

ORDINANCE NO. 558

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A COMPREHENSIVE PLAN MAP AMENDMENT FROM RESIDENTIAL 16 – 20 DWELLING UNITS PER ACRE TO INDUSTRIAL AND APPROVING A ZONE MAP AMENDMENT FROM PLANNED DEVELOPMENT RESIDENTIAL – 6 (PDR-6) TO PLANNED DEVELOPMENT INDUSTRIAL (PDI) TOGETHER WITH A MODIFICATION OF THE PARKWAY CENTER MASTER PLAN ON TAX LOT 800 OF SECTION 1CD, T3S-R1W, CITY OF WILSONVILLE, WASHINGTON COUNTY, OREGON, BERREY PROPERTIES, APPLICANT.

WHEREAS, Berrey Properties has requested a Comprehensive Plan Map amendment and a Zone Map amendment for the northern 6.3 acres of Tax Lot 800, Section 1CD, T3S-R1W, City of Wilsonville, Washington County, Oregon; and

WHEREAS, the Wilsonville Planning Staff analyzed the requests and prepared a staff report, with conditions, to the Development Review Board dated August 11, 2003, wherein they reported that the request is consistent with and meets requirements for approval of a Comprehensive Plan Map Amendment, Zone Map Amendment, and a Master Plan modification and recommended approval with conditions, and

WHEREAS, the Development Review Board Panel A held public hearing on these requests on August 11, 2003, and after taking testimony, gave full consideration to the matter and recommended approval with conditions of the requests on August 11, 2003, and

WHEREAS, the Wilsonville City Council, on September 15, 2003, held a public hearing regarding the above-described matter, took testimony and concludes that the proposed Comprehensive Plan Map Amendment, Zone Map Amendment and Parkway Center Master Plan Modification meet the relevant approval criteria.

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

SECTION 1. FINDINGS. The City Council adopts the above- recitals as findings of fact and also adopts as findings the supplemental Planning Division staff report to the City Council dated September 15, 2003, attached hereto as (Exhibit B) and the Development

Review Board's recommendation and adopted staff report dated August 11, 2002, attached hereto as (Exhibit A) which Exhibits are incorporated herein as if fully set forth.

SECTION 2. ORDER.

a. The Comprehensive Plan Land Use Map for the 6.3 acres of the subject property is hereby amended from Residential 16 - 20 Dwelling Units Per Acre to Industrial and the Parkway Center Master Plan is modified from Residential to Industrial on Tax Lot 800 of Section 1CD, T3S-R1W, Wilsonville, Washington County, Oregon.

b. The official City of Wilsonville Zone Map for the 6.3 acres of the subject property is hereby amended in Zoning Order 03DB11, attached hereto, from Planned Development Residential - 6 to Planned Development Industrial on Tax Lot 800 of Section 1CD, T3S-R1W, Wilsonville, Washington County, Oregon.

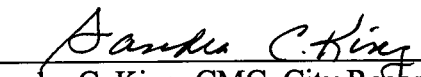
c. The City Council adopts as conditions of approval those conditions described in Exhibit A, pages 22 through 28 of 113.

SUBMITTED to the Wilsonville City Council and read the first time at a regular meeting thereof on the 15th day of September, 2003, and scheduled for second reading at a special meeting thereof on the 29th day of September, 2003 commencing at the hour of 7 p.m. at the Wilsonville Community Center.



Sandra C. King, CMC, City Recorder

ENACTED by the City Council on the 29th day of September 2003, by the following
votes: Yeas: -5- Nays: -0-



Sandra C. King, CMC, City Recorder

DATED and signed by the Mayor this ^{30th} day of September, 2003



CHARLOTTE LEHAN, MAYOR

SUMMARY OF VOTES:

Mayor Lehan	Yes
Councilor Helser	Yes
Councilor Kirk	Yes
Councilor Holt	Yes
Councilor Scott Tabb	Yes

**BEFORE THE CITY COUNCIL OF THE
CITY OF WILSONVILLE, OREGON**

In the Matter of the Application of)
Berrey Properties)
for a rezoning of land and amendment of) **ZONING ORDER 03DB11**
the City of Wilsonville Zoning Map)
incorporated in Section 4.102 of the)
Wilsonville Code.)

The above-entitled matter is before the Council to consider the application of Berrey Properties, for a Zone Map Amendment and an order amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code,

It appears to the Council that the property, which is the subject of this application, is described as follows:

The northern 6.3 acres of Tax Lot 800 of Section 1CD, T3S-R1W, Washington County, Oregon, and such property has heretofore appeared on the official Zoning Map as *Planned Development Residential – 6*.

The Council has heard and considered all matters relevant to the application, including the Staff Report to the City Council (Exhibit 1) dated September 15, 2003 and the Development Review Board adopted resolution and staff report (Exhibit A) dated August 11, 2003, and minutes, including conditions of approval:

NOW THEREFORE THE CITY COUNCIL ORDERS as follows:

1. This action approves a Zone Map Amendment of the 6.3 acres as described above. The entire site shall be “Planned Development Industrial” - (PDI) on the Zone Map.

2. The applicant shall be bound by the following conditions of approval as approved by the Development Review Board and hereby adopted by the Council:

1. This action recommends to the City Council adoption of the Zone Map Amendment for the property subject to the applicant’s requests on Tax Lot 800 of Section 1CD, T3S, R1W as entered into the record on August 11, 2003. The Zone Map Amendment approval (Request B) designates the 6.3-acre portion of the subject property with a current Zone Map designation of Planned Development Residential – 6 (PDR-6) as Planned Development Industrial (PDI).

Approval of this request is contingent upon City Council's approval of the companion Comprehensive Plan Map amendment, Ordinance No. 558.

2. The applicant's use of the subject property shall conform to the industrial uses as specified in the City's Development Code.

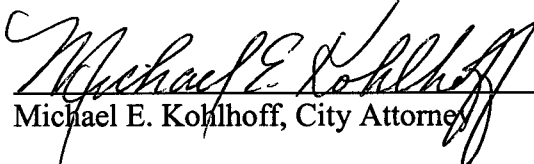
3. The Council further finds that the application shall be approved, and such rezoning is hereby declared an amendment to the Wilsonville Zoning Map (Section 4.102WC) and shall appear as such from and after entry of this Order.

Dated: This 29th day of September 2003.



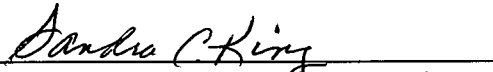
CHARLOTTE LEHAN, MAYOR

APPROVED AS TO FORM:



Michael E. Kohlhoff, City Attorney

ATTEST:



Sandra C. King, CMC, City Recorder

**PLANNING DIVISION
STAFF REPORT 03DB11**

TO: Mayor Lehan and City Council

FROM: Blaise Edmonds, Manager of Current Planning
Paul Cathcart, Associate Planner

DATE: City Council Public Hearing, September 15, 2003

Applicant: Berrey Properties

Request: The applicant is seeking approval of a Comprehensive Plan Map and Zone Map amendment of the northern 6.3 acres of Tax Lot 800, Section 1CD located at the southwest corner of SW Elligsen Road and Canyon Creek Road. The applicant also seeks approval to amend the Parkway Center Master Plan from residential to industrial to allow the development of two industrial buildings of approximately 72,550 square feet in combined floor area. Under the applicant's proposal, the Comprehensive Plan Map designation would change from its current Residential 16 - 20 dwelling units per acre to Industrial. The Zone Map designation would change from Planned Development Residential - 6 (PDR-6) to Planned Development Industrial (PDI).

SUMMARY:

On August 11, 2003, Panel A of the Development Review Board recommended approval of the proposed Comprehensive Plan Map amendment, Zone Map amendment and Parkway Center Master Plan modification.

The Development Review Board voted 3-0 to approve the proposed Comprehensive Plan Amendment, Zone Map Amendment and the Master Plan modification. The findings and conclusions in Exhibit 'A' (*original staff report with proposed findings and conditions of approval*) support the Development Review Board decision for approval.

In its motion to approve the applicant's request to amend the Parkway Center Master Plan, the Development Review Board required the applicant to supply to the City's Planning Division, for inclusion in record, response findings to the following subsections of Development Code Criteria:

Subsections 4.140(.07):

- A.4. State whether the development will include mixed land uses, and if so, what uses and in what proportions and locations.
- B.3. A tabulation of the land area to be devoted to various uses, and a calculation of the average residential density per net acre.
- B.4. A stage development schedule demonstrating that the developer intends to receive Stage II approval within two (2) years of receiving Stage I approval....

- B.5. A commitment by the applicant to provide in the Final Approval (Stage II) a performance bond or other acceptable security for the capital improvements required by the project.
- B.6. If it is proposed that the final development plan will be executed in stages, a schedule thereof shall be provided.
- B.7. Statement of anticipated waivers from any of the applicable site development standards

The applicant has complied with this motion. See Attachments to 1 and 2 to this staff report.

The Development Review Board adopted staff recommendations and findings included as Exhibit A of proposed Ordinance No. 558.

BACKGROUND/ISSUES:

1. The Development Review Board conducted its public hearing on File No. 03DB11 on August 11, 2003, at which time exhibits, together with findings and public testimony were entered into the public record. The DRB approved the application with conditions of approval (Exhibit A).
2. The applicant, Berrey Properties, is seeking to revise the Comprehensive Plan Map and to rezone 6.3 acres of Tax Lot 800, Section 1CD at the southwest corner of SW Elligsen Road and Canyon Creek Road. The proposed amendments are: (1) Designation of the subject property as "Industrial" on the Comprehensive Plan Map; and (2) Designation of the subject property as "Planned Development –Industrial" on the Zoning Map.
3. All Statewide Planning Goals that are applicable for the plan amendment and rezone as proposed have been met.
4. The proposal is consistent with the Washington County/City of Wilsonville Urban Growth Management Plan, which requires the City to notify Washington County of any major planning applications. This has been done.
5. Extensive notice requirements, particularly notice to surrounding property owners has been performed consistent with the Wilsonville Comprehensive Plan and the Planning and Land Development Ordinance with emphasis on citizen involvement.
6. **Issue: Public Need.** Contained within the applicant's submittal documents is a market analysis (Exhibit 5) evaluating the residential and industrial development potential of the property subject to the applicant's requests. This analysis concludes that the Wilsonville market can absorb additional industrial land with a negligible increase in the City's jobs to housing ratio, from 2.65 jobs per housing unit as high density residential to 2.67 as industrial use.

The applicant no longer wishes to develop the Marcia's Vineyard project, opting instead for an industrial use of the property based on perceived market demand for this use. As of December 2002, the City percentage of multi-family to single-family housing was 53.34% to 40.79%. With the Marcia's Vineyard project, this percentage would increase to 54.12% and

40.12% respectively. The loss of this project to the City's housing market would negligibly affect the citywide housing market overall.

7. **Issue: Split Comprehensive Plan Map Designation.** The subject property, Tax Lot 800 of Map 1CD, Washington County is approximately 11.17 acres in size. The northern portion of the property (6.3 acres) has a Comprehensive Plan Map designation of Residential 16-20 du/ac (dwelling units per acre). The remaining southern portion of the property has a Comprehensive Plan Map designation of Industrial. The industrially designated portion of the property contains the northern building of the Canyon Creek Business Park. The property subject to the applicant's requests has previous land use approval (Stage II Final Plan) for a 126 unit apartment complex (Marcia's Vineyard). The applicant proposes to designate the entirety of the subject property Industrial on the Comprehensive Plan Map.
8. **Issue: Public Utilities.** Primary facilities, i.e., roadways, water and sanitary sewer, are available and are of adequate size to serve the subject territory. Thus, adequate facilities are provided. A more extensive review and discernment of the adequacy of public facilities for the proposed project will occur during the review of the Stage II Final Plans for project.
9. **Issue: Traffic/Streets.** A Transportation Impact Study to assess the adequacy of the City's transportation systems is not required for the subject applications at this time and will be completed and reviewed at the time of the Stage II Final Plan (separate future application).
10. The applicant's proposed Stage I Preliminary Plan would respect the moderate slopes and significant trees along the northern border of the subject property. The impact of the proposed project on these sensitive features will be evaluated further at the time of application for Stage II Final Plan and Site Design Review.

RECOMMENDATION

After conducting a duly advertised public hearing, that the City Council act favorably on the Development Review Board recommendation of August 11, 2003 to approve the request. Appropriate Council action would be adoption of proposed Ordinance No. 558.

September 8, 2003

Paul Cathcart
City of Wilsonville
8445 SW Elligsen Rd.
Wilsonville, OR 97070

RE: **Berrey Property**
Revised Supplemental Information

Dear Paul,

In response to the Design Review Board – Panel A hearing on August 11, 2003, we are providing the following information as requested by the Board.

Section 4.140. Planned Development Regulations.

(.07) Preliminary Approval (Stage One):

- A. Applications for preliminary approval for planned developments shall:**
- 4. State whether the development will include mixed land uses, and if so, what uses and in what proportions and locations.**

Response: The Applicant intends to provide a development that is similar and compatible to the existing industrial development surrounding the site. Due to existing market conditions, it is likely that the majority of the buildings will be developed as industrial uses. At the same time, such uses will be better served by supportive commercial and office uses. Therefore it is likely that a mix of these uses will be provided. The Applicant is currently proposing to provide the maximum allowed mix of uses outlined below (see Response to Section 4.140(.07)(B)(3)) to maintain flexibility throughout the review process, and insure that the development will be successful through the provision of a variety of integrated uses. While the Applicant currently is applying for the maximum amount of allowed mixed-uses, it is understood that he is not required to provide this same amount of uses once plans are finalized in the Stage II process. At that time of final design, the proposed commercial/office and industrial uses will be distributed evenly between the two buildings.

- B. The application shall include conceptual and quantitatively accurate representations of the entire development sufficient to judge the scope, size, and impact of the development on the community; and, in addition to the requirements set forth in Section 4.035, shall be accompanied by the following information:**

- 3. A tabulation of the land area to be devoted to various uses, and a calculation of the average residential density per net acre.**

Response: Per section 4.135(.03)(J)(6), the PDI zone allows combined commercial uses that do not exceed 30 percent of the total acreage is allowed. The Applicant intends to submit an application for a partition of the subject site if the proposed CPA/ZC amendment is approved. This partition will clearly define the site acreage that determines the permitted amount of commercial uses. At this time, the Applicant proposes to develop the site with the permitted land uses outlined in the table below. The Applicant is only proposing approximate building square footage areas, as definite uses will be determined in the Stage II application process. The following table is provided to show that the general anticipated uses will comply with the Code at this time.

ATTACHMENT 1



DEVELOPMENT
SERVICES



LAND
PLANNING



CIVIL
ENGINEERING



LANDSCAPE
ARCHITECTURE



LAND
SURVEY

5415 SW Westgate Dr.
Suite 100
Portland, OR
97221

PH 503/419-2500
FX 503/419-2600

www.wrgd.com

Use	Acreage	Percentage of Site
TOTAL	6.3 acres/ 274,428 sf	100%
Industrial	1.16 acres / 50,785 sf	19%
Combined Commercial/Office	0.50 acres / 21,764 sf	8%
Landscape	1.65 acres/ 72,000 sf	26%
Parking/Drive Aisles/Loading/ Walkways	2.98 acres / 129,879 sf	47%

The proposed amount of parking is based on the parking requirements outlined in Section 4.155(.02)(B)(8) the Development Code, which requires the minimum amount of parking outlined in the following table. The buildings proposed in the Stage I application are 34,750 sf and 37,800 sf, for a total of 72,550 sf. The following parking requirements are based on this total building area, and the allowed percentage of use.

Use	Required Ratio	Possible Square Footage	Required Parking
Industrial	1.6/1000	50,785 sf (70% of total building sf)	81 stalls
Commercial Retail	4.1/1000	10,882 sf (15% of total building sf)	47 stalls
Commercial Office	2.7/100	10,882 sf (15% of total building sf)	29 stalls

Based on the general assumption of uses, approximately 157 parking stalls are required. The Stage I site plan provides for 201 parking stalls, which meets the parking requirements that can be determined at this time.

4. A stage development schedule demonstrating that the developer intends receive Stage II approval within two (2) years of receiving Stage I approval, and to commence construction within two (2) years after the approval of the final development plan, and will proceed diligently to completion; unless a phased development schedule has been approved; in which case adherence to that schedule shall be considered to constitute diligent pursuit of project completion.

Response: The Applicant proposes to construct the development in two phases. If the proposed amendment is approved, the Applicant will submit an application summarily to receive Stage II approval within two (2) years of receiving Stage I approval. The Applicant will commence construction of the first building within two (2) years after the approval of the final development plan, and will proceed diligently to completion. Once the first building is occupied, the Applicant will initiate construction of the second building.

5. A commitment by the applicant to provide in the Final Approval (Stage II) a performance bond or other acceptable security for the capital improvements required by the project.

Response: The Applicant will provide in the Final Approval (Stage II) a performance bond or other acceptable security for the capital improvements required by the project.

6. If it is proposed that the final development plan will be executed in stages, a schedule thereof shall be provided.

Response: The Applicant proposes to construct the development in two phases. Construction of the first building will commence upon approval of the final development plan, which is estimated to be Spring 2004. Construction of the first building will take approximately six months depending on weather conditions. Upon completion and the leasing of the first building, the Applicant will initiate

construction of the second building, which is estimated to be Spring 2005. The second building will again take approximately six months to complete. Therefore estimated completion of the project is Winter 2005.

7. Statement of anticipated waivers from any of the applicable site development standards.

Response: No waivers of site development standards are anticipated at this time.

If you require any additional information, please do not hesitate to contact me at 503/419-2500.

Sincerely,
WRG Design, Inc.

Alisa Pyszka, AICP
Planning Project Manager

cc: Mike Berrey, Berrey Properties
Jerry Johnson, Johnson Gardner



Notice Date: September 4, 2003

Mr. Michael Berrey
18879 SW Martinazzi Ave.
#208
Tualatin, OR 97062

Planning Division Application No. 03DB11: Comprehensive Plan Amendment and Zone Change for Berrey Property

Legal: Tax Lot 800, of Section 1CD; T3S, R1W; Washington County, Oregon

Submitted Requests:

- (A) Approval of Comprehensive Plan Amendment Residential to Industrial
- (B) Approval of Zone Change from PDR-6 to PDI
- (C) Approval of Stage I Preliminary Plan

Dear Mr. Berrey:

In its motion to approve your proposed project referenced above at its August 11, 2003 public hearing, the Development Review Board (DRB) required you to supply to the City's Planning Division, for inclusion in record, response findings to the following subsections of Development Code Criteria:

Subsections 4.140(.07):

- A.4. State whether the development will include mixed land uses, and if so, what uses and in what proportions and locations.
- B.3. A tabulation of the land area to be devoted to various uses, and a calculation of the average residential density per net acre.
- B.4. A stage development schedule demonstrating that the developer intends to receive Stage II approval within two (2) years of receiving Stage I approval....
- B.5. A commitment by the applicant to provide in the Final Approval (Stage II) a performance bond or other acceptable security for the capital improvements required by the project.
- B.6. If it is proposed that the final development plan will be executed in stages, a schedule thereof shall be provided.
- B.7. Statement of anticipated waivers from any of the applicable site development standards

These responses were to be submitted to the City's Planning Division by August 22, 2003. Ms. Pyszka's responded to these code criteria in a letter dated August 19, 2003. I asked Ms. Pyszka to further clarify a couple of the response findings in this letter. Ms. Pyszka's revised letter dated September 8, 2003 addresses these criteria and complies with the DRB's motion. Ms. Pyszka's responses will be entered into the record as Attachment 1 to the staff report for City Council's September 15, 2003 public hearing of your requests.



If you have any questions, please feel free to call me at 503-682-4960.

Sincerely,

A handwritten signature in cursive script, appearing to read "Paul Cathcart".

Paul Cathcart, AICP
Associate Planner

- c. Alisa Pyszka, WRG Design, Inc.
File

If you have any questions, please feel free to call me at 503-682-4960.

Sincerely,

A handwritten signature in cursive script that reads "Paul Cathcart".

Paul Cathcart, AICP
Associate Planner

- c. Alisa Pyszka, WRG Design, Inc.
File



DEVELOPMENT REVIEW BOARD PANEL A

RECOMMENDATION TO CITY COUNCIL

Project Name: Berrey Properties

Case File No. 03DB11

Applicant/Owner: Berrey Michael James Trust

Proposed Action: Comprehensive Plan Map Amendment from *Residential 16-20 DU/AC to Industrial*, a Zone Map Amendment from *Planned Development Residential-6 (PDR-6) to Planned Development Industrial (PDI)*, modify the Parkway Center Master Plan from *Residential to Industrial*, to allow the development of two industrial buildings of approximately 72, 550 sq ft. This request modifies the Stage I and Stage II Plans for the Marcia's Vineyard apartment complex approved in Resolution 97DB34.

Property Description: 6.3 acres located on Tax Lot 800 of Section 1CD, T3S-RIW, Washington County, Oregon.

Location: Southwest intersection of Elligsen Road and Canyon Creek Road.

On August 11, 2003, at the meeting of the Development Review Board Panel A, the following action was granted on the above-referenced proposed development application:

- DRB recommends that the City Council approve a Comprehensive Plan Map Amendment, a Zone Map Amendment, and a modification to the Parkway Center Master Plan to allow development of two industrial buildings.
- The City Council hearing date is scheduled for **September 15, 2003**.

Written decision is attached.

For further information, please contact the Wilsonville Planning Division at the Community Development Building, 8445 SW Elligsen Road, Wilsonville Oregon 97070 or phone 503-682-4960

Attachments: DRB Resolution No. 03DB11 including
Exhibit A – Adopted Staff Report and DRB discussion and motion to approve



**DEVELOPMENT REVIEW BOARD PANEL A
RESOLUTION NO. 03DB11
BERREY PROPERTIES**

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE A COMPREHENSIVE PLAN MAP AMENDMENT FROM *RESIDENTIAL 16-20 DU/AC TO INDUSTRIAL*, A ZONE MAP AMENDMENT FROM *PLANNED DEVELOPMENT RESIDENTIAL-6 (PDR-6) TO PLANNED DEVELOPMENT INDUSTRIAL (PDI)* AND AMEND THE PARKWAY CENTER MASTER PLAN FROM *RESIDENTIAL TO INDUSTRIAL* FOR THE DEVELOPMENT OF TWO INDUSTRIAL BUILDINGS. THE 6.3 ACRE PORTION OF THIS SUBJECT SITE IS LOCATED ON SW CANYON CREEK ROAD AND SW ELLIGSEN ROAD ON TAX LOT 800, SECTION 1CD, T3S-R1W, WASHINGTON COUNTY, OREGON. BERREY MICHAEL JAMES TRUST, APPLICANT.

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared a staff report on the above-captioned subject dated August 4, 2003, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board at regularly scheduled meeting conducted on August 11, 2003 at which time exhibits, together with findings and public testimony were entered into the public record, and

WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report attached hereto as Exhibit A with findings and recommendations contained therein and recommends that the City Council approve a Comprehensive Plan Map Amendment from *Residential 16-20 du/ac to Industrial*, a Zone Map Amendment from *Planned Development Residential-6 (PDR-6) to Planned Development Industrial (PDI)* and amend the Parkway Center Master Plan from *Residential to Industrial* for the development of two industrial buildings on property located at SW Canyon Creek Road and SW Elligsen Road on Tax Lot 800, Section 1CD, T3S-R1W, Washington County, Oregon.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 11th day of August 2003 and filed with the Planning Secretary on August 21, 2003.

Diane Seeley
Diane Seeley, Chair Panel A
Wilsonville Development Review Board

Attest:

Sally Hartill
Sally Hartill, Planning Secretary

STAFF REPORT
WILSONVILLE PLANNING DIVISION
Development Review Board Panel 'A'

Public Hearing Date: August 11, 2003
Date of Report: August 4, 2003

Application: 03DB11

Description of Proposal/Request:

Berrey Properties proposes to amend the City's Comprehensive Plan Map from Residential 16-20 du/ac (dwelling units per acre) to Industrial, amend the City's Zone Map from Planned Development Residential - 6 (PDR-6) to Planned Development Industrial (PDI) and, amend the Parkway Center Master Plan from a residential to industrial use to allow for the development of two industrial buildings of approximately 72,550 square feet (SF) in size and associated site improvements for the property located at the southwest intersection of Elligsen Road and Canyon Creek Road. This subject property is 11.17 acres in size and one of the existing industrial warehouses in the Canyon Creek Business Park. The northern 6.3 acres of the property is the subject of the applicant's requests.

The following requests apply to the northern 6.3 acres of the subject property as defined in the applicant's submittal document:

- (A) **Approve Comprehensive Plan Map Amendment from Residential 16-20du/ac to Industrial**
- (B) **Approve Zoning Map Amendment from Planned Development Residential - 6 (PDR-6) to Planned Development Industrial (PDI)**
- (C) **Modify Parkway Center Master Plan from Residential to Industrial to allow the development of two industrial buildings of approximately 72,550 SF.**

This request also modifies the Stage I and Stage II Plans for the Marcia's Vineyard apartment complex in Resolution 97DB34.

Location: The subject property is more specifically described as Tax Lot 800 of Township 3S, Range 1W, Section 1CD; Washington County; Wilsonville, OR.

Applicant: Berrey Properties
Owner: Berrey Michael James Trust
Owner Representative: Alisa Pyszka, AICP of WRG Design, Inc.
Comprehensive Plan Designation: Residential 16-20 du/ac.

Zone Map Designation: Planned Development Residential - 6 (PDR-6)
Master Plan: Parkway Center Master Plan
Vicinity Map: Exhibit 2
Staff Reviewer: Paul Cathcart AICP, Associate Planner

Note: The statutory 120-day time limit applies to this application. The application was received on May 30, 2003. The applicant was sent one letter identifying the application as incomplete on June 26, 2003. The application was deemed complete on July 7, 2003. The City must render a final decision, including any appeals, for Requests A-C by October 8, 2003.

Property Reference: The subject property, Tax Lot 800 of Map 1CD, Washington County, is approximately 11.17 acres. The City's mapping shows split designations for the property's Comprehensive Plan and Zone Map designations. The northern 6.3 acres of the subject property have a Comprehensive Plan Map and Zone Map designations of "Residential 16-20 du/ac" and "Planned Development Residential - 6 (PDR-6)" respectively. The remainder of the property has a comprehensive plan map and zone map designation of "Industrial" and "Planned Development Industrial" respectively. This staff report makes use of the term "subject parcel" referring to the entirety of Tax Lot 800 (11.17 acres) and the "property subject to the applicant's requests" referring to the northern 6.3 acres of Tax Lot 800 and the applicant's proposed project area.

Applicable Review Criteria:

Zoning Review Criteria:	
Sections 4.004-4.035	Administration Procedures
Section 4.100	Zoning Purpose
Section 4.118	Planned Development Zones
Subsection 4.118.02	Utilities
Section 4.135	PDI Zone
Subsection 4.140(.07)	Stage I Preliminary Plan
Section 4.167	Access, Ingress and Egress
Section 4.171	Protection of Natural Features and other Resources
Subsection 4.177(.01)(F)	Future Street Widening
Section 4.197	Zone Changes and Amendments
Section 4.198	Comprehensive Plan Changes
City of Wilsonville Comprehensive Plan	
Page 8 of Comprehensive Plan	Standards for Approval of Plan Amendments
Policy 4.1.3	Industrial Development
Implementation Measure 4.1.3.j	Industrial Development
Implementation Measure 4.1.4.b	Residential Development
Implementation Measure 4.1.4.d	Residential Development

Implementation Measure 4.1.4.e	Residential Development
Implementation Measure 4.1.4.l	Residential Development
Implementation Measure 4.1.4.p	Residential Development
Implementation Measure 4.1.4.q	Residential Development
Special Area of Concern A	
Other Planning Documents:	
Ordinance 187:	Parkway Center Master Plan
Storm Water Master Plan	
Ordinance 538	Minor Revisions to the City's Development Code
Resolution 97DB34	Marcia's Vineyard

FINDINGS OF FACT

1. Finding: Site Analysis Data (existing, from applicant's information)

Use	Area	Acres	% of Site
Subject Property (Tax Lot 800):	486,391 SF	11.166	100 %
Subject Property Zoned PDR-6 Zoning:	274,428 SF	6.3	56 %
Subject Property Zone PDI:	211, 263 SF	4.866	44 %

Existing Site Conditions: The applicant provides a site description on page 5 of the narrative (Exhibit 1). The southern portion of the subject property (Tax Lot 800) contains one industrial building in the Canyon Creek Business Park and is zoned Planned Development Industrial (PDI). The northern portion of the site is undeveloped and zoned Planned Development Residential – 6 (PDR-6).

Surrounding Development: The adjacent land uses are as follows:

Compass Direction	Existing Use
North	Agricultural; Washington County
East	Summit Apartments
South	Industrial; Canyon Creek Business Park
West	Industrial (Hollywood Video)

Natural Characteristics:

The subject site contains moderate slopes (10-12%) along the north and east perimeter. The site is characterized by field grasses and Himalayan Blackberry as well as a number of significant trees (Douglas Fir and White Oak) in the northeast portion of the site and adjacent to Elligsen Road. A storm water detention facility

is maintained just south of the PDR-6 zoning and is within the 125-foot wide Portland General Electric easement that runs west/east through the middle of the subject property. The site does not contain any City of Wilsonville inventoried cultural, historic, or natural resources.

Easements:

Some existing easements are illustrated on the 1998 partition plat for the southern portion of the subject property (Exhibits 2d-2f) including a wall and tree easement in the northeast corner of the site dedicated to the City.

Streets:

The site is bounded on the north by Elligsen Road and on the east by Canyon Creek Road.

2. Finding: Previous Planning Applications for Subject Parcel

Case	Project	Subject	Tax Map-Tax Lot (All T3S, R1W)
Ordinance 187	Parkway Center Master Plan	Stage I Preliminary Plan for approximately 200 acres including subject site	Broad Area – Numerous Tax Lots
97DB34*	Marcia's Vineyard	Stage I Preliminary Plan, Stage II Final Plan, Site Design Review for 126 apartments	1CD - 800
98AR64		Minor partition	200

* Note: Due to the project extension mechanisms of the Public Facilities Water Strategy (Ordinance 514), the Stage II approval for this project will not expire until April 28, 2004.

Prior Development:

The subject property is part of the larger Parkway Center Master Plan for properties north of Burns way and east of Parkway Center Drive. Planning Case File 97DB34 approved a 126 unit apartment complex (Marcia's Vineyard) for the portion of the subject property zoned PDR-6. The project expiration extension provisions of the Public Facilities Water Strategy (Ordinance 514) have extended the expiration date of this project to April 28, 2004. The subject site also underwent a minor partition in 1998 (City Planning Case File 98AR64) that divided off the southern building of the Canyon Creek Business Park from the remainder of the subject parcel.

3. **Finding:** The subject property is located within Area of Special Concern 'A' on the Comprehensive Plan Map. The Zoning Map does not identify any overlay zones on the subject property.
4. **Finding:** The application was submitted on May 30, 2003, and was deemed incomplete. The applicant was sent one letter identifying the application as incomplete on June 26, 2002. The application was deemed complete on July 7, 2003. The City must render a final decision by October 8, 2003 including the City Council Decision.
5. **Finding:** The Applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.

EXHIBITS

The following exhibits are hereby entered into the public record by the Development Review Board in consideration of the application as submitted:

Exhibit No.	Description
A	Staff Report
1	Applicant's Narrative; dated May 30, 2003
2	Applicant's "Stage I Development Plans" found in submittal booklet
2a	Drawing: Cover Sheet [Applicant's Sheet DD0]; dated May 30, 2003
2b	Drawing: Site Boundary [No Sheet Name - Sheet Index 1]; No date
2c	Drawing: Site Boundary [No Sheet Name - Sheet Index 1.1]; dated 4/1/2003
2d	Drawing: Partition Plat - Sheet 1 of 3 [Applicant's Site Boundary 1.2]; dated May 11, 1999
2e	Drawing: Partition Plat - Sheet 2 of 3 [Applicant's Site Boundary continued]; dated May 11, 1999
2f	Drawing: Signature Page of Partition Plan - Sheet 3 of 3 [Applicant's Site Boundary continued]; dated May 11, 1999
3	Applicant's "Land Use Application" found in submittal booklet
4	Applicant's "Property Information" found in submittal booklet
5	Applicant's "Market Analysis" found in submittal booklet
6	Letter from Alisa Pyszka, AICP to Paul Cathcart dated July 3, 2003 regarding Berrey Properties Incompleteness Response
7	Fax Transmittal of letter from Alisa Pyszka to Paul Cathcart dated July 24, 2003 regarding Berrey Property Application Completeness
8	Memorandum from Ray Valone to Paul Cathcart dated July 29, 2003, regarding Planning File No. 03DB11
9	Letter from Alisa Pyszka, AICP to Paul Cathcart dated August 4, 2003, regarding Berrey Property - CPA/ZC Supplemental Information - Parkway Center Master Plan
10	Engineering Division Conditions
11	Building Division Conditions
12	Community Development (Natural Resources) Conditions

13 Ordinance 189, July 20, 1981

14 AERIAL PHOTO DISPLAY BOARD

**REQUEST (A): Approve Comprehensive Plan Map Amendment from Residential
16-20 du/ac to Industrial.**

SUMMARY OF ISSUES/BACKGROUND:

Issue: Split Comprehensive Plan Map Designation.

The subject property, Tax Lot 800 of Map 1CD, Washington County is approximately 11.17 acres in size. The northern portion of the property (6.3 acres) has a Comprehensive Plan Map designation of Residential 16-20 du/ac (dwelling units per acre). The remaining southern portion of the property has a Comprehensive Plan Map designation of Industrial. The industrially designated portion of the property contains the northern building of the Canyon Creek Business Park. The property subject to the applicant's requests has previous land use approval (Stage II Final Plan) for a 126 unit apartment complex (Marcia's Vineyard). The applicant proposes to designate the entirety of the subject property Industrial on the Comprehensive Plan Map.

Issue: Public Need.

Contained within the applicant's submittal documents is a market analysis (Exhibit 5) evaluating the residential and industrial development potential of the property subject to the applicant's requests. This analysis concludes that the Wilsonville market can absorb additional industrial land with a negligible increase in the City's jobs to housing ratio, from 2.65 jobs per housing unit as high density residential to 2.67 as industrial use.

The applicant no longer wished to develop the Marcia's Vineyard project, opting instead for an industrial use of the property based on perceived market demand for this use. As of December 2002, the City ratio of multi-family to single-family housing was 53.34% to 40.79%. With the Marcia's Vineyard project, this ratio would increase to 54.12% and 40.12% respectively. The loss of this project to the City's housing market would negligibly affect the citywide housing market overall.

Issue: Public Utilities.

The applicant provides a brief summary of public and private utilities available to the subject property on page 4 of Exhibit 1. A more extensive review and discernment of the adequacy of public facilities for the proposed project will occur during the review of the Stage II Final Plans for project.

Issue: Traffic/Streets.

A Transportation Impact Study to assess the adequacy of the City's transportation systems is not required for the subject applications at this time and will be completed and reviewed at the time of the Stage II Final Plan (separate future application).

CONCLUSIONARY FINDINGS:

Site Information. Subsections 4.009(.01) and 4.140(.07)(A)(1):

- A1. **Finding:** The applicant has demonstrated ownership of the subject property in Exhibit 3 (Applicant's Exhibit B).
- A2. **Finding:** The subject 11.17-acre site (Tax Lot 800) is located at the southwest corner of the intersection of Elligsen Road and Canyon Creek Road. Southwest Elligsen Road abuts the north side of the property. Canyon Creek road abuts the east side of the property. Surrounding uses are described by the staff on page 3 of this report.
- A3. **Finding:** The subject property contains two zoning districts: approximately 4.9 acres (southern portion) in Planned Development Industrial (PDI) zoning and 6.3 acres in Planned Development Residential – 6 (PDR-6) zoning. The site is also part of the Parkway Master Plan. The Comprehensive Plan identifies the subject property as a part of Special Area A (page 86, Comprehensive Plan).
- A4. **Finding:** The proposed industrial use for the entirety of the property is in not in compliance with the Parkway Center Master Plan. See findings for Stage I Preliminary Plan modification on page 20 of this report.

Utility Easements:

- A5. **Finding:** The partition plat for the property (Exhibits 2d-2f) identifies a number of storm drainage and sanitary sewer easements to the City primarily connected with the northern building of the Canyon Creek Business Center on the southern portion of Tax Lot 800. A six (6) foot public utility easement exists along the north and eastern portion of subject parcel's property line as well as a wall and tree easement in the northeast corner of the site. The proposed project will be reviewed for need of additional easements at the time of Stage II Final Plan review.

COMPREHENSIVE PLAN:

Standards for Approval of Plan Amendments (Page 8 of Comprehensive Plan)

- a. *The proposed amendment is in conformance with those portions of the Plan that are not being considered for amendment.*
- A6. **Finding:** The applicant's response to this criterion is found on page 7 of Exhibit 1. Staff notes that while the applicant's proposal does not meet the spirit of Implementation Measure 4.1.4.1 (jobs/housing ratio) of the Comprehensive Plan,

the applicant does provide compelling arguments based on market analysis (see Exhibit 5) for the incremental increase (.02) in the jobs to housing ratio. Based on this analysis and the estimated negligible increase in the jobs to housing unit ratio, staff concurs with the applicant's requests. This criterion is met.

b. *The granting of the amendment is in the public interest.*

A7. **Finding:** The applicant's response to this criterion found on **page 7 of Exhibit 1** is largely based on analyses that predict a higher demand for industrial land than high-density multi-family housing (see Exhibit 5). The applicant's analysis projects a slight increase in the City jobs to housing (dwelling units) ratio from 2.65 jobs per housing unit to 2.67. While this trend would run counter to the City's stated policy of decreasing this ratio, the applicant provides compelling evidence against the addition of an apartment community within the City at this time. This criterion is met.

c. *The public interest is best served by granting the amendment.*

A8. **Finding:** See Finding A7 above.

d. *The following factors have been adequately addressed in the proposed amendment:*
the suitability of the various areas for particular land uses and improvements;
the land uses and improvements in the area;
trends in land improvement;
density of development;
property values;
the needs of economic enterprises in the future development of the area;
transportation access;
natural resources; and
the public need for healthful, safe and aesthetic surroundings and conditions.

A9. **Finding:** The applicant's response to this criterion is found on **page 8 of Exhibit 1**. Staff concurs with the findings provided by the applicant. These criteria are met.

e. *Proposed changes or amendments to the Comprehensive Plan do not result in conflicts with applicable Metro requirements*

A10. **Finding:** Ray Valone of Metro has indicated (see Exhibit 8) that the proposed project "is not inconsistent with the Urban Growth Management Functional Plan." Mr. Valone also notes "a concern is the loss of an approved housing development in an area that has a jobs/housing imbalance". However, Mr. Valone continues "there are no requirements or policies, however, in the Functional Plan that address this ratio." This criterion is met.

LAND USE AND DEVELOPMENT: Industrial Development

Policy 4.1.3: *City of Wilsonville shall encourage light industry compatible with the residential and urban nature of the City.*

A11. **Finding:** The applicant's response to this criterion can be found on **page 9 of Exhibit 1**. While staff agrees with the applicant's assessment that an industrial use on the subject property is more compatible with adjoining industrial uses, staff would also note that residential uses could be screened from the industrial uses as demonstrated by approved plans for Marcia's Vineyard. However, this is not sufficient criteria, in staff's opinion, to limit the industrial use of the property. This criterion is met.

Implementation Measure: 4.1.3.e: *Site industries where they can take advantage of existing transportation corridors such as the freeway, river, and railroad.*

A12. **Finding:** The applicant's response findings on **pages 9 and 10 in Exhibit 1** contend that the property's close proximity to Interstate 5 (I-5) better suites an industrial use than higher density residential uses. Staff concurs with this assessment. This criterion is met.

Implementation Measure 4.1.3.j: *All industrial areas will be developed in a manner consistent with industrial planned developments in Wilsonville. Non-industrial uses may be allowed within a Planned Development Industrial Zone, provided that those non-industrial uses do not limit the industrial development potential of the area.*

A13. **Finding:** The applicant has not indicated desired use of the 6.3 acre portion of the subject property beyond ". . . two industrial buildings similar to the existing structures currently surrounding the site" ("REQUEST", page 6 of Exhibit 1). The allowable non-industrial uses of the subject property are more appropriately reviewed as part of the Stage II application for the proposed project. This criterion is met in that the applicant has indicated a desired industrial use for the subject property.

