AFFIDAVIT OF POSTING

ORDINANCE #152

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STATE OF OREGON COUNTIES OF CLACKAMAS AND WASHINGTON CITY OF WILSONVILLE

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

On the 14th day of May, 1980, I caused to be posted copies of the attached Ordinance #152, an ordinance amending the zoning map of the City of Wilsonville (Application of Robert Randall Co. for zone change from RA-1 to PC&I.), in the following four public and conspicious places of the City, to wit:

> Wilsonville Post Office Wilsonville City Hall Lowrie's Food Market Kopper Kitchen

The ordinance remained posted for more than five (5) consecutive days prior to the time for said public hearing on the 19th day of May, 1980.

DEANNA J. THOM, City Recorder

Subscribed and sworn to before me this <u>JOLK</u> day of May, 1980.

NOTARY PUBLIC, STATE OF OREGON My commission expires: <u>May 10, 1981</u>

ORDINANCE NO. 152

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF WILSONVILLE (APPLICATION OF ROBERT RANDALL CO. FOR ZONE CHANGE FROM RA-1 TO PC&I.)

WHEREAS, an application was filed with the Wilsonville City Recorder on behalf of Robert Randall Company for the purpose of changing a classification of zone on a parcel of its real property from a County Rural Agricultural Zone (RA-1) to a City Planned Commercial and Industrial Zone (PC&I). The application fee as required by Section 17.01 of Ordinance No. 23 (the City's Zoning Ordinance) has been paid. The following is a description of the real property which consists of approximately 4.15 acres, which is located on the north side of Wilsonville Road between the I-5 Interstate Freeway and Boones Ferry Road in the City of Wilsonville:

Tax Lots 900, 1000 and 1100 31W14D, Wilsonville, Clackamas County, Oregon.

WHEREAS, the Wilsonville City Planning Commission scheduled and held a public hearing on the matter as required by Section 11.02 of the Zoning Ordinance No. 23, and said hearing was held February 11, 1980, commencing at the hour of 7:00 o'clock P.M. at the Wilsonville City Hall. Notice of the time, place and purpose of said hearing was duly and regularly given in the manner and for the time required by Section 14.01 (1)(A) and (B) of the Zoning Ordinance No. 23; and

WHEREAS, the Wilsonville City Planning Commission after said hearing reviewed the records and files of this matter and considered and discussed the submittals of the applicant and the reports of the Planning staff and upon conclusion of the hearing voted to approve the requested zone change subject to conditions and recommended to the City Council that the change be made subject to conditions. The findings of the Planning Commission, the procedures it followed, the exhibits and other evidence it considered, the conclusions it reached, and the recommendations it made are set forth in its Resolution entitled "PLANNING COMMISSION RESOLUTION ROBERT RANDALL COMPANY ZONE

Page 1. Ordinance No. 152.

CHANGE: RA-1 TO PC&I TAX LOTS 900, 1000 and 1100 31W14D" which was finally completed and dated as of February 11, 1980, and filed in the Planning Commission's records and file of this zone change hearing; and

WHEREAS, the City Council met in regular session and public hearing on April 7, 1980, and reviewed the records and file of this matter and the findings, conclusions and recommendations of the Planning Commission, and also the reports of City staff and the Planning Department and also heard and considered public testimony on the matter. Don Drake, representative of Robert Randall Co., appeared for applicant and spoke as the only proponent. There were no opponents and no objections made or filed otherwise to the proposed zone change. Upon conclusion of the meeting/hearing the City Council determined that the zone change request should be approved and in support of its decision adopted in toto the Planning Commission's findings, conclusions, and recommendations as set forth in its said Resolution but it included another condition of the approval, which is condition number 5 of the conditions as hereinafter set forth in Section 2 of this ordinance. A copy of the PLANNING COMMISSION RESOLUTION is attached hereto and by this reference and its attachment is expressly made a part of this ordinance.

