence East along said South line 216.48 feet to a point on the East line of the Southwest one-quarter of Section 1; thence South $0^{\circ}03'20''$ West along said East line 1304.99 feet to the point of beginning.

DCN

LEGAL DESCRIPTION
PARCEL 2
RESIDENTIAL AREA

CGF003
5-22-81

A tract of land situated in the Northwest one-quarter of Section 12, Township 3 South, Range 1 West of the Willamette Meridian in Clackamas County, Oregon, more particularly described as follows:

BEGINNING at the North one-quarter corner of said Section 12; thence North $89^{\circ}58'42''$ West along the North line of Section 12 a distance of 1330.81 feet to the Northwest corner of the North-east one-quarter of the Northwest one-quarter of said Section 12; thence South 45° West 490.00 feet; thence South 53° East 535.00 feet; thence South $89^{\circ}58'42''$ East, parallel with the North line of Section 12, a distance of 755 feet, more or less, to a point in the West line of that certain tract conveyed to Louis Bruck, et al, by deed recorded February 19, 1957 in Book 322, page 214, Deed Records; thence Southerly along said West line 620 feet, more or less, to the North line of Wiedeman Road; thence Easterly along said North line 495 feet, more or less, to the East line of the Northwest one-quarter of Section 12; thence Northerly along said East line 1290 feet, more or less, to the point of beginning.

PLANNING COMMISSION RESOLUTION

PARKWAY CENTER ZONE CHANGE

RA-1 TO PDR AND PDI

TAX LOTS 1400, 1402 AND 1500, T3S-R1W, SECTION 1
AND TAX LOTS 300 AND 400, T3S-R1W, SECTION 12

WHEREAS, Western International Properties, represented by Gregory Baldwin of Zimmer, Gunsul, Frasca Partnership, Architects and Planners, have submitted planning exhibits for a Zone Change from RA-1 to PDR and PDI in accordance with the procedures set forth in Wilsonville Zoning Ordinance No. 154, and

WHEREAS, said planning exhibits were considered by the Planning Commission at a regularly scheduled meeting conducted on April 13, 1981, at which time said exhibits, together with findings and public testimony, were entered into the public record, and

WHEREAS, the zone change is for the purpose of establishing Planned Development standards for the Parkway Center in compliance with the Comprehensive Plan and Article 6 of the Wilsonville Zoning Ordinance No. 154, and

WHEREAS, the Wilsonville Planning Commission deems it appropriate to conditionally approve the Zone Change as requested.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Wilsonville Planning Commission does hereby approve and recommend to the City Council adoption of the Zone Change from RA-1 to PDR and PDI on the property as herein described.

BE IT FURTHER RESOLVED that the Planning Commission does hereby approve the Stage I submittal documents and does further recommend approval of the request with the condition that said Zone Change be for the purpose of authorizing the applicant to proceed with Stage II Final Development Plans for Parkway Center and that Stage II documents for the first phase of development be filed with the Planning Commission within a period not to exceed one year from the date of the City Council's adoption of the Ordinance amending the Zoning Map.

FINDINGS

The following findings are hereby adopted by the Planning Commission and entered into the public record as confirmation of its consideration of the planning exhibits as submitted in compliance with the Comprehensive Plan and Zoning Regulations.

1. That the subject property is located in the southeast quadrant of the I-5 Stafford

Interchange and includes the area between the northern boundary of Tektronix and Elligsen Road from Parkway Avenue to the eastern City limit line excluding the existing Burns Bros. Complex.

It is noted by the Planning Commission that the applicant's report document indicates the site contains approximately 200 acres, however, the formal application and legal document submitted define an area that contains only 156.5 acres.

The reason for this discrepancy in acreage is that the Elligsen property which contains 33+ acres was included in the original plan preparation, but excluded from the formal zone change request.

It is further noted by the Planning Commission that the legal descriptions submitted do not accurately define the properties intended to be included in the zone change and further, do not define the proposed boundary line between the PDI and PDR zoning districts.

2. That the City of Wilsonville Comprehensive Plan designates the western portion of the property as Industrial Park and the eastern portion as Residential, 12 to 20 dwelling units per acre.