LAND USE AND DEVELOPMENT: Residential Development

Implementation Measure 4.1.4.b: *Plan for and permit a variety of housing types consistent with the objectives and policies set forth under this section of the Comprehensive Plan, while maintaining a reasonable balance between the economics of building and the cost of supplying public services. It is the City's desire to provide a variety of housing types needed to meet a wide range of personal preferences and income levels. The City also recognizes the fact that adequate public facilities and services must be available in order to build and maintain a decent, safe, and healthful living environment.*

- A14. **Finding:** The applicant's response to this criterion is found on **page 10 of Exhibit 1**. The applicant's findings include the following argument for converting the proposed land use from high density residential to industrial:

"According to the attached market analysis, not constructing the units may help the residential market more than constructing them. For the addition of 126 apartment units is questionably beneficial to the jobs/housing balance given the excess capacity of Wilsonville rental housing. A detail analysis determined that excess multifamily capacity will likely delay significant apartment development in Wilsonville due to lack of market and financial feasibility. Accordingly, new apartment construction at the subject property will not be able to effectively improve the jobs/housing ratio in Wilsonville until existing excess capacity can be filled, likely in three to five years".

Based on this argument and staff's observations of and discussions with the management of apartment communities within the City, it is staff's opinion that the addition of this housing type (apartments) in a current housing market that cannot easily absorb more, under-serves the intent of this criterion to provide a variety of housing types to meet the personal preferences and income levels of the City's residents. The current housing market within the City does not appear to be supportive of enough apartment units to warrant the addition of more units. This criterion is met.

Implementation Measure 4.1.4.d: *Encourage the construction and development of diverse housing types, but maintain a general balance according to housing type and geographic distribution, both presently and in the future. Such housing types may include, but shall not be limited to: Apartments, single-family detached, single-family common wall, manufactured homes, mobile homes, modular homes, and condominiums in various structural forms.*

- A15. **Finding:** The applicant's response finding can be found on **pages 10 and 11 of Exhibit 1**. Among the applicant's arguments for the Plan Map Amendment is the following:

"As indicated by the attached market analysis, the recent economic weakness throughout the Portland metro region is expected to impact the level of population growth in 2003, keeping apartment net absorption levels well below those seen during the 1990s".

In short, the applicant argues that the introduction of additional high density apartments within the City will slow the recovery of the apartment market thereby slowing the development of new apartments when the demand for them is needed. Additionally, see Finding A16. This criterion is met.

Implementation Measure 4.1.4.e: *Targets are to be set in order to meet the City's Goals for housing and assure compliance with State and regional standards.*

A16. **Finding:** The December 2002 Development Summary estimate by the City indicates multi-family housing captured 53.34% of the housing market while single-family types captured approximately 40.79% of the housing market. The approved Marcia's Vineyard project would change this ratio to 54.12% for multi-family housing and 40.12% for single-family housing. The loss of the 126 apartments approved in the Marcia's Vineyard project would have a negligible impact to the City's housing market. This criterion is met.

Implementation Measure 4.1.4.l: *The City shall work to improve the balance of jobs and housing within its jurisdictional boundaries.*

A17. **Finding:** The applicant's response to this criterion is found on **page 1 of Exhibit 6**. As the proposed Comprehensive Plan Map Amendment would, based on the applicant's estimate, negligibly increase the City's jobs to housing ratio from 2.65 to 2.67 jobs per housing unit, staff does not view the proposed amendment as a significant deterrent to the City's desire to lower this ratio. This criterion is met.

Implementation Measure 4.1.4.p: *In an effort to balance residential growth with the City's employment base, the City shall encourage the development of housing to meet the needs of the employees working in the City.*

A18. **Finding:** The applicant's response finding can be found on **page 2 of Exhibit 6**. Please see Finding A16.

Implementation Measure 4.1.4.q: *The City will continue to allow for mobile homes and manufactured dwellings, subject to development review processes that are similar to those used for other forms of housing. Individual units will continue to be allowed on individual lots, subject to design standards. Mobile home parks and subdivisions shall be subject to the same procedures as other forms of planned developments.*

A19. **Finding:** The applicant's response finding is found on **page 11 of Exhibit 1**. This criterion is not applicable to the subject application.

Implementation Measure 4.1.4.x: *Apartments and mobile homes are to be located to produce an optimum living environment for the occupants and surrounding residential areas. Development criteria includes:*

- A20. **Finding:** The applicant's response finding can be found on **page 11 of Exhibit 1**. The applicant contends this criterion is not applicable to the subject application, however the criterion does apply to apartments. Beyond the economic difficulties of building an additional apartment community in the City at this time, the applicant has not demonstrated, in staff's opinion, a compelling reason why the subject property should not support higher density residential development. However, granting the plan map amendment would allow the applicant to make reasonable use of the property in a time of a declining market demand for high density housing. Staff notes that the proposed project will need to comply with Stage II requirements of the Development Code.

Special Area of Concern A:

- A21. **Finding:** The applicant's response to this section of the Comprehensive Plan is found in **Exhibit 7**. The applicant notes that the traffic from an industrial use of the property would likely be less than approved residential use. Traffic capacity and adequacy questions will be addressed during the Stage II review of the proposed project. Staff concurs with the applicant's findings for these criteria. These criteria are met.

DEVELOPMENT CODE CRITERIA:

Subsection 4.198(.01)(A-D): Comprehensive Plan Changes

- A. *That the proposed amendment meets a public need that has been identified;*
- A22. **Finding:** The applicant's response finding can be found on **page 15 of Exhibit 1**. Please see Finding A16.
- B. *That the proposed amendment meets the identified public need at least as well as any other amendment or change that could reasonably be made;*
- A23. **Finding:** See Finding A22 above as well as the applicant's response findings on **page 15 of Exhibit 1**. This criterion is met.
- C. *That the proposed amendment supports applicable Statewide Planning Goals, or a Goal exception has been found to be appropriate; and*
- A24. **Finding:** See the applicant's response findings beginning on **page 17 of Exhibit 1**. This criterion has been met.
- D. *That the proposed change will not result in conflicts with any portion of the Comprehensive Plan that is not being amended.*
- A25. **Finding:** The applicant's response to this criterion can be found on **page 16 of Exhibit 1**. The proposed change would not be in conflict with any other portion of the Comprehensive Plan that is not being amended. This criterion is met.

SUMMARY FINDINGS FOR REQUEST (A):

- A26. **Finding:** The proposed project meets, with conditions, the Standards for Approval of Plan Amendments criteria of the City's Comprehensive Plan.
- A27. **Finding:** The proposed project meets, with conditions, the criteria of Special Area of Concern A of the City's Comprehensive Plan.
- A28. **Finding:** The proposed project meets, with conditions, the criteria of Subsections 4.198(.01)(A-D) of the City's Development Code.

STAFF RECOMMENDATION FOR REQUEST (A)

Based on the findings of fact, analysis and conclusionary findings A1 through A28, staff recommends that the Development Review Board recommend to the City Council

approval of the Comprehensive Plan Map Amendment as submitted, with conditions
(see page 22 of this report).

**REQUEST (B): Zone Change from Planned Development Residential – 6 (PDR-6)
to Planned Development Industrial (PDI)**

DESCRIPTION OF REQUEST:

The applicant is requesting review and approval of a proposal to remove the split zoning on the subject property and zone the entire property (Tax Lot 800) Planned Development Industrial.

SUMMARY OF ISSUES/BACKGROUND:

The applicant has met the submittal criteria in Section 4.035(.04). The following is a summary of the issues which must be addressed in order for the proposal to comply fully with the applicable review criteria.

Issue: Split Zoning

The subject property, Tax Lot 800 of Map 1CD, Washington County is approximately 11.17 acres in size. The northern portion of the property (6.3 acres) is zoned Planned Development Residential – 6 (PDR-6). The remaining southern portion of the property is zone Planned Development Industrial (PDI). The industrially zoned portion of the property contains the northern building of the Canyon Creek Business Park. The property subject to the applicant's requests has previous land use approval (Stage II Final Plan) for a high density apartment complex (Marcia's Vineyard). The applicant proposes to zone the entirety of the subject property Planned Development Industrial.

Issue: Adequate Public Facilities

The property subject to the applicant's requests has available to it public water, and sanitary sewer service. The subject property has an on-site storm water detention facility that the applicant proposes to size appropriately to the proposed project and place under ground. Detailed plans for the connection of the proposed project to public facilities will be reviewed under a separate public works permit before any construction of buildings on the property subject to the applicant's requests may occur. As part of the building permit application, the Applicant will need to demonstrate how the available public facilities, or extensions thereof, will be adequate (i.e., sufficient to meet Public Works specifications) to meet the needs of the proposed project. The adequacy of the City's transportation systems to serve the project's traffic capacity and pedestrian needs will be evaluated during the Stage II Final Plan application for the proposed project.

Issue: Significant Resources

The applicant's proposed Stage I Preliminary Plan would respect the moderate slopes and significant trees along the northern border of the subject property. The impact of the

proposed project on these sensitive features will be evaluated further at the time of application for Stage II Final Plan and Site Design Review.

CONCLUSIONARY FINDINGS:

Section 4.197(.02)(A-G): Zone Map Amendment

- A. *That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008 or, in the case of a Planned Development, Section 4.140; and*
- B1. **Finding:** The applicant's response finding to this criterion can be found on **page 14 of Exhibit 1**. The subject application submitted is in accordance with the Planned Development Procedures of Section 4.140 of the City's Development Code (see findings beginning on page 20). This criterion is met.
- B. *That the proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with the applicable goals, policies and objectives, set forth in the Comprehensive Plan text; and*
- B2. **Finding:** The applicant's response finding to the criterion can be found on **page 14 of Exhibit 1**. The applicant's proposed Zone Map Amendment from Planned Development Residential - 6 to Planned Development Industrial is contingent upon approval of the applicant's request to change the Comprehensive Plan Map designations from Residential 16-20 du/ac to Industrial. With condition of approval B2, this criterion is met.
- C. *In the event that the subject property, or any portion thereof, is designated as "Residential" on the City's Comprehensive Plan Map; specific findings shall be made addressing substantial compliance with Implementation Measures 4.1.4.b, d, e, q, and x of Wilsonville's Comprehensive Plan text; and*
- B3. **Finding:** The applicant's response finding can be found on **page 14 of Exhibit 1**. See response finding A14 for Implementation Measure 4.1.4.b on page 10, Finding A15 for 4.1.4.d on page 10, Finding A16 for Implementation Measure 4.1.4.e on page 11, Finding A19 for Implementation Measure 4.1.4.q on page 11, and Finding A20 for Implementation Measure 4.1.4.x on page 12. This criterion is met.
- D. *That the existing primary public facilities, i.e., roads and sidewalks, water, sewer and storm sewer are available and are of adequate size to serve the proposed development; or, that adequate facilities can be provided in conjunction with project development. The Planning Commission and Development Review Board shall utilize any and all means to insure that all primary facilities are available and are adequately sized; and*

B4. **Finding:** The applicant's response to this criterion is found on **page 14 of Exhibit 1**. Staff notes the information required as part of a Stage I Preliminary Plan is typically insufficient to determine the adequacy of public facilities and that this assessment is typically conducted as part of the Stage II Final Plan review. Detailed plans for the connection of the proposed project to public facilities will be reviewed under a separate public works permit before any construction of buildings on the property subject to the applicant's requests may occur. As part of the building permit application, the Applicant will need to demonstrate how the available public facilities, or extensions thereof, will be adequate (i.e., sufficient to meet Public Works specifications) to meet the needs of the proposed project. The adequacy of the City's transportation systems to serve the project will be evaluated through a traffic impact study as part the Stage II Final Plan review. The subject site has public facilities available to it. This code criterion and other concurrency requirements of the Planned Development Regulations will be reviewed at the time of Stage II Final Plan submittal. This criterion is met.

E. *That the proposed development does not have a significant adverse effect upon Significant Resource Overlay Zone areas, an identified natural hazard, or an identified geologic hazard. When Significant Resource Overlay Zone areas or natural hazard, and/or geologic hazard are located on or abut the proposed development, the Planning Commission or Development Review Board shall use appropriate measures to mitigate and significantly reduce conflicts between the development and identified hazard or Significant Resource Overlay Zone and*

B5. **Finding:** The applicant's response to this criterion is found on **page 14 of Exhibit 1**. Staff notes that subject parcel is not identified on the City's Significant Resource Overlay Zone Map. The staff report for Planning Case File 97DB34 (Marcia's Vineyard) noted moderate slopes of 10-12% in the northeast corner of the site. The Stage I Preliminary Plan presented with this application respects these slopes keeping building footprints and related site improvements out of this area. The 1999 partition of the subject property (Planning Case File 98AR64) granted the City a wall (retaining wall) and tree easement in the northeast corner of the site that was necessary for the construction of Canyon Creek Road. Future road improvements to Elligsen Road will need to balance transportation needs against the slopes and significant trees on the northern portion of the subject property. The impact of the proposed project will be scrutinized in more detail with the plans submitted for the Stage II Final Plan and Site Design Review.

F. *That the applicant is committed to a development schedule demonstrating that development of the property is reasonably expected to commence within two (2) years of the initial approval of the zone change; and*

B6. **Finding:** The applicant's response to this criterion is found on **page 15 of Exhibit 1**. The applicant is indicating an intention to seek Stage II approval for the proposed project shortly after an approval of the subject application. This criterion is met.

G. That the proposed development and use(s) can be developed in compliance with the applicable development standards or appropriate conditions are attached that insure that the project development substantially conforms to the applicable-development standards.

B7. **Finding:** The applicant's response to this criterion is found on **page 15 of Exhibit 1**. With the level of detail provided at the Stage I Preliminary Plan level, staff can only assess compliance with a limited number of Planned Development criteria (Section 4.140) and the criteria of the zoning district desired in the proposed Zone Map Amendment (PDI).

Subsection 4.135: Planned Development Industrial Zone

B8. **Finding:** The PDI requires a 30 foot setback for front, side, and rear yards. The applicant's submittal documents (Exhibit 2 – "Canyon Creek II – Sketch A") demonstrate compliance with this requirement. The applicant has not defined the intended use of the subject property beyond industrial. The development code allows for a variety of uses within the PDI zone (warehousing, distribution, limited commercial, etc.). The refinement of the intended uses will be reviewed further at time of Stage II Final Plan application to determine whether the proposed parking and traffic capacity are adequate for the proposed project. Condition of approval B2 requires that the proposed project be developed in conformance with the requirements of this Development Code section. This criterion is met for Stage I approval.

Subsection 4.118(.02): Underground Utilities.

B9. **Finding:** At this stage of the proposed project, the applicant has not proposed the location of any on-site utilities. The review of utilities is more appropriately done at the time of Stage II Final Plans.

Subsection 4.177(.01)(F): Future street widening

B10. **Finding:** This criterion is not applicable at this stage of the proposed project as the more detailed information of the Stage II Final Plan for the application will be used to determine whether road improvements will be needed. Staff notes that both the Transportation Master Plan and the Transportation Systems Master Plan identify Elligsen Road as a minor arterial street. As part of Planning Case File 97DB34 (Marcia's Vineyard) the applicant was conditioned to dedicate right of way to accommodate the increased traffic of that project. The City does not have any record of this right of way dedication.

The review of other applicable criteria including adequate public facilities, parking, landscaping, access, and Site Design Review plans will occur during the Stage II Final Plan and/or Site Design Review applications for the proposed project. Staff notes that with an approval of the proposed Stage I Preliminary Plan all prior Stage I, Stage II and Site Design Review approvals for the Marcia's Vineyard project including granted traffic

capacity will be null and void. This criterion is met for this stage of the proposed project.

SUMMARY FINDING FOR REQUEST (B):

B11. **Finding:** The applicant's proposal, with the recommended conditions of approval, satisfies the applicable Wilsonville Code requirements for Zone Map Amendment.

STAFF RECOMMENDATION FOR REQUEST (B):

Based on findings of fact, analysis and conclusionary findings B1 through B11, staff recommends that the Development Review Board recommend to the City Council **approval** of the applicant's request for Zone Map Amendment for the property subject to the applicant's requests, with conditions necessary to fully comply with pedestrian and landscape requirements of the Code. Proposed conditions of approval are found on pages 22 through 23 of this report.

DESCRIPTION OF REQUEST

SUMMARY OF ISSUES/BACKGROUND:

The applicant has met the submittal criteria in Sections 4.035(.04). The following is a summary of the issues which must be addressed in order for the proposal to comply fully with the applicable review criteria.

Issue: Parkway Center Master Plan

The subject property is identified as "Residential" in the Parkway Center Master Plan adopted by City Council via Ordinance 187 in 1981. The applicant's proposed industrial use of the property takes into account recent market analysis (Exhibit 5) for the property that is non-supportive of high density residential use.

Issue: Marcia's Vineyard Master Plan

If approved, the applicant's proposed Stage I Preliminary Plan would null and void all previous approvals Stage I Preliminary Plan and by extension, the Stage II Final Plan for the Marcia's Vineyard project.

CONCLUSIONARY FINDINGS:

Subsection 4.140(.05): Planned Development Permit Process

- C1. **Finding:** The applicant's response to these criteria is found on **page 12 of Exhibit 1**. The proposed project will not be allowed to proceed nor receive a building permit until all applicable review criteria have been satisfied. These criteria have been met.

Subsection 4.140(.07)(A): Preliminary Approval (Stage One) Application Requirements

- C2. **Finding:** The applicant's response to this criterion is found on **page 13 of Exhibit 1**. The applicant has not indicated an intention to include mixed uses within the proposed project. The Planned Development Industrial Zone does allow for some limited commercial use. Staff presumes the applicant will want to obtain approval for this limited commercial use to broaden the leasing options for the proposed project. Condition of approval C2 requires the applicant to enter into the record of these applications any mixed-use intention for the property. With this condition, these criteria can be met.

Subsections 4.140(.07)(B) & 4.035(.04): Preliminary Approval (Stage One) Application Requirements and Site Development Permit Application

- C3. **Finding:** The applicant's response to Subsection 4.140(.07)(B) is found on **page 13 of Exhibit 1**. The applicant has not submitted as part of the application an intention to commence construction of the project within two years of receiving Stage II Final Plan approval nor a commitment to provide acceptable security at the time of Stage II Final Plan for the capital improvements required by the project. See Condition of Approval C2. A fuller accounting of project details will be required at the time applications for Stage II Final Plan and Site Design Review approval. These criteria are met.

Parkway Center Master Plan

- C4. **Finding:** The subject property is part of the Parkway Center Master Plan adopted by City Council in 1981 via Ordinance 187. The applicant's response findings to the Parkway Center Master Plan is found in **Exhibit 9**. Staff notes that the master plan identifies the subject property as "Residential" and envisions the build-out of residential lands within the master plan at 8-30 dwelling units per acre. This master plan anticipated 90 percent build out of the master plan by 1989. Staff further notes that market forces over the 22 years of this master plan have caused property owners within the master planned area to seek approval of land uses other than those specified in the master plan. Such is the case with the subject proposal. The applicant's market analysis argues that the property subject to the applicant's requests is better suited to an industrial rather than a high density residential use. Staff concurs with this assessment.

SUMMARY FINDING FOR REQUEST (C):

- C5. **Finding:** The applicant's proposal, with the recommended conditions of approval, satisfies the applicable Wilsonville Code requirements for Zone Map Amendment.

STAFF RECOMMENDATION FOR REQUEST (C):

Based on findings of fact, analysis and conclusionary findings C1 through C5, staff recommends that the Development Review Board **recommend approval** of the applicant's request for Stage I Preliminary Plan and Modification of the Parkway Center Master Plan to the City Council, with conditions necessary to fully comply with the requirements of the Code. Proposed conditions of approval are found on pages 20 through 23 of this report.

03DB11
Berrey Properties
Comprehensive Plan Map Amendment
Zoning Map Amendment
Stage I Modification

PROPOSED CONDITIONS OF APPROVAL FOR REQUEST:

(A) Comprehensive Plan Map Amendment

1. This action recommends to the City Council adoption of the Comprehensive Plan Map Amendment, for the property subject to the applicant's requests on Tax Lot 800 of Section 1CD, T3S, R1W as entered into the record on August 11, 2003. The Comprehensive Plan Map Amendment approval (Request A) designates the 6.3-acre portion of the subject property with a current Plan Map designation of Residential 16-20 du/ac as Industrial.
2. The applicant's use of the property subject to the applicant's requests shall conform to the industrial uses as specified in the City's Comprehensive Plan.

(B) Zoning Map Amendment

1. This action recommends to the City Council adoption of the Zone Map Amendment for the property subject to the applicant's requests on Tax Lot 800 of Section 1CD, T3S, R1W as entered into the record on August 11, 2003. The Zone Map Amendment approval (Request B) designates the 6.3-acre portion of the subject property with a current Zone Map designation of Planned Development Residential - 6 (PDR-6) as Planned Development Industrial (PDI). Approval of this request is contingent upon City Council's approval of Request A.
2. The applicant's use of the subject property shall conform to the industrial uses as specified in the City's Development Code.

(C) Stage I Preliminary Plan & Modification of Parkway Center Master Plan

1. This action recommends to the City Council modification of the Parkway Center Master Plan (Ordinance 187), for the property subject to the applicant's requests on Tax Lot 800 of Section 1CD, T3S, R1W as entered into the record on August 11, 2003 from "Residential" to "Industrial" to allow for the adoption of a Stage I Preliminary Plan as presented in Exhibit 2. Approval of this request is contingent upon City Council action on request B.
2. The applicant shall enter into the record of Request C, prior to consideration by City Council, a statement of whether any mixed uses are intended for the proposed project, an intention to begin construction within two (2) years of receiving approval of Stage II Final Plans (or a phased development schedule), and assurance that acceptable security

for the capital improvements required by the Stage II Final Plan approval will be provided.

Conditions Pertaining to All Applications (Requests A-C)

1. The recommended conditions of the Engineering Division (Exhibit 10), the Building Division (Exhibit 11), and the Community Development Department (Exhibit 12) are hereby incorporated as conditions of approval.

EXHIBIT 10 ENGINEERING DIVISION CONDITIONS:

ENGINEERING DEPARTMENT

MEMO

DATE: July 30, 2003

TO: Paul Cathcart, Associate Planner

FROM: Laurel Byer PE, Assistant City Engineer

RE: *Engineering Division Public Facilities (PF) Conditions of Approval for the proposed Comp Plan Amendment, Zone Amendment, and Stage I Master Plan for the Berrey Property (03DB11)*

Based on a review of the materials submitted, Staff has prepared the following Conditions of Approval. These conditions are applicable to the subject application; any subsequent modifications may require amendments and/or additions.

- PF 1. These comments are in reference to the Stage I application only. A Stage II application will require further review, a traffic impact analysis, and may trigger infrastructure improvement requirements.
- PF 2. Access to public streets shall be limited to the existing access on Canyon Creek Road North. No access will be allowed on Elligsen Road.
- PF 3. The Engineering Division is agreeable to the applicant converting the existing aboveground detention structure to underground. However, the applicant shall be required to provide drainage calculations and water quality features that meet Public Works Standards. This item will be addressed further during the Stage II application process.

Development Review

TO: Paul Cathcart, Associate Planner
FROM: Don Walters, Plans Examiner
DATE: 7/24/03
SUBJECT: DEVELOPMENT REVIEW # 03DB11

PROPOSED COMPREHENSIVE PLAN MAP AMENDMENT, ZONE MAP AMENDMENT, AND STAGE I MASTER PLAN FOR BERRY PROPERTY.

(File under: Annex/CD Public/Building Development Review)

The following is a list of concerns and/or conditions for the project listed above. This review is based on certain assumptions necessitated by the limited information available in the submitted documents.

Review of the complete working drawings may reveal that those assumptions were incorrect and /or may expose additional code concerns.

1. A 1200C PERMIT from the Department of Environmental Quality will be required for this project. A copy of the 1200C permit shall be submitted to the City as part of the grading permit submittal.
2. POWER LINES. Any construction in the power transmission easements shall be approved by the easement owner.
3. NEW COMMERCIAL CONSTRUCTION/ HYDRANTS. The construction of any new commercial building requires that fire hydrants be supplied so that no portion of the exterior of the building is more than 250 feet from a fire hydrant as measured in an approved manner around the outside of the structure and along approved route of travel accessible to fire apparatus. (See the uniform Fire Code (UFC) for exceptions) The minimum number of hydrants for a structure shall be two. Fire flow requirements may necessitate additional hydrants. Hydrants located on private property shall be placed in a public easement. (UFC Section 903.4.2.1)
4. FIRE CALCS. Fire calcs shall be submitted with the building permit application. These calc sheets and instructions are available from the TVF&R web site. (tvfr.com /Departments/ Fire Prevention/ New Construction/ Fire Flow Calculations) The fire calcs will define how many hydrants are required, and if a building fire alarm or fire sprinkler system may be necessary. Neither hydrant location, number of required hydrants, or building plan review can proceed

without the completed fire calcs.

5. FIRE DEPARTMENT PLAN SHEET. As part of the building permit application, supply a single page site plan drawn to scale with the fire department access road (FDAR), turn-around, fire hydrants, and the fire department connection(s) clearly shown. Show dimensions where needed for clarity. Always dimension both the inside and outside radius on all turns on the FDAR.

EXHIBIT 12 COMMUNITY DEVELOPMENT CONDITIONS

COMMUNITY DEVELOPMENT MEMORANDUM

To: Paul Cathcart, Associate Planner

From: Kerry Rappold, Natural Resources Program Manager

Date: August 1, 2003

RE: Berrey Property (03DB11)

This memorandum includes staff conditions of approval. The conditions of approval are based on the submitted Comprehensive Plan Amendment, Zone Map Amendment and Stage I Master Plan. The conditions of approval apply to the applicant's submittal of construction documents (i.e. engineering drawings).

CONDITIONS OF APPROVAL:

The following conditions of approval are based on the material submitted by the applicant. Any subsequent revisions to the submitted plans may require conditions of approval to be modified by staff.

1. Pursuant to Policy 9.3.2 of the City of Wilsonville's Stormwater Master Plan, on-site water quality facilities are required when proposed development increases impervious area by more than 5,000 square feet. The applicant's Stage I Master Plan indicates more than 5,000 square feet of impervious area (buildings, and parking areas) will be added to the site.
2. Submit a drainage report and drainage plans. The report and plans shall demonstrate the proposed water quality facilities satisfy the policies and standards of the City of Wilsonville's Stormwater Master Plan and Public Works Standards. Refer to Stormwater Master Plan Policy 9.3 (Stormwater Quality Policies).
3. Profiles and plan views of the proposed water quality facilities shall be submitted. These profiles and plan views shall include, if applicable, proposed plant species and plant placement, elevations, slopes, outlet, and other information consistent with requirements of the City's Stormwater Master Plan, including but not limited to:
 - a. **Policy 9.3.4 (Shading of Waterbodies); and**
 - b. **Policy 9.4.1 (Landscaping in conjunction with stormwater facilities).**

4. Pursuant to Implementation Measure 9.3.3.2, the applicant shall submit a maintenance plan (including the City's stormwater maintenance covenant and access easement) for the proposed water quality facilities prior to approval for occupancy of the associated development.
5. Pursuant to Implementation Measure 9.4.1.1, access should be provided for the entire perimeter of the water quality facilities. At a minimum, at least one access shall be provided for maintenance and inspection. Access roads should have a minimum width of 15 feet and a maximum slope of 15%.
6. Pursuant to Section 4.176(.03) of the Planning and Land Development Ordinance, native plant materials shall be used wherever practicable. If feasible, the applicant shall incorporate native plantings within the landscape areas.
7. Pursuant to the City of Wilsonville's Ordinance No. 482, the applicant shall submit an erosion and sedimentation control plan. The following techniques and methods shall be incorporated, where necessary:
 - a. Gravel construction entrance;
 - b. Stockpiles and plastic sheeting;
 - c. Sediment fence;
 - d. Inlet protection;
 - e. Dust control;
 - f. Temporary/permanent seeding or wet weather measures (e.g. mulch); and
 - g. Other appropriate erosion and sedimentation control methods.
8. The applicant shall comply with all applicable state and federal requirements for the proposed construction activities (e.g. DEQ NPDES #1200-C permit).

BERREY PROPERTY

APPLICATION FOR:
*COMPREHENSIVE PLAN AMENDMENT;
ZONE CHANGE; AND
STAGE I APPROVAL*

CITY OF WILSONVILLE, OREGON
MAY 30, 2003

APPLICANT:
BERREY PROPERTIES
18879 SW MARTINAZZI AVE., SUITE 208
TUALATIN, OR 97062

PREPARED BY:
WRG DESIGN, INC.
5415 SW WESTGATE DRIVE, SUITE 100
PORTLAND, OR 97221

FILE
030611

CITY OF WILSONVILLE
PLANNING DIVISION
CASE FILE NO. 030611
EXHIBIT NO. 1
DATE: 5-30-03

RECEIVED
MAY 30 2003

CITY OF WILSONVILLE
COMMUNITY DEVELOPMENT DEPT.

(29 of 113)

BERREY PROPERTY

APPLICATION FOR:
*COMPREHENSIVE PLAN AMENDMENT;
ZONE CHANGE; AND
STAGE I APPROVAL*

CITY OF WILSONVILLE, OREGON
MAY 30, 2003

APPLICANT:
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I. INTRODUCTION

DEVELOPMENT TEAM

Applicant:

Berrey Properties

18879 SW Martinazzi Ave., Suite 208

Tualatin, OR 97062-6807

Phone: 503/691-9864

Fax: 503/885-0654

Contact: **Mike Berrey**

Property Owner:

Berrrey Michael James Trust

18879 SW Martinazzi Ave., Suite 208

Tualatin, OR 97062-6807

Planning:

WRG Design, Inc.

5415 SW Westgate Drive, Suite 100

Portland, OR 97221

Phone: 503/419-2500

Fax: 503/419-2600

Contact: **Alisa Pyszka, AICP**

Market Analyst:

Johnson Gardner

520 SW Sixth Ave., Suite 914

Portland, OR 97204

Phone: (503)295-7832

Fax: (503)295-1107

Contact: **Bill Reid**

Architect:

CIDA

4445 SW Barbur Blvd., Suite 200

Portland, OR 97201

Phone: 503/226-1285

Fax: 503/226-1670

SITE INFORMATION

Tax Maps & Lots: Tax Map 3S101CD Tax Lot 800
Site Area: 6.3 +/- acres
Location: Southwest corner of Elligsen Road and Canyon Road intersection.
Current Plan Designation: Planned Development Residential (12 - 20/AC) Parkway Center Master Plan - Residential
Proposed Plan Designation: Planned Development Industrial (PDI) Parkway Center Master Plan - Industrial

SITE DESCRIPTION

The subject site, located at the southwest corner of Elligsen Road and Canyon Road intersection, is approximately 6.3 acres and consists of the northern half of Tax Lot 3S101CD00800. The northern half of the tax lot, which is the subject of this application is zoned PDR, while the developed southern half of the parcel is zoned PDI (Planned Development Industrial).

One half of a 100-foot wide Bonneville Power Administration (BPA) easement crosses the southern edge of Tax Lot 800. A Portland General Electric (PGE) easement that is 125 feet in width, crosses the lower third of Tax Lot 800. No structures are permitted within either easement, however a storm detention pond is within the PGE easement. PGE allows vegetation and light poles with a restricted height, and BPA restricts vegetation or lighting to a maximum of 10 feet.

Surrounding Land Use

Location	Zoning Designation	Existing Land Use
North	Rural	Vacant
South	PDI	Industrial Office
West	PDI	Industrial Office
East	Canyon Road / PDR	Residential

Public and Private Facilities

Water may be provided to the site via an existing 12-inch water line located in Elligsen Raod. An 8-inch sanitary sewer line along Canyon Road is stubbed out to the parcel. Stormwater will be collected via a closed conduit system and detained underground and treated on site prior to discharging to the city system.

BACKGROUND

The subject site currently contains two conflicting plan designations and zones. As indicated on the attached copy of the City 1995 Zoning Map and Aerial Photo (Exhibit C) the boundary between the PDI and PDR zone is north of the PGE easement on the subject site. As indicated on the exhibit, approximately 4.4 acres of the developable area is zoned for residential development, and the remaining 2 acres is available for industrial development.

Under the current zone configuration, the Applicant could develop an industrial building within the area zoned PDI by removing the existing storm facility, and providing detention underground. However, the existing site constraints would necessitate a building footprint that minimizes access to the residual residential portion of the site, and likely requires access off Elligsen Road. However City staff has told the Applicant that access off Elligsen is not to be expected. The resultant residential development would have undesirable access immediately adjacent to the loading area of the building.

The Applicant instead proposes to maximize the utilization of the site with a more appropriate industrial use that is consistent with existing surrounding uses. Under the current zoning of the site, the ultimate development permitted will result in a substandard residential development that is not consistent with the surrounding industrial uses.

The northern portion of the subject site has been historically zoned residential, apparently based on previous tax lot configurations. It is the Applicant's understanding that originally proposed alignment of SW Canyon Creek Road was along the western edge of the subject site. This location followed zoning designations, and physically separated the residential and industrial zoned areas providing a sufficient buffer between the two uses. Instead, the ultimate road alignment was shifted easterly due to topographic constraints. As a result, SW Canyon Road now bisects the residentially zone area, and creates an independent pocket of residential property, surrounded by industrial development to the west and south, and bordered by major transportation facilities to the north and east.

January 21, 1998 City Council approved a residential development (Marcia's Vineyard) on the subject site. The development consists of 126 multi-family units and required landscaping and parking. Due to development restrictions based on the water moratorium in place at the time, the application approval for Marcia's Vineyard (Case No. 97DB34) is valid until April 28, 2004. It is the Applicant's understanding this approval will remain in effect until decision is rendered for the subject application.

The Applicant originally applied for the residential development as it was a permitted use. He now recognizes that an industrial use a more appropriate use of the site as it abuts industrial sites and major transportation corridors. The Applicant recognizes that the multi-family use may be an appropriate use of the site, but it is not the best use of the site. Therefore he is respectfully submitting an application for a Plan Amendment and Zone Change to permit the Stage I application for an industrial development.

SITE IMPROVEMENTS

Berrey Properties is proposing the development two industrial buildings that total approximately 72,500 square feet. The proposed buildings are designed to contain the loading area within the interior of the site, effectively screening the activity from the perimeter of the site. The site, consisting of approximately 6.3 acres, has access to SW Canyon Creek Road via the existing drive in the southeast corner of the site. The stormwater detention facility in the southwest corner of the site currently serves the two existing buildings south of the site identified as 25999 and 25977 SW Canyon Creek Road. The two buildings total and the vacant site will be reconfigured to provide underground detention that continues to serve the same area. In addition to the proposed buildings, required parking and landscaping will be provided.

REQUEST

The Applicant is requesting approval of the Comprehensive Plan Amendment, Zone Change, and Stage I applications. An approval to change the designation and zoning of the subject parcel from Residential to Industrial will allow the Applicant to construct two industrial buildings similar to the existing structures currently surrounding the site.

II. COMPREHENSIVE PLAN CRITERIA

Standards for Approval of Plan Amendments

In order to grant a Plan amendment, the City Council shall, after considering the recommendation of the Development Review Board (quasi-judicial) or Planning Commission (legislative), find that:

- a. The proposed amendment is in conformance with those portions of the Plan that are not being considered for amendment.

Response: The proposed amendment is in conformance with those portions of the Plan that are not being considered for amendment. Specifically, the Applicant believes the amendment will improve conformance as is will be more compatible with the surrounding industrial uses, while meeting industrial needs for the Metropolitan region.

- b. The granting of the amendment is in the public interest.

Response: As identified in the attached market analysis and responses below, granting approval of the amendment is in the public interest as it will meet current demand for industrial uses that is more significant than multi-family residential demand. Specifically, it is, the conclusion of Johnson Gardner that "retention of the parcel as residentially-designated land for the three to five year duration of excess rental capacity will likely be to the serious detriment of industrial employment growth accommodation in Wilsonville, which has a demonstrated shortage of developable industrial land."

- c. The public interest is best served by granting the amendment at this time.

Response: The public interest is best served by granting the amendment at this time due to current market trends. High-density residential development is not appropriate for another three to five years, whereas the market is currently demanding industrial development within the City of Wilsonville. As identified in the attached market study "the addition of the approved apartment units is, in fact, questionably beneficial to the jobs/housing balance given the excess capacity of Wilsonville rental housing. The market analysis determined that excess multifamily capacity will likely delay significant apartment development in Wilsonville due to lack of market and financial feasibility. Accordingly, new apartment construction at the subject property will not be able to effectively improve the jobs/housing ratio in Wilsonville until existing excess capacity can be filled, likely in three to five years."

- d. The following factors have been adequately addressed in the proposed amendment:
the suitability of the various areas for particular land uses and improvements;
the land uses and improvements in the area;
trends in land improvement;
introduction density of development;
property values;
the needs of economic enterprises in the future development of the area;
transportation access;
natural resources; and
the public need for healthful, safe and aesthetic surroundings and conditions.

Response: The proposed amendment is suitable for the proposed land use and improvement as it is adjacent to existing public utilities and has outstanding proximity to transportation facilities necessary to accommodate the proposed development. The proposed industrial buildings are more consistent than the currently designated residential use as it will be compatible with the existing industrial uses surrounding the site. The attached market study contains the following key conclusions summarizing why the proposed Amendment is appropriate. Please refer to the document for further detail.

- The subject site is physically and locationally well suited for the planned industrial/business park. Ideal Interstate 5 access and adjacent, existing business park development are appropriate and complimentary for the proposed industrial use.
- A substantial residual demand exists for industrial/business park development in Wilsonville trade area. The existing inventory of available land is insufficient in quantity and quality to meet this need over the short- and long-term. Supply is specifically estimated to last no more than eight or nine years, conservatively.
- The site is currently zoned to enable 126 multi-family units. While the site could accommodate apartment development, the market for apartments is currently very soft in Tigard, Tualatin and Wilsonville. Market and financial feasibility of significant new apartment development is not likely for at least three to five years.
- Development of the parcel as industrial/business park space only negligibly increases the existing jobs/housing ratio from 2.65 to 2.67. Development of the site as apartments would decrease the ratio to 2.61, but only effectively after three to five years of excess rental capacity is filled by new households.

The proposed amendment will have less of an impact on transportation facilities than the existing residential designation. Furthermore, the site has proximate access to Interstate 5, which is a critical component of industrial uses. Amending the Plan will allow the site to more effectively utilize this transportation resource for economic development.

A small grove of coniferous trees exist in the northeast corner of the site. A portion of the trees are within a tree easement, as indicated on the Partition Plat (Exhibit A). As indicated on the Stage I development plans, the Applicant intends to retain the trees remaining outside of easement as well, therefore no impact will occur.

The Applicant believes the proposed Amendment will more readily serve the public need for healthful, safe and aesthetic surroundings and conditions as the industrial development compliments the existing industrial uses surrounding the site. Whereas the residential development is inconsistent with the industrial uses. The topography of the subject site contains an approximately 62 foot grade differential between the NE and SW corners of the property sloping in southwesterly direction. To minimize grading the apartments are tiered on the slope, looking down upon the industrial buildings to the south and west of the site. As there is no significant physical buffer, the residential use will appear on top of the industrial uses rather than adjacent to the differing use.

- e. **Proposed changes or amendments to the Comprehensive Plan do not result in conflicts with applicable Metro requirements.**

Response: The attached market study determines that proposed changes or amendments to the Comprehensive Plan do not result in conflicts with applicable Metro requirements. Development of the parcel as industrial/business park space only negligibly increases the existing jobs/housing ratio from 2.65 to 2.67. Development of the site as apartments would decrease the

ratio to 2.61, but only effectively after three to five years of excess rental capacity is filled by new households. In neither case do alternative zoning/development scenarios significantly affect jobs/housing balance ratios.

The simplest explanation for the jobs/housing ratio difference is the fact that for multi-family residential development, the subject site is small, thus residential development at the site poses no significant impacts to the jobs/housing ratio. The addition of 126 apartment units is, in fact, questionably beneficial to the jobs/housing balance given the excess capacity of Wilsonville rental housing. Analysis in the previous section determined that excess multifamily capacity will likely delay significant apartment development in Wilsonville due to lack of market and financial feasibility. Accordingly, new apartment construction at the subject property will not be able to effectively improve the jobs/housing ratio in Wilsonville until existing excess capacity can be filled, likely in three to five years.

Alternatively, the six-acre site would fill an existing and critically growing need for local industrial land, and will do so with negligible impact upon the jobs/housing ratio. More specifically, earlier analysis indicated that need is particularly acute for parcels of five acres or greater, the optimal size range for flexible industrial development. It is, therefore, the conclusion of Johnson Gardner that retention of the parcel as residentially-designated land for the three to five year duration of excess rental capacity will likely be to the serious detriment of industrial employment growth accommodation in Wilsonville, which has a demonstrated shortage of developable industrial land.