NOW THEREFORE,

THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

Section 1: That the zoning map of the City of Wilsonville dated June 11, 1971, and adopted as a part of the City's Zoning Ordinance No. 23, adopted on the same date, shall be and the same is hereby amended and changed so that the zone boundaries of the City's PC&I (Planned Commercial and Industrial) Zone shall now include the real property hereinabove described and upon final reading and enactment of this ordinance said property shall thereupon be classified as PC&I (Planned Commercial and Industrial) and not as a County RA-1 (Rural Agricultural) Zone.

Page 2. Ordinance No. 152.

<u>Section 2:</u> The zone change is approved subject to full compliance with all of the following CONDITIONS:

- That Site Development Plans be referred to the City of Wilsonville Consulting Traffic Engineer for recommendations pertaining to curb cuts and a dedication of additional right of way for the implementation of the Comprehensive General Plan and the assurance of safe and efficient traffic maneuver patterns.
- 2. That the applicant, prior to his submittal of Stage II Site Development Plans, coordinate with the City Engineer provisions for extension of water and sewer lines and on-sight drainage provisions.
- 3. The applicant shall maintain and preserve those trees designated by the Design Review Board.
- That PC&I Stage II Development Plans be submitted to the Planning Department for processing as expeditiously as possible.
- 5. That the City expressly reserves the right to limit or eliminate any vehicular access to the property from Wilsonville Road if deemed advisable in the interests of public safety at any time prior or subsequent to final approval.

<u>Section 3:</u> The Mayor, attested by the City Recorder, is hereby authorized and directed to make the appropriate changes on the City's Zoning Map in compliance with the dictates of Section 1 of this ordinance.

<u>Section 4:</u> It being deemed by the Wilsonville City Council an emergency exists, this ordinance shall take effect immediately upon its final reading and passage by the Wilsonville City Council.

Submitted to the Council and read the first time at a regular meeting thereof on May 5, 1980, and scheduled for second reading at a regular meeting of the Council on the 19th day of May, 1980, commencing at the hour of 7:30 o'clock P.M., at the Wilsonville City Hall.

Deanna J. Thom, City Recorder

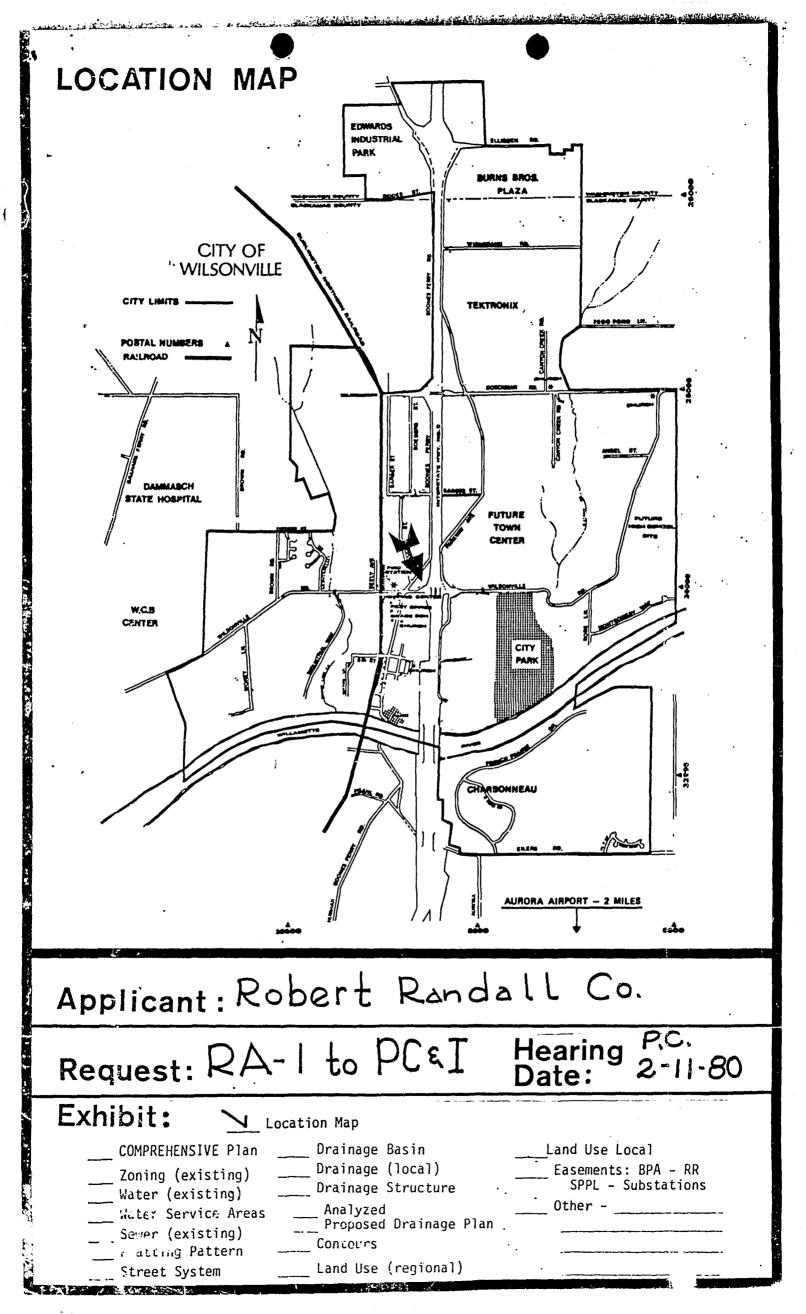
ENACTED by the Council on the 19th day of May, 1980, by the