With the exception of Tax Lots 1400 and 1402, the subject property is currently zoned RA-1. Tax Lot 1400 was previously zoned PDI and Tax Lot 1402 was previously zoned PDR with an allowable density of 7 to 12 units per acre.

The Planning Commission further finds that the subject parcel is designated as an Area of Special Concern (Area No. 1).

The Plan includes the following language: "Ideally the entire area would be developed under a common Master Plan developed jointly by all the property owners in the City . . . specific concerns for this area are related to transportation, land use and an environmental community and design issues. Each development of this area shall be consistent with or complementary to the following objectives:

Transportation Objectives

1. Reduce congestion at the I-5 Stafford Interchange including conflicts between the Freeway on-off ramps and Parkway Avenue. Proposed development should carefully consider total auto oriented trips generated and/or attracted to or from this area.
2. Provide a balanced mix of activities which encourage local employees to reside in Wilsonville, thereby increasing the potential, shortening and consolidation of home base auto oriented trips, while encouraging use of alternate modes of travel, i.e., public transit, bus pool, van pool, car pool, bicycle, pedestrian, etc.
3. Design and locate housing and employment activities to support public transit and ride-share programs.

Land Use and Development Objectives

1. Provide for a range of industrial and commercial uses which will increase and diversify employment opportunities for residents of the area.
2. Provide for the development of housing of sufficient numbers in price rent levels which will meet the economic, social and physical needs of the area employees.
3. Provide for commercial development near the I-5 Stafford Interchange to serve Freeway oriented needs as well as to compliment nearby industrial activities. Such uses should not compete with retail markets intended to be served by the City Center and therefore, a shopping center type of development is not intended.
4. Maintain compatible relationships between industrial, commercial and residential uses.
5. Maintain a quality visual image of the City from the Freeway and avoid a commercial appearance.

Access and buildings and signing should be oriented to the interior portions of the area rather than the Freeway perimeter.

Environmental Resources and Community Design Objectives

1. Capitalize on the special development opportunities provided by existing topography and natural vegetation. Concentrate sensitive residential uses in areas where privacy may be provided by natural vegetation and topographic variety.

2. Minimize the disruptive and incompatible impacts of the high voltage power lines which transverse the area. Housing should be located away from the power line easements and assigned less sensitive uses, e.g., short term parking, storage and open space which may effectively utilize areas adjacent to and within the power line easements.

3. Future development should be designed and located so as to soften the intense appearance of the existing truck stop."

The Commission further finds that the applicant's Master Plan and Development report adequately address these concerns. (Page 33 and 34 of Development Study document).

3. That Section 5.02.C.2 of Zoning Ordinance No. ~~164~~ requires that any residential development located in a designated Area of Special Concern be reviewed as a Planned Development.

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The Commission further notes that the applicant is proposing a mixed development with both Planned Development Industrial and Planned Development Residential zoning.

4. That the Comprehensive Plan states the Plan shall be administered through case-by-case zoning and Site Plan review procedures and that the purpose of case-by-case review

is to apply the general plan goals, objectives and policies to specific properties and development proposals . . . specific zoning objectives are as follows: To provide a case-by-case analysis of impacts on public facilities and services and to determine specific conditions in terms of phasing of development related to needed facility improvements. To provide for site impact analysis related to specific development proposals.

Urbanization

5. That Objective 2.1.6 of the Comprehensive Plan states as follows: "Allow zoning to proceed when services are scheduled but allow actual development only when public services and facilities are available."

The Planning Commission further finds that the Comprehensive Plan includes a note which reads as follows: "It is the basic premise of this plan that the purpose of designated urban land is to provide for needed housing and employment, therefore, while public facilities are used as a controlling factor in growth management, it is not the intent of this plan to place a priority on the provision of public facilities and services over that of providing for housing and employment, rather it is the intent of the plan to seek a balance of these factors by insuring that a reasonable service level of public facilities is maintained to support urban growth.

6. That the subject property is located within the City's immediate growth boundary, but the eastern portion of the property is designated as a secondary growth area. The Comprehensive Plan states the secondary growth area has been established as a temporary growth control based on the need for major water or sanitary sewer lines extensions and/or on significant service level constraints of existing roads or storm drainage. Development master plans and subdivision plats may be approved within this area but site development will be restricted to the service level capacities of the existing primary facilities until such

time as urban level services are provided. The approval of development plans and subdivision plats in secondary growth areas with phased development controls provide specific service demand information which is needed for efficient public facility and capital improvement planning.