Land Use and Development

INDUSTRIAL DEVELOPMENT

Policy 4.1.3: City of Wilsonville shall encourage light industry compatible with the residential and urban nature of the City.

Response: The Applicant supports this policy of compatibility between residential and industrial uses. However the Applicant does not believe the subject site is the best use for residential use as is too close to the existing industrial uses, thereby making it an incompatible use. The existing residential development along the eastern frontage of SW Canyon Creek Road is compatible as it is buffered by the 62 foot wide roadway and subsequent landscaping and fences that provide adequate screening. The subject site does not permit for a 62 foot wide buffer or significant screening. Instead, due to the topography of the site, and elevations of the residential units, residents will overlook immediately the industrial uses.

A more appropriate way to comply with this goal is to provide an industrial use on the subject site that will not interfere, but instead compliment the existing industrial uses, and at the same time meet the general development goals of the City. As identified in the Wilsonville Comprehensive Plan, the following goals for general development were established in 1971 and upheld with the Plan revisions in 1998:

- Encourage commercial and industrial development to provide a balanced tax base and take advantage of the City's strategic location along I-5 and the rail line.
- Maintain high-quality industrial development that enhances the livability of the area and promotes diversified economic growth.
- Protect industrial lands from incompatible uses.
- Encourage only industries interested in and willing to participate in development and preservation of a high-quality environment.

Approval of the proposed Amendment is consistent with these goals as it allows for industrial development to occur along transportation facilities with good access to the I-5 corridor. It promotes the development of a concentrated industrial area that complements the activities of each use. Furthermore, the amendment will remove a small pocket of residential property that is awkwardly connected to light industrial uses with minimal buffering and screening. Typically, immediately adjacent uses such as residential and industrial are not compatible due to loading activities, traffic patterns, and general aesthetics of the industrial use. Retaining the residential use will limit the best use of the site, whereas amending the designation to industrial will promote development compatible uses and the best utilization of the site.

RESIDENTIAL DEVELOPMENT

Implementation Measure 4.1.4.b Plan for and permit a variety of housing types consistent with the objectives and policies set forth under this section of the Comprehensive Plan, while maintaining a reasonable balance between the economics of building and the cost of supplying public services. It is the City's desire to provide a variety of housing types needed to meet a wide range of personal preferences and income levels. The City also recognizes the fact that adequate public facilities and services must be available in order to build and maintain a decent, safe, and healthful living environment.

Response: The proposed amendment will convert approximately 6.3 acres of residential property to industrial use. In doing so, the approved 126 multi-family units will not be constructed. According to the attached market analysis, not constructing the units may help the residential market more than constructing them. For the addition of 126 apartment units is questionably beneficial to the jobs/housing balance given the excess capacity of Wilsonville rental housing. A detail analysis determined that excess multifamily capacity will likely delay significant apartment development in Wilsonville due to lack of market and financial feasibility. Accordingly, new apartment construction at the subject property will not be able to effectively improve the jobs/housing ratio in Wilsonville until existing excess capacity can be filled, likely in three to five years. Please refer to the attached document for details.

Implementation Measure 4.1.4.d Encourage the construction and development of diverse housing types, but maintain a general balance according to housing type and geographic distribution, both presently and in the future. Such housing types may include, but shall not be limited to: Apartments, single-family detached, single-family common wall, manufactured homes, mobile homes, modular homes, and condominiums in various structural forms.

Response: While multi-family housing necessary to meet the comprehensive housing goals of the City, development of the use is not appropriate at this time. In fact, as identified above, such development may negatively impact future multi-family development. Currently there is a weak demand for high-density residential development. As indicated by the attached market analysis, the recent economic weakness throughout the Portland metro region is expected to impact the level of population growth in 2003, keeping apartment net absorption levels well below those seen during the 1990s. Further compounding the issue has been record-low mortgage rates, which have induced many renter households to move out and purchase homes. The general result has been significant market apartment softness as measured by apartment vacancy rates. Accordingly, new product introductions are expected to be low, which will allow the market to gradually begin to recover over the next year or two. Significant need and construction of new units (100+) within the City of Wilsonville, as opposed to Tigard and Tualatin, will more likely be over three years given the greater apartment market base, retail diversity and quantity, and

proximity to regional job centers enjoyed by Tigard and Tualatin. For these reasons, the proposed Amendment is appropriate.

Implementation Measure 4.1.4.e Targets are to be set in order to meet the City's Goals for housing and assure compliance with State and regional standards.

Response: The City of Wilsonville is required to comply with Metro job/housing ratios. As identified above, the attached market study determines that proposed changes or amendments to the Comprehensive Plan do not result in conflicts with applicable Metro requirements. Development of the parcel as industrial/business park space only negligibly increases the existing jobs/housing ratio from 2.65 to 2.67. Development of the site as apartments would decrease the ratio to 2.61, but only effectively after three to five years of excess rental capacity is filled by new households. In neither case do alternative zoning/development scenarios significantly affect jobs/housing balance ratios.

Implementation Measure 4.1.4.q The City will continue to allow for mobile homes and manufactured dwellings, subject to development review processes that are similar to those used for other forms of housing. Individual units will continue to be allowed on individual lots, subject to design standards. Mobile home parks and subdivisions shall be subject to the same procedures as other forms of planned developments.

Response: The subject site is not currently zoned for mobile homes, therefore this standard does not apply.

Implementation Measure 4.1.4.x Apartments and mobile homes are to be located to produce an optimum living environment for the occupants and surrounding residential areas.

Response: The subject site is not currently zoned for mobile homes, therefore this standard does not apply.

II. DEVELOPMENT CODE CRITERIA

Section 4.140. Planned Development Regulations.

(.05) Planned Development Permit Process.

A. All parcels of land exceeding two (2) acres in size that are to be used for residential, commercial or industrial development, shall, prior to the issuance of any building permit:

- 1. Be zoned for planned development;**
- 2. Obtain a planned development permit; and**
- 3. Obtain Development Review Board, or, on appeal, City Council approval.**

Response: The site is currently zoned Planned Development Residential (PDR). The subject application proposes to amended the designation to Planned Development Industrial (PDI).

B. Zone change and amendment to the zoning map are governed by the applicable provisions of the Zoning Sections, inclusive of Section 4.197

Response: Please refer to the responses to Section 4.197.

* * *

D. All planned developments require a planned development permit. The planned development permit review and approval process consists of the following multiple stages, the last two or three of which can be combined at the request of the applicant:

- 1. Pre-application conference with Planning Department;**
- 2. Preliminary (Stage I) review by the Development Review Board. When a zone change is necessary, application for such change shall be made simultaneously with an application for preliminary approval to the Board; and**
- 3. Final (Stage II) review by the Development Review Board**
- 4. In the case of a zone change and zone boundary amendment, City Council approval is required to authorize a Stage I preliminary plan.**

Response: The Applicant had a Pre-application conference with the Planning Department on April 10, 2003. A Stage I application is submitted in conjunction with the application for a Plan Amendment and Zone Change. The Final Stage II application will be submitted summarily assuming approval of the subject applications.

(.07) Preliminary Approval (Stage One):

A. Applications for preliminary approval for planned developments shall:

1. Be made by the owner of all affected property or the owner's authorized agent; and
2. Be filed on a form prescribed by the City Planning Department and filed with said Department.
3. Set forth the professional coordinator and professional design team as provided in subsection (.04), above.
4. State whether the development will include mixed land uses, and if so, what uses and in what proportions and locations.

Response: The proposed industrial planned development has been described in more detail above. The application has been prepared by a professional design team and submitted by the affected property owner as indicated on the attached application (Exhibit B).

B. The application shall include conceptual and quantitatively accurate representations of the entire development sufficient to judge the scope, size, and impact of the development on the community; and, in addition to the requirements set forth in Section 4.035, shall be accompanied by the following information:

1. A boundary survey or a certified boundary description by a registered engineer or licensed surveyor.
2. Topographic information as set forth in Section 4.035
3. A tabulation of the land area to be devoted to various uses, and a calculation of the average residential density per net acre.
4. A stage development schedule demonstrating that the developer intends receive Stage II approval within two (2) years of receiving Stage I approval, and to commence construction within two (2) years after the approval of the final development plan, and will proceed diligently to completion; unless a phased development schedule has been approved; in which case adherence to that schedule shall be considered to constitute diligent pursuit of project completion.
5. A commitment by the applicant to provide in the Final Approval (Stage II) a performance bond or other acceptable security for the capital improvements required by the project.
6. If it is proposed that the final development plan will be executed in stages, a schedule thereof shall be provided.
7. Statement of anticipated waivers from any of the applicable site development standards.

Response: The information requested above is provided in the attached plan set. Please refer to Exhibit A for details.

Section 4.197. Zone Changes and Amendments To This Code – Procedures.

(.02) In recommending approval or denial of a proposed zone map amendment, the Planning Commission or Development Review Board shall at a minimum, adopt findings addressing the following criteria:

A. That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008 or, in the case of a Planned Development, Section 4.140; and

Response: As identified above, the Applicant complies with this criterion.

B. That the proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with the applicable goals, policies and objectives, set forth in the Comprehensive Plan text; and

Response: As identified in the following responses to Statewide Planning Goals, this criterion is met.

C. In the event that the subject property, or any portion thereof, is designated as "Residential" on the City's Comprehensive Plan Map; specific findings shall be made addressing substantial compliance with Implementation Measures 4.1.4.b,d, e, q, and x 8 of Wilsonville's Comprehensive Plan text; and

Response: As identified in the responses above, the Applicant has addressed compliance with the applicable Implementation Measures.

D. That the existing primary public facilities, i.e., roads and sidewalks, water, sewer and storm sewer are available and are of adequate size to serve the proposed development; or, that adequate facilities can be provided in conjunction with project development. The Planning Commission and Development Review Board shall utilize any and all means to insure that all primary facilities are available and are adequately sized; and

Response: Water may be provided to the site via an existing 12-inch water line located in Elligsen Raod. An 8-inch sanitary sewer line along Canyon Road is stubbed out to the parcel. Stormwater will be collected via a closed conduit system and detained underground and treated on site prior to discharging to the city system.

E. That the proposed development does not have a significant adverse effect upon Significant Resource Overlay Zone areas, an identified natural hazard, or an identified geologic hazard. When Significant Resource Overlay Zone areas or natural hazard, and/or geologic hazard are located on or abut the proposed development, the Planning Commission or Development Review Board shall use appropriate measures to mitigate and significantly reduce conflicts between the development and identified hazard or Significant Resource Overlay Zone and

Response: The proposed development is neither within or adjacent to a Significant Resource Overlay Zone areas, therefore it does not have a significant adverse effect upon such an area.

F. That the applicant is committed to a development schedule demonstrating that development of the property is reasonably expected to commence within two (2) years of the initial approval of the zone change; and

Response: If the proposed applicant is approved, the Applicant will shortly thereafter submit a Stage II application to commence the review of final site plan.

G. That the proposed development and use(s) can be developed in compliance with the applicable development standards or appropriate conditions are attached that insure that the project development substantially conforms to the applicable development standards.

Response: As indicated in the attached plan set, the proposed development complies with general setback, parking and landscape percentage requirements for the subject site. A more thorough analysis will be performed with the Stage II application to insure the proposed industrial use is developed in compliance with the applicable development standards.

Section 4.198. Comprehensive Plan Changes - Adoption by the City Council.

(.01) Proposals to amend the Comprehensive Plan, or to adopt new elements or subelements of the Plan, shall be subject to the procedures and criteria contained in the Comprehensive Plan. Each such amendment shall include findings in support of the following:

A. That the proposed amendment meets a public need that has been identified;

Response: As identified in the attached market analysis, even with the addition of the subject property to Wilsonville's industrial land inventory, the Wilsonville trade area has nine years of industrial land supply at most. Without the addition of the subject property, Wilsonville has no more than eight years of industrial land supply. Furthermore, the site's excellent proximity to I-5 trade corridor and consistency with surrounding uses makes it physically and locationally well suited for development. Whereas the retaining the residential designation will not meet a public need, for the market for apartments is currently very soft in Tigard, Tualatin and Wilsonville. Market and financial feasibility of significant new apartment development is not likely for at least three to five years. Therefore the proposed Amendment is appropriate to meet the public need.

B. That the proposed amendment meets the identified public need at least as well as any other amendment or change that could reasonably be made;

Response: As identified in the attached market study, and as identified above, the proposed amendment meets the public need as well as, possibly better than, any other amendment.

C. That the proposed amendment supports applicable Statewide Planning Goals, or a Goal exception has been found to be appropriate; and

Response: As identified below, the proposed amendment supports applicable Statewide Planning Goals.

D. That the proposed change will not result in conflicts with any portion of the Comprehensive Plan that is not being amended.

Response: As identified in the responses above to the Comprehensive Plan Criteria, the proposed change will not result in conflicts with any portion of the Comprehensive Plan that is not being amended.

IV. APPLICABLE OREGON STATEWIDE PLANNING GOALS

Goal 1: Citizen Involvement

Response: The proposed Plan Amendment and Zone Change will be subject to review by the Design Review Board and the City Council in a public hearing open to all interested parties. Property owners within 250 feet of the site will be directly notified in the mail of the hearings.

Goal 2: Land Use Planning

Response: This goal provision requires cities and counties to adopt zoning ordinances that are consistent with an acknowledged comprehensive plan. As such, the Applicant is requesting to change both the plan and zoning designations from Residential PDR to Industrial PDI.

Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

Response: No significant impacts will occur to natural resources, scenic and historic areas or open spaces with the proposed Plan Amendment and Zone Change. A small grove of coniferous trees exist in the northeast corner of the site. A portion of the trees are within a tree easement, as indicated on the Partition Plat (Exhibit A). As indicated on the Stage I development plans, the Applicant intends to retain the trees remaining outside of easement as well, therefore no impact to the trees will occur.

Goal 6: Air, Water and Land Resources Quality

Response: As shown in the response to Goal 12, less traffic will be generated by the proposed development permitted upon approval of the proposed Plan Amendment and Zone Change. Nor will the proposed industrial uses on the site create polluting air emissions. Thus, the Applicant's proposal will not negatively impact air quality in the project vicinity. Additionally, the proposed amendment will permit development that will not impact grading of the site more significantly than the approved residential development. As such, the proposed application will not negatively impact air, and land resources quality in the project vicinity. The proposed industrial development will have slightly more impervious area on the site. However, the proposal will be required to comply new water quality regulations, which may equate or increase water quality provisions.

Goal 9: Economic Development

Response: Approval of the proposed Amendment is consistent this Goal as it allows for industrial development to occur along transportation facilities with good access to the 1-5 trade corridor. In addition, the Amendment promotes the development of a concentrated industrial area that compliments the activities of each use. Furthermore the amendment will remove a small pocket of residential property that is awkwardly connected to light industrial uses with minimal buffering and screening. Typically, immediately adjacent uses such as residential and industrial are not compatible due to loading activities, traffic patterns, and general aesthetics of the industrial use. Retaining the residential use will limit the best use of the site, whereas amending the designation to industrial will promote development compatible uses and the best utilization of the site. Finally, upon permitting an industrial use on the subject site, the proposed development will provide local employment opportunities, increase the availability of goods and services and expand the economic and tax base, while expanding, improving and diversifying the area's economy.

Goal 10: Housing

Response: The proposed Plan Amendment and Zone Change will remove 6.3 acres of PDR (12 - 20 ac) land from the City's residential land base. Under the approved Marcia's Vineyard

application for the site, 126 units may be developed at a maximum allowed density of 20 units / acre. The Applicant believes the site is not appropriate for residential development however. These inherent disadvantages are as follows:

1. *Traffic.* The approved residential development will generate approximately 330 more average weekday trips than the proposed industrial development. As identified in the Regional Industrial Land Study, "transportation consistently emerges as the leading cost factor for removing industrial development constraints. Providing adequate offsite transportation (e.g., new roads, intersection improvements, and to a lesser extent rail connections) appears to be the most costly development constraint . . ." ¹ Approval of the proposed Amendment will maximize utility of the investment in the existing transportation facilities. Retaining a residential zone on the subject site will permit high-density residential development that will negatively impact the surrounding transportation system. Likewise, the site abuts two busy roadways that will transit significant noise and pollution, which makes the site undesirable for residential development.

2. *Site Access.* The site is limited to one access point on SW Canyon Creek Road via an access road that must be shared with an existing industrial uses. The limited ingress and egress may cause congestion at peak hours. The necessary shared access with trucks serving the industrial uses may be undesirable to residents.

3. *Incompatible Uses.* The topography of the subject site contains an approximately 62 foot grade differential between the NE and SW corners of the property sloping in southwesterly direction. To minimize grading the apartments are tiered on the slope, looking down upon the industrial buildings to the south and west of the site. As there is no physical buffer, such as a 62 foot wide road, the residential use will appear on top of the industrial uses rather than adjacent to the differing use.

4. *Impact to Housing Market.* The addition of 126 apartment units is questionably beneficial to the jobs/housing balance given the excess capacity of Wilsonville rental housing. A detail analysis determined that excess multifamily capacity will likely delay significant apartment development in Wilsonville due to lack of market and financial feasibility. Accordingly, new apartment construction at the subject property will not be able to effectively improve the jobs/housing ratio in Wilsonville until existing excess capacity can be filled, likely in three to five years. Please refer to the attached document for details.

Goal 11: Public Facilities and Services

Response: The proposed amendment will not significantly impact public facilities and services. Water may be provided to the site via an existing 12-inch water line located in Elligsen Raod. An 8-inch sanitary sewer line along Canyon Road is stubbed out to the parcel. Stormwater will be collected via a closed conduit system and detained underground and treated on site prior to discharging to the city system.

Goal 12: Transportation

Response: The proposed amendment will permit a use that generates less weekday average trips than the approved multi-family development. A low-rise apartment generates approximately 6.60 average weekday trips per unit. The approved residential development with 126 units would generate a total of 832 average weekday trips. The proposed general light industrial development generates approximately 6.97 trips per thousand gross square feet of office space, which would

¹ Regional Industrial Land Study, OTAK, October 31, 2001

equate to approximately 506 average weekday trips for the proposed 72,500 square foot buildings².

Use	Average Weekday Trips
Approved Residential	832
Proposed Industrial	506

Retaining a residential zone on the subject site will permit high-density residential development that will negatively impact the surrounding transportation system. Whereas developing the site as an industrial development will fully utilize the excellent connection to the I-5 corridor. According to the Regional Industrial Lands Study, "transportation consistently emerges as the leading cost factor for removing industrial development constraints. Providing adequate offsite transportation (e.g., new roads, intersection improvements, and to a lesser extent rail connections) appears to be the most costly development constraint . . ."³ Approval of the proposed Amendment will maximize utility of the investment in the existing transportation facilities.

² Institute of Transportation Engineers (ITE) Trip Generation Manual – 4th Edition
³

V. CONCLUSION

The proposed Amendment will permit the development of two light industrial buildings that provide several benefits to the City and the community-at-large. It will transform a vacant site into a productive and attractive development that respects existing adjacent uses, and provide a needed industrial site within the City of Wilsonville. Economic benefits also include the provision of local employment opportunities, increasing the availability of goods and services while expanding, improving and diversifying the area's economy. Based upon the information established within this submittal, the Applicant respectfully requests approval of this application for Comprehensive Plan Amendment, Zone Change and Stage I approval.

PROPERTY CREEK ROAD NVILLE, OREGON APPLICATION

SHEET INDEX

DD0	COVER SHEET
1	SITE BOUNDARY
11	SITE BOUNDARY
12	SITE BOUNDARY
2	EXISTING CONDITIONS
3	CONCEPTUAL SITE PLAN

OWNER

BERREY PROPERTIES
18879 SW MARTINAZZI AVE, SUITE 208
TIGARD, OREGON 97062

ARCHITECT

CID
4445 SW BARBUR BLVD.
PORTLAND, OREGON 97201
(503) 226-1285 (TELEPHONE)
(503) 226-1670 (FAX)

PLANNING

WRG DESIGN INC.
ATTN: ALISA PYSZKA
5415 SW WESTGATE DR. SUITE 100
PORTLAND, OREGON 97221
(503) 419-2500 (TELEPHONE)
(503) 419-2600 (FAX)

LAND SURVEYOR

WESTLAKE CONSULTANTS, INC.
15115 SW SEQUOIA PARKWAY, SUITE 150
TIGARD, OREGON 97224
(503) 684-0652 (TELEPHONE)

W R G
D E S I G N I N G
5415 SW Westgate Dr. Ste 100 Portland, OR 97221
Tel. 503.419.2500 Fax. 503.419.2600

COVER SHEET
BERREY PROPERTY
SW CANYON CREEK ROAD

PROJECT NO: BER3206
DATE: MAY 30, 20
DESIGNED BY:
DRAWN BY: D.
CHECKED BY:

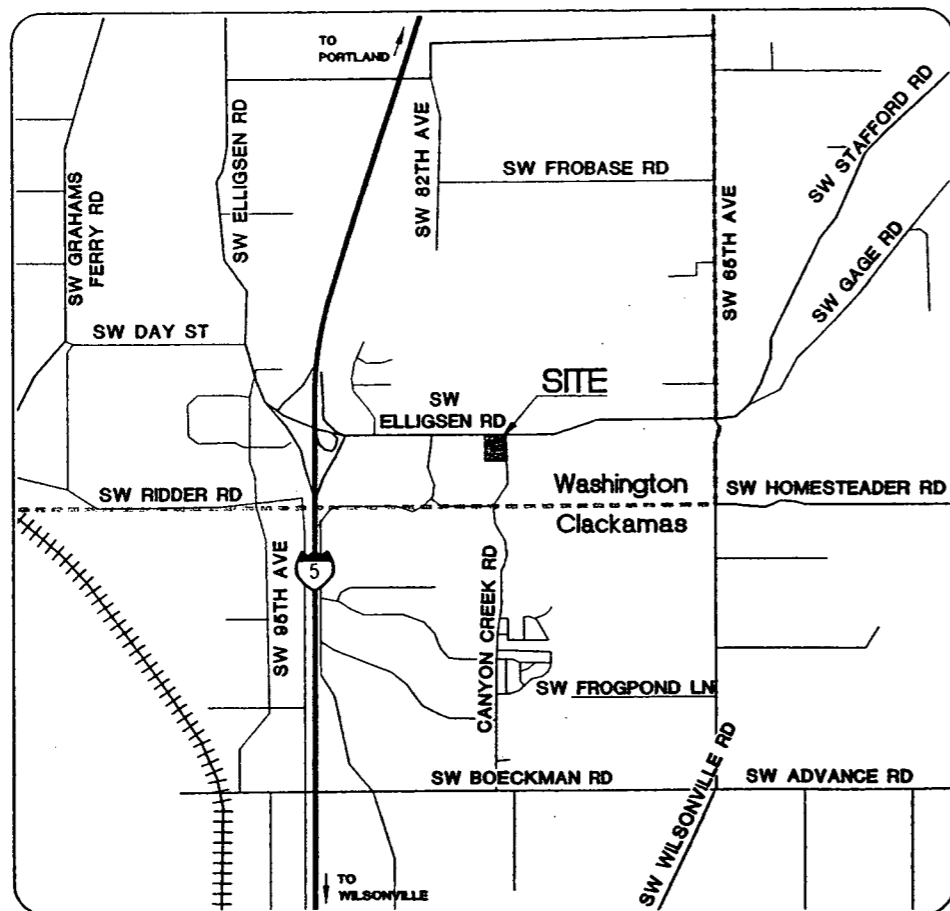
COVER
SHEET
DD0

BERREY PROPERTY

SW CANYON CREEK ROAD

CITY OF WILSONVILLE, OREGON

STAGE I APPLICATION



VICINITY MAP

NTS



CITY OF WILSONVILLE
 PLANNING DIVISION
 CASE FILE NO. 030611
 EXHIBIT NO. 2
 DATE: 5-30-03

(50 of 113)

SHEET INDEX

DDO	COVER SHEET
1	SITE BOUNDARY
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LAND SURVEYOR

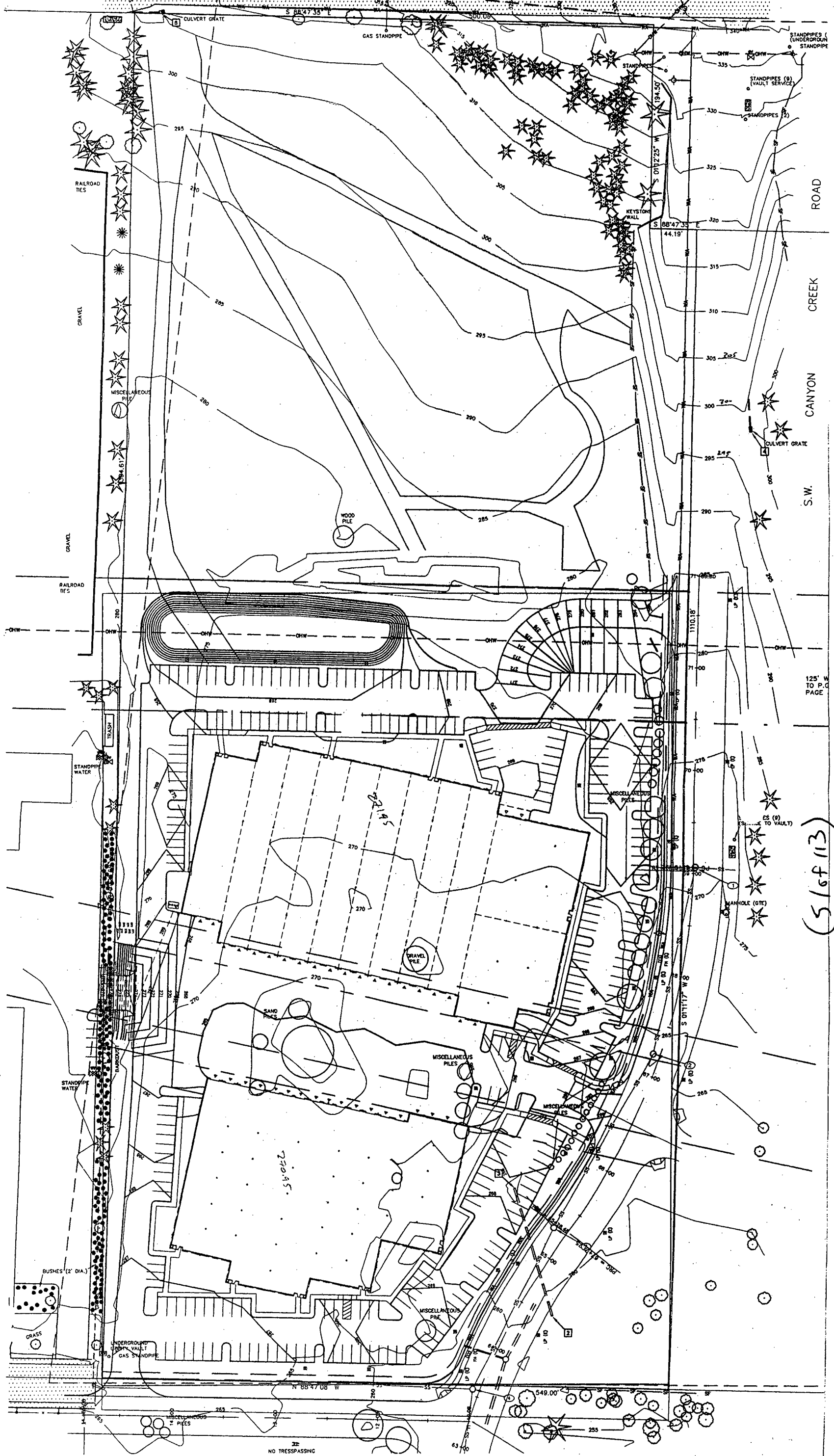
WESTLAKE CONSULTANTS, INC.
 15115 SW SEQUOIA PARKWAY, SUITE 150
 TIGARD, OREGON 97224
 (503) 684-0652 (TELEPHONE)

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 C.
 5415 SW Westgate Dr, Ste 100 Portland, OR 97221
 Tel. 503.419.2500 Fax. 503.419.2600

COVER SHEET
 BERREY PROPERTY
 SW CANYON CREEK ROAD
 WILSONVILLE, OREGON

PROJECT NO: BER32060K
 DATE: MAY 30, 2003
 DESIGNED BY:
 DRAWN BY: DJM
 CHECKED BY:

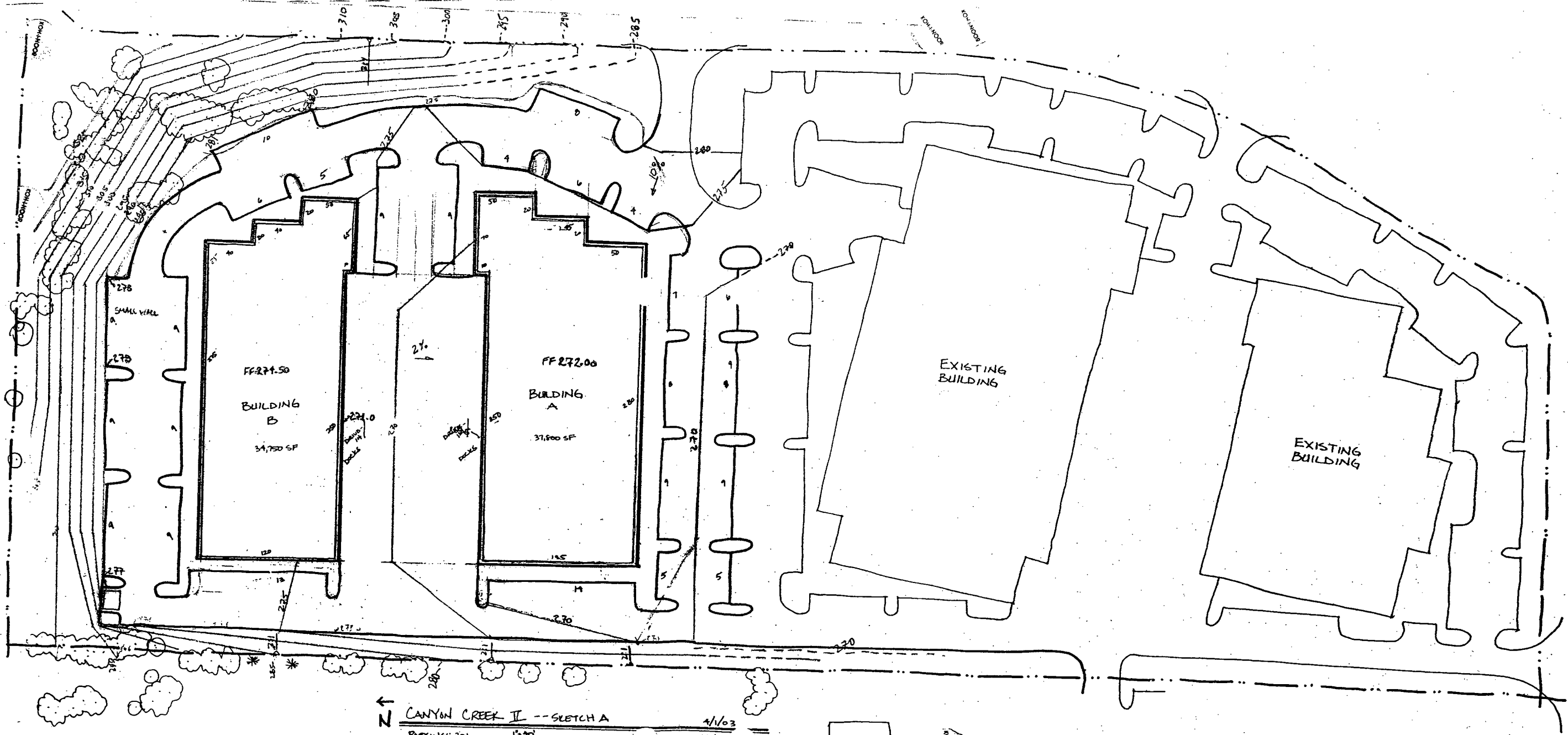
COVER SHEET
DDO



(5 of 13)

125' W TO P.C. PAGE

NO TRESPASSING



← N CANYON CREEK II -- SKETCH A 4/1/03
 PARKING: 201 1"=30' @ reduced scale 02421

(52 of 113)

PARTITION PLAT

SITUATED IN THE S.W. 1/4 OF SECTION 1, T. 3 S., R. 1 W., W.M. WASHINGTON COUNTY, OREGON
MAY 11, 1999
ANNING FILE NO. 98 AR 64

PARTITION PLAT NUMBER: 1999-100

RECORDED AS DOCUMENT NUMBER: 99120746

SHEET INDEX

- SHEET 1 - SOUTHERLY PORTION
- SHEET 2 - NORTHERLY PORTION AND CURVE TABLE
- SHEET 3 - SURVEYOR'S CERTIFICATE, NOTES, DECLARATION, AND APPROVALS



SCALE: 1"=50'

I HEREBY CERTIFY THIS TO BE A TRUE AND EXACT COPY OF THE ORIGINAL PLAT.

G.R.A.
GARY R. ANDERSON P.L.S. 2434

REGISTERED PROFESSIONAL LAND SURVEYOR

G.R.A.
OREGON
JULY 25, 1990
GARY R. ANDERSON
2434

12-31-99
RENEWAL DATE

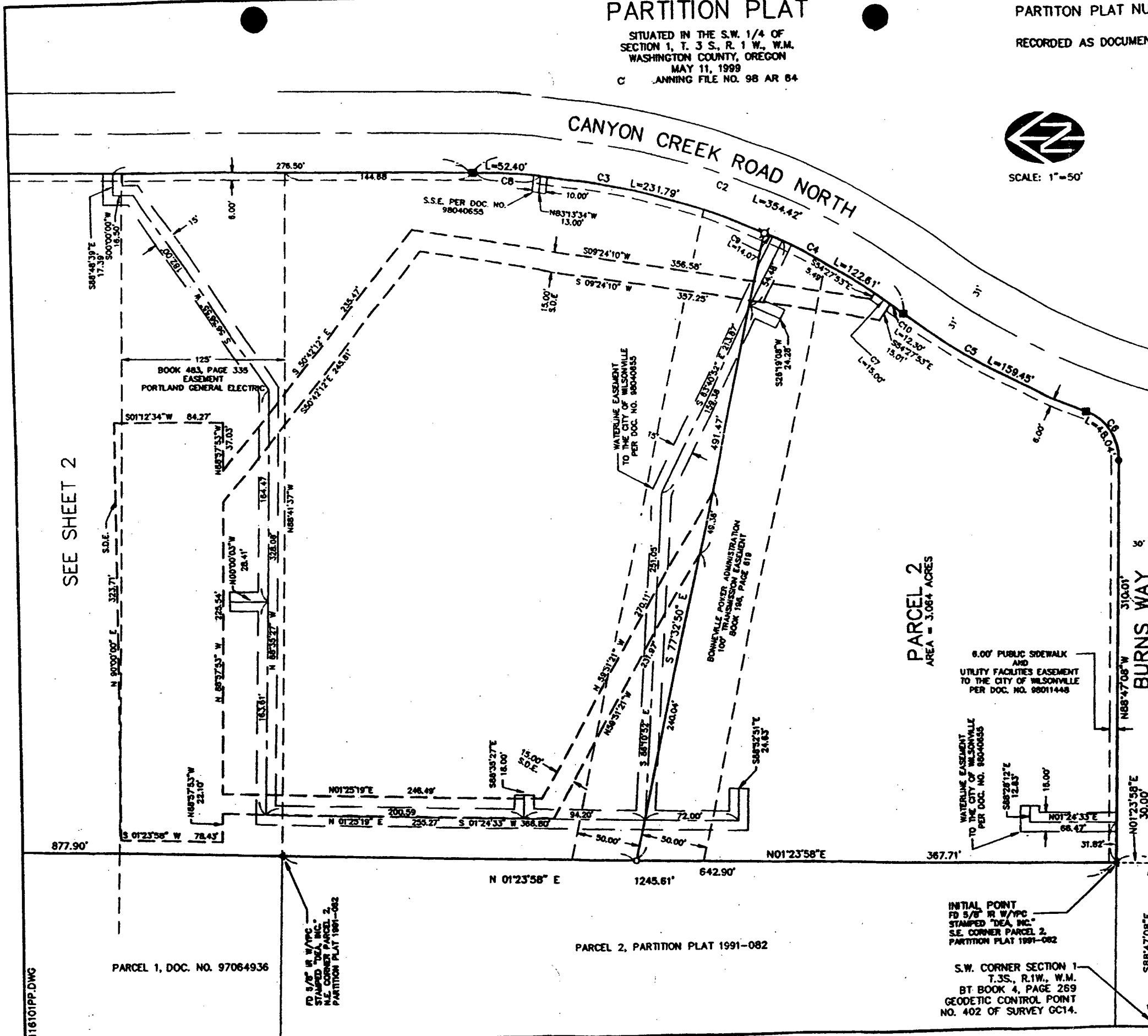
LEGEND

- ▲ FOUND MONUMENT AS NOTED
- FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "DEA, INC." PER SURVEY NUMBER 27,246.
- FOUND 1 1/4" BRASS CAP MARKED "DEA, INC." PER SURVEY NUMBER 27,246.
- SET 5/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "WESTLAKE CONSULTANTS" SET ON 6/16/99.
- ⊗ SET BRASS SCREW WITH 3/4" DIAMETER WASHER MARKED "LS 2434" SET ON 6/16/99.
- C# SEE CURVE DATA TABLE, SHEET 2.
- IR IRON ROD.
- S.N. SURVEY NUMBER, WASHINGTON COUNTY SURVEY RECORDS.
- Y.P.C. DENOTES YELLOW PLASTIC CAP
- S.D.E. STORM DRAINAGE EASEMENT TO THE CITY OF WILSONVILLE.
- S.S.E. SANITARY SEWER EASEMENT TO THE CITY OF WILSONVILLE.
- DOC. NO. DOCUMENT NUMBER, WASHINGTON COUNTY RECORDS.

SURVEYED BY:
WESTLAKE CONSULTANTS, INC.
15115 S.W. SEQUOIA PARKWAY, SUITE 150
TIGARD, OREGON 97224
(503)684-0652

116101

SHEET 1 OF 3



SEE SHEET 2

PARCEL 2
AREA = 3.084 ACRES

PARCEL 2, PARTITION PLAT 1991-082

PARCEL 1, DOC. NO. 97064936

FD 5/8" IRON ROD
STAMPED "DEA, INC."
N.E. CORNER PARCEL 2,
PARTITION PLAT 1991-082

INITIAL POINT
FD 5/8" IRON ROD
STAMPED "DEA, INC."
S.E. CORNER PARCEL 2,
PARTITION PLAT 1991-082

S.W. CORNER SECTION 1
T.3S., R.1W., W.M.
BT BOOK 4, PAGE 259
GEODEIC CONTROL POINT
NO. 402 OF SURVEY GC14.