Page 3. Ordinance No. 152.

following vote: YEAS <u>5</u> NAYS <u>0</u>

Deanna J. Thom, \succcurlyeq City Recorder

DATED and signed by the Mayor this 209 day of May, 1980. William G. Lowrie, Mayor



It is further noted by the Planning Commission that the major commercial use near the site in question consists of a single service station (Shell) with two minor commerical uses located within the immediate vicinity, i.e., real estate offices.

2. That the property in question is currently zoned RA-1. The Planning Commission notes that the RA-1 zone primarily acts as a holding type of land zoning designation which has been applied throughout the City.

3. That the property is served by an 8" water line running parallel with Wilsonville Road and an 8" water line running parallel with the Boones Ferry Road, thereby allowing for a possible looping system through the extension of water lines from Wilsonville Road to Boones Ferry Road (see existing Water System Exhibit).

4. That the property in question is served by an existing 8" sewer line extending north along Boones Ferry Road for a distance of approximately 150 feet.

The Planning Commission finds that the further extension northward along Boones Ferry Road is feasible to take the existing sewer line along the entire frontage of the site, thereby allowing for the orderly continuation of the facility by the next developer and/or property owner. Furthermore, the extension of the sewer line east along Wilsonville Road from the intersection of Boones Ferry Road and Wilsonville Road appears feasible if necessary to achieve an alternate system of sewer connection for either the motel facility or the restaurant (see existing Sewer System Exhibit).

5. That the property in question has adequate access to Boones Ferry Road and Wilsonville Road both of which are identified by the City of Wilsonville Comprehensive General Plan Map Ordinance No. 58 as existing arterial systems.

The Planning Commission finds that the property fronts on Wilsonville Road (north side) by a distance of 50 feet and fronts on Boones Ferry Road (east side) for a distance of approximately 650 feet (see Accessor's Map Exhibit).

The Planning Commission finds that the limited . access on Wilsonville Road (50 feet) will necessitate one-way traffic control for entrance only at that point. However, the abundance of frontage along Boones Ferry Road allows for at least two curb cuts which would facilitate two-way traffic movement from the motel and restaurant to be directed south to a signalized intersection at Boones Ferry Road and Wilsonville Road. Traffic control on Wilsonville Road limiting access to the site can be

PC RESOLUTION:

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ROBERT RANDALL ZONE CHANGE - TAX LOTS 900, 1000 AND 1100

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specifically qualified by the City during the course of the Stage II and Stage III Site Plan review process:

The Planning Commission finds that a reasonable preliminary consideration would be to establish a "No Left Turn" rule from Wilsonville Road onto the premises thereby preventing an additional turning movement in an area which is already congested with curb cuts, left-hand turning movements, off ramps, all of which are competing with through traffic on an arterial system.