Public Facilities

7. That Objective 3.1 of the Comprehensive Plan states that urban development should be allowed only in areas where necessary services can be provided. Objective 3.4 requires that primary facilities be available or under construction prior to issuance of Building Permits.

The Commission further finds that the Comprehensive Plan states that primary facilities and services are those which significantly impact public health and safety and are directly linked to the land development process in terms of service capacity, location and design, or directly affect public health and safety. Therefore, adequate provisions must be made for these facilities and services prior to or simultaneously with urban level development. These facilities and services include sanitary sewer and water, roads, storm drainage, police and fire protection.

8. That Policy 3.1.4 of the Comprehensive Plan requires all future urban level development to be served by the City Sanitary Sewer system.

9. That only a minor portion of the subject property can be adequately served by the existing 10" sanitary sewer line located in Parkway Avenue.

The proposed Sewer System Master Plan prepared by Westech Engineering indicates that a new 12" line will have to be extended west from the 10" line in Parkway Avenue at the north property line of Tektronix to divert flows and provide adequate sewer capacity for the western portion of the property.

The eastern portion of the property will require extension of the Boeckman Creek trunkline.

The Planning Commission further finds that while these facilities are not currently available, they can be planned and provided consistent with a phased development schedule for the proposed development.

10. That City water can be provided to the northern and western portions of the site by existing 14" lines in Elligsen Road and Parkway Avenue. The proposed Water System Master Plan prepared by Westech Engineering indicates that the eastern portion of the property would be served by a 20" line down the eastern City limit line which would then extend south through Tektronix' property to Boeckman Road ultimately completing a loop from the reservoir to Boeckman Road to Parkway Avenue and to Elligsen Road.

The phased development of the subject property will provide internal loops consistent with the Water System Master Plan and Public Works Standards.

The Commission further finds that the City's existing water system has adequate water capacity to serve at least the first phase of development and that the completion of the fourth well currently under construction will provide adequate water service for continued development of the subject property as well as other areas of the City.

11. Primary access to the site will be from Elligsen Road and Parkway Avenue. A secondary north-south collector from Parkway Avenue to Boeckman Road is also proposed consistent with the City's Street Master Plan.

The Applicant's submittal documents further identify the realignment of Parkway Avenue to the east of the existing Burns Bros. development. This alignment is

consistent with the Street System Master Plan and will help to reduce the impacts of traffic congestion and turning maneuvers at the Stafford - I-5 Interchange.

The realignment of Parkway Avenue has been designed with a minimum 400 foot radius on the curves consistent with recommendations by Carl Buttke, the City's Consulting Traffic Engineer.

It is noted by the Planning Commission that the proposed realignment of Parkway Avenue is designed with a one-way south-bound lane remaining of the old Parkway alignment. There is a need for careful engineering of the intersection with the realigned portion of Parkway Avenue at the south end of the Burns Bros. property.

The Commission further notes that the double curvilinear design of the realigned section of Parkway to the east of the Burns Bros. property should also be carefully engineered for efficient traffic flow through the commercial section of the development and for the intersection with the north-south collector (extension of Canyon Creek Road).

The Commission notes that the proposed double curve alignment provides for a slowing of traffic through this area which would help to minimize problems with various turning maneuvers along this section of the road.

The Commission further finds that Carl Buttke states that if a raised median is to be used on Parkway Avenue, the single travel lanes must be a minimum 18 feet wide to allow for truck maneuvering and turning. Curb returns should also be a minimum 40 - 45 foot radius.

The Commission further finds that the provision of the Parkway realignment will be a major controlling factor in the phasing of development of the subject property.

12. The applicant has submitted proposed standards which differ from those recommended in the Public Works Standards.

The Commission further notes, however, that the Planning staff is currently developing detailed street section standards for formal adoption as part of the proposed Capital Improvements Program.

The Planning Commission finds that since the City is currently in the process of re-evaluating recommended street standards for formal adoption that detailed design of streets within the subject development be deferred until such time as new standards are adopted.