(53 of 113)

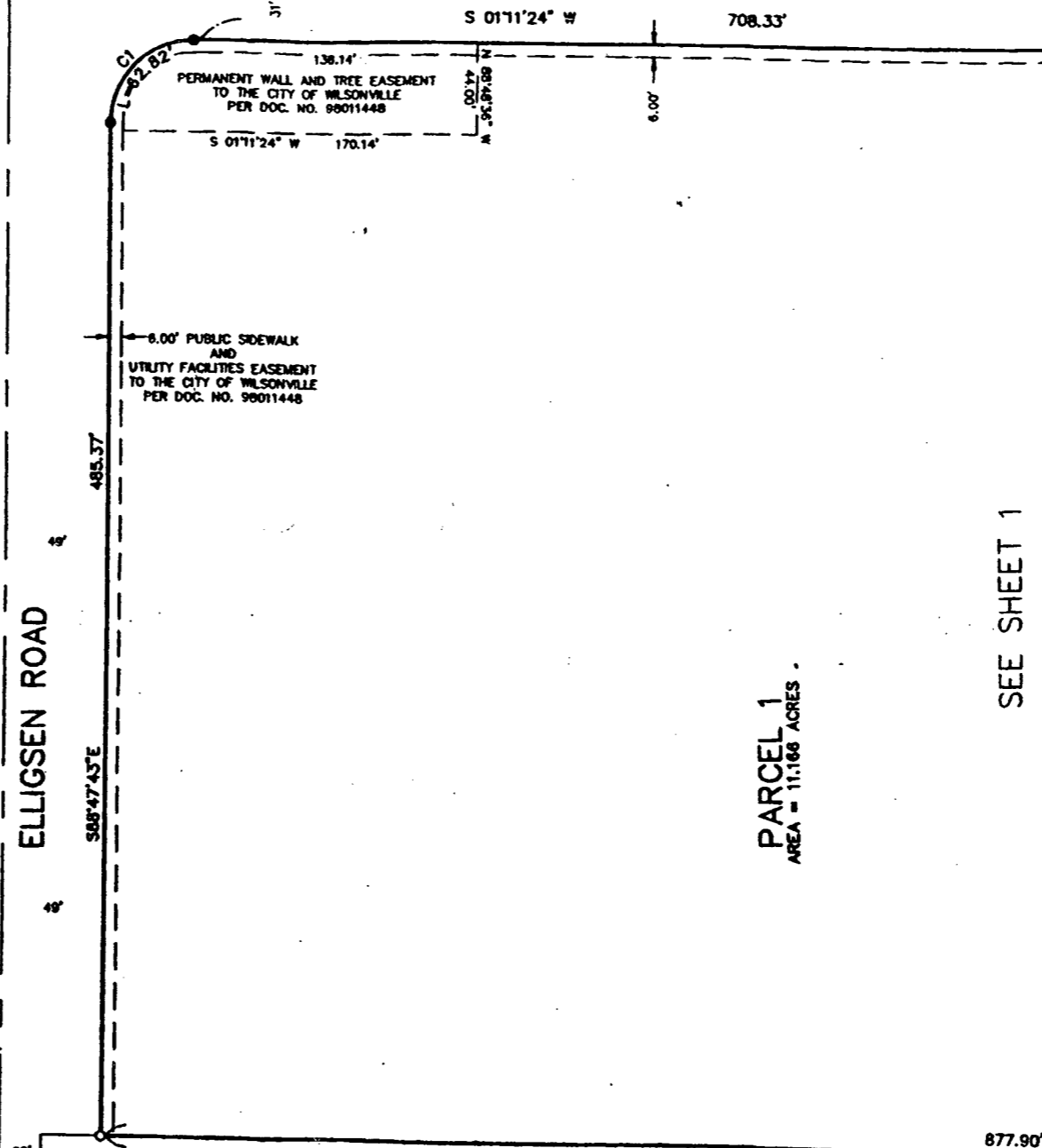
PARTITION PLAT

SITUATED IN THE S.W. 1/4 OF
SECTION 1, T. 3 S., R. 1 W., W.M.
WASHINGTON COUNTY, OREGON
MAY 11, 1999
CITY PLANNING FILE NO 98 AR 64

PARTITION PLAT NUMBER: 1999-100

RECORDED AS DOCUMENT NUMBER: 99120746

CANYON CREEK ROAD NORTH



CURVE TABLE					
CURVE	DELTA	LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	89°59'07"	62.82'	40.00	S43°48'09"E	56.56
C2	35°41'13"	354.40'	569.00	N19°02'00"E	348.70
C3	23°20'25"	231.79'	569.00	N12°51'36"E	230.19
C4	12°20'48"	122.61'	569.00	N30°42'13"E	122.38
C5	14°28'41"	159.45'	631.00'	S29°38'16"W	159.02'
C6	68°48'45"	48.04'	40.00	N56°48'19"E	45.20
C7	01°30'38"	15.00'	569.00	N34°52'57"E	15.00
C8	05°16'37"	52.40'	569.00	N03°49'42"E	52.39
C9	01°25'01"	14.07'	569.00	N25°14'19"E	14.07
C10	01°14'21"	12.30'	569.00	N36°15'27"E	12.30

REGISTERED
PROFESSIONAL
LAND SURVEYOR
Gary R. Anderson
OREGON
JULY 25, 1990
GARY R. ANDERSON
2434



SCALE: 1"=50'

12-31-99
RENEWAL DATE

SEE SHEET 1

PARCEL 1
AREA = 11.168 ACRES

LEGEND

- ▲ FOUND MONUMENT AS NOTED
- FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "DEA, INC." PER SURVEY NUMBER 27,246.
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- IR IRON ROD.
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- Y.P.C. DENOTES YELLOW PLASTIC CAP
- S.D.E. STORM DRAINAGE EASEMENT TO THE CITY OF WILSONVILLE.
- S.S.E. SANITARY SEWER EASEMENT TO THE CITY OF WILSONVILLE.

SURVEYED BY:
WESTLAKE CONSULTANTS, INC.
15115 S.W. SEQUOIA PARKWAY, SUITE 150
TIGARD, OREGON 97224
(503)684-0652

I HEREBY CERTIFY THIS TO BE
A TRUE AND EXACT COPY OF
THE ORIGINAL PLAT.

Gary R. Anderson
GARY R. ANDERSON P.L.S. 2434

116101PP.DWG

SHEET 2 OF 3

116101

(54 of 113)

PARTITION PLAT

SITUATED IN THE S.W. 1/4 OF SECTION 1, T. 3 S., R. 1 W., W.M. WASHINGTON COUNTY, OREGON MAY 11, 1999 CIT: NNING FILE NO. 98 AR 64

PARTITION PLAT NUMBER: 1999-100

RECORDED AS DOCUMENT NUMBER: 99120746

NOTES

- 1. A SIX FOOT PUBLIC SIDEWALK AND UTILITIES FACILITY EASEMENT EXISTS ALONG ALL STREET FRONTAGE PER DOCUMENT NUMBER 98011448. 2. THIS PARTITION PLAT IS SUBJECT TO THE CONDITIONS OF APPROVAL PER CITY FILE NUMBER 98 AR 64, CITY OF WILSONVILLE. 3. THE STORM DRAINAGE EASEMENT CREATED HEREON IS SUBJECT TO A MAINTENANCE AGREEMENT AS RECORDED IN DEED DOCUMENT NUMBER 99120747 WASHINGTON COUNTY DEED RECORDS. 4. PARCELS 1 AND 2 ARE SUBJECT TO A RECIPROCAL ACCESS EASEMENT AND A MAINTENANCE AGREEMENT RECORDED AS DOCUMENT NO. 99120747, WASHINGTON COUNTY DEED RECORDS.

APPROVALS

APPROVED THIS 7th DAY OF August 1999 CITY OF WILSONVILLE PLANNING DIRECTOR

BY: [Signature] CHAIRMAN

APPROVED THIS 9th DAY OF August 1999

BY: [Signature] CITY OF WILSONVILLE COMMUNITY DEVELOPMENT DIRECTOR

APPROVED THIS 17th DAY OF Aug. 1999

WASHINGTON COUNTY SURVEYOR BY: [Signature]

ALL TAXES, FEES, ASSESSMENTS OR OTHER CHARGES AS PROVIDED BY O.R.S. 92.090 HAVE BEEN PAID AS OF 8/17/99 DIRECTOR OF ASSESSMENT AND TAXATION WASHINGTON COUNTY, OREGON.

BY: [Signature] DEPUTY

STATE OF OREGON } COUNTY OF WASHINGTON } I DO HEREBY CERTIFY THAT THE ATTACHED PARTITION PLAT WAS RECEIVED FOR RECORD ON THIS 27 DAY OF October 1999 AT 11:27 O'CLOCK A.M. AND RECORDED IN THE COUNTY CLERK RECORDS.

BY: [Signature] DEPUTY COUNTY CLERK

STATE OF OREGON } COUNTY OF WASHINGTON } I DO HEREBY CERTIFY THAT THIS MAP IS A COPY CERTIFIED TO ME BY THE SURVEYOR OF THIS PARTITION PLAT, TO BE A TRUE AND EXACT COPY OF THE ORIGINAL, AND THAT IT WAS RECORDED ON THIS 27 DAY OF October 1999 AT 11:27 O'CLOCK A.M. IN THE COUNTY CLERK RECORDS.

BY: [Signature] DEPUTY COUNTY CLERK

DECLARATION

KNOW ALL MEN BY THESE PRESENTS THAT FRED W. JARRARD AND JOSEPH P. TENNANT, CO-TRUSTEES OF THE MICHAEL JAMES BERRY IRREVOCABLE TRUST U/T/A DATED DECEMBER 31, 1984, AS TO AN UNDIVIDED 50% INTEREST AND FRED W. JARRARD AND JOSEPH P. TENNANT, CO-TRUSTEES OF THE ANDREW WAYNE BERRY IRREVOCABLE TRUST U/T/A DATED DECEMBER 31, 1984, AS TO AN UNDIVIDED 50% INTEREST, THE OWNERS OF THE LAND REPRESENTED ON THE ANNEXED MAP, AND MORE PARTICULARLY DESCRIBED IN THE ACCOMPANYING SURVEYOR'S CERTIFICATE, HAVE CAUSED THE SAME TO BE PARTITIONED AND SURVEYED INTO PARCELS, AND GRANT ALL EASEMENTS SHOWN OR NOTED HEREON.

[Signatures of Fred W. Jarrard and Joseph P. Tennant, Co-Trustees]

ACKNOWLEDGMENT

STATE OF OREGON } COUNTY OF WASHINGTON } SS

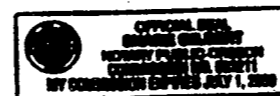
ON July 26, 1999, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED FRED W. JARRARD, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE WITHIN INSTRUMENT AS A CO-TRUSTEE OF BOTH THE MICHAEL JAMES BERRY IRREVOCABLE TRUST U/T/A AND THE ANDREW WAYNE BERRY IRREVOCABLE TRUST U/T/A, AND THAT HE EXECUTED THE WITHIN INSTRUMENT ON BEHALF OF SAID TRUSTS.

[Signature] NOTARY PUBLIC FOR OREGON

STATE OF OREGON } COUNTY OF WASHINGTON } SS

ON October 27, 1999, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED JOSEPH P. TENNANT, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE WITHIN INSTRUMENT AS A CO-TRUSTEE OF BOTH THE MICHAEL JAMES BERRY IRREVOCABLE TRUST U/T/A AND THE ANDREW WAYNE BERRY IRREVOCABLE TRUST U/T/A, AND THAT HE EXECUTED THE WITHIN INSTRUMENT ON BEHALF OF SAID TRUSTS.

[Signature] NOTARY PUBLIC FOR OREGON



I HEREBY CERTIFY THIS TO BE A TRUE AND EXACT COPY OF THE ORIGINAL PLAT.

[Signature] GARY R. ANDERSON P.L.S. 2434

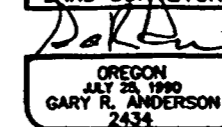
SURVEYOR'S CERTIFICATE

I, GARY R. ANDERSON, HEREBY CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND REPRESENTED ON THE ATTACHED PARTITION PLAT. THE BOUNDARY BEING DESCRIBED AS FOLLOWS:

A TRACT OF LAND SITUATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 1, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, WASHINGTON COUNTY, STATE OF OREGON, BEING A PORTION OF THAT PROPERTY CONVEYED BY DOCUMENTS NUMBER 97051502 AND 97090743, WASHINGTON COUNTY DEED RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 1; THENCE S 88°47'08" E ALONG THE SOUTH LINE OF SAID SECTION 1, 1330.71 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 1; THENCE N01°23'58" E ALONG THE EAST LINE OF SAID SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 1, 30.00 FEET TO THE SOUTHEAST CORNER OF PARCEL 2, PARTITION PLAT 1991-082, WASHINGTON COUNTY SURVEY RECORDS, THE INITIAL POINT AND THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING ALONG THE EAST LINE OF SAID SOUTHWEST ONE-QUARTER OF SECTION 1 N 07°23'58" E, 1245.61 FEET TO THE SOUTH RIGHT OF WAY LINE OF ELLIGSEN ROAD (DOC. NO. 98011448) 48.00 FEET, WHEN MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF SAID ROAD; THENCE CONTINUING ALONG SAID SOUTH RIGHT OF WAY LINE S 88°47'43" E, 485.37 FEET; THENCE ALONG THE ARC OF A TANGENT 40.00 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 89°58'07", AN ARC DISTANCE OF 82.82 FEET (THE CHORD OF WHICH BEARS S 43°48'09" E, 58.58 FEET) TO THE WEST RIGHT OF WAY LINE OF CANYON CREEK ROAD NORTH (DOC. NO. 98011448) BEING 31.00 FEET, WHEN MEASURED AT RIGHT ANGLES, TO THE CENTERLINE OF SAID ROAD; THENCE CONTINUING ALONG SAID WEST RIGHT OF WAY LINE FOR THE NEXT THREE COURSES: S 01°11'24" W, 706.33 FEET; THENCE ALONG THE ARC OF A TANGENT 588.00 FOOT CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 39°41'13", AN ARC DISTANCE OF 354.40 FEET (THE CHORD OF WHICH BEARS S19°02'00" W, 348.70 FEET) TO A POINT OF REVERSE CURVATURE; THENCE ALONG THE ARC OF A 631.00 FOOT RADIUS CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 142°28'41", AN ARC DISTANCE OF 108.45 FEET (THE CHORD OF WHICH BEARS S 29°38'18" W, 159.02 FEET) TO A POINT OF REVERSE CURVATURE; THENCE ALONG THE ARC OF A 40.00 FOOT RADIUS CURVE TO THE RIGHT, AN ARC DISTANCE OF 48.04 FEET (THE CHORD OF WHICH BEARS S 58°48'19" W, 48.20 FEET) TO A POINT ON THE NORTH RIGHT OF WAY LINE OF BURNS WAY (DOC. NO. 98011448), BEING 30.00 FEET, WHEN MEASURED AT RIGHT ANGLES, TO THE CENTERLINE OF SAID ROAD; THENCE CONTINUING ALONG SAID NORTH RIGHT OF WAY LINE N 88°47'08" W, 310.01 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS 14.230 ACRES, MORE OR LESS.



SURVEYED BY: WESTLAKE CONSULTANTS, INC. 15115 S.W. SEQUOIA PARKWAY, SUITE 150 TIGARD, OREGON 97224 (503)684-0652

12-31-99 RENEWAL DATE

116101

SHEET 3 OF 3

116101PP.DWG

CITY OF WILSONVILLE

8445 S.W. Elligsen Road
Mail: 30000 S.W. Town Center Loop East
Wilsonville, OR 97070-0220
Ph: 503/682-4960
Fax: 503/682-7025
Web: www.ci.wilsonville.or.us

PLANNING DEPARTMENT SITE DEVELOPMENT APPLICATION AND PERMIT

File No. _____ 1/4 Sec. _____

Final action on application or zone change is required within 120 days in accordance with provisions of ORS 227.175

A preapplication conference normally is required prior to submittal of an application. Please contact the Planning Department at (503) 682-4960 for an appointment.

Pre-App- _____
Mo. Day Yr.

APPLICANT - COMPLETE

Owner's Name Berrrey Michael James Trust Authorized Representative Alisa Pyszka, AICP /WRG Design, I.
 Address 18879 SW Martinazzi Ave., Suite 208 Address 5415 SW Westgate Drive, Suite 100
Tualatin, OR 97062-6807 Portland, OR 97221
 Phone: 503/691-9864 Fax: 503/885-0654 Phone: 503/419-2500 Fax: 503/419-2600
 Owners Signature: *[Signature]*
 Property Description: T 3S 1W Map 3S101CD Tax Lot(s) 800
 Request Comprehensive Plan Amendment and Zone Change from Residential to Industrial. Stage I Approval

Please attach a plot plan (scale 1" = 40') and any other documents to this application. Please review the Planning Department submittal requirements to ensure that your application is complete.

Received: _____ OFFICE USE ONLY
 Complete Application Accepted: _____ Public Hearing Date: _____
 Staff Signature: _____

- | | | |
|--|--|---|
| <input type="checkbox"/> Class I | <input type="checkbox"/> Class 11 | <input type="checkbox"/> Class III |
| <input type="checkbox"/> PLAN AMENDMENT | <input type="checkbox"/> MAJOR PARTITION | <input type="checkbox"/> DESIGN- REVIEW |
| <input type="checkbox"/> ZONE CHANGE | <input type="checkbox"/> MINOR PARTITION | <input type="checkbox"/> TEXT AMENDMENT |
| <input type="checkbox"/> PRELIMINARY PLAT | <input type="checkbox"/> CONDITIONAL USE | <input type="checkbox"/> SIGN REVIEW |
| <input type="checkbox"/> FINAL PLAT | <input type="checkbox"/> VARIANCE | <input type="checkbox"/> TEMPORARY USE |
| <input type="checkbox"/> PLANNED DEVELOPMENT | <input type="checkbox"/> OTHER | |

SITE FINDINGS

1. Zoning: _____ 5. Building Area: _____
 2. Area of Lot: _____ 6. Access to Property: _____
 3. Building or Sign Height: _____
 (Max) _____ 7. Other: _____
 4. Zone Code Minimum Setbacks: _____
 Front _____
 Side _____
 Rear _____

Approved Denied 0- Approved with Conditions (see attached)
 Conditions of Development _____

Approval of this development permit, as submitted, is based on information submitted by the applicant as outlined above. Any change of plans or incorrect information submitted may result in revocation of permit. This decision may be appealed in accordance with the provisions of the Wilsonville Code and ORS 227-180.

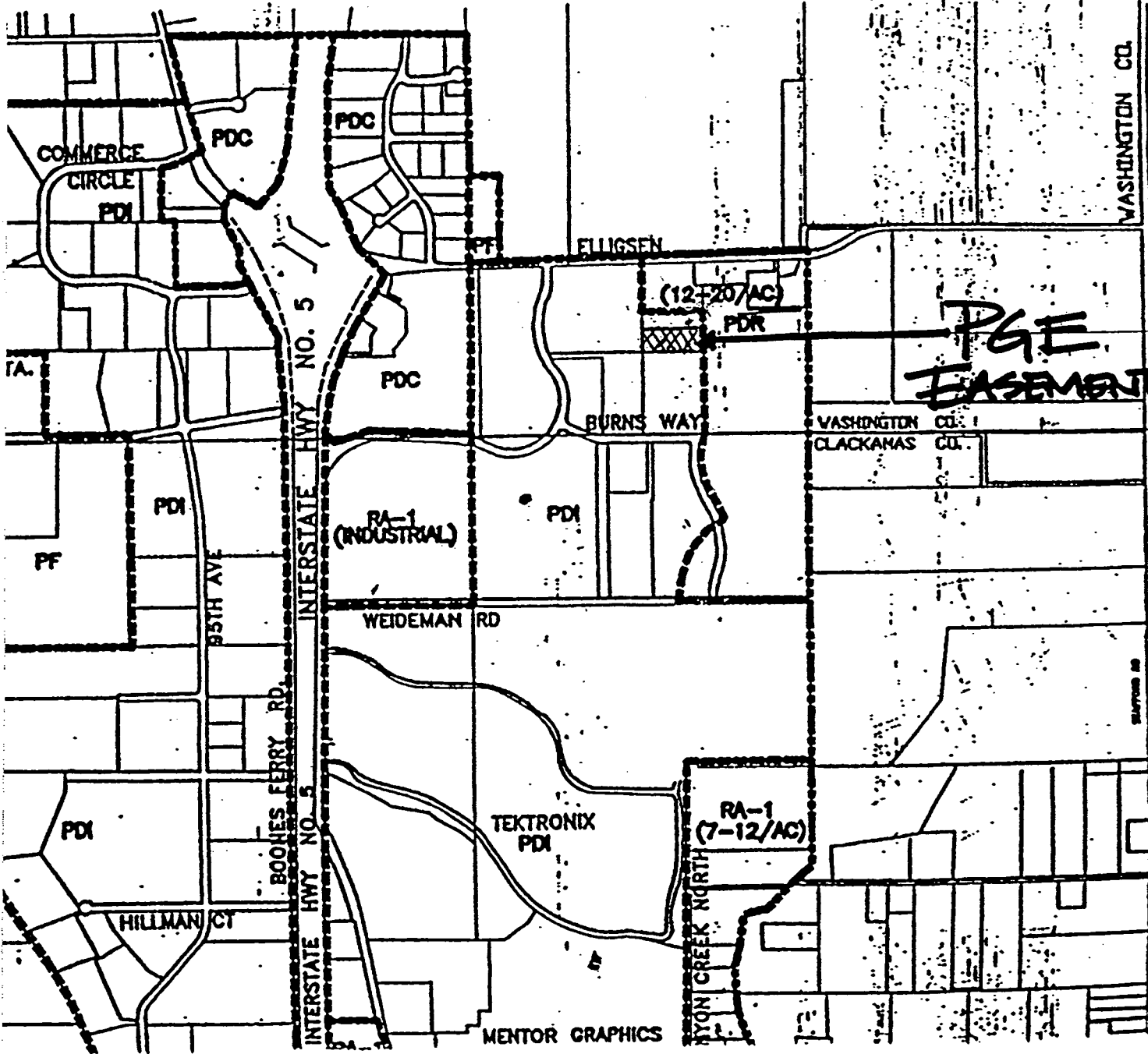
CITY OF WILSONVILLE PLANNING DIVISION

Amount Paid _____ Check No. _____ Cash
 CASE FILE NO. 030811 Permit Approval/Planners Signature _____ Date: _____
 EXHIBIT NO. 3 City Council or Development Review Board Approval Yes No
 DATE: 5-30-03 Order/Resolution _____

White - Applicant's Permit Canary - File Pink - Finance Goldenrod - Applicant's Receipt

(56 of 10)

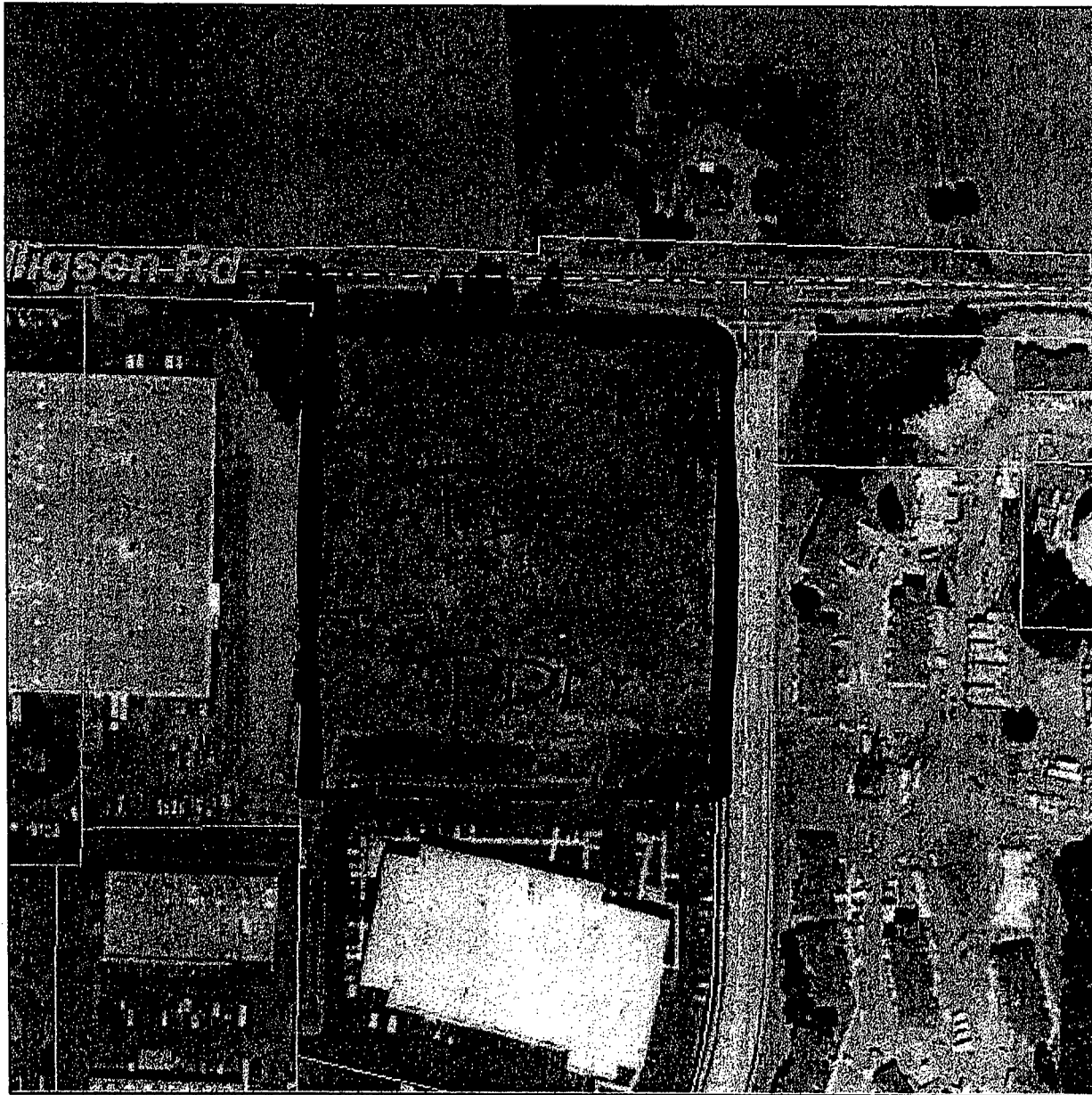
ILSONVILLE



CITY OF WILSONVILLE
PLANNING DIVISION

CASE FILE NO. 032811
EXHIBIT NO. 4
DATE: 5-30-03

(57 of 113)



(58 & F113)

4/3/2003

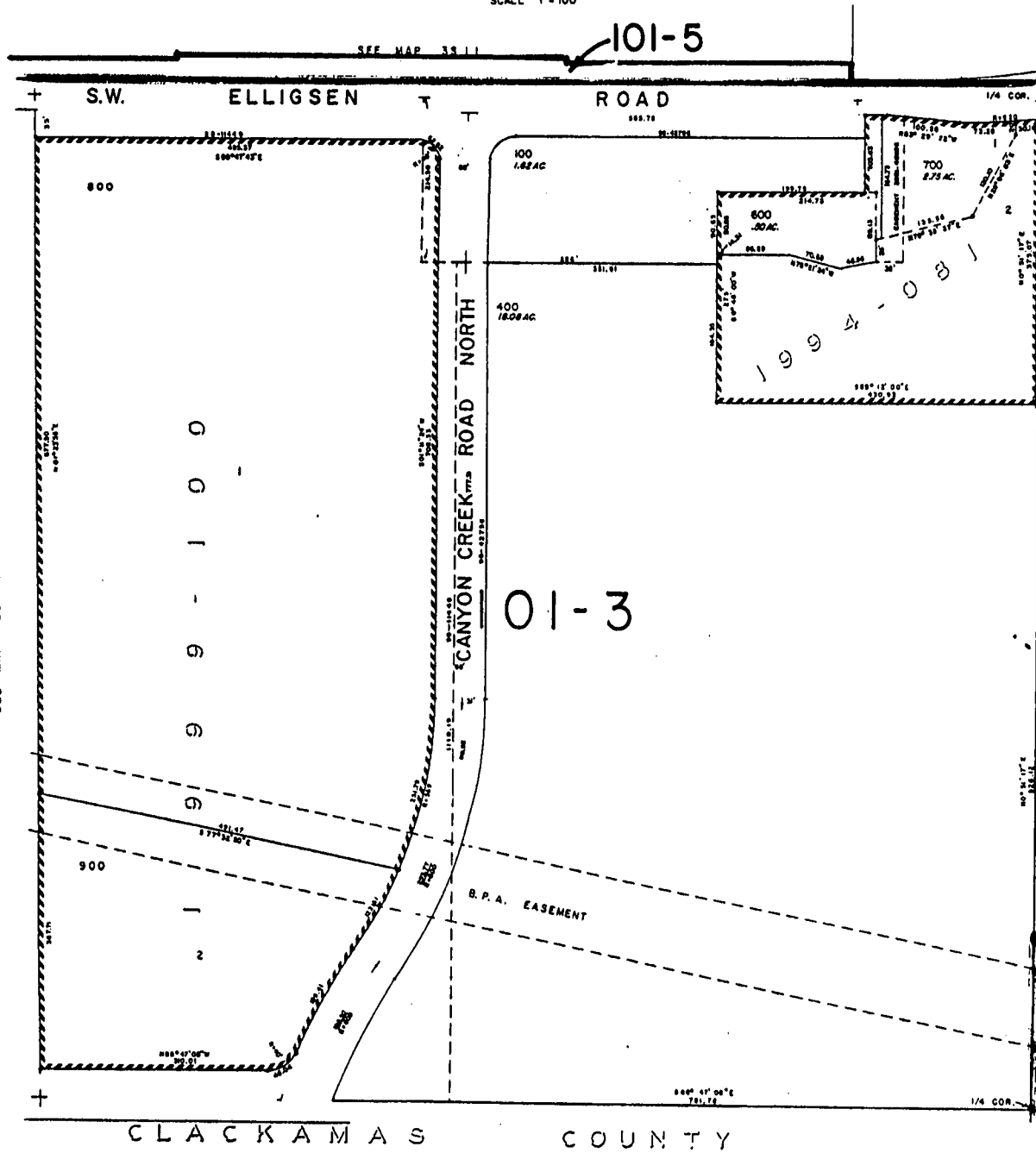
Comprehensive Plan Amendment, Zone Change and Stage I Approval

Berrey Properties

FOR ASSESSMENT PURPOSES ONLY. DO NOT RELY ON FOR ANY OTHER USE.

S E 1/4 S W 1/4 SECTION 1 T 3 S R 1 W W.M.
WASHINGTON COUNTY
SCALE 1"=100'

35 | 100



(59 of 113)

CANCELLED T.L.
300
800
200

SEE MAP 35 11

35 | 100

Catch The Wave Of The Future

Pacific Northwest Title

Please return the favor by ordering title & escrow services from Pacific Northwest Title.
Note: You may request this information by using Transaction Number T-28692

Kristi Crippen
WRG Design
5415 SW Westgate Drive #100
Portland, OR 97221

Phone: 503.419.2500
Fax: 503.419.2600

Order Date	County	Property Address				
05/29/2003	Washington	3S11CD Lot# 800				
Order Time	Marketing Rep	Owner				
05/29/2003 13:38 AM	Liz Leggat	Berrey Michael James Trust				
<input type="checkbox"/> Fax	<input type="checkbox"/> PO	<input type="checkbox"/> Map	<input type="checkbox"/> Deed	<input type="checkbox"/> CC&R's	<input type="checkbox"/> Labels	<input type="checkbox"/> Other
<input type="checkbox"/> FAX	<input type="checkbox"/> Deliver	<input type="checkbox"/> Will Pick Up	<input type="checkbox"/> Mail	<input type="checkbox"/> EMail	<input type="checkbox"/> Other	

Additional Information

Order Processed By: Brenda Kelner

Order customer service on the internet at www.pnwtor.com
Customer Service & Nite Owl
503-671-0525

This information has been furnished at our expense without charge, in conformance with the guidelines by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insured; indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.

(60 of 113)

PACIFIC NORTHWEST TITLE

Phone (503) 671-0525 Fax (503) 643-6416

= METROSCAN PROPERTY PROFILE = Washington (OR)

OWNERSHIP INFORMATION

```

Reference Parcel #: 3S101CD 00800
Parcel Number      : R2091060
Owner              : Berrey Michael James Trust
CoOwner           : Berrey Andrew Wayne
Site Address       : *no Site Address*
Mail Address       : 2 N Lasalle St #800 Chicago Il 60602
Telephone         : Owner:
                  : Tenant:
  
```

SALES AND LOAN INFORMATION

```

Transferred :
Document #   :
Sale Price   :
Deed Type    :
% Owned      :
Loan Amount  :
Lender       :
Loan Type    :
Interest Rate :
Vesting Type :
  
```

ASSESSMENT AND TAX INFORMATION

```

MktLand      : $1,333,950
MktStructure : $5,528,850
MktOther     :
MktTotal     : $6,862,800
02-03 Taxes  : $79,529.06
Assessed Tot : $4,243,700
Exempt Amount :
Exempt Type   :
% Improved    : 81
Levy Code     : 10103
School Dist   : West Linn
  
```

PROPERTY DESCRIPTION

```

Map Grid      :
Census        : Tract:
NbrhdCd       : Y15
Sub/Flat      :
Land Use      : 2312 Misc, Non-mfg, Improvement, Ind Zone
Legal         : PARTITION PLAT 1999-100, LOT 1,
              : ACRES 11.17
  
```

PROPERTY CHARACTERISTICS

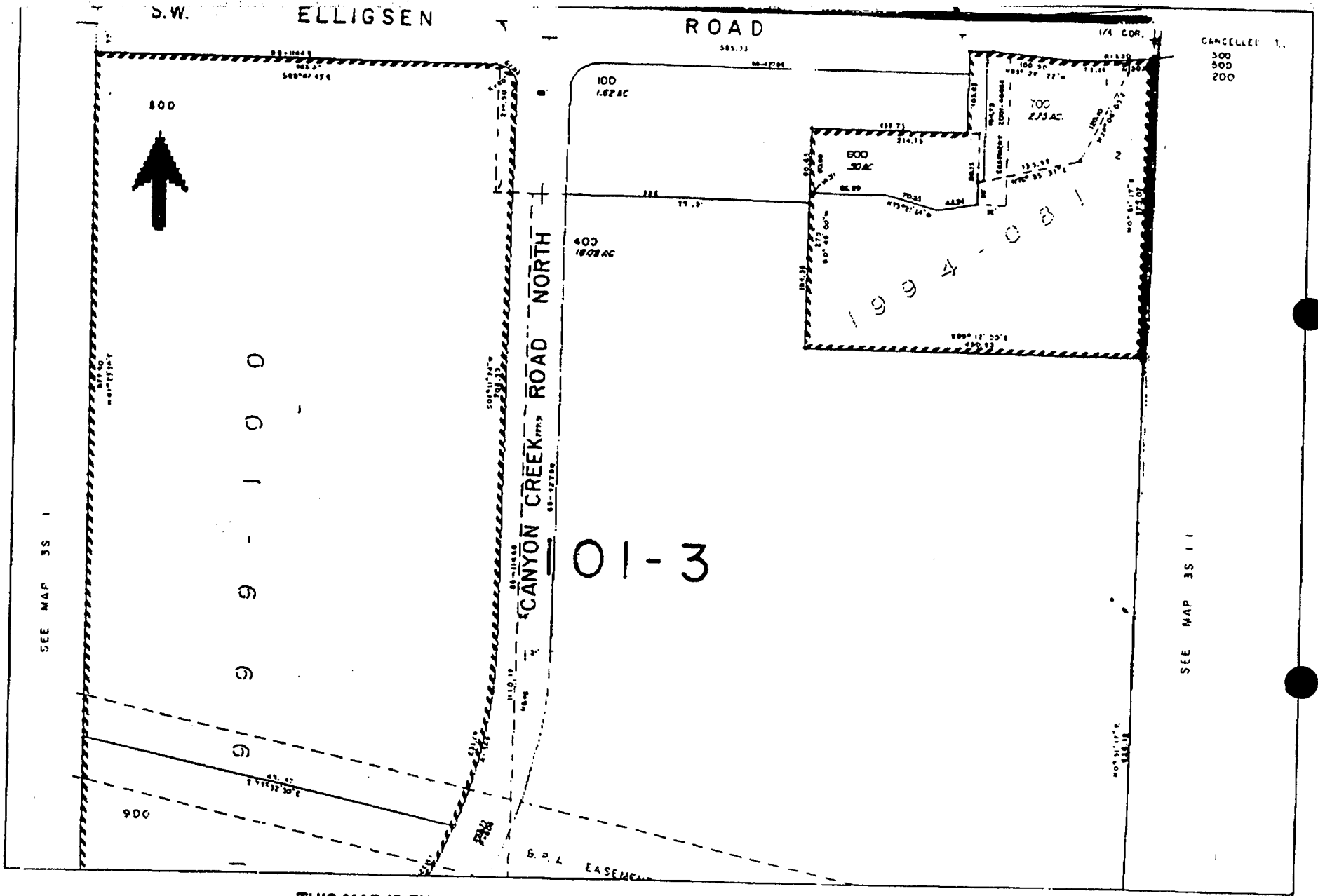
```

Bedrooms      :
Bathrooms     :
Heat Method    :
Pool          :
Appliances    :
Dishwasher    :
Hood Fan      :
Deck          :
Garage Type   :
Garage SF     :
Lot Acres     : 11.17
Lot SqFt      : 486,565
BsmFin SF     :
BsmUnfinSF   :
BsmLowSF     :
Bldg SqFt     :
1stFlrSqFt   :
UpperFlSF    :
Porch SqFt    :
Attic SqFt    :
Deck SqFt     :
Year Built    :
EffYearBlt   :
Floor Cover   :
Foundation    :
Roof Shape    :
Roof Matl     :
InteriorMat   :
Paving Matl   :
Const Type    :
Ext Finish    :
  
```

The information provided is deemed reliable, but is not guaranteed.

(61 of 113)

(C2 of 13)



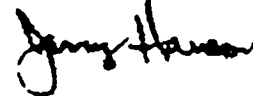
THIS MAP IS FURNISHED AS A CONVENIENCE BY PACIFIC NORTHWEST TITLE
 This map is not a survey and does not show the location of any improvements.
 The company assumes no liability for errors therein.

MAP # 3S101CD 00800

CANCELLED 1,
 300
 500
 200

STATE OF OREGON
County of Washington } 88

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



Jerry R. Hanson, Director of Assessment and Taxation, Ex-Officio County Clerk

Doc : 97090743
Rect: 195062 38.00
09/29/1997 01:39:50pm

1-6

(23 of 113)

30
22

AFTER RECORDING RETURN TO:

Richard J. Brownstein
1200 S. W. Main Street
Portland, Oregon 97205

UNTIL A CHANGE IS REQUESTED, ALL
TAX STATEMENTS SHALL BE SENT TO:

Richard J. Brownstein
1200 S. W. Main Street
Portland, Oregon 97205

CHICAGO TITLE INSURANCE CO

STATUTORY BARGAIN AND SALE DEED

Property Lot Line Adjustment

S and S Development, an Oregon general partnership, and Jung Doo Shin, Grantor, conveys to Fred W. Jarrard and Joseph P. Tennant, Co-Trustees of the Michael James Berrey Irrevocable Trust w/va dated December 31, 1984 as to a 50% interest and Fred W. Jarrard and Joseph P. Tennant, Co-Trustees of the Andrew Wayne Berrey Irrevocable Trust w/va dated December 31, 1984 as to a undivided 50% interest, the following described real property:

See Exhibit "A" which is attached hereto and incorporated herein by this reference.

The true consideration for this conveyance is \$0. The purpose of this Deed and of a companion deed conveying property from Grantee to Grantor is to adjust the boundaries of the affected properties due to the creation of North Canyon Creek Road as illustrated on Exhibit "B" attached hereto.

The Grantor covenants to pay the real property taxes billed to the Grantor for the 1997-98 tax year, in full, within 30 days of receipt of the tax bill.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

DATED this 18th day of September, 1997.

S and S Development, an Oregon general partnership

By: [Signature]
Its: President

[Signature]
Jung Doo Shin
Jung Doo Shin

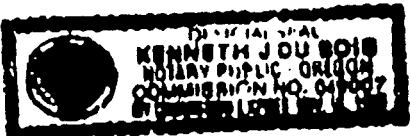
1 - STATUTORY BARGAIN AND SALE DEED
(17107008/110286/1D1/105433 1)

2

(64 of 113)

STATE OF OREGON)
) ss.
County of Multnomah)

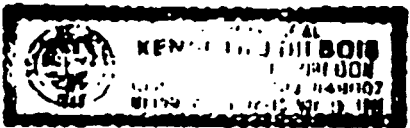
On this 18th day of September, 1997, personally appeared Jung Doo Shin, general partner of S and S Development, and acknowledged the foregoing instrument, on behalf of such partnership. *general partner



Kenneth J. O'Bois
NOTARY PUBLIC FOR OREGON
My Commission Expires: 11-16-99

STATE OF OREGON)
) ss.
County of Multnomah)

On this 18th day of September, 1997, personally appeared Jung Doo Shin Jung Doo Shin and acknowledged the foregoing instrument as his voluntary act and deed.