6. That the adjoining land uses within the vicinity extending west from the I-5 interchange to the Burlington Northern Railroad tracks are essentially commercial in nature and include such retail activities as gas stations (3), a major retail shopping center, a convenience stop and shop, 3 restaurants, 1 beauty salon, attorneys' offices, insurance office, real estate offices, a fire station, lodge hall and other miscellaneous structures.

The Planning Commission further finds that the nature and scale of the proposed uses on the site in question is consistent and compatible with the types of commercial land uses as mentioned.

That both Wilsonville Road and Boones Ferry Road, designated arterials, have 60 foot right of way widths.

The Planning Commission finds that Wilsonville Road has been improved within the past two years to sufficient standards which will allow for the traffic volumn anticipated to be generated by the uses in question.

The Planning Commission further finds that Boones Ferry Road has been improved to sufficient standards north from the intersection of Wilsonville Road and Boones Ferry Road to allow adequate access for curb cuts from both the motel facility and restaurant.

It is noted by the Planning Commission that road improvements on the east side of Boones Ferry Road have been implemented to accommodate the Payless Regional Warehouse Distribution facility. Said improvements being undertaken to service the large dual-axle semi-trucks which travel regularly along said route. Furthermore, the signalized intersection at Boones Ferry Road and Wilsonville Road acts as a major traffic control device at that point and will facilitate controlled traffic movement from the motel and restaurant.

PC RESOLUTION:

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ROBERT RANDALL ZONE CHANGE - TAX LOTS 900, 1000 AND 1100

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7. That the affects of the Interstate Freeway System influences the location of both the motel and restaurant due to the access of the property, the property's relation to regional industrial and employment centers, i.e., Tektronixs, Payless, Edwards Business Industrial Park, Ollin Industrial Park, Seely Complex, Stafford Business Park, Pakwell, Foseco, and other similar industrial and commercial uses recently located in Wilsonville.

Furthermore, the Planning Commission finds that the location of the restaurant confirms a pattern of location of such facilities near arterial and interstate off ramps or intersections noted for high volumns of traffic.

8. That the topographical elevations of the property represent a relatively flat profile with a high elevation of 164 feet and a low elevation of 154 feet.

The Planning Commission finds that the site is conducive to development without severe and abrupt grade elevation changes which would interrupt the natural characteristics of the property or affect adjacent lands to changes in direction of storm water runoff.

The Planning Commission further finds that the PC&I Stage II and Stage III review process authorizes the City to apply reasonable and ample environmental controls to the development of the site to protect surrounding land uses, public rights of way, and the natural characteristics of the site to the general public to the increased taxable value of the property which will support the West Linn School District 3-J and other governmental jurisdictions currently supported by an ad valorem taxing system.

9. That the general public would benefit from the commercial development of the site through a diversification of land use which will allow additional commercial services to the public as the community grows and develops, thereby demanding for a greater variety of retail facilities within the community.

The Planning Commission finds that additional employment centers are being added to the industrial lands north of Wilsonville Road and east of Seely Ditch, i.e., Ollin Industrial Park, Seely Complex, and other industrial uses proposed for the area north of Barber Street. Furthermore, the Planning Commission finds that additional employment centers naturally demand retail restaurant outlets for convenience use prior to and after working hours.

In addition, the Planning Commission finds that the motel facility and the related restaurant are compatible and will compliment one another.

PC RESOLUTION:

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> : ROBERT RANDALL ZONE CHANGE - TAX LOTS 900, 1000 AND 1100

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EXHIBITS

The following Exhibits are entered into the public record by the Wilsonville Planning Commission as confirmation of its consideration of those factors pertaining to the available urban services to the property, physical characteristics of the site and surrounding land uses and other relevant information upon which the Planning Commission's decision is based.

1. City of Wilsonville's Comprehensive General Plan Map Ordinance No. 58.

It is the purpose of the Exhibit to confirm . that the property in question is classified by the City of Wilsonville as service commercial and that the proposed land use and zone change conforms to the City's land use planning policies.