The Commission further encourages the applicant to work with the City in formalizing the design of the street sections that affect the subject property. Specific street standards shall be adopted prior to or simultaneous with Phase I, Stage II Development Plans.

13. That the applicant's submittal document identifies the provision of a community parking area consisting of approximately 2.6 acres in the northwest portion of the subject property with access directly to the realigned section of Parkway Avenue.

In conjunction with the community parking area, the applicant is also proposing establishment of maximum parking ratios for commercial and industrial uses. They are:

Industrial - one space per 800 square feet.

Office Commercial - one space per 500 square feet.

Service Commercial - one space per 500 square feet.

The Planning Commission further notes that these maximum parking ratios must be supported by adequate mass transit provision

together with other ride-share programs and alternative modes of transportation.

The applicant's Master Plan also identifies the provision of pathways, bikeways, and sidewalks throughout the entire Plan area, indicating that non-vehicular access will be provided to all lots within the development.

14. That Policy 3.3.8 of the Comprehensive Plan states: "The City recognizes that extensive upgrading of mass transit service to Wilsonville is not likely in the near future . . . and that the State Highway Department has expressed concern over maintaining reasonable service levels on the I-5 Freeway. Therefore, the City shall:

A. Review all land-use development proposals with regard to transportation impacts. All development proposals shall be required to submit a transportation impact analysis.

B. Seek to minimize traffic congestion at the Freeway Interchanges as well as on local arterial and collector streets.

C. Seek to reduce the number and length of home-to-work trips.

D. Seek a balanced mix of activities which encourage consolidation of automobile oriented trips and encourage design and location of complimentary activities that support public transit, ride-share programs and use of other alternate modes of transportation.

E. Require large developments and high employment and/or traffic generators to design for mass transit and to submit programs to the City indicating how they will reduce transportation impacts. All such proposals shall be subject to review by Tri-Met and ODOT. Maximum parking limits may also be imposed."

The Commission further finds that the applicant has submitted a Master Plan identifying a total mixed use development including residential, commercial and industrial development. As noted in the applicant's submittal documents, concentration of employment intensive businesses and the mix of employment and residential uses are intended to provide a built environment which can be readily served by transit. This land-use pattern also provides opportunities to consolidate trips and reduce the length of home base-to-work trips.

The provision of bicycle and pedestrian pathways will encourage a reduction in auto-oriented trips and, when coupled with ride-share programs, and mass transit, as available, provides an opportunity to significantly reduce impacts on the I-5 Interchange as well as local streets.

The Commission further finds that the applicant's Master Plan is well designed and provides an excellent opportunity to meet the intent of the Comprehensive Plan in minimizing transportation impacts through mixed use development.

15. That the applicant has not submitted a detailed Storm Drainage Plan although the development's study document indicates that there are two basic storm drainage design alternatives which will be coordinated with the City's Storm Drainage Master Plan.

The majority of the subject property drains to the east into Boeckman Creek with a portion draining west ultimately to Seely Ditch. The applicant has indicated that regardless of which alternative is used on-site retention will be provided for any drainage flowing west to Seely Ditch.

It is noted by the Planning Commission that it is appropriate to submit detailed Drainage Plans as part of the Stage II submittal requirements.

16. That adequate police and fire protection can be provided to the subject

property consistent with a phased development program.

The Commission further finds that the Tualatin Fire District will have an opportunity to review each phase of development when submitted.

Parks and Open Space

17. That Policy 4.5.1.A of the Comprehensive Plan states that major natural drainageways and environmentally sensitive areas and significant stands of trees or other vegetation shall be designated Willamette Greenway Flood Plain or open space. Development in the Greenway and Flood Plain areas will be controlled through a Conditional Use and Design Review process.

Open space is intended to remain undeveloped and may be used toward satisfaction of open space requirements. A density credit of not more than 10% of the open space area will, however, be allowed.

18. That the applicant's submittal documents identify the provision of generous open space throughout the project including established setbacks from the public streets. The proposed design standards are intended to provide a variety of visual experiences as one passes through the development while providing a visual continuity or visual framework for the entire Parkway Center.

Both passive and active recreation opportunities will be developed including an area specified for commercial recreation.