Kenneth J. O'Bois
NOTARY PUBLIC FOR OREGON
My Commission Expires: 11-16-99

Page 1 of 2

DAVID EVANS AND ASSOCIATES

1618 SW Corbett Avenue
Portland Oregon 97205
Tel 503 433 8868
Fax 503 433 3301

**PROPERTY LINE ADJUSTMENT
EXHIBIT A**

WLX0011
L.I.D. No. 12-95-ST
Canyon Creek Road North
City of Wilsonville, Oregon
GRA, DEA Inc. 4-29-96

Shin, Jung Doo &
S&S Development
8465 SW Hemlock Street
Portland, OR 97225
Washington County
Document No's 92-17704
& 94-49655
3S-1W-1CD-100, 400

PARCEL 1 - To Brownstein & Jarrard

A parcel of land lying in the Southwest one-quarter of Section 1, Township 3 South, Range 1 West, W.M., Washington County, Oregon and, being a portion of those properties conveyed in the Deeds to, Jung Doo Shin and S&S Development, recorded as Document No's. 94-49655 and 92-17704, Washington County Book of Records; the said parcel of land being all that portion of said properties lying West of the hereinafter described centerline of Canyon Creek Road North, and being more particularly described as follows:

Beginning at the northwest corner of said properties, being the point of intersection of the Easterly line of that property conveyed by Deed to Brownstein & Jarrard as Document No. 86-28524 Washington County Book of Records, and the Southerly right-of-way line of Elligsen Road (40-foot wide); thence along said Easterly line South 1° 12' 17" West a distance of 194.62 feet to an angle point; thence continuing along said Brownstein & Jarrard property South 88° 47' 43" East a distance of 44.20 feet to an angle point; thence continuing along said Brownstein & Jarrard property South 1° 11' 37" West a distance of 701.85 feet to a point on the hereinafter described centerline of Canyon Creek Road North also being a point of non-tangent curvature; thence on said centerline along the arc of a 600.00 foot radius curve, (the long chord of which bears North 6° 55' 02" East a distance of 119.75 feet) a distance of 119.95 feet; thence continuing along said centerline North 1° 11' 24" East a distance of 777.31 feet to a point on said Southerly right-of-way line of Elligsen Road; thence along said line North 88° 47' 43" West a distance of 56.06 feet to the point of beginning

Centerline of Canyon Creek Road North

Beginning at a 3" brass disk Monument marked "W&H PACIFIC CL-CL 1991" on the South line of Section 12, Township 3 South, Range 1 West W.M., said point lying South 88° 52' 36" East a distance of 1,694.84 feet from the Southwest corner of said Section 12, and said point being

Outstanding: Passports Outstanding: Quality

4

(66 of 113)

Shin PLA
Page 2 of 2

Station 10+00.00 Northerly for the purposes of this project; and running thence North 1° 28' 35" East 2,288.99 feet to a point of curvature; thence along the arc of a 1,900.00 foot radius curve, (the long chord of which bears North 3° 47' 15" East a distance of 153.25 feet) a distance of 153.29 feet; thence North 6° 05' 56" East a distance of 307.61 feet to a point of curvature; thence along the arc of a 3,000.00 foot radius curve, (the long chord of which bears North 4° 42' 28" East a distance of 145.68 feet) a distance of 145.70 feet; thence North 3° 18' 59" East a distance of 227.34 feet to a point of curvature; thence along the arc of a 1,800.00 foot radius curve, (the long chord of which bears North 5° 43' 54" East a distance of 151.71 feet) a distance of 151.75 feet; thence North 8° 08' 49" East a distance of 352.73 feet to a point of curvature; thence along the arc of a 1,400.00 foot radius curve, (the long chord of which bears North 4° 42' 56" East a distance of 167.58 feet) a distance of 167.68 feet; thence North 1° 17' 4" East a distance of 168.06 feet to a point of non-~~reverse~~ curvature; thence along the arc of a 700.00 foot radius curve, (the long chord of which bears North 10° 28' 24" East a distance of 223.57 feet) a distance of 224.53 feet to a point of reverse curvature; thence along the arc of a 700.00 foot radius curve, (the long chord of which bears North 5° 45' 56" West a distance of 601.12 feet) a distance of 621.32 feet; thence North 31° 11' 36" West a distance of 7.26 feet to a point of curvature; thence along the arc of a 600.00 foot radius curve, (the long chord of which bears North 2° 50' 30" East a distance of 671.64 feet) a distance of 712.83 feet to a point of reverse curvature; thence along the arc of a 600.00 foot radius curve, (the long chord of which bears North 19° 02' 00" East a distance of 367.70 feet) a distance of 373.71 feet; thence North 1° 11' 24" East a distance of 797.31 feet to a point on the centerline of Elligen Road, (said point being station 77+00.12 Northerly for the purposes of this project) to which bears North 88° 47' 43" West a distance of 771.31 feet from a 3/4" iron pipe with yellow plastic cap marked "WASHCO.SURV." at the C.S. 1/16 corner of Section 1, Township 3 South Range 1 West, W.M.

Bearings are based on the Oregon Coordinate System, North Zone.

The parcel of land to which this description applies contains 0.432 acres, or 18,813 square feet, more or less.

GRA, DEA Inc.
4-29-96
GRA (project number 0011) Shin PLA

REGISTERED
PROFESSIONAL
LAND SURVEYOR

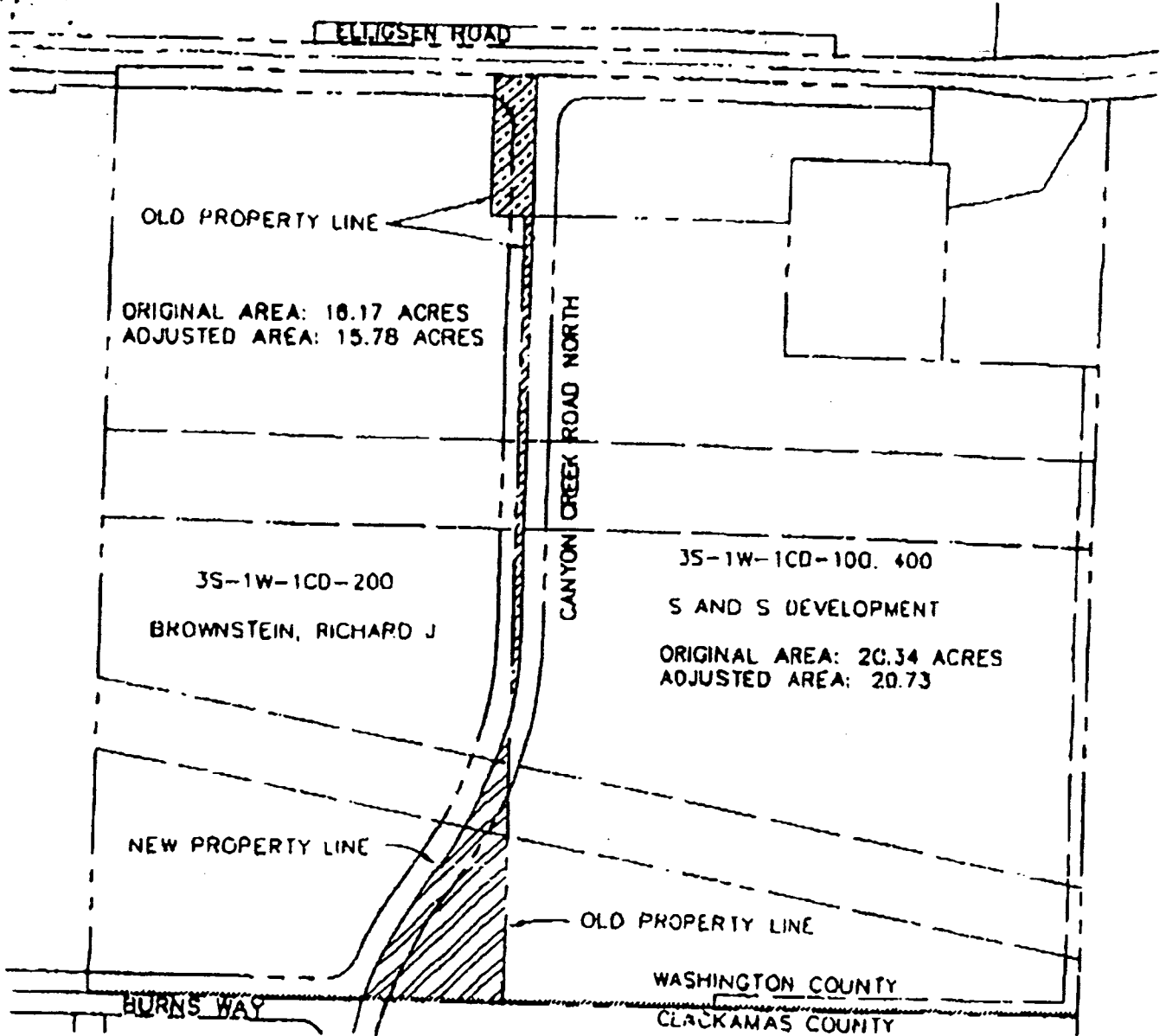
Gary R. Anderson
OREGON
JULY 25, 1990
GARY R. ANDERSON
2434

Renewed 12/31/97

5

(67 of 113)

EXHIBIT B



TO SHIN AND
S & S DEVELOPMENT



TO BROWNSTEIN
AND JARRARD



DENNIS STANE AND ASSOCIATES, INC.
SURVEYORS & ENGINEERS
1000 N. 10TH AVENUE, SUITE 100
VANCOUVER, BC V6P 1A1

PROJECT

PROPERTY LINE ADJUSTMENT

TITLE

L.I.D. NO. 12-95-ST

BROWNSTEIN / S&S / SHIN

JOB NO.

UAL 2001

DATE BY

TAS

DESIGNED BY

GRA

SCALE

1" = 100'

DATE

9-27-96

1
OF
1

6

(68 of 113)

PARTITION PLAT

SITUATED IN THE S.W. 1/4 OF SECTION 1, T. 2 S., R. 1 W., W.M. WASHINGTON COUNTY, OREGON MAY 11, 1988 CITY PLANNING FILE NO. 08 04 00

PARTITION PLAT NUMBER: 1999-100

RECORDED AS DOCUMENT NUMBER: 99120242

SHEET INDEX

- SHEET 1 - SOUTHERLY PORTION
- SHEET 2 - NORTHERLY PORTION AND CURVE TABLE
- SHEET 3 - SURVEYOR'S CERTIFICATE, NOTES, DECLARATION AND APPROVALS



SCALE: 1"=50'

I HEREBY CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF THE ORIGINAL PLAT

Cary R. Anderson
CARY R. ANDERSON 0122434



LEGEND

- A FOUND MONUMENT AS NOTED
- B FOUND 3/4" IRON ROD WITH YELLOW PLASTIC CAP MARKED "DEA, INC." PER SURVEY NUMBER 27,348
- C FOUND 1 1/4" BRASS CAP MARKED "DEA, INC." PER SURVEY NUMBER 27,348
- D SET 3/4" x 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "WESTLAKE CONSULTANTS" SET ON 6/16/03.
- E SET BRASS BOWTIE WITH 1/2" IRON ROD BOWTIE MARKED "E.S. 2434" SET ON 4/16/03.
- F SEE CURVE DATA TABLE, SHEET 2.
- G IRON ROD.
- H SIGHTLY IRON ROD, WASHINGTON COUNTY SURVEY RECORDS.
- I BRASS YELLOW PLASTIC CAP
- J IRON DRAINAGE EASEMENT TO THE CITY OF WELDONVILLE.
- K BURNING SIGN EASEMENT TO THE CITY OF WELDONVILLE.
- L DOC. NO. DOCUMENT NUMBER, WASHINGTON COUNTY RECORDS.

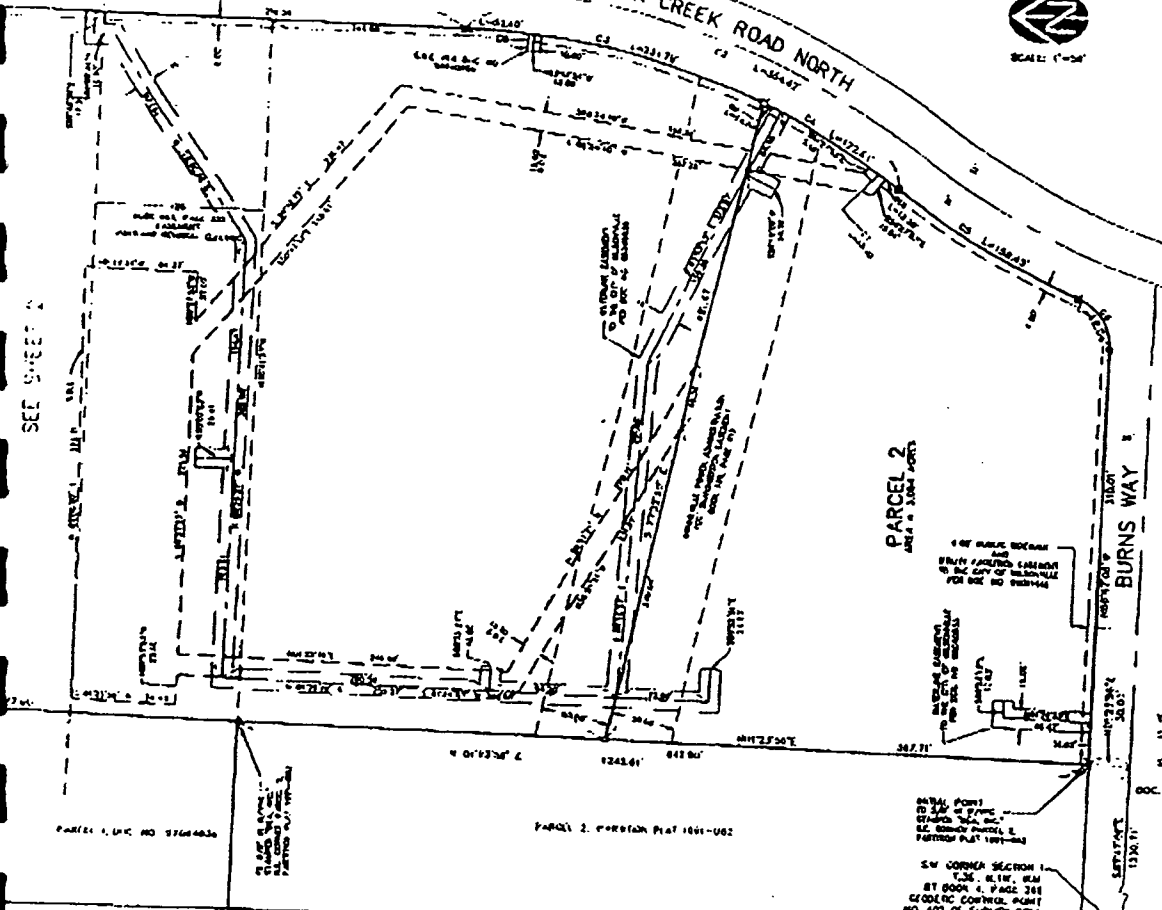
SURVEYED BY:
WESTLAKE CONSULTANTS, INC.
1010 S.W. SEQUOIA PARKWAY, SUITE 100
TIGARD, OREGON 97224
(503)864-0527

118101 SHEET 1 OF 3

CANYON CREEK ROAD NORTH

PARCEL 2
AREA 1.3427 ACRES

BURNS WAY



SEE SHEET 2

PARCEL 1, INC. NO. 27064436

PARCEL 2, PARTITION PLAT 1999-1002

IRON ROD POINT TO SW CORNER SECTION 1, T. 2 S., R. 1 W., W.M. WASHINGTON COUNTY, OREGON MAY 11, 1988 CITY PLANNING FILE NO. 08 04 00

(69 of 113)

PARTITION PLAT

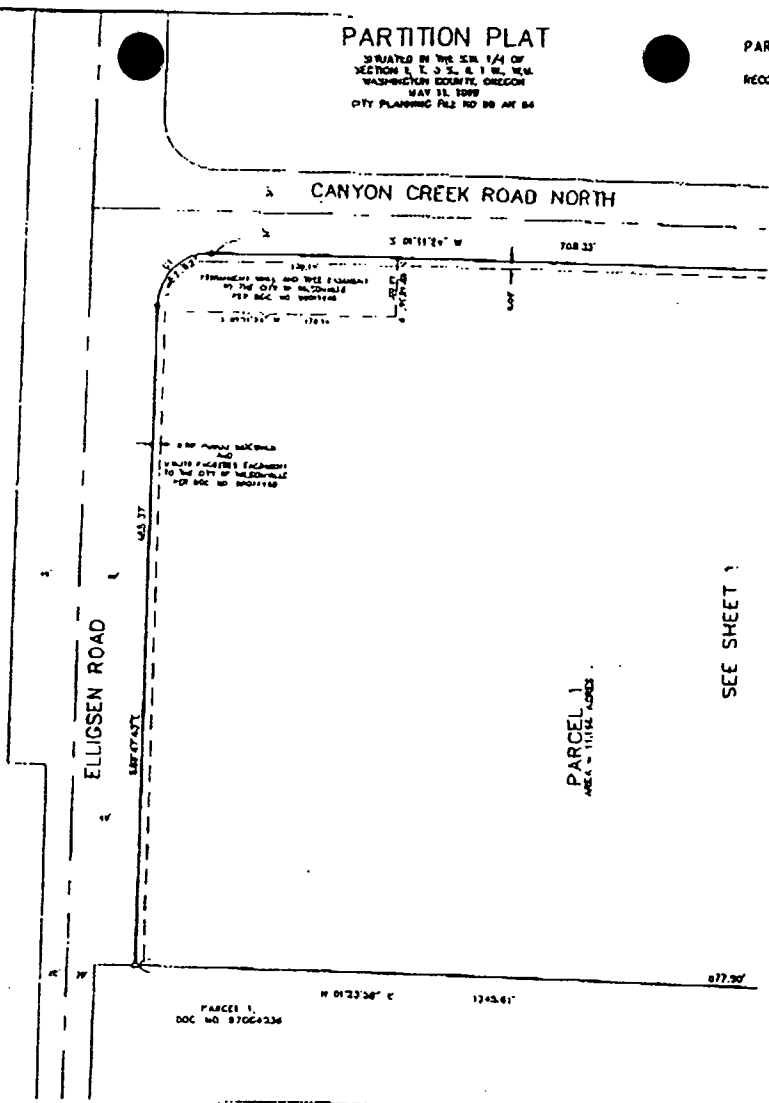
LOCATED IN THE SW 1/4 OF SECTION 1, T. 3 S., R. 1 W., N.W. WASHINGTON COUNTY, OREGON
MAY 11, 1999
CITY PLANNING FILE NO. 99-0476

PARTITION PLAT NUMBER: 1999-100

RECORDED AS DOCUMENT NUMBER: 99120746

CANYON CREEK ROAD NORTH

ELUGSEN ROAD



CLAVE	DELTA	LENGTH	BEDS	CHORD	CHORD BEARING
C1	88°30'07"	22.62'	40.00'	24.31'	116°02'00"
C2	28°11'57"	22.62'	56.00'	41.97'	119°02'00"
C3	77°20'20"	231.26'	358.00'	412.31'	121°02'00"
C4	12°29'48"	177.81'	368.00'	430.91'	121°02'00"
C5	112°28'31"	178.35'	361.00'	420.24'	121°02'00"
C6	81°31'57"	48.00'	42.00'	458.34'	121°02'00"
C7	01°10'38"	18.00'	328.00'	338.22'	121°02'00"
C8	08°15'37"	32.40'	369.00'	381.41'	121°02'00"
C9	81°25'31"	14.00'	369.00'	372.12'	121°02'00"
C10	01°17'41"	12.30'	363.00'	362.14'	121°02'00"

REQUIRED PROFESSIONAL LAND SURVEYOR
CITY OF ELUGSEN
19-31-99
MAY 11, 1999



SEE SHEET 1

LEGEND

- ▲ FOUND SURVEY POINT AS NOTED
- FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "D.E.A.M.C." PER SURVEY NUMBER 37,244.
- FOUND 1 1/2" BRASS CAP MARKED "D.E.A. INC." PER SURVEY NUMBER 37,244.
- SET 6/8" X 30" IRON ROD WITH YELLOW PLASTIC CAP MARKED "WESTLAKE CONSULTANTS" SET IN 6/19/98.
- C1 SEE CLAVE DATA TABLE, SHEET 2
- IR IRON ROD.
- S-N SURVEY NUMBER, WASHINGTON COUNTY SURVEY RECORDS.
- Y.P.C. DENOTES YELLOW PLASTIC CAP.
- S.O.C. STORM DRAINAGE (EASEMENT) TO THE CITY OF WASHINGTONVILLE.
- S.S.C. SANITARY SEWER EASEMENT TO THE CITY OF WASHINGTONVILLE.

SURVEYED BY:
WESTLAKE CONSULTANTS, INC.
13115 S.W. DELARDA PARKWAY, SUITE 100
TIGARD, OREGON 97224
(503)864-8033

116101

SHEET 1 OF 3

I HEREBY CERTIFY THIS TO BE A TRUE AND EXACT COPY OF THE ORIGINAL PLAT
[Signature]
GARY A. ANDERSON PLS 2434

(20 of 113)

PARTITION PLAT

LOCATED IN THE S.W. 1/4 OF SECTION 1, T. 3 S., R. 1 W., N.W. WASHINGTON COUNTY, OREGON MAY 11, 1999 CITY PLANNING FILE NO. 99 AD 64

PARTITION PLAT NUMBER, 1999-100

RECORDED AS DOCUMENT NUMBER, 99120746

NOTES

- 1. THE POST PUBLIC SERVICE AND UTILITIES QUALITY CHECKLIST HAS BEEN COMPLETED FOR PROJECT NUMBER 99120746.
2. THE PARTITION PLAT IS SUBJECT TO THE COMPLETION OF APPLICABLE CITY FILE NUMBER 99-04, CITY OF WASHINGTON.
3. THE STORM DRAINAGE DISTRICT CREATED HEREIN IS SUBJECT TO A SEWERAGE AGREEMENT AS ACCORDING TO ADOPTED ORDINANCE NUMBER 406723, SEWERAGE DISTRICTS AND STORM DRAINAGE DISTRICTS, CITY OF WASHINGTON.
4. PARCELS 1 AND 2 ARE SUBJECT TO A SEWERAGE AGREEMENT AND A SEWERAGE AGREEMENT RECORDED AS DOCUMENT NO. 99120746, WASHINGTON COUNTY PLAT RECORDS.

APPROVALS

APPROVED AND FILED BY: [Signature]
DATE: 5/27/03

APPROVED AND FILED BY: [Signature]
DATE: 5/27/03

APPROVED AND FILED BY: [Signature]
DATE: 5/27/03

APPROVED AND FILED BY: [Signature]
DATE: 5/27/03

APPROVED AND FILED BY: [Signature]
DATE: 5/27/03

APPROVED AND FILED BY: [Signature]
DATE: 5/27/03

DECLARATION

I, the undersigned, declare that I am the owner of the above described land and that I have executed this plat in accordance with the laws of the State of Oregon and the City of Washington.
[Signatures]

NARRATIVE:

The purpose of this plat is to partition the parcel of land into four parcels of land. The parcels are described as follows:
[Detailed description of parcels and boundaries]

SURVEYOR'S CERTIFICATE

I, GARY R. AMERSON, a duly qualified and licensed land surveyor in the State of Oregon, have surveyed and prepared this plat in accordance with the laws of the State of Oregon and the City of Washington.
[Detailed survey data and bearings]

ACKNOWLEDGMENT

I, the undersigned, declare that I am the owner of the above described land and that I have executed this plat in accordance with the laws of the State of Oregon and the City of Washington.
[Signatures]



I HEREBY CERTIFY THIS TO BE A TRUE AND EXACT COPY OF THE ORIGINAL PLAT
[Signature]
GARY R. AMERSON P.L.S. 2436



SURVEYED BY: WESTLAKE CONSULTANTS, INC.
13113 S.W. SCULDA DRIVE, SUITE 156
TIGARD, OREGON 97224
(503) 644-0653

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PUBLIC NEED ANALYSIS
IN SUPPORT OF ZONE CHANGE
WILSONVILLE, OREGON

Prepared For:
BERREY PROPERTIES

May 22, 2003

CITY OF WILSONVILLE
PLANNING DIVISION
CASE FILE NO. 032B11
EXHIBIT NO. 5
DATE: 5-30-03

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J O H N S O N
G A R D N E R

MEMORANDUM

DATE: May 22, 2003

TO: Mr. Mike Berrey
BERREY PROPERTIES
18879 SW Martinazzi Avenue, Suite 208
Tualatin, OR 97062-6807

FROM: JOHNSON GARDNER

SUBJECT: Public Need Analysis in Support of a Zone Change Application in Wilsonville, Oregon

JOHNSON GARDNER has been retained by BERREY PROPERTIES to perform an industrial land public need and residual demand analysis for an approximately six-acre property in Wilsonville, Oregon. The property is located at the southwest quadrant of the intersection of SW Elligsen Road and SW Canyon Creek Road N, and is currently zoned Planned Development Residential (PDR). It is BERREY PROPERTIES' intent to request Planned Development Industrial (PDI) zoning for the entire property. As part of this effort, you will require a public need and residual demand analysis, which evaluates the local need for the planned property designation and the ability of other available sites in the area to meet local need.

This memorandum and the attached exhibits summarize our conclusions and recommendations.

I. EXECUTIVE SUMMARY

a. Project Description

The subject property is located in the southwest quadrant of the intersection of SW Elligsen Road and SW Canyon Creek Road N, and is approximately 6.3 acres in size. The site is currently undeveloped, with the exception of minimal street access onto the south side of the property. The site has outstanding regional access, with Interstate 5 less than a half-mile west of the property via the Boones Ferry/Elligsen North Wilsonville exit. Local access is also outstanding, via SW Boones Ferry/SW Elligsen, SW Canyon Creek Road, nearby SW Burns Way.

The majority of immediately adjoining land comprise business park and warehouse uses complimentary to the desired zone change for the subject property. To the south and west of the property are existing industrial and business park development including the Wilsonville Hollywood Video (Hollywood Entertainment Corporation) warehouse/distribution facility. The business park to the south of the site already has preliminary paved access between it and the subject property. East of the property is a large rental apartment development on the east side of Canyon Creek Road. To the

north, Elligsen Road marks the northern urban growth boundary for Wilsonville. Excellent site access and immediately adjacent, complimentary industrial underscore the suitability for business park/industrial development at the subject property.

b. Key Conclusions

- The subject site is physically and locationally well suited for the industrial/business park development. Ideal Interstate 5 access and adjacent, existing business park development are appropriate and complimentary for the proposed industrial use.
- A substantial residual demand exists for industrial/business park development in Wilsonville trade area. The existing inventory of available land is insufficient in quantity and quality to meet this need over the short- and long-term. Supply is specifically estimated to last no more than eight or nine years, conservatively.
- The site is currently zoned to enable up to 126 multi-family units. While the site could accommodate apartment development, the market for apartments is currently very soft in Tigard, Tualatin and Wilsonville. Market and financial feasibility of significant new apartment development is not likely for at least three to five years.
- Development of the parcel as industrial/business park space only negligibly increases the existing jobs/housing ratio from 2.65 to 2.67. Development of the site as apartments would decrease the ratio to 2.61, but only effectively after three to five years of excess rental capacity is filled by new households.

II. INDUSTRIAL MARKET ANALYSIS

This section outlines the need analysis for industrial development at the subject site.

a. Delineation of Trade Area

As part of our analysis, a trade area was delineated for industrial/business park space. While trade areas are less meaningful in industrial analysis than in retail analysis, individual projects do compete within localized areas for demand, and serve local as well as regional needs. For this analysis, the trade area was straightforwardly defined as the City of Wilsonville, specifically all developable land with Wilsonville's urban growth boundary. Within this area, industrial development has been concentrated along Interstate 5 bounded by Elligsen Road to the north and Boeckman Road to the south. Sites have excellent, direct access to Interstate 5, which bisects the City. As part of the high-tech crescent,¹ Wilsonville industrial development does compete on a larger, regional level, particularly with Tualatin to the north. However, Wilsonville's somewhat isolated nature south along Interstate 5 and its non-contiguous urban growth boundary enhance the importance of locally-serving industrial uses. The result is a unique industrial trade area specific to the City of Wilsonville and its unique orientation relative to Interstate 5.

b. Market Trends

The demand for industrial land is a function of the demand for both industrial as well as office space. Modern industrial parks contain a substantial level of office space build-out, in addition to traditional industrial uses. The Wilsonville trade area is one component of the greater Interstate 5 submarket of

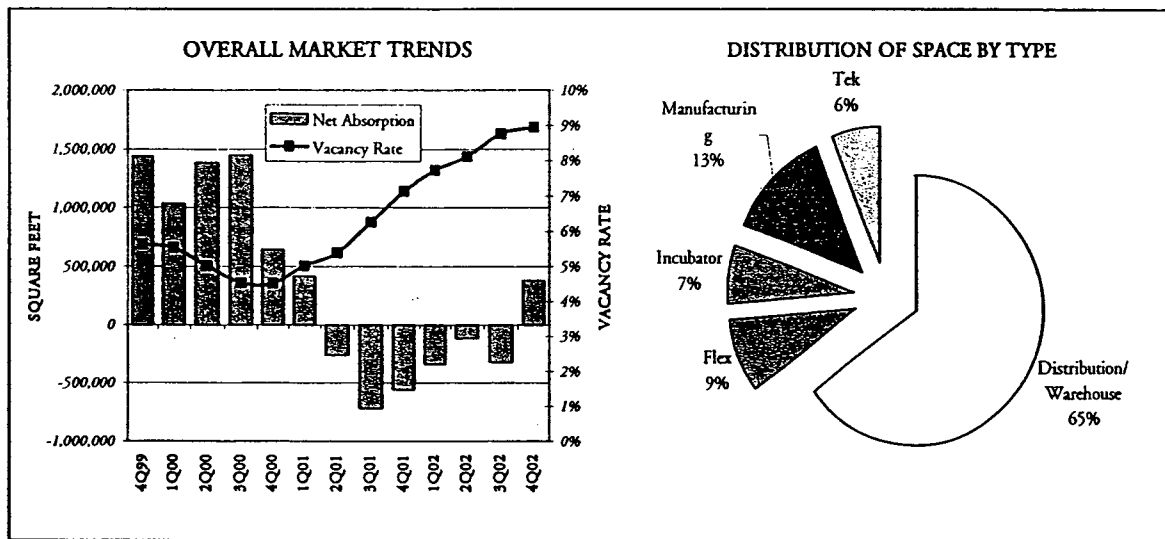
¹ Impresa, Inc. Westside Economic Study, August 2002.

the Portland-Vancouver metropolitan area, and the following gives a regional as well as local overview of market trends.

Industrial Market

The industrial market has been extremely strong at a regional level over the last decade, with net absorption of speculative and owner-occupied industrial space averaging over 4.5 million square feet per year through 2001.² Demand has faded considerably over the last two years, consistent with the decline in employment growth during the national recession. Despite news of slow job growth, the industrial market appears to have turned a corner in the fourth quarter of 2002 with positive net demand and an end to vacancy growth.

FIGURE 1: PORTLAND METRO AREA INDUSTRIAL MARKET TRENDS



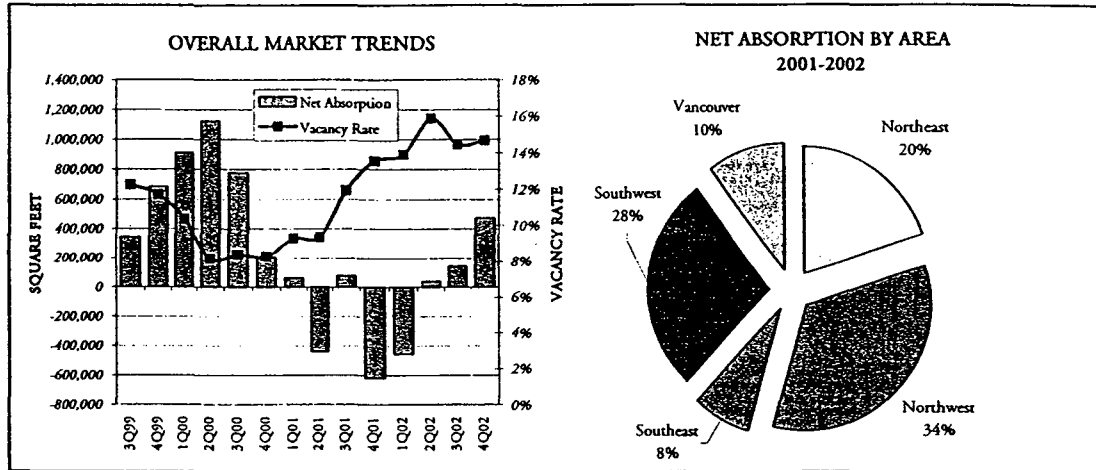
An estimated 65% of total demand has been for distribution/warehouse space, much of it in the Columbia Corridor, east of the Portland International Airport. The land supply for this type of use has diminished substantially along Airport Way, and these uses are likely to shift elsewhere in the region in the next decade.

The speculative market (excluding owner-occupied structures) represents a subset of the overall industrial market, and is estimated at approximately 27% of the total market. Following robust growth throughout the last decade, net absorption tumbled during the recent recession with overall vacancy rates growing from 8% in 2000 to 15% by the end of 2002. Industrial demand has, however, turned a corner as the region has resumed positive net absorption over the last nine months. The Southwest submarket, which includes Wilsonville, experienced negative net absorption during 2000 and 2001, largely due to much-publicized employment cuts in Hillsboro/Sunset Corridor.

² CB Richard Ellis

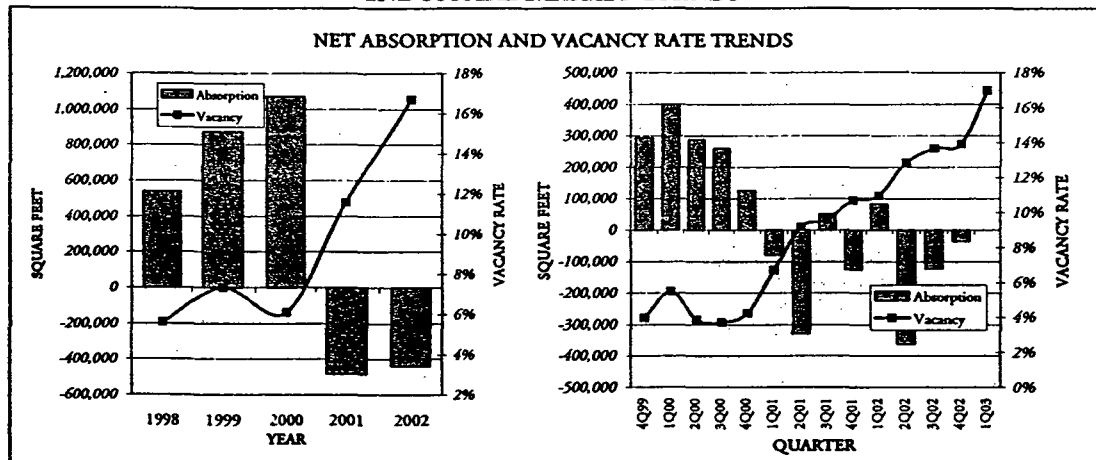
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FIGURE 2: PORTLAND METRO AREA SPECULATIVE INDUSTRIAL MARKET TRENDS



Within the greater Westside market, negative net absorption of speculative space seems to be curtailing. The subregion shed only 35,000 square feet of space during the fourth quarter of 2003. The overall vacancy rate is estimated at just above 20%, well above the average rate in the metropolitan area as a whole.

FIGURE 3: WESTSIDE SUBMARKET (INCLUDING WILSONVILLE) SPECULATIVE INDUSTRIAL MARKET TRENDS



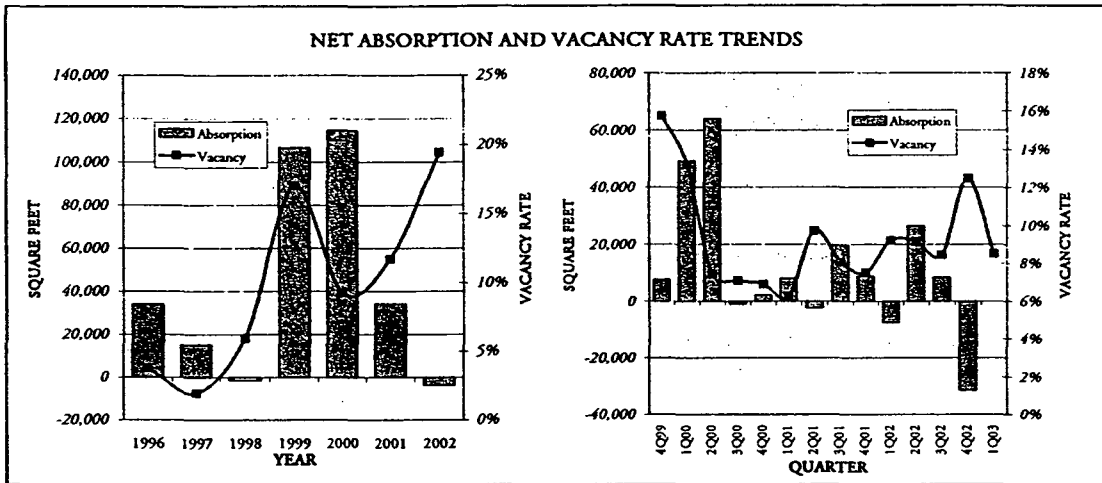
Wilsonville, however, has fared far better than the larger Westside market and the Portland metro area as a whole. At 10.5%, Wilsonville has the second-lowest vacancy rate in the Westside behind Lake Oswego's considerably smaller business park market. Less concentration of high-tech employment as in the Sunset Corridor and ideal Interstate 5 access largely explains the health of the Wilsonville market. A May of 2003 survey of over 4.5 million square feet of speculative industrial space in Wilsonville indicated an overall direct vacancy rate of 8.8% (EXHIBIT 4).

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Office Market

The performance of the speculative office market in the I-5 Corridor has largely mirrored employment gains and losses in recent years, with the overall vacancy rate estimated to be 10.3% at the end of the first quarter of 2003 (EXHIBIT 5). Following substantial losses due to technology firms, the office market has firmed up significantly with its highest occupancy rate since the winter of 2001. Class A and C office space has fared somewhat better, with overall vacancy rates estimated at 2.5% for Class A and 10.6% for Class C space.

FIGURE 4: I-5 CORRIDOR SUBMARKET (INCLUDING WILSONVILLE) SPECULATIVE OFFICE MARKET TRENDS



c. Demand Projections

The demand for business park/industrial land is a direct function of employment growth in industrial sectors that occupy this type of space as well as office-utilizing sectors that occupy business park space as permitted by zoning designation. As a result, our projections of business park/industrial space demand are based on forecasted employment growth by industrial sector. Methodology for determining future industrial/business park space and land demand is consistent with that from the *Regional Industrial Lands Study* commissioned and administered by the Oregon Economic and Community Development Department.³

Employment Projections

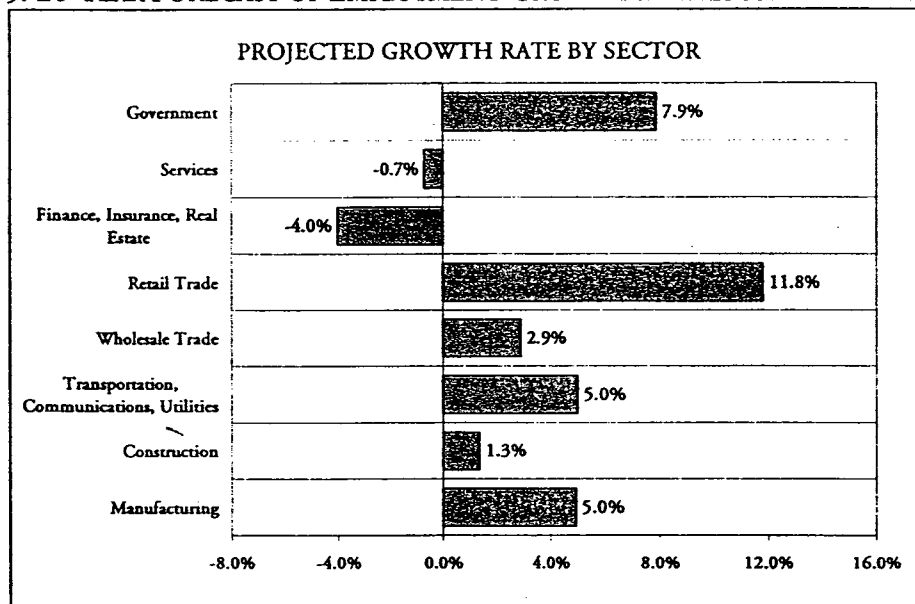
Projections in our analysis utilize Metro employment forecasts by transportation analysis zone (TAZ) consistent with forecasts in the recent *2002-2022 Urban Growth Report*. Projections reflect the years 2000 through 2022, which have then been converted to the years 2003 and 2023 assuming growth trends established by the Metro forecast for the intervening years (EXHIBIT 8).

Overall employment levels in the region are projected to increase by 8,757 jobs. The largest job gains are expected in retail trade (4,661 jobs), manufacturing (2,820 jobs), and wholesale trade (793 jobs). The second and third-fastest growing sectors, manufacturing and wholesale trade, are heavy users of

³ Otak, Inc., et al., 2002.

industrial and business park space as will be discussed further below. The projected employment growth reflects a 1.9% average annual rate of expansion in the local economy through the year 2023.