2. City of Wilsonville's Zoning Map and Ordinance No. 23.

It is the purpose of this Exhibit to confirm that the property in question is currently zoned RA-1 and to identify the PC&I Stage II and Stage III Plan Review process together with the City's Zone Change Amendment Provision authorizing the change of the zone as requested.

3. City of Wilsonville's existing Water System Exhibit.

It is the purpose of this Exhibit to identify and confirm that the property in question be served through existing water services which extend to the property and affront on Wilsonville Road and Boones Ferry Road.

4. City of Wilsonville's existing Sewer System.

It is the purpose of this Exhibit to identify that the property in question may be served by existing sewer lines which extend along Boones Ferry Road to the property in question.

5. Existing Developed Lands Exhibit.

It is the purpose of this Exhibit to identify the characteristics of the land development pattern in the immediate vicinity and adjacent area.

6. City of Wilsonville Identifying Average Weekday Traffic for Full Development as prepared by Carl Buttke, Traffic Engineer.

It is noted by the Planning Commission that Wilsonville Road upon full development will service approximately 45,000 vehicle trips per day between Boones Ferry Road and the southbound off ramp from I-5.

PC RESOLUTION:

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ROBERT RANDALL ZONE CHANGE - TAX LOTS 900, 1000 AND 1100 PAGE 5 OF 7

It is further noted that Boones Ferry Road north from the intersection of Wilsonville Road will service approximately 11,000 vehicle trips upon full development of the City of Wilsonville's Comprehensive Plan.

7. City of Wilsonville Storm Drainage Structures Analyzed.

It is the purpose of this Exhibit to identify ' that property in question is serviced by Seely Ditch.

It is further the purpose of the Exhibit to identify the status of the various storm drainage structures which service the various sub-drainage basins within Seely Ditch.

8. City of Wilsonville Ordinance No. 112.

It is the purpose of this Exhibit to identify and confirm that the City of Wilsonville is currently engaged in the administration of Ordinance No. 112, the purpose of which is to allocate sewer hookup permits for residential, commercial and industrial structures.

9. City of Wilsonville Ordinance No. 113.

It is the purpose of this Exhibit to confirm that the City of Wilsonville is currently engaged in the administration of the Systems Development Fee Ordinance, the purpose of which is to provide maintenance for storm drainage and public road . systems.

10. Applicant's Zone Change Application requesting PC&I zone change to allow for motel and restaurant use of Tax Lots 900, 1000 and 1100, 31W23AB.

11. Applicant's Zone Change Application re Fasano requirements identifying Applicant's justification for proposed zone change and describing land use and specific site.

12. Applicant's Site Plan identifying land dimensions, contours, tree locations, water main locations, sanitary sewer locations, etc.

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PC RESOLUTION: ROBERT RANDALL ZONE CHANGE - TAX LOTS 900, 1000 AND 1100

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NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby recommend to the Wilsonville City Council that the request for a PC&I Zone Change be approved, thereby authorizing the submittal of Stage II and Stage III Site Development Plans pursuant to the provisions as set forth in Article XII and Article XIII of the City of Wilsonville Zoning Ordinance No. 23, and that said recommendation be accepted by the City Council based on the above-listed Findings and Exhibits as entered into the public record.

* BE IT FURTHER RESOLVED that the Planning Commission's administrative record and approval for the zone change include the following Conditions:

> 1. That Site Development Plans be referred to the City of Wilsonville Consulting Traffic Engineer for recommendations pertaining to curb cuts and a dedication of additional right of way for the implementation of the Comprehensive General Plan and the assurance of safe and efficient traffic maneuver patterns.

2. That the applicant, prior to his submittal of Stage II Site Development Plans, coordinate with the City Engineer provisions for extension of water and sewer lines and on-sight drainage provisions.

That provisions be made in the design and implementation of the Site Development Plan to maintain and preserve as many trees as possible.

4. That PC&I Stage II Development Plans be submitted to the Planning Department for processing as expeditiously as possible.

It is the purpose of this condition to assure that PC&I Site Development Plans be submitted to the Planning Department prior to the expiration date of the PC&I zone which automatically expires within two years from the date of the zone change unless extended by the Planning Commission (refer to Section 13.07).