It is noted by the Planning Commission that because of the joint master planning of the subject properties by various property owners that detailed site planning is not provided at this point. The design objectives included in the submittal documents do, however, provide a basis for incremental development of the property within the zoning districts while still lending continuity to the overall design.

19. That there is no flood plain or Greenway within the proposed development. However, high-powered transmission lines do traverse the subject property.

The Commission further finds that Policy 4.5.1.B of the Comprehensive Plan states "Due to potential hazards to human health, the high voltage power line easements within the City shall be designated as open space. Any development adjacent to the easements will be carefully viewed and no residential developments will be allowed within 250 feet of the outside phases of a power line or multiple line configuration.

Any proposed development within the power line easement shall be coordinated with and approved by the Bonneville Power Administration or Portland General Electric Company depending on easement ownership."

20. That the applicant's proposal includes a dual Design Review process whereby property owners of Parkway Center will establish a review committee which will review and make recommendations to the City's Design Review Board for all proposed developments within the Master Planned area.

The applicant has also submitted a draft list of protective covenants to insure that the Parkway Center develops and maintains an attractive park-like development for commercial and industrial enterprises.

It is noted by the Commission, however, that the covenants do not appear to apply to the residential area.

The Commission recognizes the majority of the designated residential area is under a separate ownership from the primary applicant's. While Western International Properties coordinated the master planning with adjacent property owners, they do not have a controlling interest in the adjacent properties and, therefore, will not control development of these areas. Therefore, it will be the responsibility of the respective property owners within the residential areas to develop appropriate codes, covenants and restrictions to guide residential development compatible with the design objectives established for the Parkway Center.

21. That the applicant's submittal documents adequately address relevant LCDC goals

and that consistent with a phased development schedule, coordinated with the provision of adequate public facilities, the proposed development is in complete compliance with the City's Comprehensive Plan.

The Commission further finds that to insure orderly and efficient development of the subject property, each respective phase of development must be provided with adequate primary public facilities including sanitary sewer, water, roads, storm drainage, police and fire protection. These facilities must be available prior to or simultaneous with each respective phase of development.

CONDITIONS OF APPROVAL

The following Conditions of Approval are hereby adopted by the Planning Commission and recommended to the City Council for its consideration as part of the Zone Change request.

1. That this Zone Change will expire within two years of final approval by the City Council if substantial development has not occurred.

2. That within a period of one year from the date of adoption of the Ordinance amending the Zoning Map, the applicant submit to the Planning Commission Stage II Final Development Plans for the first phase of development.

Stage II documents shall be consistent with the conceptual Master Plan and identify the specific alignment and street standard sections for Parkway Avenue and the north-south collector to Boeckman Road (extension of Canyon Creek Road).

3. That the phasing of this development be consistent with the City's growth management policies and Capital Improvement programming. Adequate primary facilities as defined in the Comprehensive Plan shall be available to serve each respective phase of development. If adequate facilities do not currently exist, at the time of submittal for Stage II Plan approval they must be planned, scheduled and funded

for improvement prior to issuance of Building Permits. Occupancy Permits will be withheld until such time as the needed public facilities have been constructed and are available to service development.

4. That the applicant waive right of remonstrance against any proposed local improvement district which may be formed to construct public improvements which would serve the subject property.

5. That the applicant or respective property owner within the established zoned districts submit at Stage II appropriate CC&R or Homeowners' Association By-Laws to insure orderly development of the property consistent with the Parkway Center Master Plan and to insure proper maintenance of any common areas proposed.

6. That Stage II Development Plans identify appropriate dedication of public rights-of-way for street improvements, detailed pedestrian pathway plans and appropriate dedications for designations of common open space areas, together with a proposed method of maintenance for any common areas.

7. That Stage II documents include a proposed Transportation System Management program which has been coordinated with the City, Tri-Met and ODOT.

8. That the applicant's Stage I submittal documents including Land Use Master Plan, design objectives and standards as set forth in the report entitled "The Parkway Center Development Study" dated February 12, 1981, prepared by Zimmer, Gunsul, Frasca Partnership, et al. for Burns Bros., et al., and the slide presentation be adopted as Conditions of Approval.

9. The Conditions in this Approval and Stage I commitments will endure to subsequent property owners.

10. The applicant will build roads to the current Public Works Standards or

such reduced standards only if approved by the City Engineer and the Planning Commission.