FIGURE 5: 20-YEAR FORECAST OF EMPLOYMENT GROWTH IN WILSONVILLE MARKET AREA



Industrial/Business Park-Utilizing Employment and Employment Density

Sectoral employment growth is converted into growth in industrial/business park employment based on typical percentages of employment by sector that will be located in industrial/business park space. Employment is then further stratified by type of space, including warehouse/distribution, general industrial and high-tech/flex space. Finally, employment density ratios, calculated as average square feet of space necessary per industrial job, were utilized to calculate total space demand by industrial space type given projected employment growth. These ratios and densities are based on industry standards from the aforementioned *Regional Industrial Land Study*, and are summarized in the following table and in EXHIBIT 9.

TABLE 1: INDUSTRIAL EMPLOYMENT DISTRIBUTION BY SECTOR, TYPE OF SPACE AND EMPLOYMENT DENSITY

Industrial Sector	% in		% by Type	
	Industrial	W/D	General	Tech/Flex
<i>Manufacturing</i>	97%	0%	75%	25%
<i>Construction & Mining</i>	25%	0%	75%	25%
<i>Transportation, Communication, Utilities</i>	68%	77%	11%	12%
<i>Wholesale Trade</i>	95%	90%	0%	10%
<i>Retail Trade</i>	0%	0%	0%	0%
<i>Finance, Insurance, Real Estate</i>	0%	0%	0%	0%
<i>Services</i>	9%	0%	51%	49%
<i>Employment Density by Space Type (Sq. Ft./Job)</i>		1,100	550	450

Projected Demand for Industrial Space

The application of industrial employment shares, industrial space shares and employment densities to employment forecasts estimated in EXHIBIT 8 yield forecasts for industrial space. Table 2

summarizes projected demand for industrial space in five-year increments through 2023. The detailed calculations that yield estimates in Table 2 are found in EXHIBITS 9 and 10.

Over the next twenty years, Wilsonville can expect to see 2.74 million square feet of new industrial space demand from local employment growth. On average, new demand is expected to reach 123,610 square feet annually, or 615,800 square feet every five years. The majority of new space demand is expected from general industrial uses, largely comprising smaller tenants and light manufacturing firms of varying sizes. Warehouse and distribution space is expected to comprise the second largest type of demand for Wilsonville.

TABLE 2: PROJECTED DEMAND FOR INDUSTRIAL SPACE (SQ. FT.), 2003-2023

Space Type	Demand for Space Growth from 2003 1/			
	2008	2013	2018	2023
<i>Industrial</i>				
<i>Warehouse/Distribution</i>	285,888	571,777	857,665	1,143,553
<i>General Industrial</i>	305,597	611,194	916,791	1,222,388
<i>High-Tech/Flex</i>	94,315	188,630	282,945	377,260
Total Demand (Sq. Ft.):	615,800	1,371,600	2,057,400	2,743,201

1/ Consistent with the *Regional Industrial Lands Study* methodology, demand projections assume a standard 6% vacancy rate adjustment for developed space demand.

Projected Demand for Industrial Land

Demand for industrial land is a conversion of demand for space by floor area ratios (FARs) by industrial development type and the addition of non-industrial use demand for industrial land typical of business park space. First, twenty-year projections for Wilsonville utilize the following FARs from the *Regional Industrial Lands Study*:

- *Warehouse/Distribution*: 0.33
- *General Industrial*: 0.30; and
- *High-Tech/Flex*: 0.22.

Second, a 20% non-industrial use demand for land was assumed for industrial land projections as implemented in the *Regional Industrial Lands Study*. Non-industrial uses on industrial land are most commonly office development, retail and services uses as permitted outright or conditionally permitted in Wilsonville. Resulting projections for industrial land demand are summarized in Table 3 below. Detailed calculations are found in EXHIBIT 11.

TABLE3: PROJECTED DEMAND FOR INDUSTRIAL LAND (ACRES), 2003-2023

Space Type	Demand for Land Growth from 2003 1/			
	2008	2013	2018	2023
<i>Industrial</i>				
<i>Warehouse/Distribution</i>	25	50	75	99
<i>General Industrial</i>	29	58	88	117
<i>High-Tech/Flex</i>	12	25	37	49
Total Demand (Sq. Ft.):	66	133	199	266

1/ Consistent with the *Regional Industrial Lands Study* methodology, demand projections assume a standard 20% vacancy rate adjustment for developed space demand.

Similar to demand for industrial space, demand for industrial land will largely come from warehouse/distribution and general industrial users given local access to Interstate 5. Industrial and

non-industrial uses are expected to combine for nearly seven acres of demand annually over the next twenty years, or 66 acres every five years on average.

d. Inventory of Existing Industrial Space and Land Supply

Following projections of future demand for industrial space and land, Johnson Gardner estimated existing industrial space and land zoned for industrial development within the Wilsonville urban growth boundary.

Existing Industrial Space

At present, there is no comprehensive, generally accepted inventory of all owner-occupied and speculative industrial space in Wilsonville. Accordingly, an estimate of existing space was reached by quantifying current industrial employment and related non-industrial uses in industrial space. Methodology for estimating current employment and existing demand for space mirrors the methodology used above for projecting future employment and space demand.

Specifically, current Wilsonville employment is the sum of jobs by TAZ as estimated by Metro for 2000. To achieve estimates for 2003, 2000 estimates by Metro were adjusted upward or downward by the average rate of growth or decline for each major industry in the Portland metro area through 2003 as estimated by the Oregon Employment Department. Existing employment was then translated into occupied industrial space by utilizing industrial and non-industrial employment ratios, distributions of employment by industrial space type, employment densities and FARs from the *Regional Industrial Lands Study* as described earlier in this document. A summary of results is in the following table; greater detail may be found in EXHIBIT 7.

TABLE 4: EXISTING INDUSTRIAL/BUSINESS PARK SPACE IN WILSONVILLE, 2003

	Employment by Type of Space 1/			Total Demand for Space (sq. ft.) 3/			Total Demand (sq. ft.)
	W/D	General	Tech/Flex	W/D	General	Tech/Flex	
<i>Manufacturing</i>	0	3,272	1,091	0	1,914,639	522,174	2,436,814
<i>Construction and Mining</i>	0	134	45	0	78,313	21,358	99,671
<i>Transportation, Communications, Utilities</i>	471	69	69	550,696	40,251	32,933	623,880
<i>Wholesale Trade</i>	2,090	0	232	2,445,705	0	111,168	2,556,873
<i>Retail Trade</i>	0	0	0	0	0	0	0
<i>Finance, Insurance, Real Estate</i>	0	0	0	0	0	0	0
<i>Services</i>	0	304	292	0	177,983	139,912	317,895
<i>Industrial Employment Total</i>	2,561	3,779	1,729	2,996,401	2,211,187	827,546	6,035,133
<i>Non-Industrial Employment Demand 4/</i>							1,207,027
<i>Total Industrial Space Demand</i>							7,242,160

At present, it is estimated that industrial employment occupies 6.04 million square feet of industrial space in Wilsonville. Along with 1.21 million square feet of industrial space occupied by non-industrial uses, largely office employment, a total of 7.24 million square feet of industrial space is presently occupied in Wilsonville given current employment. With a local industrial vacancy rate of 10.5% (EXHIBIT 4), it is then estimated that approximately 7,817,000 square feet of developed industrial/business park space currently exist within Wilsonville.

As demonstrated in the following table, Wilsonville exhibits a particularly strong presence of speculative space at 60%. Regionwide, an average of 73% of industrial space is owner-occupied. This

confirms the prevalence of smaller business park development throughout Wilsonville utilizing Interstate 5 access points.

TABLE 5: CALCULATION OF OWNER-OCCUPANCY IN THE WILSONVILLE INDUSTRIAL MARKET

Total Occupied Industrial Space (Total Demand) 1/	7,242,160
- Occupied Speculative Industrial Space 2/	4,345,836
= <i>Owner-Occupied Industrial Space</i>	2,896,323
Wilsonville Industrial Owner-Occupancy Rate	40%
Portland Metro Industrial Owner-Occupancy Rate 3/	73%

1/ Exhibit 11

2/ Exhibit 4 including an assumed 6% industrial vacancy rate

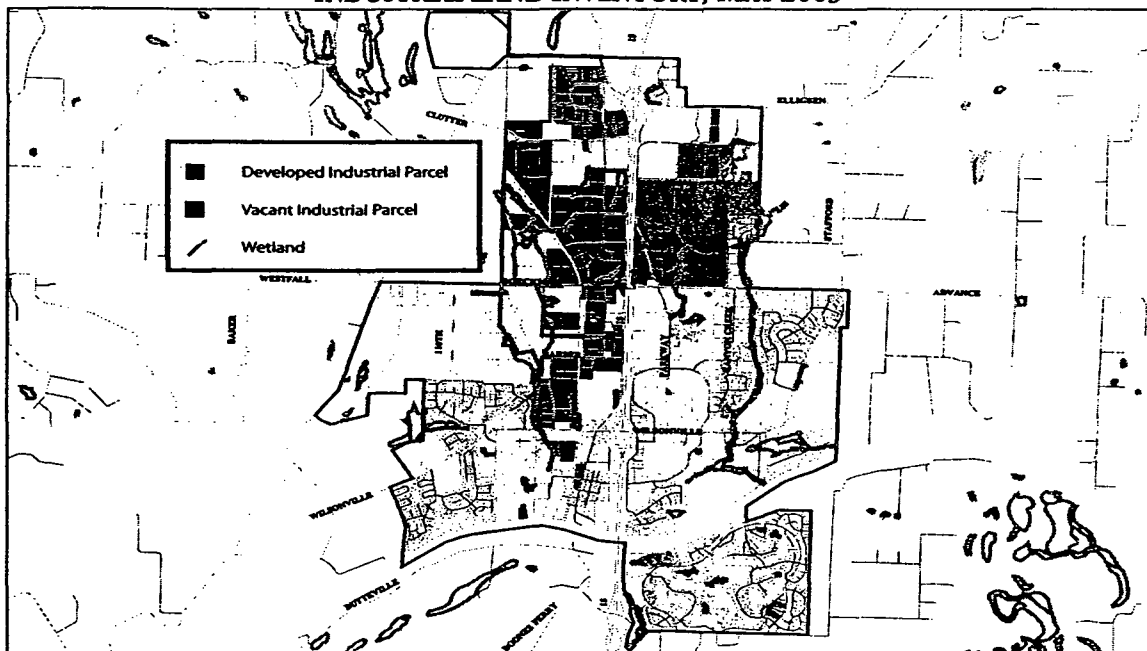
3/ CB Richard Ellis

A detailed inventory of existing, speculative industrial space is found in EXHIBIT 12. The inventory includes information by individual property address, year the structure was built, total space, available space, quoted lease rates and sublease availability. Results are consistent with the survey in EXHIBIT 4, though results in EXHIBIT 12 appear to include 200,000 square feet of owner-occupied space.

Industrial Land

As part of our evaluation, a detailed inventory of industrial sites was conducted within the trade area. The primary source of data used was obtained from the Metro Regional Land Information System (RLIS). Sites identified using RLIS data were then physically inspected and evaluated as potential future sites for industrial development. Figure 6 below shows the parcels identified by the RLIS, with developed and vacant industrial lands differentiated by shading, along with wetlands designation overlay.

FIGURE 6: MAP OF WILSONVILLE MARKET AREA DEVELOPED AND VACANT INDUSTRIAL LAND INVENTORY, MAY 2003



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As shown on the map, the local industrial land inventory has a relatively diverse array of industrial parcel sizes, the majority of which are located north of Boeckman Road. Wetlands are not as extensive in the Wilsonville market area, unlike other industrial markets throughout the Portland metro region. Wetlands are most extensive west of Interstate 5, due largely to the more varied topography on the east side. It is important to note that industrial land values are typically insufficient to support the usually substantive investment necessary to mitigate wetland impacts.

Utilizing GIS data and site visits, improved parcels were culled to calculate a remaining inventory of vacant, unimproved industrial land. In the case of parcels owned by the U.S. Federal Government (Bonneville Power Administration), the significant presence of high-capacity power lines and/or substation facilities were qualified as improvements sufficient to prevent development of employment-utilized business park/industrial space. The remaining sites are summarized in EXHIBIT 13. These sites represent a total of 146 acres.

*Utilizing RLIS GIS wetlands overlays, with verification by site visits, additional industrially-zoned land was eliminated from consideration for future development. For the purposes of a conservative analysis, it was assumed that development of industrial parcels would be either be maximized on non-impacted portions of those parcels if wetlands did not render development infeasible by isolation from road access or other comparable obstacles or development would be maximized on each parcel with any mitigation expense assumed for development approval. As a result, only three parcels were completely withdrawn due to overwhelming wetlands issues, while only one was reduced by half due to the wetlands bisecting the parcel, isolating access to half of the site. Finally, a fourth parcel was withdrawn due to its lack of access, isolation from the commercial/industrial core in central and northern Wilsonville, its river frontage and the likely future development of surrounding parcels as residential or locally-serving commercial for nearby residential development:

TABLE 6: SUMMARY OF VACANT INDUSTRIAL LAND WITHDRAWN FROM FUTURE SUPPLY CONSIDERATION

Parcel ID	Area (Acres)	Owner	Comments
3S102DB00600	2.99	ALLEGIANCE HEALTHCARE CORP	Approx. 75% wetlands
31W11C 01100	17.80	METRO	At least 66% wetlands, Metro Greenspace
31W14B 00500	3.32	BREUER CHARLES F	At least 75% wetlands, isolated
31W11D 01202	4.38	INFOCUS CORPORTATION	50% of parcel isolated by wetlands
31W23B 02100	2.90	JOE BERNERT TOWING CO	Isolation, river frontage, surrounding residential
<i>Total:</i>	<i>31.40</i>		

The resulting vacant industrial land inventory is calculated at 115 acres summarized in EXHIBIT 14. It must again be noted that the inventory is conservative as sites with partial wetlands on peripheries or minority portions of parcels were assumed to be fully developed with any necessary mitigation expense. This is a conservative assumption due to the fact that industrial land values rarely justify the frequently high expense of elaborate wetlands mitigation.

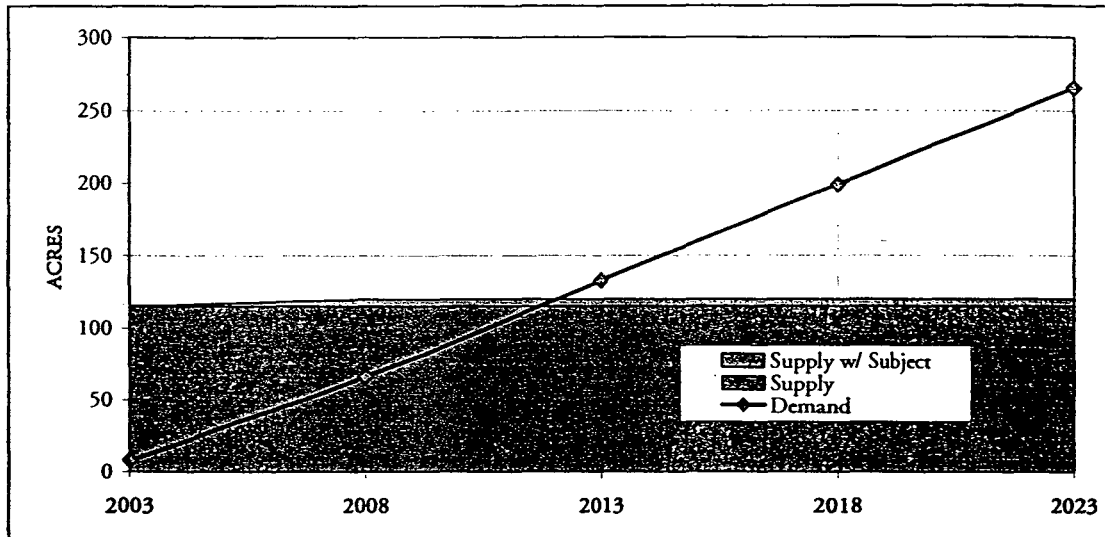
e. Supply/Demand Reconciliation

Previous results were utilized to identify residual industrial demand defined the difference between future demand and the existing local carrying capacity for new industrial development. Residual demand calculations are detailed in EXHIBIT 15 and summarized in Figure 6 below. Results

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indicate that even with the addition of the subject property to Wilsonville's industrial land inventory, the Wilsonville trade area has nine years of industrial land supply at most. Without the addition of the subject property, Wilsonville has no more than eight years of industrial land supply.

FIGURE 7: WILSONVILLE INDUSTRIAL SUPPLY, DEMAND AND RESIDUAL DEMAND



Specifically, the developable vacant supply of 115 acres will last roughly eight years to 2011 given the estimated annual demand for industrial land averaging 13 acres. The proposed addition of the subject property by way of comprehensive plan and zone change marginally extends supply by no more than one year to 2012 at the latest.

Caveats and Sensitivity Analysis

JOHNSON GARDNER notes the following caveats that affect the estimation of residual industrial demand.

- *Partial Reductions of Vacant Lands due to Wetlands:* The above estimates are conservative in that the developable area of parcels with lesser wetlands were not adjusted downward. In fact, five parcels have just such wetlands issues for a total combined potential reduction in developable area of at least ten acres. The most serious of these is the 21-acre parcel at the corner of Boeckman and 95th Avenue along Interstate 5, where up to one-third of the site has wetlands issues.
- *Demand by Parcel Size:* The industrial demand model utilized in this analysis is the most widely-utilized and accepted by Metro and the economic development community. Unfortunately, the model inherently assumes every acre of industrial land is equal in market appeal, configuration, and infrastructure regardless of size. This is a potentially serious flaw for characterizing the immediacy of demand for industrial space, particularly for parcels five acres in size or greater, the generally-recognized minimum size for industrial development flexibility. Of the thirty vacant, developable industrial parcels in Wilsonville, only eight are five acres or larger. Of these, one parcel (13.9 acres) is land-banked and is without access.
- *Locational Advantages:* The Metro employment forecast driving industrial land demand does not significantly take locational advantages into consideration for subareas of the Portland metro region. Specifically, Wilsonville's location and orientation along Interstate 5 and its

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position as the southern end of the metro area High-Tech Crescent renders greater advantages for attracting industrial users than perhaps any other jurisdiction in the region, save for Clark County, Washington and perhaps East Multnomah County. Local employment growth in these industries has a high likelihood of exceeding Metro's more uniform forecast of 1.9% to 2.0% employment growth. For this reason, the above industrial land demand estimates are likely conservative.

- *Land-Banking:* Because the model explains future absorption activity induced by employment gains, industrial demand model also does not adequately account for land-banking, the practice of purchasing and holding larger (5+ acres) industrial parcels for future expansion by large firms, particularly high-tech. Relative to the staggering cost of high-tech facilities and highly-skilled personnel, the cost of holding vacant land for uncertain future expansion is minimal and guarantees rapid expansion opportunity as business activity dictates. Though not immediately developed, the lack of available land for land-banking prevents future economic development opportunities not necessarily realized immediately.

Accordingly, the effective lifetime of existing industrial supply in Wilsonville is, in all practicality, shorter than eight to nine years estimated above.

f. **Multi-family Housing Development Issues**

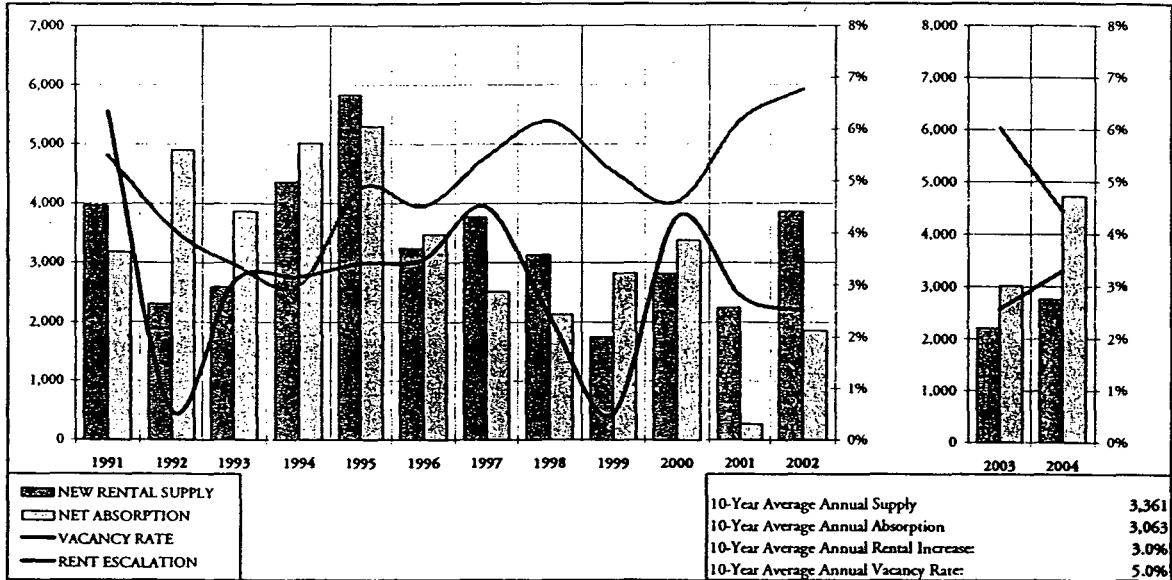
The subject property has previously been approved for the construction of up to 126 apartment units. The following section addresses apartment market trends in the Portland metro region and within the Tigard-Tualatin-Wilsonville apartment submarket as they affect the feasibility of apartment development at the subject property.

Metro Region Overview

The recent economic weakness throughout the Portland metro region is expected to impact the level of population growth in 2003, keeping apartment net absorption levels well below those seen during the 1990s. Further compounding the issue has been record-low mortgage rates, which have induced many renter households to move out and purchase homes. The general result has been significant market apartment softness as measured by apartment vacancy rates. Accordingly, new product introductions are expected to be low, which will allow the market to gradually begin to recover over the next year or two.

Current rent levels are not adequate to support new market-rate construction, and significant rent escalation, exceeding the natural inflation rate of 3%, will be necessary before we see another influx of new supply. As indicated in the figure below, rent escalation is not expected to gain momentum for at least two years. Low Income Housing Tax Credit (LIHTC) projects continue to be built in the area. While these projects do not compete directly with new market-rate units, they do sap market strength.

FIGURE 7: RENTAL APARTMENT MARKET TRENDS / MARKET-RATE UNITS



Over the next year, JOHNSON GARDNER continues to forecast that apartment demand will roughly approximate new supply, with most new supply in suburban markets being income-restricted. The overall occupancy rate is projected remain soft near 93.4% through the fourth quarter of 2003. The following table summarizes current and projected market conditions by major subregion in the metropolitan area:

TABLE 7: CURRENT AND PROJECTED MARKET CONDITIONS

Submarket	1Q03		New Supply	Net Absorption	1Q04	
	Inventory	Occupancy			Inventory	Occupancy
Beaverton/Aloha	16,553	90.2%	491	498	17,044	90.6%
Hillsboro/Tanasbourne	14,741	91.7%	138	256	14,879	92.6%
Tigard/Tualatin/Wilsonville	12,544	92.2%	302	197	12,846	91.6%
Sunnyside/Clackamas	5,091	92.6%	0	108	5,091	94.7%
Lake Oswego/West Linn	4,921	92.4%	0	74	4,921	93.9%
Oregon City/Gladstone	7,237	93.9%	0	63	7,237	94.7%
Gresham/Troutdale	20,146	94.3%	620	426	20,766	93.5%
Close-In Westside	9,514	95.3%	247	156	9,761	94.5%
Close-In Eastside	11,741	95.3%	480	270	12,221	93.8%
Central City	6,055	93.6%	247	217	6,302	93.4%
Clark County	20,487	93.3%	166	303	20,653	94.0%
Metro Area Total	129,030	93.1%	2,691	2,568	131,721	93.1%

SOURCE: Johnson Gardner

Tigard-Tualatin-Wilsonville Apartment Market Issues

As indicated in Table 7, the Tigard-Tualatin-Wilsonville (TTW) apartment submarket is presently the third-worst or "softest" apartment market in the metro area measured by vacancy. Wilsonville is one-third of the greater Tigard-Tualatin-Wilsonville market, identified as the competitive area for apartments capturing households employed by distinct subarea industries and proximate to similar

retail trade and services opportunities. The TTW apartment market most recently recorded vacancy of 7.8%, well above the 5% stable apartment market vacancy rate benchmark. The market should soften even further next year to 8.4% vacancy, making the TTW market the second-worst in the Portland metro region.

As a rule, 5% apartment vacancy rates generally indicate a healthy market suitable for new construction projects. The low vacancy rate most obviously indicates that existing units are nearly full and new ones will be soon needed to satisfy new population. Furthermore, and less obviously, 5% vacancy or lower typically causes rents to grow at accelerated rates, which in turn cements the financial feasibility of new apartment construction given always increasing hard costs (construction labor and materials) and soft costs (architecture, engineering, permitting, etc.). In other words, new construction need is most likely, if not guaranteed, when vacancy rates drop to 5% or below. A historical comparison of vacancy rates and new construction in the Tigard-Tualatin-Wilsonville market is found in the table below.

TABLE 8: VACANCY AND NEW CONSTRUCTION IN THE TTW APARTMENT MARKET

HISTORICAL TRENDS					
Year	Year End Inventory 1/	Net Additions 2/	Net Absorption	Occupied Units	Occupancy Rate
1995	10,796	203	-	10,283	95.2%
1996	11,150	354	369	10,651	95.5%
1997	11,613	463	289	10,940	94.2%
1998	11,635	22	-61	10,879	93.5%
1999	12,034	399	565	11,444	95.1%
2000	12,044	10	16	11,460	95.1%
2001	12,173	129	-200	11,260	92.5%
2002	12,544	371	375	11,634	92.8%
1Q03	12,846	302	-171	11,765	91.6%

1/ Reflects market-rate projects of 15+ units.

2/ New construction less conversions and demolitions.

SOURCE: Norris & Stevens, Marathon Management, Norris Beggs & Simpson and Johnson Gardner

The market area has followed the general rule of realizing new construction only after occupancy has reached 95% or higher, frequently with a one-year lag as in 2001 with 129 units, with the exception of 2002 and 2003. Higher vacancy rates do not, however, guarantee a freeze in new construction as evidenced by the 371 new units built in 2002 and one project of 302 units this year. Weak occupancy does on the whole, however, tend to reduce market justification for new construction and renders construction financing more difficult as commercial lenders grow increasingly averse to soft market risk. The Tigard-Tualatin-Wilsonville market is now, more than ever, likely to face this reality given the longer-term market weakness exacerbated by new units introduced over the past two years further softening an already weak market.

Tigard-Tualatin-Wilsonville Market Outlook

With an anticipated occupancy rate of 91.6% following the recent completion of 302 new units, inventory figures in Table 8 above indicate that a 95% occupancy rate will require the absorption of 642 units without new supply introduced. Figures in Table 8 also indicate that the market area has absorbed an average of 193 apartment units over the past six years. At best, this indicates that the Tigard-Tualatin-Wilsonville market area will require over three years to strengthen occupancy and accelerate rent growth enough to confidently induce new apartment construction.

The less likely addition of new apartments in the meantime will only serve to delay market tightening as the new units face an undesirably weak market. It is, therefore, the conclusion of JOHNSON GARDNER that significant (100+ units) new apartment construction in the Tigard-Tualatin-Wilsonville market will not increase in likelihood for three to five years. Significant need and construction of new units (100+) within the City of Wilsonville, as opposed to Tigard and Tualatin, will more likely be over three years given the greater apartment market base, retail diversity and quantity, and proximity to regional job centers enjoyed by Tigard and Tualatin.

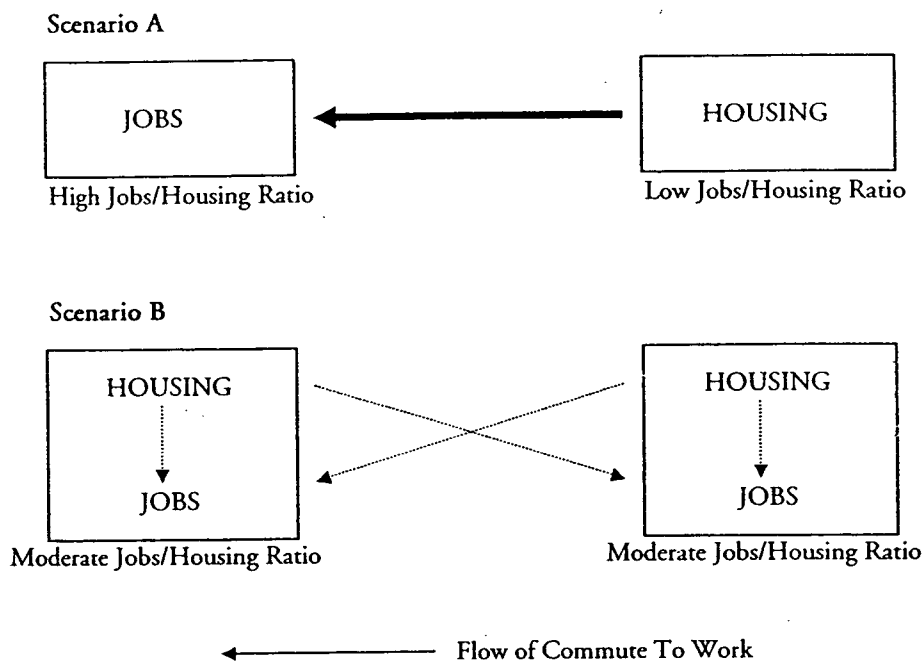
g. Jobs-Housing Balance Issues

The jobs/housing balance (or ratio) refers to the ratio of employment to housing units in a specified area. A large jobs/housing ratio implies the area is a net importer of employees. That is, the area's employers rely on employees that commute from outside the area. The principal example locally is the central business district (CBD) in Portland. Firms located in the CBD imports labor from all over the region yet relatively speaking, very few housing units are located in the downtown area resulting in a high jobs/housing ratio.

The jobs/housing ratio is directly related to the number of vehicle miles traveled (VMTs) in the region assuming individuals consider commute times when making home purchasing decisions. Regions that include areas with differing jobs/housing ratios are characterized by residents that commute from areas with low jobs/housing ratios to those with high ratios. Alternatively, if the subregions have relatively consistent ratios and commute times impact purchasing decisions then VMTs are lower.

The following diagram illustrates two scenarios involving the jobs/housing ratio. In scenario A, the region comprises two areas; one with a low jobs/housing ratio and one with a high ratio. Residents are forced to commute from the low ratio area to the high ratio area as the arrows indicate. Scenario B depicts a region with areas that have moderate jobs/housing ratios. Many residents work and live in the same area thereby reducing the number of miles traveled.

FIGURE 8: JOBS/HOUSING BALANCE ILLUSTRATION



A calculation of Wilsonville's actual jobs/housing balance is displayed in Table 9 below. The current jobs/housing balance is approximately 2.65, indicating a high jobs/housing ratio as in Scenario A of Figure 8 above. The concentration of jobs within the City is significant such that workers are commuting from other areas, the majority of which are specifically from Tualatin and Tigard. It is generally recognized that a jobs/housing balance of 1.5 is ideal in a suburban setting such as the Tigard-Tualatin-Wilsonville residential markets. At that jobs/housing ratio, comparative VMT levels and other indicators of transportation efficiencies will remain constant. Increases in the ratio should mean higher comparative VMTs.

TABLE 9: WILSONVILLE JOBS/HOUSING CALCULATIONS BY DEVELOPMENT SCENARIO

Wilsonville Scenario	Jobs	Housing Units	Jobs/Housing Balance
Existing Conditions	18,432	6,948	2.65
Zone Change to PDI	18,542	6,948	2.67
126 New Apartments	18,432	7,074	2.61

SOURCE: U.S. Census Bureau, Metro and Johnson Gardner

The jobs/housing ratio was then calculated for Wilsonville assuming a zone change for the subject property were granted for business park/industrial development and assuming a zone change is not granted and 126 apartments were built on the site. Based on results from EXHIBITS 7,8, and 9, an average of 17.4 jobs are sited on one acre of industrial land. 110 jobs would result from the 6.3-acre subject property, increasing the jobs/housing balance ratio from 2.65 to 2.67. Alternatively, if 126

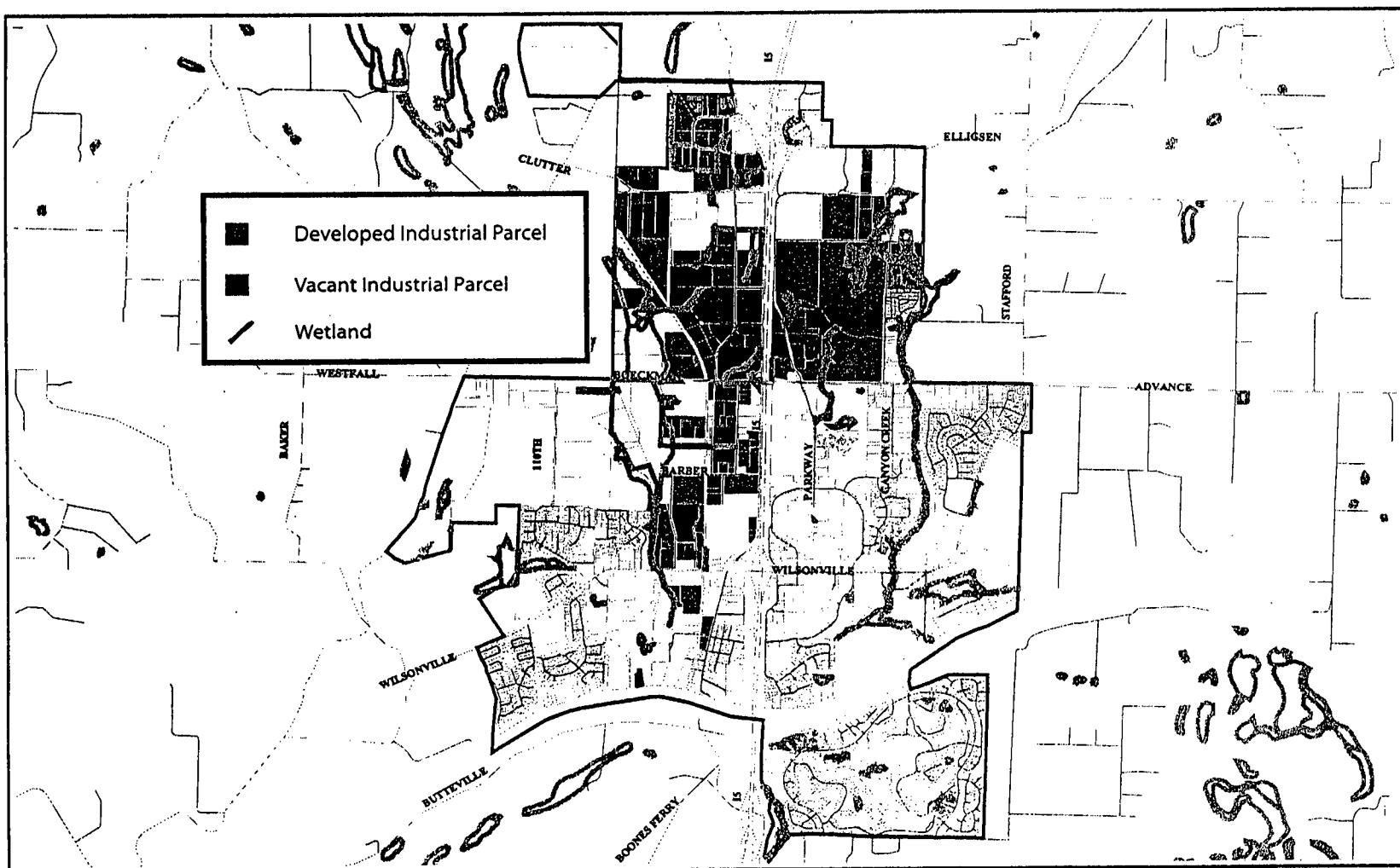
apartments are built on the site, the jobs/housing ratio would decrease to an estimated 2.61. Calculations indicate that in neither case do alternative zoning/development scenarios significantly affect jobs/housing balance ratios.

The simplest explanation for the jobs/housing ratio difference is the fact that for multi-family residential development, the subject site is small, thus residential development at the site poses no significant impacts to the jobs/housing ratio. The addition of 126 apartment units is, in fact, questionably beneficial to the jobs/housing balance given the excess capacity of Wilsonville rental housing. Analysis in the previous section determined that excess multifamily capacity will likely delay significant apartment development in Wilsonville due to lack of market and financial feasibility. Accordingly, new apartment construction at the subject property will not be able to effectively improve the jobs/housing ratio in Wilsonville until existing excess capacity can be filled, likely in three to five years.

Alternatively, the 6.3-acre site would fill an existing and critically growing need for local industrial land, and as estimated in Table 9, will do so with negligible impact upon the jobs/housing ratio. More specifically, earlier analysis indicated that need is particularly acute for parcels of five acres or greater, the optimal size range for flexible industrial development. It is, therefore, the conclusion of JOHNSON GARDNER that retention of the parcel as residentially-designated land for the three to five year duration of excess rental capacity will likely be to the serious detriment of industrial employment growth accommodation in Wilsonville, which has a demonstrated shortage of developable industrial land.