ACTION TAKEN BY PLANNING COMMISSION AT FEBRUARY 11, 1980 MEETING:

5.

PC RESOLUTION: ROBERT RANDALL ZONE CHANGE - TAX LOTS 900, 1000 AND 1100

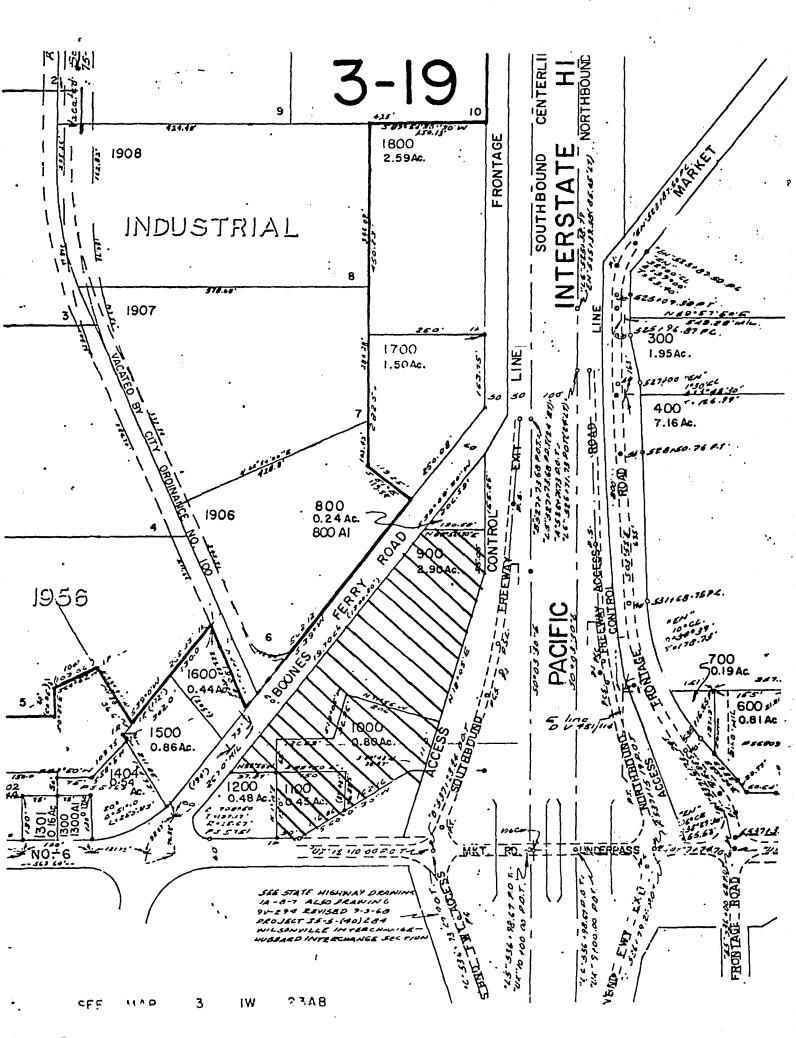
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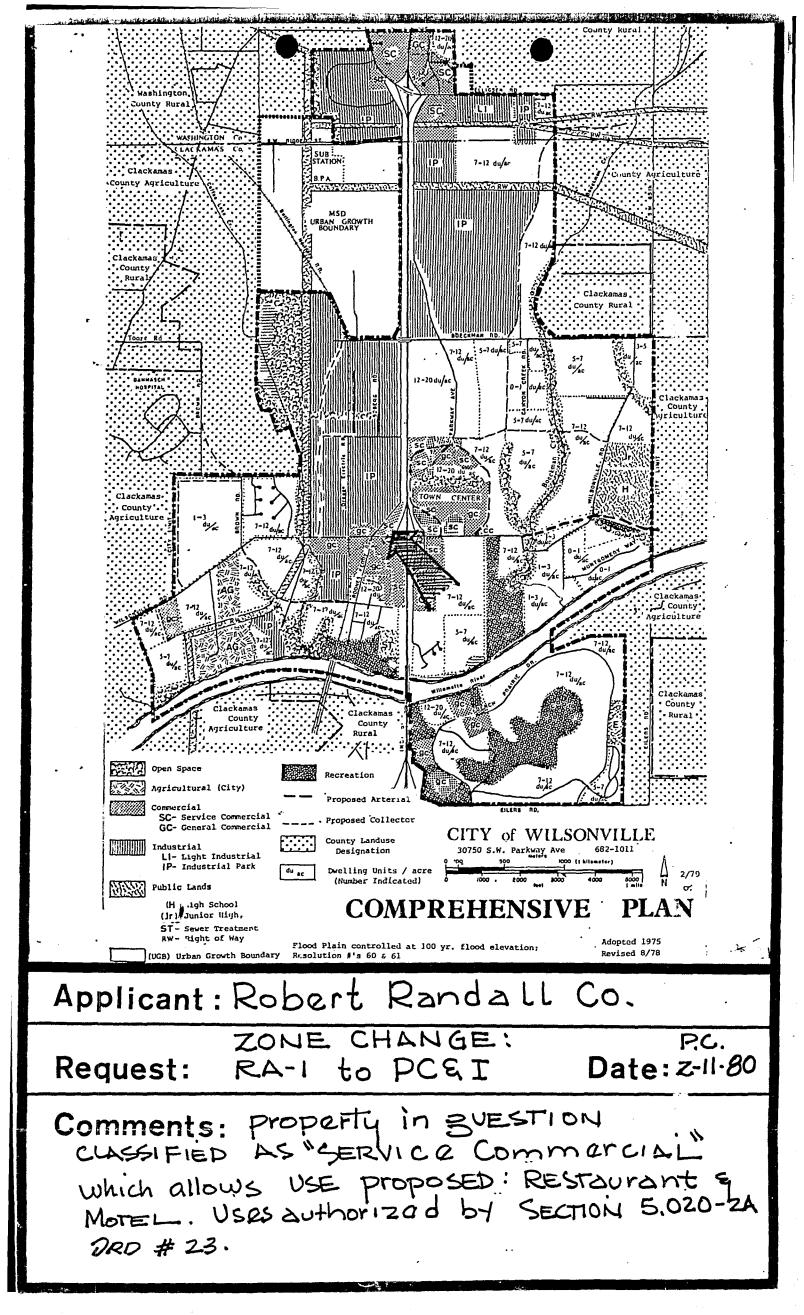
NOTICE OF PUBLIC HEARING