11. Development of street improvements and traffic control shall be sufficient to maintain traffic at Service Level B before incremental development may be occupied, until the ultimate limits of the Master Street Plan dictate a poorer service level. Intermediate service levels of C or worse will not be allowed if they can be avoided by proper capital improvements.

12. The applicant submit a detailed Storm Drainage Plan and Concept Master Path Plan with the first phase of Stage II.

13. Stage I is conditionally approved for all PDR. To satisfy the Stage I requirements the applicant must submit a plan on how to handle traffic, the treatment of power line easements, sample CC&R's that will guide the development of the residential property and a Path Plan which will look towards a north-south transversal of the property along the eastern boundary for pedestrian, equestrian and bicycle traffic and cover the pedestrian and bicycle traffic to the other intermediate areas of the Plan.

14. Full road right-of-ways must be dedicated by Stage II unless requested earlier by the City.

EXHIBITS

The following exhibits are hereby entered into the public record by the Planning Commission as confirmation of its consideration of the application as submitted.

1. City of Wilsonville Comprehensive Plan.
2. City of Wilsonville Zoning Ordinance No. 154, Map and Text.
3. Proposed City of Wilsonville Sanitary Sewer and Water System Master Plans prepared by Westech Engineers.
4. Applicant's submittal documents.
5. Applicant's slide presentation.

6. Letters from Berrey, Paul Yang of Robert Randall Company, Jack Burns and James and Patricia Green.

ACTION TAKEN AT PLANNING COMMISSION MEETING OF APRIL 13, 1981:

Rich Drew moved to approve the Planning Commission Resolution as drafted by staff on the Parkway Center Zone Change from RA-1 to PDR and PDI and from PDR to PDR on a portion of Tax Lot 1400 to a higher density as outlined in the Comprehensive Plan with the following amendments and additions:

That Finding 2 be amended to read as follows: Add the following paragraph after the first paragraph.

With the exception of Tax Lots 1400 and 1402, the subject property is currently zoned RA-1. Tax Lot 1400 was previously zoned to PDI and Tax Lot 1402 was previously zoned PDR with an allowable density of 7 to 12 units per acre.

Add Condition of Approval 9:

9. The Conditions in this approval and Stage I commitments will endure to subsequent property owners.

Add Condition of Approval 10:

10. The applicant will build roads to the current Public Works Standards or such reduced standards only if approved by the City Engineer and the Planning Commission.

Add Condition of Approval 11:

11. Development of street improvements and traffic control shall be sufficient to maintain traffic at Service Level B before incremental development may be occupied until the ultimate limits of the Master Street Plan dictate a fuller service level. Intermediate service levels of C or worse will not be allowed if they can be avoided by proper capital improvements.

Add Condition of Approval 12:

12. The applicant submit a detailed Storm Drainage Plan and Concept Master Path Plan with the first phase of Stage II.

Add Condition of Approval 13:

13. Stage I is conditionally approved for all PDR. To satisfy the Stage I requirements the applicant must submit a plan on how to handle traffic, the treatment of power line easements, sample CC&R's that will guide the development of the residential property and a Path Plan which will look towards a north-south transversal of the property along the eastern boundary for pedestrian, equestrian and bicycle traffic and cover the pedestrian and bicycle traffic to the other intermediate areas of the Plan.

Add Condition of Approval 14:

14. Full road right-of-ways must be dedicated by Stage II unless requested earlier by the City.

Bill Stark seconded the motion. Rich Drew amended the motion by adding to Condition of Approval 8 the following after the word "standards":

"as set forth in the report entitled "The Parkway Center Development Study" dated February 12, 1981, prepared by Zimmer, Gunsul, Frasca Partnership, et al. for Burns Bros., et al. and the slide presentation . . .".

And by adding Exhibit 5:

5. Applicant's slide presentation.

And by adding Exhibit 6:

6. Letters from Berrey, Paul Yang of Robert Randall Company, Jack Burns and James and Patricia Green.

Bill Stark seconded the amendment to the motion. Helen Burns called for the question. The amendment to the motion passed 5-0. The motion was approved 3-2 with Helen Burns and Marian Wiedemann voting against.