EXHIBIT 1

MAP OF WILSONVILLE TRADE AREA, VACANT PARCELS, DEVELOPED PARCELS AND WETLANDS



SOURCE: Metro RLIS

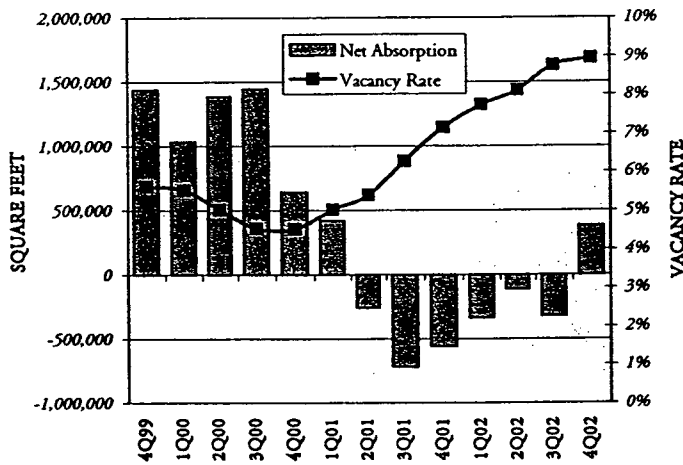
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EXHIBIT 2

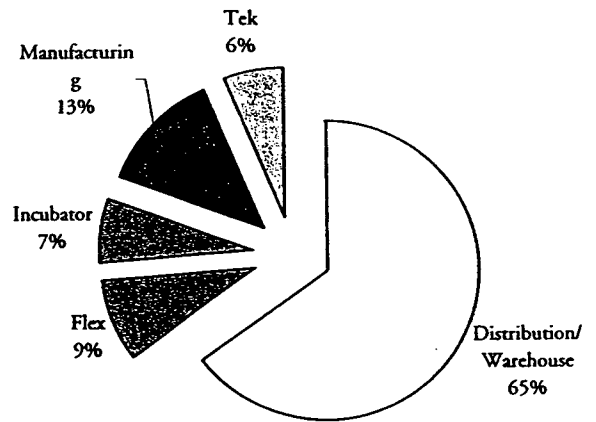
SUMMARY OF INDUSTRIAL MARKET BASE
SPECULATIVE AND OWNER OCCUPIED SPACE
4th Quarter 2002

	Net Rentable S.F.	Available S.F.	Vacancy Rate	Quarterly Net Absorption	Net Absorption	
					2001	2002
Northeast	32,785,077	2,932,381	8.94%	153,574	-209,222	310,066
Northwest	40,108,029	2,302,659	5.74%	95,979	-115,085	240,136
Southeast	28,202,798	2,204,906	7.82%	247,238	-502,092	-277,361
Southwest	57,168,487	6,544,545	11.45%	-116,836	-166,417	-450,297
Vancouver	18,983,212	1,853,263	9.76%	3,399	-123,243	-211,188
Overall	177,247,603	15,837,754	8.94%	383,354	-1,116,059	-388,644

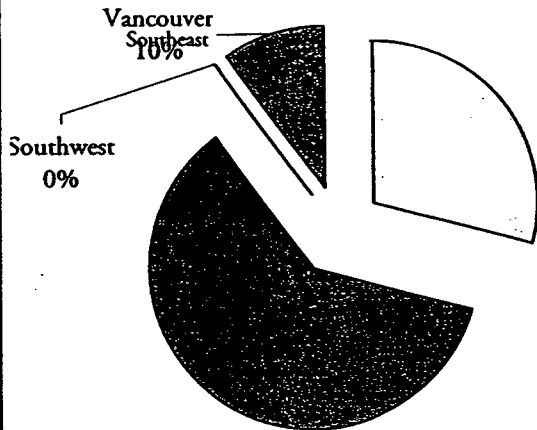
OVERALL MARKET TRENDS



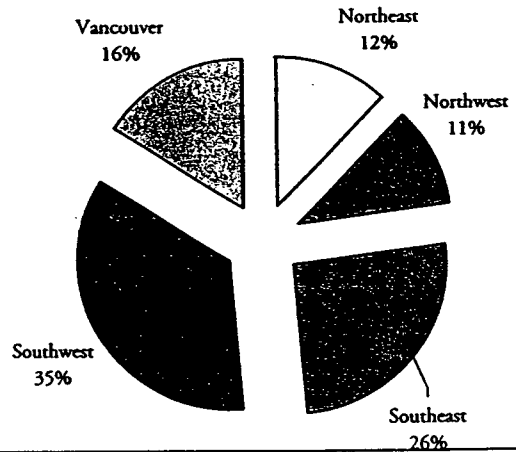
DISTRIBUTION OF SPACE BY TYPE



DISTRIBUTION OF CONSTRUCTION BY AREA



NET ABSORPTION BY AREA
1999-2002



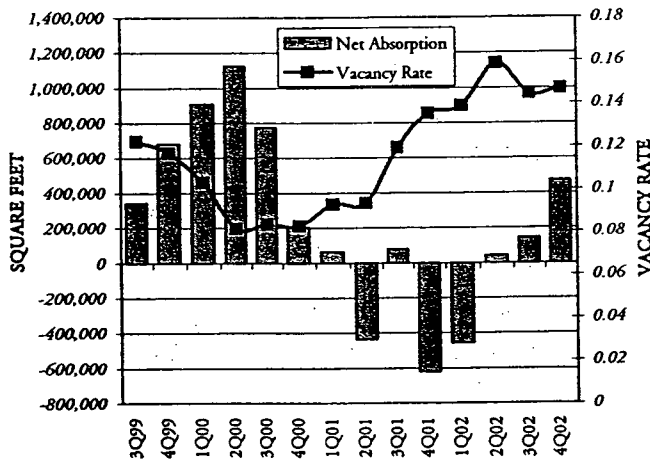
SOURCE: CB Richard Ellis

EXHIBIT 3

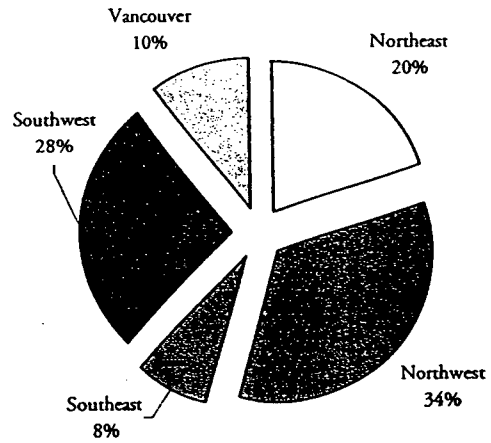
SUMMARY OF INDUSTRIAL PARKS
SPECULATIVE SPACE
4th Quarter 2002

	Net Rentable S.F.	Available S.F.	Vacancy Rate	Quarterly Net Absorption	Net Absorption	
					2001	2002
<i>Northeast</i>	8,697,512	950,425	10.93%	112,193	-114,792	306,494
<i>Northwest</i>	6,244,425	1,247,959	19.99%	-13,856	-285,166	-41,545
<i>Southeast</i>	5,029,190	450,249	8.95%	80,023	-87,830	162,447
<i>Southwest</i>	20,406,375	3,325,123	16.29%	152,336	-45,382	-220,871
<i>Vancouver</i>	7,645,761	1,078,041	14.10%	140,504	-93,978	-5,703
Overall	48,023,263	7,051,797	14.68%	471,200	-627,148	200,822

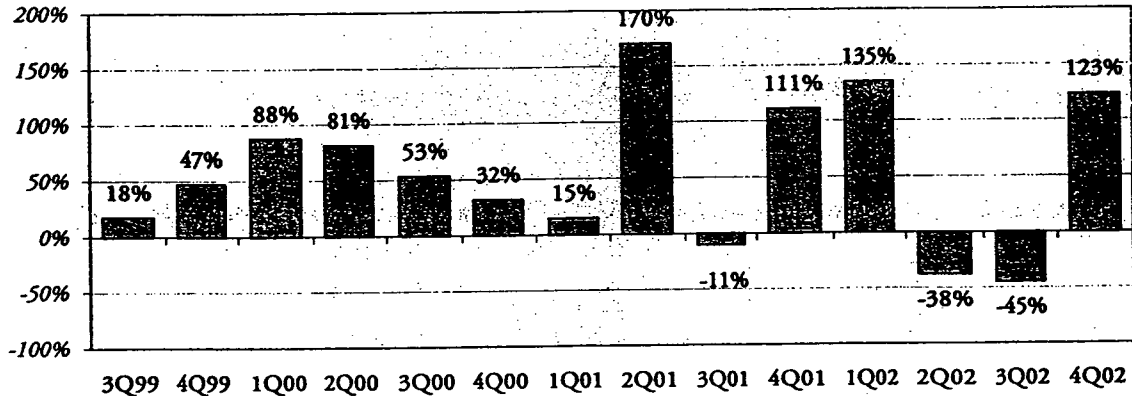
OVERALL MARKET TRENDS



NET ABSORPTION BY AREA
2001-2002



SPECULATIVE SHARE OF NET ABSORPTION



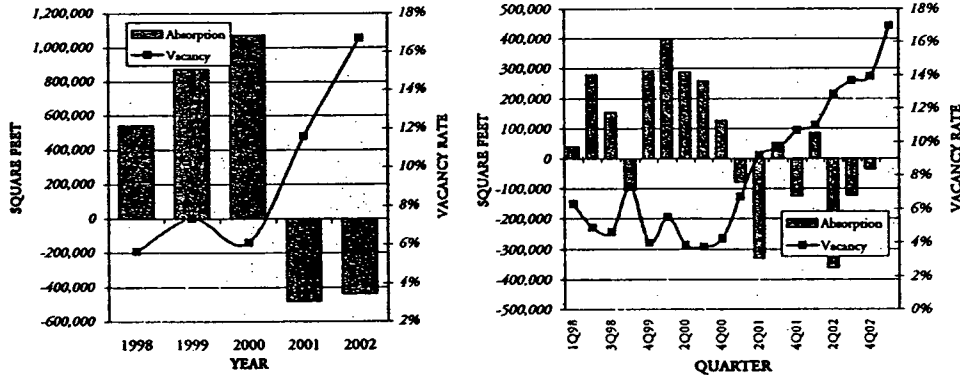
SOURCE: CB Richard Ellis

EXHIBIT 4

OVERVIEW OF SUBMARKET TRENDS
WESTSIDE SUBREGION

	Speculative Inventory	New Construction	Inventory Adjustments	Net Absorption	Vacancy		Vacancy	
					Direct	Sublease	Direct	Total
QUARTERLY TRENDS								
4Q99	18,403,501	101,750	339,987	293,110	733,390	386,823	3.99%	6.09%
1Q00	18,651,001	247,500	0	399,262	1,023,186	341,882	5.49%	7.32%
2Q00	18,652,829	0	1,828	287,752	717,654	137,758	3.85%	4.59%
3Q00	18,897,878	261,789	-16,740	258,921	703,782	152,164	3.72%	4.53%
4Q00	19,227,286	220,352	109,056	126,337	815,077	355,932	4.24%	6.09%
1Q01	19,654,334	272,548	154,500	-78,836	1,320,961	273,248	6.72%	8.11%
2Q01	19,842,638	187,094	1,210	-329,864	1,820,368	171,526	9.17%	10.04%
3Q01	20,007,390	249,892	-85,140	52,102	1,922,194	242,013	9.61%	10.82%
4Q01	20,082,728	679,860	-604,522	-125,405	2,147,297	178,716	10.69%	11.58%
1Q02	20,204,668	64,880	57,060	83,711	2,219,521	390,396	10.99%	12.92%
2Q02	20,291,311	81,500	5,143	-362,258	2,610,079	210,842	12.86%	13.90%
3Q02	20,370,451	0	79,140	-123,625	2,782,844	86,628	13.66%	14.09%
4Q02	20,370,451	0	0	-35,082	2,835,501	566,775	13.92%	16.70%
1Q03	38,363,829	940,000	17,053,378	0	6,516,050	1,306,957	16.98%	20.39%
BREAKOUT BY CLASS								
Industrial	25,807,893	940,000	13,327,064	0	3,477,037	692,145	13.47%	16.15%
Flex	12,555,936	0	3,726,314	0	3,039,013	614,812	24.20%	29.10%
Total	38,363,829	940,000	17,053,378	0	6,516,050	1,306,957	16.98%	20.39%
BREAKOUT BY SUBMARKET								
Aloha/Hillsboro	15,545,475	940,000	10,669,000	0	3,229,390	482,657	20.77%	23.88%
Beaverton	7,683,763	0	60,649	0	1,553,969	447,813	20.22%	26.05%
Lake Oswego	582,577	0	-540,968	0	55,605	0	9.54%	9.54%
Tigard	4,045,518	0	1,098,699	0	320,215	147,815	7.92%	11.57%
Tualatin/Sherwood	5,966,224	0	3,787,629	0	957,080	151,581	16.04%	18.58%
Wilsonville	4,540,272	0	1,978,369	0	399,791	77,091	8.81%	10.50%
Inner Southwest	155,121	0	155,121	0	29,505	8,500		
Total	38,363,829	940,000	0	0	6,516,050	1,306,957	16.98%	20.39%

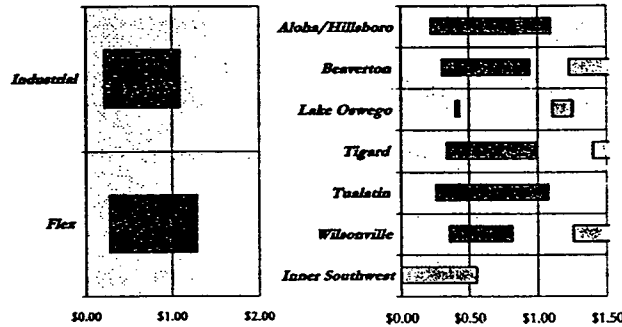
NET ABSORPTION AND VACANCY RATE TRENDS



QUOTED RENT RANGES

BY CLASS	Low	High
Industrial	\$0.22	\$1.10
Flex	\$0.28	\$1.29

BY SUBMARKET	Industrial	Flex
Aloha/Hillsboro	\$0.22 - \$1.10	\$0.45 - \$1.25
Beaverton	\$0.30 - \$0.95	\$0.28 - \$1.17
Lake Oswego	\$0.40 - \$0.43	\$0.68 - \$0.83
Tigard	\$0.33 - \$1.00	\$0.40 - \$1.29
Tualatin	\$0.25 - \$1.08	\$0.35 - \$0.35
Wilsonville	\$0.35 - \$0.82	\$0.44 - \$1.10
Inner Southwest	\$0.53 - \$0.53	\$0.63 - \$1.19
Total	\$0.22 - \$1.10	\$0.28 - \$1.29



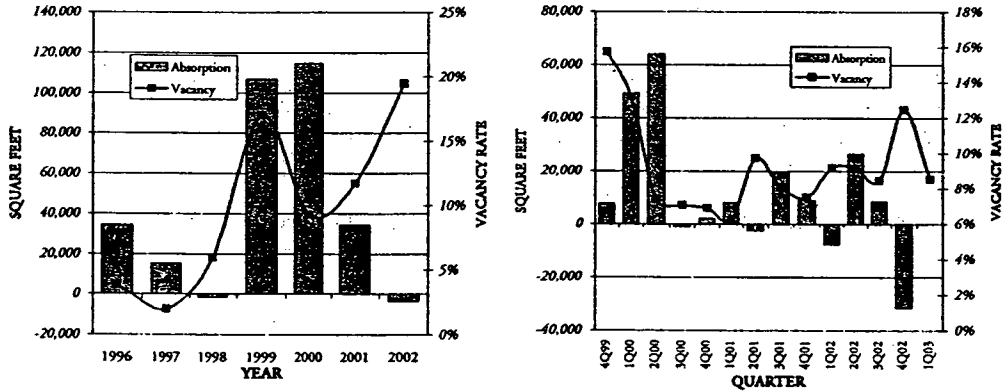
SOURCE: Norris Beggs and Simpson and Johnson Gardner

EXHIBIT 5

OVERVIEW OF SUBMARKET TRENDS
I-5 CORRIDOR SUBREGION

	Speculative Inventory	New Construction	Inventory Adjustments	Net Absorption	Vacancy		Vacancy	
					Direct	Sublease	Direct	Total
QUARTERLY TRENDS								
4Q99	1,137,619	102,000	23,401	7,551	178,950	14,616	15.73%	17.02%
1Q00	1,183,375	25,756	20,000	49,388	156,102	21,926	13.19%	15.04%
2Q00	1,178,349	12,974	-18,000	64,032	87,270	14,742	7.41%	8.66%
3Q00	1,165,375	0	-12,974	-1,033	82,603	8,578	7.09%	7.82%
4Q00	1,165,375	0	0	2,261	80,342	27,601	6.89%	9.26%
1Q01	1,153,375	0	-12,000	8,120	72,222	30,689	6.26%	8.92%
2Q01	1,218,411	18,000	47,036	-2,333	118,237	50,270	9.70%	13.83%
3Q01	1,218,411	33,800	-33,800	19,729	98,508	51,448	8.08%	12.31%
4Q01	1,197,129	0	-21,282	8,835	89,945	50,290	7.51%	11.71%
1Q02	1,222,498	0	25,369	-7,517	112,292	63,583	9.19%	14.39%
2Q02	1,251,059	28,561	0	26,547	114,306	41,585	9.14%	12.46%
3Q02	1,251,059	0	0	8,518	105,788	44,992	8.46%	12.05%
4Q02	1,284,659	0	33,600	-31,343	160,231	89,477	12.47%	19.44%
1Q03	2,520,422	0	1,235,763	0	214,812	37,926	8.52%	10.03%
BREAKOUT BY CLASS								
Class A	820,540	0	325,035	0	20,225	0	2.46%	2.46%
Class B	1,370,662	0	826,588	0	162,079	35,421	11.82%	14.41%
Class C	329,220	0	84,140	0	32,508	2,505	9.87%	10.64%
Total	2,520,422	0	1,235,763	0	214,812	37,926	8.52%	10.03%
BREAKOUT BY SUBMARKET								
Lake Oswego	814,025	0	403,505	0	54,700	2,216	6.72%	6.99%
Tualatin/ Wilsonville	1,706,397	0	832,258	0	160,112	35,710	9.38%	11.48%
Total	2,520,422	0	1,235,763	0	214,812	37,926	8.52%	10.03%

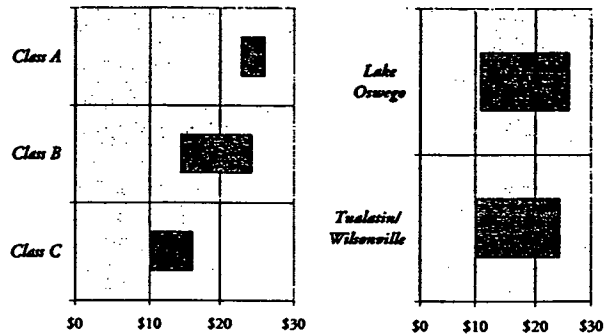
NET ABSORPTION AND VACANCY RATE TRENDS



QUOTED RENT RANGES

BY CLASS	Low	High
Class A	\$23.00	\$26.00
Class B	\$14.49	\$24.26
Class C	\$10.20	\$16.17
Total	\$10.20	\$26.00

BY SUBMARKET	Low	High
Lake Oswego	\$11.00	\$26.00
Tualatin/ Wilsonville	\$10.20	\$24.26
Total	\$10.20	\$26.00



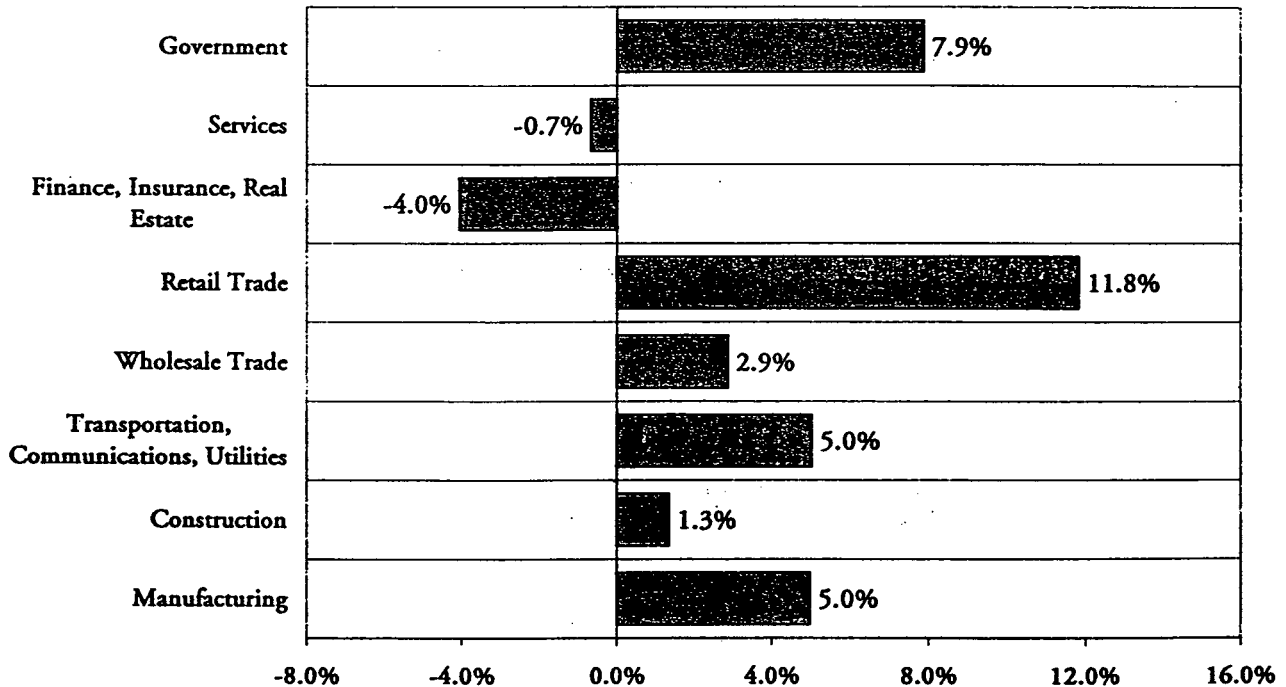
SOURCE: CoStar and Johnson Gardner

EXHIBIT 6

PROJECTED EMPLOYMENT GROWTH BY INDUSTRIAL SECTOR
WILSONVILLE, OREGON
2003-2023

	Employment		2003-2023		
	2003 1/	2023 2/	Change	% Change	Avg. Rate
<i>Manufacturing</i>	4,507	7,327	2,820	62.6%	5.0%
<i>Construction</i>	725	827	102	14.0%	1.3%
<i>Transportation, Communications, Utilities</i>	895	1,462	567	63.3%	5.0%
<i>Wholesale Trade</i>	2,442	3,235	793	32.5%	2.9%
<i>Retail Trade</i>	2,270	6,932	4,661	205.3%	11.8%
<i>Finance, Insurance, Real Estate</i>	814	539	-275	-33.8%	-4.0%
<i>Services</i>	6,778	6,322	-456	-6.7%	-0.7%
<i>Government</i>	480	1,024	544	113.5%	7.9%
Total	18,912	27,668	8,757	46.3%	3.9%

PROJECTED GROWTH RATE BY SECTOR



1/ Estimate by Johnson Gardner based on 2000 Metro data for Wilsonville Transportation Analysis Zones (TAZ) and three-year employment by industry in the Portland metro area estimated by the Oregon Employment Department.

2/ Estimate based on Metro 2020 forecast for Wilsonville TAZs extended for three years by average annual growth projected by Metro.

SOURCE: Oregon Employment Department, Metro and Johnson Gardner.

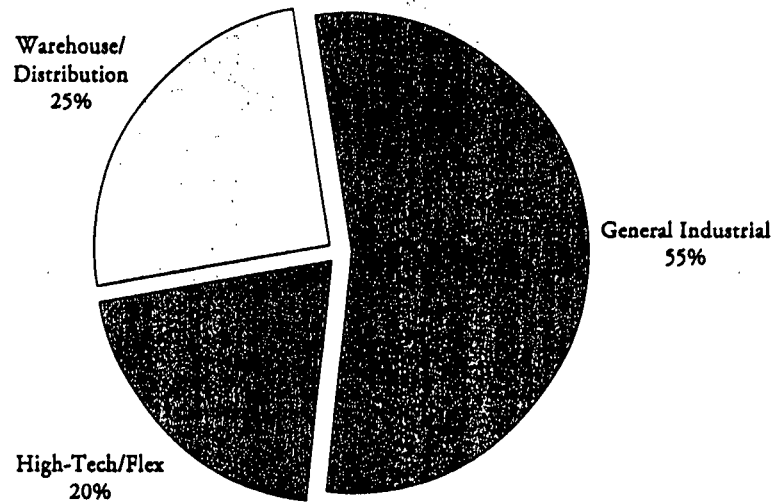
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EXHIBIT 7

PROJECTED INDUSTRIAL EMPLOYMENT GROWTH BY AND TYPE OF SPACE
WILSONVILLE, OREGON
2003-2023

	Growth 03-23 1/	% in Industrial 2/	Industrial Employment	% by Type of Space 3/			Employment by Type of Space		
				W/D	General	Tech/Flex	W/D	General	Tech/Flex
<i>Manufacturing</i>	2,820	96.8%	2,730	0%	75%	25%	0	2,047	682
<i>Construction and Mining</i>	102	24.6%	25	0%	75%	25%	0	19	6
<i>Transportation, Communications, Utilities</i>	567	68.0%	386	77%	11%	11%	298	44	44
<i>Wholesale Trade</i>	793	95.1%	755	90%	0%	10%	679	0	75
<i>Retail Trade</i>	4,661	0.0%	0	0%	0%	0%	0	0	0
<i>Finance, Insurance, Real Estate</i>	-275	0.0%	0	0%	0%	0%	0	0	0
<i>Services</i>	-456	8.8%	-40	0%	51%	49%	0	-20	-20
Total	8,212	46.9%	3,855	13%	65%	22%	977	2,089	788

DISTRIBUTION OF INDUSTRIAL EMPLOYMENT GROWTH BY TYPE OF SPACE



1/ EXHIBIT 6

2/ *Regional Industrial Lands Study*, Table A.2, Otak, Inc., 2000.

3/ Adapted from *Regional Industrial Lands Study*, Table A.10, Otak, Inc., 2000. Percentages for T.C.U. and Services industries were adapted utilizing employment by S.I.C. from Table A.1.

SOURCE: Johnson Gardner

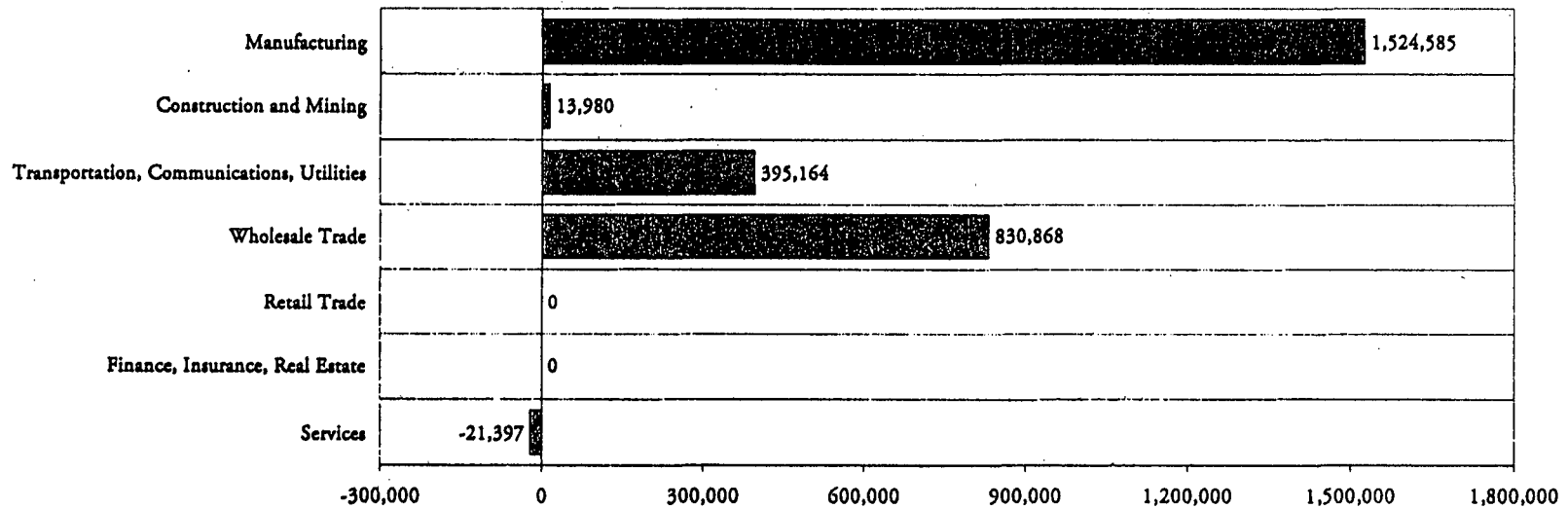
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EXHIBIT 8

PROJECTED DEMAND FOR INDUSTRIAL SPACE BY TYPE AND SECTOR
WILSONVILLE, OREGON
2003-2023

	Employment by Type of Space 1/			Employment Density (sq.ft./job) 2/			Total Demand for Space (sq. ft.) 3/			Total Demand (sq. ft.)
	W/D	General	Tech/Flex	W/D	General	Tech/Flex	W/D	General	Tech/Flex	
Manufacturing	0	2,047	682	1,100	550	450	0	1,197,888	326,697	1,524,585
Construction and Mining	0	19	6	1,100	550	450	0	10,984	2,996	13,980
Transportation, Communications, Utilities	298	44	44	1,100	550	450	348,810	25,495	20,860	395,164
Wholesale Trade	679	0	75	1,100	550	450	794,744	0	36,125	830,868
Retail Trade	0	0	0	1,100	550	450	0	0	0	0
Finance, Insurance, Real Estate	0	0	0	1,100	550	450	0	0	0	0
Services	0	-20	-20	1,100	550	450	0	-11,980	-9,417	-21,397
Total	977	2,089	788	1,100	550	450	1,143,553	1,222,388	377,260	2,743,201

PROJECTED GROWTH IN DEMAND FOR INDUSTRIAL SPACE BY SECTOR



1/ EXHIBIT 7

2/ *Regional Industrial Lands Study*, Table A.5, Otak, Inc., 2000.

3/ Assumes a 6% structural vacancy rate for industrial space consistent with the *Regional Industrial Lands Study*, Table A.6.

SOURCE: Johnson Gardner

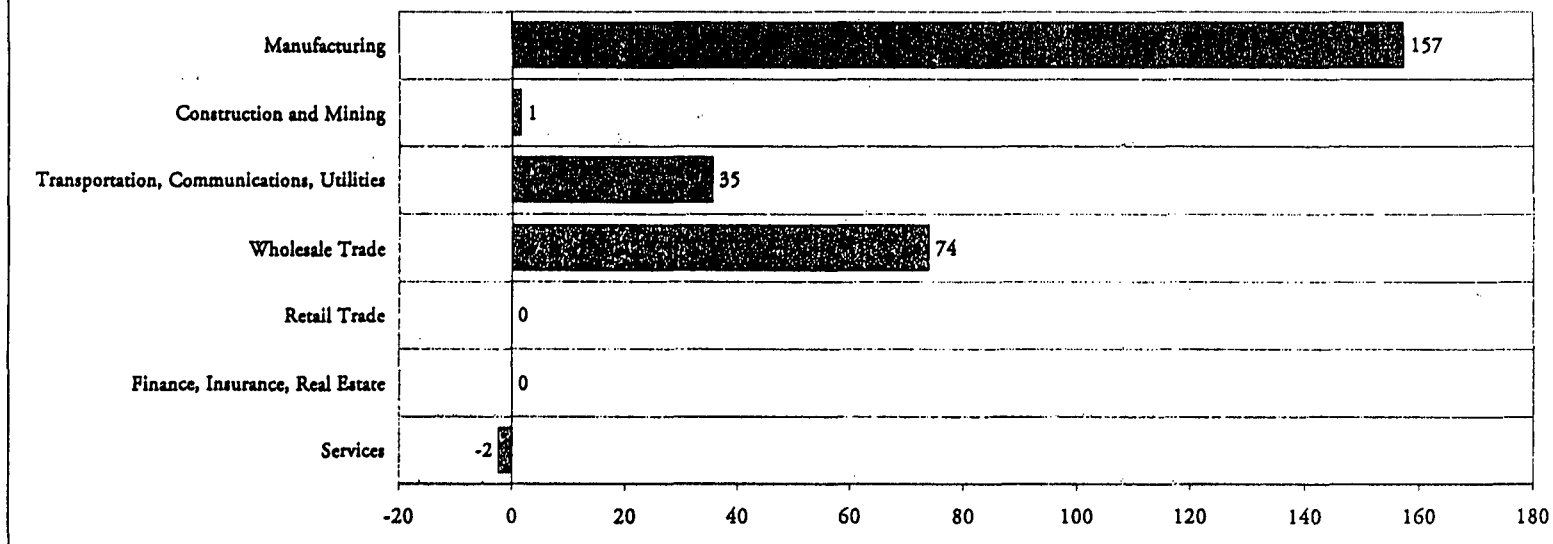
(97 of 113)

EXHIBIT 9

PROJECTED DEMAND FOR INDUSTRIAL LAND BY TYPE AND SECTOR
WILSONVILLE, OREGON
2003-2023

	Total Demand for Space (sq. ft.) 1/			Floor Area Ratios (FARs) by Type of Space 2/			Total Demand for Land (acres) 3/			Total Demand (acres)
	W/D	General	Tech/Flex	W/D	General	Tech/Flex	W/D	General	Tech/Flex	
Manufacturing	0	1,197,888	326,697	0.33	0.30	0.22	0	115	43	157
Construction and Mining	0	10,984	2,996	0.33	0.30	0.22	0	1	0	1
Transportation, Communications, Utilities	348,810	25,495	20,860	0.33	0.30	0.22	30	2	3	35
Wholesale Trade	794,744	0	36,125	0.33	0.30	0.22	69	0	5	74
Retail Trade	0	0	0	0.33	0.30	0.22	0	0	0	0
Finance, Insurance, Real Estate	0	0	0	0.33	0.30	0.22	0	0	0	0
Services	0	-11,980	-9,417	0.33	0.30	0.22	0	-1	-1	-2
Total	1,143,553	1,222,388	377,260	0.33	0.30	0.22	99	117	49	266

PROJECTED GROWTH IN DEMAND FOR INDUSTRIAL LAND BY SECTOR



1/ EXHIBIT 8

2/ *Regional Industrial Lands Study*, Table A.5, Otak, Inc., 2000.

3/ Assumes a 20% rate of non-industrial uses on industrial/business park land consistent with the *Regional Industrial Lands Study*, Table A.7. Non-industrial uses include retail, office and other common or conditional use business park/industrial space.

SOURCE: Johnson Gardner

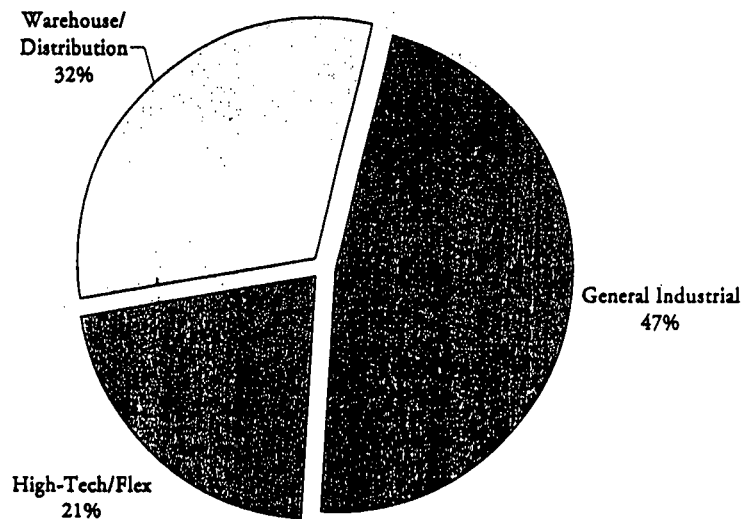
(98 of 113)

EXHIBIT 10

CURRENT INDUSTRIAL EMPLOYMENT BY AND TYPE OF SPACE
WILSONVILLE, OREGON
2003

	Employment 2003 1/	% in Industrial 2/	Industrial Employment	% by Type of Space 3/			Employment by Type of Space		
				W/D	General	Tech/Flex	W/D	General	Tech/Flex
<i>Manufacturing</i>	4,507	96.8%	4,363	0%	75%	25%	0	3,272	1,091
<i>Construction and Mining</i>	725	24.6%	178	0%	75%	25%	0	134	45
<i>Transportation, Communications, Utilities</i>	895	68.0%	609	77%	11%	11%	471	69	69
<i>Wholesale Trade</i>	2,442	95.1%	2,322	90%	0%	10%	2,090	0	232
<i>Retail Trade</i>	2,270	0.0%	0	0%	0%	0%	0	0	0
<i>Finance, Insurance, Real Estate</i>	814	0.0%	0	0%	0%	0%	0	0	0
<i>Services</i>	6,778	8.8%	596	0%	51%	49%	0	304	292
Total	18,432	43.8%	8,069	15%	58%	26%	2,561	3,779	1,729

DISTRIBUTION OF CURRENT INDUSTRIAL EMPLOYMENT BY TYPE OF SPACE



1/ Estimate by Johnson Gardner based on 2000 Metro data for Wilsonville Transportation Analysis Zones (TAZ) and three-year employment by industry in the Portland metro area estimated by the Oregon Employment Department.

2/ *Regional Industrial Lands Study*, Table A.2, Otak, Inc., 2000.

3/ Adapted from *Regional Industrial Lands Study*, Table A.10, Otak, Inc., 2000. Percentages for T.C.U. and Services industries were adapted utilizing employment by S.I.C. from Table A.1.

SOURCE: Johnson Gardner

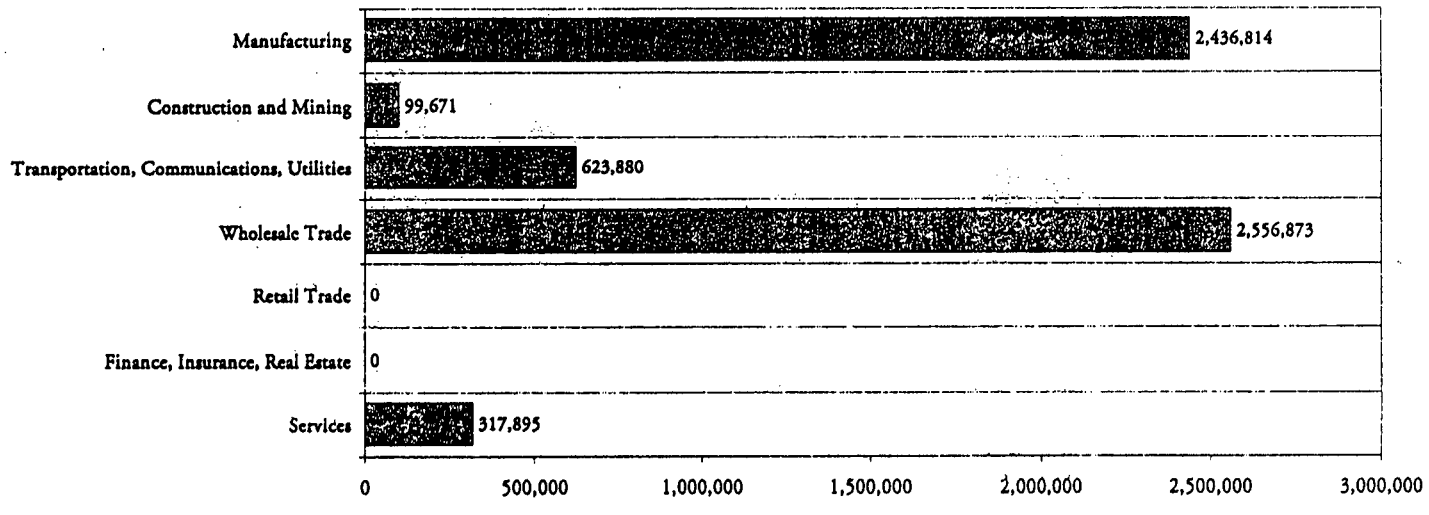
(99 of 113)

EXHIBIT 11

EXISTING DEMAND FOR INDUSTRIAL SPACE BY TYPE AND SECTOR
WILSONVILLE, OREGON
2003

	Employment by Type of Space 1/			Employment Density (sq.ft./job) 2/			Total Demand for Space (sq. ft.) 3/			Total Demand (sq. ft.)
	W/D	General	Tech/Flex	W/D	General	Tech/Flex	W/D	General	Tech/Flex	
Manufacturing	0	3,272	1,091	1,100	550	450	0	1,914,639	522,174	2,436,814
Construction and Mining	0	134	45	1,100	550	450	0	78,313	21,358	99,671
Transportation, Communications, Utilities	471	69	69	1,100	550	450	550,696	40,251	32,933	623,880
Wholesale Trade	2,090	0	232	1,100	550	450	2,445,705	0	111,168	2,556,873
Retail Trade	0	0	0	1,100	550	450	0	0	0	0
Finance, Insurance, Real Estate	0	0	0	1,100	550	450	0	0	0	0
Services	0	304	292	1,100	550	450	0	177,983	139,912	317,895
Industrial Employment Total	2,561	3,779	1,729	1,100	550	450	2,996,401	2,211,187	827,546	6,035,133
Non-Industrial Employment Demand 4/										1,207,027
Total Industrial Space Demand										7,242,160

EXISTING DEMAND FOR INDUSTRIAL SPACE BY SECTOR



1/ EXHIBIT 10

2/ Regional Industrial Lands Study, Table A.5, Otak, Inc., 2000.

3/ Assumes a 6% structural vacancy rate for industrial space consistent with the Regional Industrial Lands Study, Table A.6.

4/ Assumes a 20% rate of non-industrial uses on industrial/business park land consistent with the Regional Industrial Lands Study, Table A.7. Non-industrial uses include retail, office and other common or conditional uses in business park and industrial space.