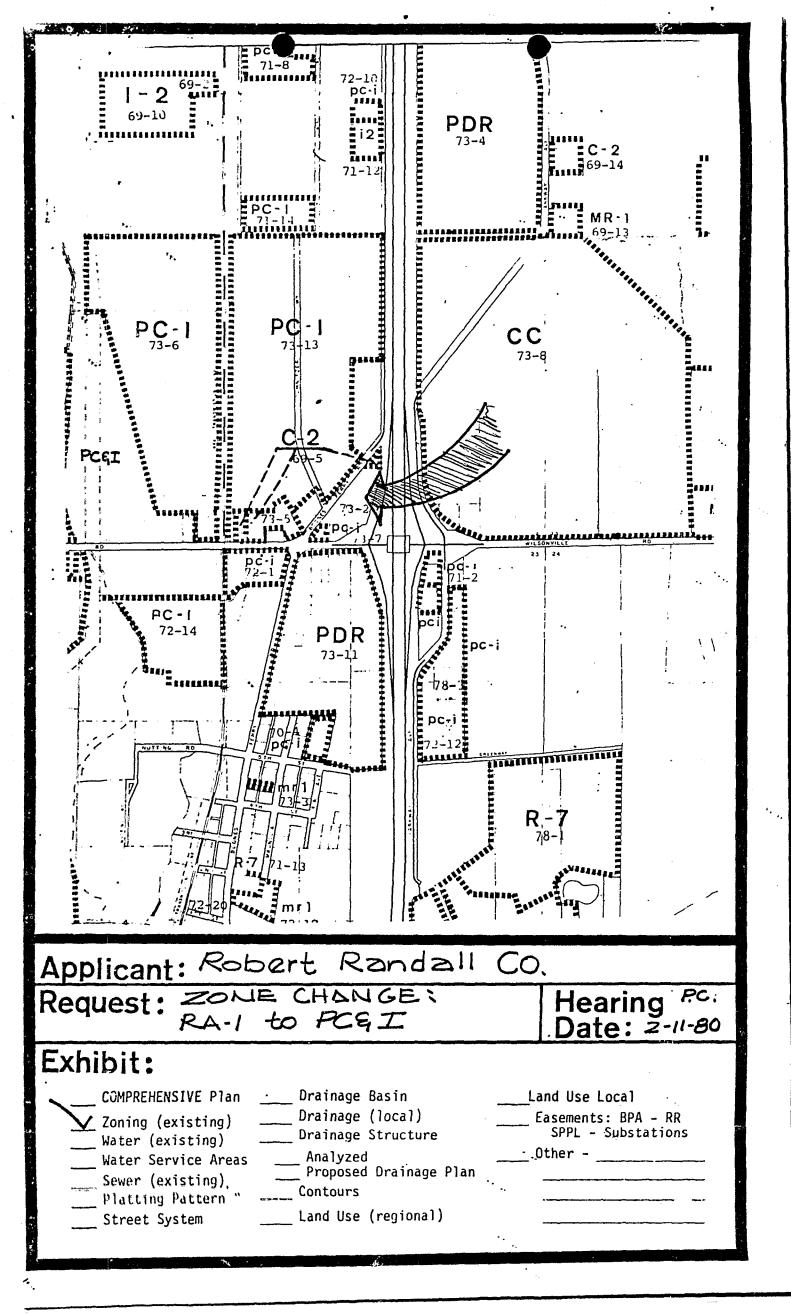
NOTICE IS HEREBY GIVEN whereas the Wilsonville Planning Commission will hold a Public Hearing on Monday, February 11, 1980, commencing at 7:00 P.M. at the Wilsonville City Hall, 30470 S. W. Parkway Avenue, Wilsonville, Clackamas County, Oregon, or to such other place as the Planning Commission may adjourn.