SOURCE: Johnson Gardner

(see of 113)

EXHIBIT 12

SPECULATIVE INDUSTRIAL SPACE INVENTORY
WILSONVILLE, OREGON TRADE AREA
May 2003

Building Address	Year Built	Total Sq. Ft.	Annual Rent per Sq. Ft.	Direct Vacancy	Sublease Vacancy	Vacancy Rate
10025 SW Freeman Dr	2001	260,000	N/A	0	0	0.00%
10159 SW Commerce Cir	2001	33,848	\$8.35	2,835	0	8.38%
10165 SW Commerce Cir	2001	46,400	\$6.55	11,431	0	24.64%
27350 SW 95th Ave	2000	50,329	\$7.09	21,341	4,262	50.87%
9799 SW Freeman Dr	1999	115,000	N/A	0	0	0.00%
7930 SW Burns Way	1998	109,973	N/A	0	0	0.00%
25977 SW Canyon Creek Rd	1997	172,000	\$8.22	5,000	3,600	5.00%
27120-27180 SW 95th Ave	1997	119,418	\$4.79	33,104	0	27.72%
27929 SW 95th Ave	1997	76,000	N/A	9,027	0	11.88%
26099 SW 95th Ave	1995	88,500	N/A	0	0	0.00%
26100 SW 95th Ave	1995	40,500	N/A	0	0	0.00%
26200 SW 95th Ave	1995	130,000	N/A	0	0	0.00%
26211 SW 95th Ave	1995	52,500	N/A	0	0	0.00%
26277 SW 95th Ave	1995	36,000	N/A	0	0	0.00%
26300 SW 95th Ave	1995	31,500	\$6.37	12,034	0	38.20%
25599 SW 95th Ave	1994	49,120	\$8.75	2,640	0	5.37%
29900 SW Kinsman Rd	1994	24,000	N/A	0	0	0.00%
9325 SW Barber St	1992	36,206	N/A	0	0	0.00%
10065 SW Commerce Cir	1989	95,000	\$4.89	17,258	0	18.17%
9325 SW Ridder Rd	1989	48,368	N/A	0	0	0.00%
9445 SW Ridder Rd	1989	83,462	N/A	0	0	0.00%
9565 SW Ridder Rd	1989	51,531	\$5.20	17,177	23,920	79.75%
9685 SW Ridder Rd	1989	64,719	N/A	0	0	0.00%
29375 SW Kinsman Rd	1987	7,440	N/A	0	0	0.00%
28800 SW Boberg Rd	1985	5,850	N/A	0	0	0.00%
29117 SW Kinsman Rd	1985	15,664	N/A	0	0	0.00%
29117 SW Kinsman Rd	1985	15,644	N/A	0	0	0.00%
29117 SW Kinsman Rd	1985	15,644	N/A	0	0	0.00%
29117 SW Kinsman Rd	1985	15,644	N/A	0	0	0.00%
9140 SW Pioneer Ct	1985	33,996	\$9.00	16,946	0	49.85%
10041 SW Wilsonville Rd	1983	22,180	N/A	0	0	0.00%
26950 SW Parkway Ave	1980	203,000	N/A	0	0	0.00%
9126 SW Ridder Rd	1980	14,620	N/A	0	0	0.00%
9375 SW Commerce Cir	1980	25,200	\$4.56	5,425	0	21.53%
9425 SW Commerce Cir	1980	27,300	N/A	0	0	0.00%
10000 SW Commerce Cir	1979	54,000	N/A	0	0	0.00%
26950 SW Parkway Ave	1978	235,000	N/A	0	0	0.00%
29555 SW Boones Ferry Rd	1978	504,060	N/A	0	0	0.00%
9255 SW Pioneer Ct	1978	48,000	N/A	48,000	0	100.00%
28670 SW Boberg Rd	1977	14,904	N/A	0	0	0.00%
26950 SW Parkway Ave	1975	101,000	N/A	0	0	0.00%
26950 SW Parkway Ave	1975	261,000	N/A	0	0	0.00%
28725 SW Boones Ferry Rd	1973	7,000	N/A	0	0	0.00%
30535 SW Boones Ferry Rd	1919	16,772	N/A	0	0	0.00%
10955 SW Commerce Cir	N/A	33,000	N/A	0	0	0.00%
10965 SW Commerce Cir	N/A	30,000	\$7.23	10,000	0	33.33%
27375 SW Parkway Ave	N/A	21,600	\$13.20	21,600	0	100.00%
27501 SW 95th Ave	N/A	42,816	\$6.34	16,713	0	39.03%
27520 SW 95th Ave	N/A	39,616	\$9.84	5,100	0	12.87%
27595 SW 95th Ave	N/A	41,088	N/A	0	0	0.00%
27695 SW 95th Ave	N/A	78,969	N/A	0	0	0.00%
28170 S Boberg Rd	N/A	N/A	N/A	0	0	#VALUE!
29125 SW Casting St	N/A	40,000	\$4.56	0	11,600	29.00%
29600 SW Sedy Ave	N/A	72,000	N/A	72,000	0	100.00%
29605 SW Kinsman Rd	N/A	20,400	N/A	0	0	0.00%
29755 SW Boones Ferry Rd	N/A	6,944	N/A	0	0	0.00%
7933 SW Burns Way	N/A	8,064	\$6.36	8,064	0	100.00%
8536 SW Saint Helens Dr	N/A	10,500	\$7.68	3,424	0	32.61%
9025 SW Hillman Ct	N/A	54,378	N/A	0	0	0.00%
9120 SW Pioneer Ct	N/A	14,422	\$9.00	2,363	0	16.38%
9125 SW Ridder Rd	N/A	63,550	\$4.71	0	33,709	53.04%
9130 SW Pioneer Ct	N/A	20,230	\$9.00	3,546	0	17.53%
9150 SW Pioneer Ct	N/A	39,300	\$9.00	1,879	0	4.78%
9373 SW Barber St	N/A	16,000	\$6.84	4,500	0	28.13%
9400 SW Barbur St	N/A	19,000	\$7.80	19,000	0	100.00%
9500 SW Boeckman Rd	N/A	6,720	N/A	6,720	0	100.00%
9720 SW Hillman Ct	N/A	28,214	\$5.27	6,648	0	23.56%
9725 SW Commerce Cir	N/A	6,800	\$5.03	3,420	0	50.29%
9730 SW Hillman Ct	N/A	41,041	N/A	0	0	0.00%
9740 SW Hillman Ct	N/A	85,032	N/A	0	0	0.00%
9750 SW Barber St	N/A	145,000	N/A	0	0	0.00%
9750 SW Hillman Ct	N/A	104,796	N/A	0	0	0.00%
9775 SW Commerce Cir	N/A	3,000	\$4.20	1,400	0	46.67%
Totals:	-	4,550,772	\$6.85	388,595	77,091	10.23%

SOURCE: CoStar and Johnson Gardner

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EXHIBIT 13

TOTAL VACANT INDUSTRIAL LAND, WILSONVILLE TRADE AREA

Acreage	Location Code	Owner
2.99	3S102DB00600	ALLEGIANCE HEALTHCARE CORP
2.36	3S102DC00201	ROLLINS LEASING CORP
6.98	31W11A 00800	REBCO PROPERTIES LLC
13.90	31W11 01800	OUR ASSOCIATES
2.69	31W11A 01000	REBCO PROPERTIES
1.43	31W11 03104	OUR ASSOCIATES
9.15	31W11 03103	OUR ASSOCIATES
17.80	31W11C 01100	METRO
8.75	31W11D 01202	INFOCUS CORPORATION
5.22	31W11 00800	MENTOR GRAPHICS CORP
21.97	31W11D 00900	PACIFIC REALTY ASSOCIATES LP
0.11	31W11 00701	JONES ROBERT
0.13	31W12 00404	ARGYLE CAPITAL LLC
1.72	31W12 00590	XEROX CORPORATION
6.46	31W12BD08600	CITY OF WILSONVILLE
0.49	31W12BD09000	CITY OF WILSONVILLE
2.76	31W14B 00401	OLDCASTLE PRECAST INC
3.32	31W14B 00500	BREUER CHARLES F
2.80	31W14B 00502	OLDCASTLE PRECAST INC
4.48	31W14A 01900	WASHINGTON COUNTY OREGON
2.67	31W14A 01800	WASHINGTON COUNTY OREGON
1.37	31W14A 01701	WASHINGTON COUNTY OREGON
0.33	31W14A 01700	WASHINGTON COUNTY OREGON
0.04	31W14A 01204	DAVIDSON WILLIAM G & DIXIE L
4.22	31W14A 01600	OUR ASSOCIATES
1.04	31W14A 01400	BEAN DOUGLAS L 1/2
13.70	31W14C 00106	COCA-COLA BOTTLING CO OF OR
0.24	31W14C 01700	HOUSTONS INC
1.84	31W14C 00307	B A DEVELOPMENT
1.30	31W14C 00311	B A DEVELOPMENT
1.32	31W14C 00110	REEVES DANIEL L
0.01	31W14C 00111	REEVES DAN
2.90	31W23B 02100	JOE BERNERT TOWING CO
146.49	Total Acres	

SOURCE: Metro RLIS and Johnson Gardner

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EXHIBIT 14

TOTAL VACANT INDUSTRIAL LANDS ADJUSTED FOR WETLANDS
WILSONVILLE TRADE AREA

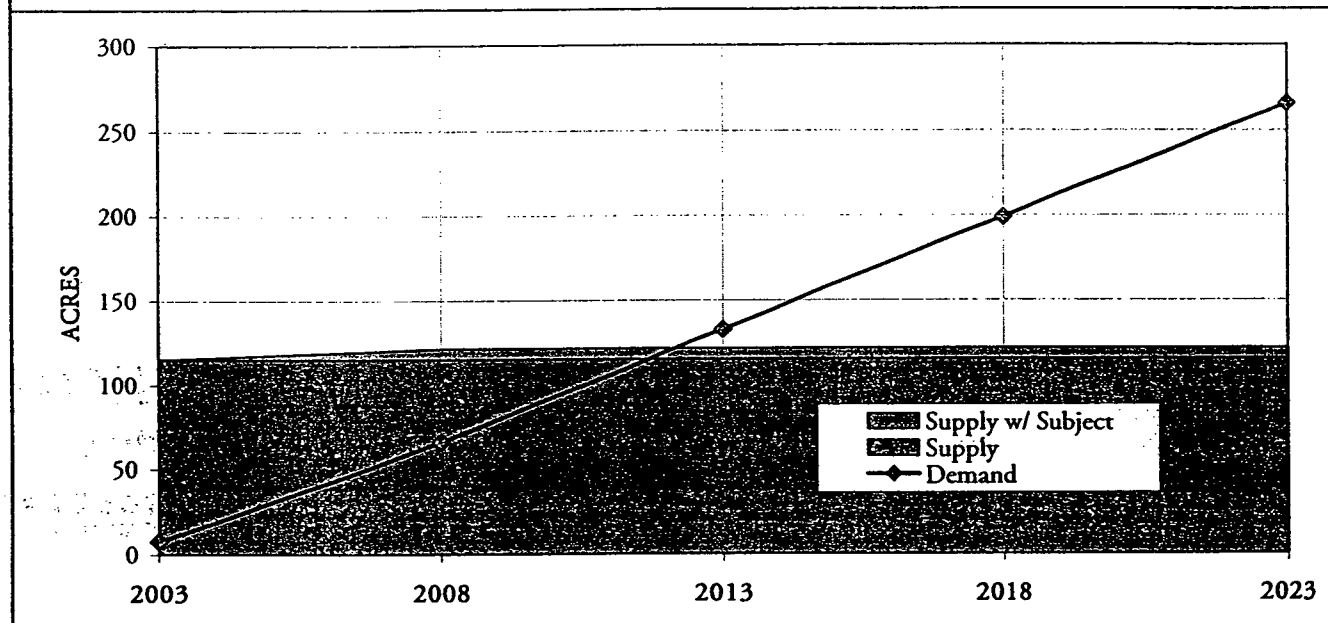
Acreage	Location Code	Owner
2.36	3S102DC00201	ROLLINS LEASING CORP
6.98	31W11A 00800	REBCO PROPERTIES LLC
13.90	31W11 01800	OUR ASSOCIATES
2.69	31W11A 01000	REBCO PROPERTIES
1.43	31W11 03104	OUR ASSOCIATES
9.15	31W11 03103	OUR ASSOCIATES
4.38	31W11D 01202	INFOCUS CORPORTATION
5.22	31W11 00800	MENTOR GRAPHICS CORP
21.97	31W11D 00900	PACIFIC REALTY ASSOCIATES LP
0.11	31W11 00701	JONES ROBERT
0.13	31W12 00404	ARGYLE CAPITAL LLC
1.72	31W12 00590	XEROX CORPORATION
6.46	31W12BD08600	CITY OF WILSONVILLE
0.49	31W12BD09000	CITY OF WILSONVILLE
2.76	31W14B 00401	OLDCASTLE PRECAST INC
2.80	31W14B 00502	OLDCASTLE PRECAST INC
4.48	31W14A 01900	WASHINGTON COUNTY OREGON
2.67	31W14A 01800	WASHINGTON COUNTY OREGON
1.37	31W14A 01701	WASHINGTON COUNTY OREGON
0.33	31W14A 01700	WASHINGTON COUNTY OREGON
0.04	31W14A 01204	DAVIDSON WILLIAM G & DIXIE L
4.22	31W14A 01600	OUR ASSOCIATES
1.04	31W14A 01400	BEAN DOUGLAS L 1/2
13.70	31W14C 00106	COCA-COLA BOTTLING CO OF OR
0.24	31W14C 01700	HOUSTONS INC
1.84	31W14C 00307	B A DEVELOPMENT
1.30	31W14C 00311	B A DEVELOPMENT
1.32	31W14C 00110	REEVES DANIEL L
0.01	31W14C 00111	REEVES DAN
2.90	31W23B 02100	JOE BERNERT TOWING CO
117.99	Total	

SOURCE: Metro RLIS and Johnson Gardner

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EXHIBIT 15
RESIDUAL DEMAND ANALYSIS
INDUSTRIAL LAND IN THE WILSONVILLE TRADE AREA

	Year				
	2003	2008	2013	2018	2023
Available Industrial Land/Acres 1/	115.1	115.1	115.1	115.1	115.1
Total Estimated Demand	7.7 2/	66.4	132.8	199.2	265.6
Total Estimated Residual Demand	-107.3	-48.7	17.7	84.1	150.5
Subject Site	-	6.3	6.3	6.3	6.3
Available Land + Subject Site	115.1	121.4	121.4	121.4	121.4
Estimated Residual Demand w/ Subject Site	-107.3	-55.0	11.4	77.8	144.2



1/ EXHIBIT 14

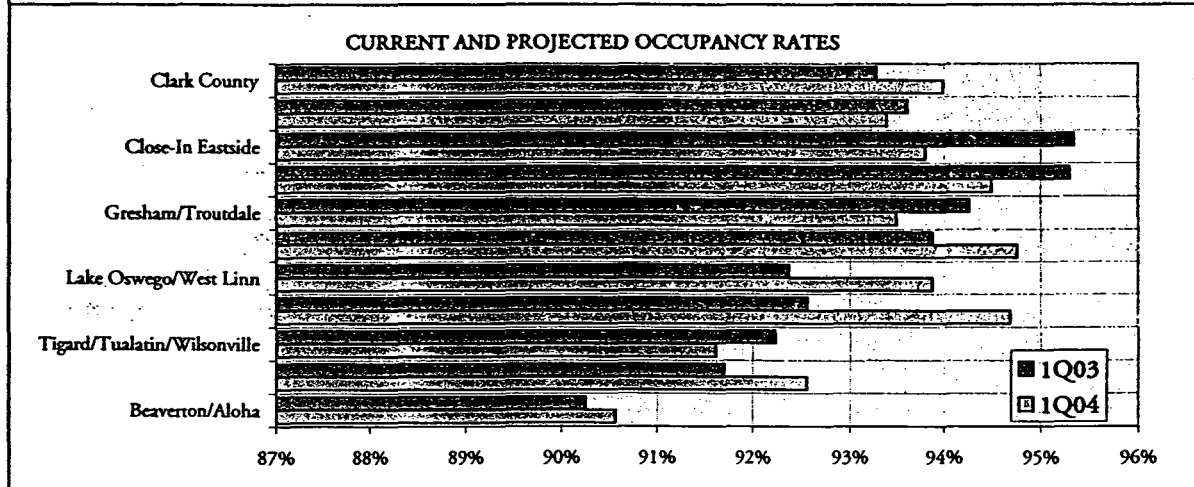
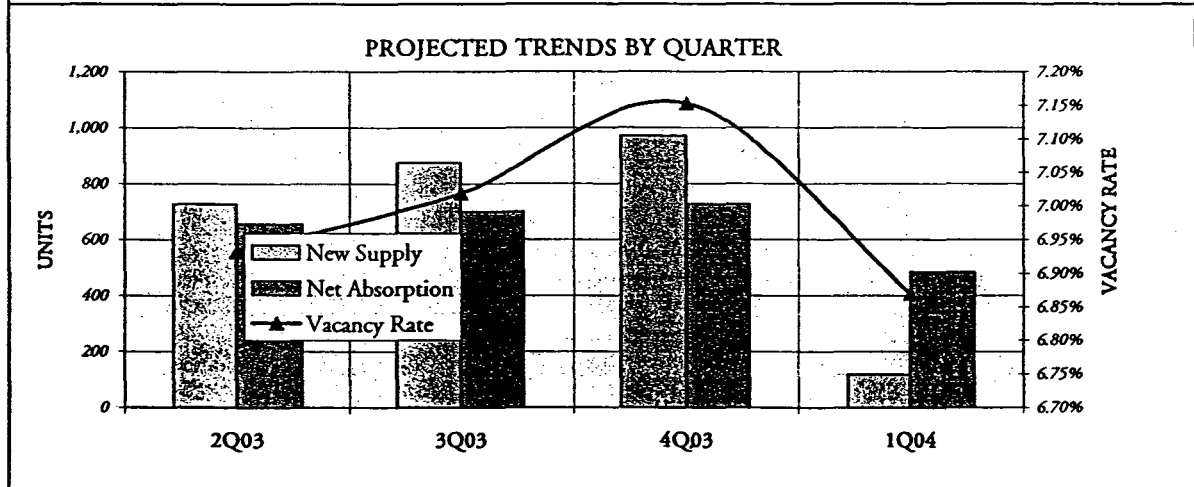
2/ Demand for Land for the remaining seven months in 2003

SOURCE: Johnson Gardner

EXHIBIT 16

CURRENT AND PROJECTED CONDITIONS
 PORTLAND-VANCOUVER MARKET-RATE RENTAL APARTMENTS
 15+ Unit Complexes

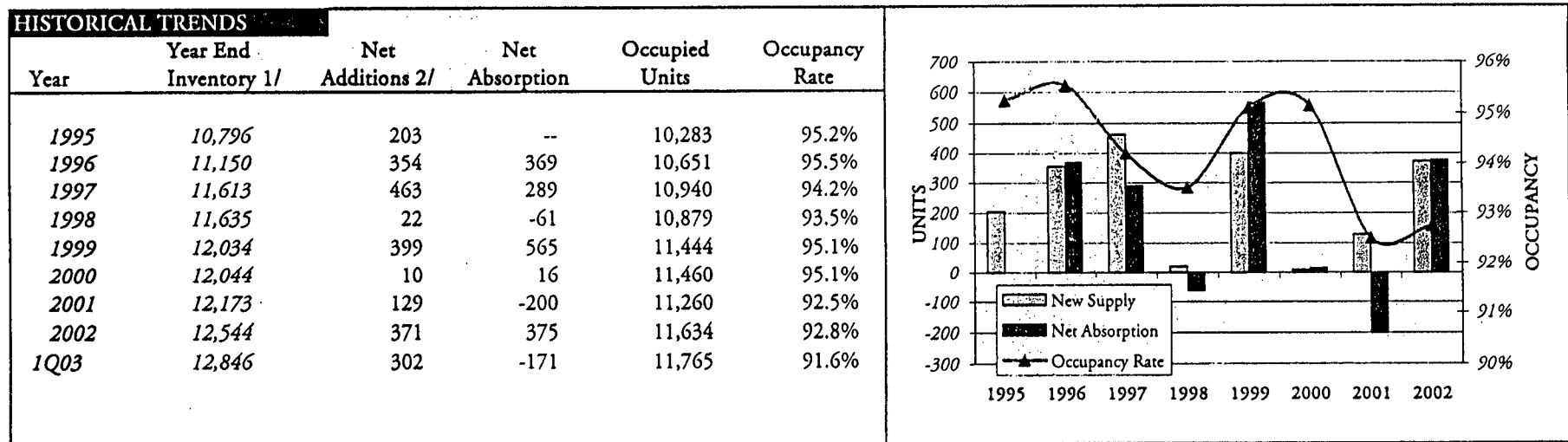
Submarket	1Q03		New Supply	Net Absorption	1Q04	
	Inventory	Occupancy			Inventory	Occupancy
Beaverton/Aloha	16,553	90.2%	491	498	17,044	90.6%
Hillsboro/Tanasbourne	14,741	91.7%	138	256	14,879	92.6%
Tigard/Tualatin/Wilsonville	12,544	92.2%	302	197	12,846	91.6%
Sunnyside/Clackamas	5,091	92.6%	0	108	5,091	94.7%
Lake Oswego/West Linn	4,921	92.4%	0	74	4,921	93.9%
Oregon City/Gladstone	7,237	93.9%	0	63	7,237	94.7%
Gresham/Troutdale	20,146	94.3%	620	426	20,766	93.5%
Close-In Westside	9,514	95.3%	247	156	9,761	94.5%
Close-In Eastside	11,741	95.3%	480	270	12,221	93.8%
Central City	6,055	93.6%	247	217	6,302	93.4%
Clark County	20,487	93.3%	166	303	20,653	94.0%
Metro Area Total	129,030	93.1%	2,691	2,568	131,721	93.1%



SOURCE: Johnson Gardner

EXHIBIT 17

SUBMARKET TRENDS
TIGARD/TUALATIN/WILSONVILLE RENTAL APARTMENT MARKET
FIRST QUARTER, 2003



1/ Reflects market-rate projects of 15+ units.

2/ New construction less conversions and demolitions.

SOURCE: Norris & Stevens, Marathon Management, Norris Beggs & Simpson and Johnson Gardner

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July 3, 2003

Paul Cathcart
City of Wilsonville
8445 SW Elligsen Rd.
Wilsonville, OR 97070

RECEIVED
JUL 07 2003
CITY OF WILSONVILLE
PLANNING DIVISION

RE: Berrey Properties
Incompleteness Response

Dear Paul,

In response to your letter dated June 26, 2003, we are providing the following information. Specifically, we are providing additional information to provide findings that the proposed comprehensive plan amendment and zone change will not significantly impact the balance of housing and jobs as outlined in Implementation Measures 4.1.4.1 and 4.1.4.p of the Comprehensive Plan.

Implementation Measure 4.1.4.1: The City shall work to improve the balance of jobs and housing within its jurisdictional boundaries.

Response: The proposed amendment will not significantly affect the jobs/housing balance ratio. The current jobs/housing balance is approximately 2.65, indicating a high jobs/housing ratio. The jobs/housing ratio was recalculated assuming a zone change for the subject property was granted for business park/industrial development and assuming a zone change is not granted and 126 apartments were built on the site. The market analysis submitted with the application determines that an average of 17.4 jobs are sited on one acre of industrial land, which would result in 110 jobs for the five-acre subject property, increasing the jobs/housing balance ratio from 2.65 to 2.67. Alternatively, if 126 apartments are built on the site, the jobs/housing ratio would decrease to an estimated 2.61. In neither case do alternative zoning/development scenarios significantly affect jobs/housing balance ratios.

The simplest explanation for the jobs/housing ratio difference is the fact that for multi-family residential development, the subject site is small, thus residential development at the site poses no significant impacts to the jobs/housing ratio. The addition of 126 apartment units is, in fact, questionably beneficial to the jobs/housing balance given the excess capacity of Wilsonville rental housing. This issue is addressed in more detail in the following response, which shows that excess multifamily capacity will likely delay significant apartment development in Wilsonville due to lack of market and financial feasibility. Accordingly, new apartment construction at the subject property will not be able to effectively improve the jobs/housing ratio in Wilsonville until existing excess capacity can be filled, likely in three to five years.

Alternatively, the five-acre site would fill an existing and critically growing need for local industrial land, and will do so with negligible impact upon the jobs/housing ratio. More specifically, additional analysis in the submitted market study indicates that need is particularly acute for parcels of five acres or greater, the optimal size range for flexible industrial development.

It is, therefore, the conclusion of Johnson Gardener, market analyst, that retention of the parcel as residentially-designated land for the three to five year duration of excess rental capacity will likely be to the serious detriment of industrial employment growth accommodation in Wilsonville, which has a demonstrated shortage of developable industrial land.

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PLANNING DIVISION

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EXHIBIT NO. 6
DATE: 7-7-03

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Implementation Measure 4.1.4.p: In an effort to balance residential growth with the City's employment base, the City shall encourage the development of housing to meet the needs of the employees working in the City.

Response: The subject property previously has been approved for the construction of up to 126 apartment units. The market analysis submitted with the application shows that this housing market is currently saturated. Introduction of additional units will only hinder the market further, increasing vacancy rates, and deteriorate the available housing stock.

Metro Region Overview

The recent economic weakness throughout the Portland metro region is expected to impact the level of population growth in 2003, keeping apartment net absorption levels well below those seen during the 1990s. Further compounding the issue has been record-low mortgage rates, which have induced many renter households to move out and purchase homes. The general result has been significant market apartment softness as measured by apartment vacancy rates. Accordingly, new product introductions are expected to be low, which will allow the market to gradually begin to recover over the next year or two.

Current rent levels are not adequate to support new market-rate construction, and significant rent escalation, exceeding the natural inflation rate of 3%, will be necessary before we see another influx of new supply. Rent escalation is not expected to gain momentum for at least two years. Low Income Housing Tax Credit (LIHTC) projects continue to be built in the area. While these projects do not compete directly with new market-rate units, they do sap market strength.

Over the next year, Johnson Gardner continues to forecast that apartment demand will roughly approximate new supply, with most new supply in suburban markets being income-restricted. The overall occupancy rate is projected remain soft near 93.4% through the fourth quarter of 2003.

Tigard-Tualatin-Wilsonville Apartment Market Issues

The Tigard-Tualatin-Wilsonville (TTW) apartment submarket is presently the third-worst or "softest" apartment market in the metro area measured by vacancy. Wilsonville is one-third of the greater Tigard-Tualatin-Wilsonville market, identified as the competitive area for apartments capturing households employed by distinct subarea industries and proximate to similar retail trade and services opportunities. The TTW apartment market most recently recorded vacancy of 7.8%, well above the 5% stable apartment market vacancy rate. The market should soften even further next year to 8.4% vacancy, making the TTW market the second-worst in the Portland metro region.

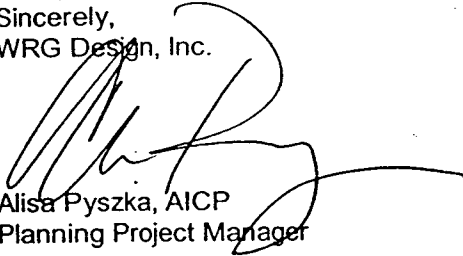
As a rule, 5% apartment vacancy rates generally indicate a healthy market suitable for new construction projects. The low vacancy rate most obviously indicates that existing units are nearly full and new ones will be soon needed to satisfy new population. Furthermore, and less obviously, 5% vacancy or lower typically causes rents to grow at accelerated rates, which in turn cements the financial feasibility of new apartment construction given always increasing hard costs (construction labor and materials) and soft costs (architecture, engineering, permitting, etc.). In other words, new construction need is most likely, if not guaranteed, when vacancy rates drop to 5% or below.

Weak occupancy does on the whole tend to reduce market justification for new construction and renders construction financing more difficult as commercial lenders grow increasingly averse to soft market risk. The Tigard-Tualatin-Wilsonville market is now, more than ever, likely to face this reality given the longer-term market weakness exacerbated by new units introduced over the past two years further softening an already weak market.

Therefore, retaining the residential zoning on the parcel to permit multi-family development will discourage the development of housing within the next three years to meet the needs of employees working in the City.

We trust that this information completes the application submitted on May 30, 2003, and it will be deemed as such summarily. If you have any questions, please do not hesitate to contact me at 503/419-2500.

Sincerely,
WRG Design, Inc.



Alisa Pyszka, AICP
Planning Project Manager

cc: Mike Berrey, Berrey Properties
Blaise Edmonds, City of Wilsonville
Bill Reid, Johnson Gardner
BER3206.D2

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July 24, 2003

Paul Cathcart
City of Wilsonville
8445 SW Elligsen Rd.
Wilsonville, OR 97070

RE: **Berrey Property**
Application Completeness

Dear Paul,

The following information is provided to supplement the application originally submitted May 30, 2003. Specifically, the information pertains to the "Areas of Special Concern" section within the Comprehensive Plan.

The subject site is within Area A that is identified in the Comprehensive Plan. The Plan describes this area as follows:

This area is comprised of land in the southeast quadrant of the I-5/Stafford (Exit 286) interchange. The designated development for this area is a mixture of commercial, industrial, and residential activities, with the majority of the area designated as industrial park. While this is a logical land use pattern, generally conforming to the City's original General Plan goals and objectives, the potential impacts of these designations were considered great enough to warrant special attention.

The proposed Comprehensive Plan and Zone Change will not present additional impacts to Area A. Instead, as indicated below, the proposed amendment will conform more closely to the following standards than the current residential designation.

AREA A

Each development of this area shall be consistent with or complimentary to the following objectives:

Transportation Objectives

1. Assure that congestion at the I-5/Stafford interchange, including conflicts between the freeway on-off ramps and Parkway Avenue, does not exceed the City's adopted level-of-service standards.

Response: The proposed amendment will permit a use that generates less weekday average trips than the approved multi-family development. A low-rise apartment generates approximately 6.60 average weekday trips per unit. The approved residential development with 126 units would generate a total of 832 average weekday trips. The proposed general light industrial development generates approximately 6.97 trips per thousand gross square feet of office space, which would equate to approximately 506 average weekday trips for the proposed 72,500 square foot buildings¹.

Use	Average Weekday Trips
Approved Residential	832
Proposed Industrial	506

¹ Institute of Transportation Engineers (ITE) Trip Generation Manual – 4th Edition

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DATE: 7-24-03

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Retaining a residential zone on the subject site will permit high-density residential development that will negatively impact the surrounding transportation system. Whereas developing the site as an industrial development will fully utilize the excellent connection to the I-5 corridor. Therefore approval of the proposed amendment complies with this objective.

Environmental Resources and Community Design Objectives

1. *Capitalize on 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.*

Response: The subject site contains natural vegetation and topographic variety in the northeast corner of the site. While this area buffers the site from transportation facilities, it does not provide a buffer between the allowed residential development and the existing industrial uses surrounding the site. Therefore the subject site does not provide a special development opportunity that provides privacy to residential uses through natural vegetation and topographic variety location. Therefore approval of the amendment is appropriate, as it does not conflict this objective.

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. Less sensitive uses (e.g., short term parking/storage and open space) may effectively utilize areas adjacent to and within the power line easements.*

Response: The proposed amendment will locate a use that is less sensitive than housing along the power line easement and replace the allowed residential activity that is more of a disruptive and incompatible impact on the high voltage power lines. Therefore approval of the amendment complies with this objective.

3. *Future development shall be designed and located so as to soften the intense appearance of large buildings or expanses of asphalt.*

Response: This objective will be addressed with the Stage II application, which pertains to the specific layout and design of the anticipated development. Nonetheless, the Stage I site plan submitted with the amendment indicates that the buildings are designed to locate the loading activity between the proposed buildings. The structures themselves will buffer the activity and lessen the intense appearance of the use. Therefore if the proposed amendment is approved, future development will comply with this objective.

If you have any questions or require additional information, please do not hesitate to contact me at 503/4192-500.

Sincerely,
WRG Design, Inc.



Alisa Pyszka, AICP
Planning Project Manager

cc: Mike Berrey, Berrey Properties
BER3206.D2

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M E M O R A N D U M

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METRO

DATE: July 29, 2003
TO: Paul Cathcart
FROM: Ray Valone *RV*
SUBJECT: Planning File No: 03DB11

Thank you for faxing me a copy of the Berrey Property application for a comprehensive plan amendment and zone change for the property at the Elligsen and Canyon road intersection. After reviewing the application, I have determined that it is not inconsistent with the Urban Growth Management Functional Plan. For this reason, it is not necessary to submit to Metro the staff analysis of the application.

A concern is the loss of an approved housing development in an area that has a jobs/housing imbalance. There are no requirements or policies, however, in the Functional Plan that address this ratio.

If you have any questions, please contact me at 503-797-1808 or by email at valoner@metro.dst.or.us.

CITY OF WILSONVILLE
PLANNING DIVISION
CASE FILE NO. 032811
EXHIBIT NO. 8
DATE: 7-29-03

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August 4, 2003

Paul Cathcart
City of Wilsonville
8445 SW Elligsen Rd.
Wilsonville, OR 97070

RE: Berrey Property – CPA/ZC
Supplemental Information – Parkway Center Master Plan

Dear Paul,

In reviewing the application for the Comprehensive Plan Amendment and Zone Change for the Berrey Property, it was determined that additional information is required pertaining to the Parkway Center Master Plan. The following information addresses this Plan and how the subject application does not conflict with the overall goals of the Plan.

Parkway Center Master Plan

The Parkway Center Master Plan was adopted as Ordinance 187 in 1981. The original Plan pertains to approximately 187 +/- acres at the southeast quadrant of the 1-5/Stafford Road Interchange. The area originally extended from Elligsen Road to the Tektronix campus and west from the City of Wilsonville city line to Parkway Avenue excluding the Burns Brothers Truck Stop adjacent motels and restaurants. This general area is identified as "Area A" in the Wilsonville Comprehensive Plan.

Since the original approval, the Elligsen farm (33.3 acres) and the portion of land between the Truck Stop and Parkway Center Drive (13 acres), which is now included as Argyle Square, was removed. The current configuration of Master Plan now includes approximately 141 acres and is almost completely developed. The only vacant parcel within the Master Plan is the subject site. Please refer to Exhibit A, which shows the current Master Plan boundary, and the developed parcels within the boundary.

Parkway Center Master Plan Study

Included with the adoption of the Master Plan is the Parkway Center Development Study. This study addresses development within the Parkway Center with specific objectives and standards for development. Section 3.0 of the Study specifically pertains to Development, and is pertinent to the subject application. Within that section are two sub-sections, which are addressed below.

3.1 Goals and Opportunities

According to this section, three planning elements are identified as issues of primary concern: land use, transportation, and environment.

Within the Land Use section, the Plan identifies several objectives that are applicable to the Plan. The proposed amendment continues to meet these objectives as it will support the stable economic growth of the City by providing an industrial use that increases employment opportunities for area residents. In addition, the amendment helps to maintain a compatible relationship between industrial and residential uses by separating the uses through the location of Canyon Creek Road. Finally, amending the plan from residential to industrial will not conflict with the housing objectives of the Plan. As indicated in the market study previously submitted, the addition of 126 apartment units is questionably beneficial to the jobs/housing balance given the excess capacity of Wilsonville rental housing. Alternatively, the six-acre site would fill an existing and critically growing need for local industrial land, and will do so with negligible impact upon the jobs/housing ratio. More specifically,

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earlier analysis indicated that need is particularly acute for parcels of five acres or greater, the optimal size range for flexible industrial development.

The objectives within the Transportation section generally pertain to the reduction of the number and length of trips. The amendment will continue to allow for the objectives to be met with the proposed amendment. The approved residential development will generate approximately 330 more average weekday trips than the proposed industrial development. Furthermore, as identified in the Regional Industrial Land Study, "transportation consistently emerges as the leading cost factor for removing industrial development constraints. Providing adequate offsite transportation (e.g., new roads, intersection improvements, and to a lesser extent rail connections) appears to be the most costly development constraint . . ." ¹ Approval of the proposed Amendment will maximize utility of the investment in the existing transportation facilities. Whereas retaining a residential zone on the subject site will permit high-density residential development that will have more of an impact the surrounding transportation system.

The third section pertaining to Environment will continue to be met with the proposed amendment. The proposed amendment will locate a use that is less sensitive than housing along the power line easement and replace the allowed residential activity that is more of a disruptive and incompatible impact on the high voltage power lines. In addition, the subject site contains natural vegetation and topographic variety in the northeast corner of the site. While this area buffers the site from transportation facilities, it does not provide a buffer between the allowed residential development and the existing industrial uses surrounding the site. Therefore the subject site does not provide a special development opportunity that provides privacy to residential uses through natural vegetation and topographic variety location. Therefore approval of the amendment is appropriate, as it does not conflict these Plan objectives.

3.2 Concept Plan

Sub-section 3.2 of the Study pertains to the Concept and Framework Plan, which determines the distribution of uses for the overall Center. Figure 3.2.2 Land Use Concept designates the subject site as Labor Intensive Industry/Office, while housing is designated along the eastern hillside separated from the industry/office use by the future Canyon Road alignment. It appears that the general intent is keep industrial uses in one area separated from the housing by the future roadway.

While the Land Use Concept designates the subject site for industrial/office use, Figure 3.2.3 Distribution of Uses by Potential Development Parcel designates the subject site as Residential. It appears this designation is determined by the topography of the area. Specifically, the Study states that "residential and recreational uses will generally be located on wooded slopes with industrial and commercial activities distributed in the lower and more open project area."

While these two Figures in the Plan Study conflict, the subject site is ultimately designated Residential. Therefore, the Applicant proposes to amend the Parkway Center Master Plan in conjunction the Wilsonville Comprehensive Plan Map to change the designated use from Residential to Industrial as indicated in Exhibit B.

Design Guidelines

The Parkway Center Study includes guidelines for development that largely pertain to landscape design criteria. Amending the land use of the site will not release the Applicant from complying with the design guidelines. If the proposed amendment is approved, the Applicant will design the site to comply with the Parkway Center Design Guidelines in addition to the standard criteria within the development code.

¹ Regional Industrial Land Study, OTAK, October 31, 2001

We trust this information is sufficient to complete the review of the subject application. If you require any additional information, please do not hesitate to contact me at 503/419-250.

Sincerely,
WRG Design, Inc.

Alisa Pyszka, AICP
Planning Project Manager

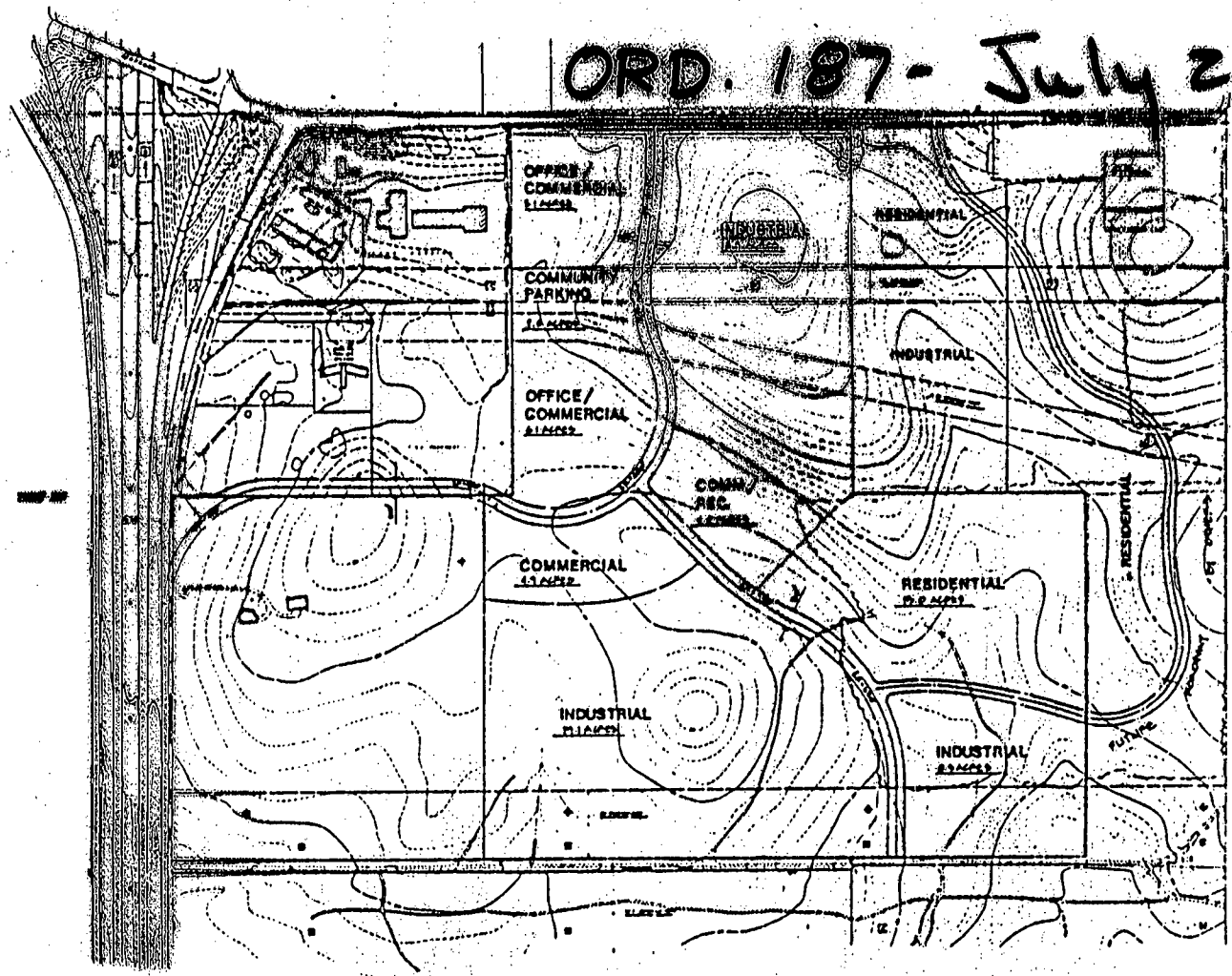
cc: Mike Berrey, Berrey Properties
BER3206.D2

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Exhibit 13
8.11.03

ORD. 187 - July 20, 1981



SUMMARY

ROAD RIGHT-OF-WAY	6.5 AC.
COMMERCIAL	20.1 AC.
INDUSTRIAL	57.5 AC.
RESIDENTIAL	15.0 AC.
TOTAL	109.1 AC.



parkway center
wilsonville, Oregon



A