The purpose of this hearing is to consider a request by Robert Randall Company for rezoning of the property in question described as Tax Lots 900, 1000 and 1100 from RA-1 to PC&I. to allow for a 116-unit motel complex and the construction of Elmer's Pancake and Steak House. Anyone wishing any additional information may contact Wilsonville City Hall,

30470 S. W. Parkway Avenue, 682-1011.







PLANNING COMMISSION RESOLUTION

ROBERT RANDALL COMPANY ZONE CHANGE:

RA-1 TO PC&I TAX LOTS 900, 1000 AND 1100 31W14D

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WHEREAS, the Robert Randall Company, represented by Doug Seely, has made application to the Wilsonville Planning Commission for a zone change from RA-1 to PC&I (Planned Commercial and Industrial) for the purpose of presenting at a later date PC&I Stage II and Stage III Site Development Plans for the construction of a ll6-unit motel facility and separate restaurant on a 4.15 acre site located on the north side of Wilsonville Road between the I-5 Interstate Freeway and Boones Ferry Road, and

WHEREAS, said request has been duly publicized and considered by the Planning Commission at a regularly scheduled meeting conducted on February 11, 1980, at which time the Planning Commission's administrative record was developed consisting of Findings, public testimony, and related exhibits defining the scope and nature of the request as submitted, together with related planning factors pertaining to the environmental impact of the project in question on the City of Wilsonville's urban facilities, and

WHEREAS, said administrative record has been forwarded to the Wilsonville City Council in compliance with the provisions of Section 11.02 of Ordinance No. 23, to wit:

1. The following procedure shall be followed in applying for the acting on all amendments:

. A. The Planning Commission shall conduct a public hearing on a proposed amendment at its earliest practicable meeting after it is proposed and shall, within forty (40) days after the hearing provide a report and recommendation to the City Council regarding the proposed amendment.

AND, WHEREAS, the Planning Commission deems it appropriate to enter into the public record and adopt the following Findings and Exhibits pertaining to the request as submitted upon which its recommendation is based, said Findings being included as a part of the administrative record:

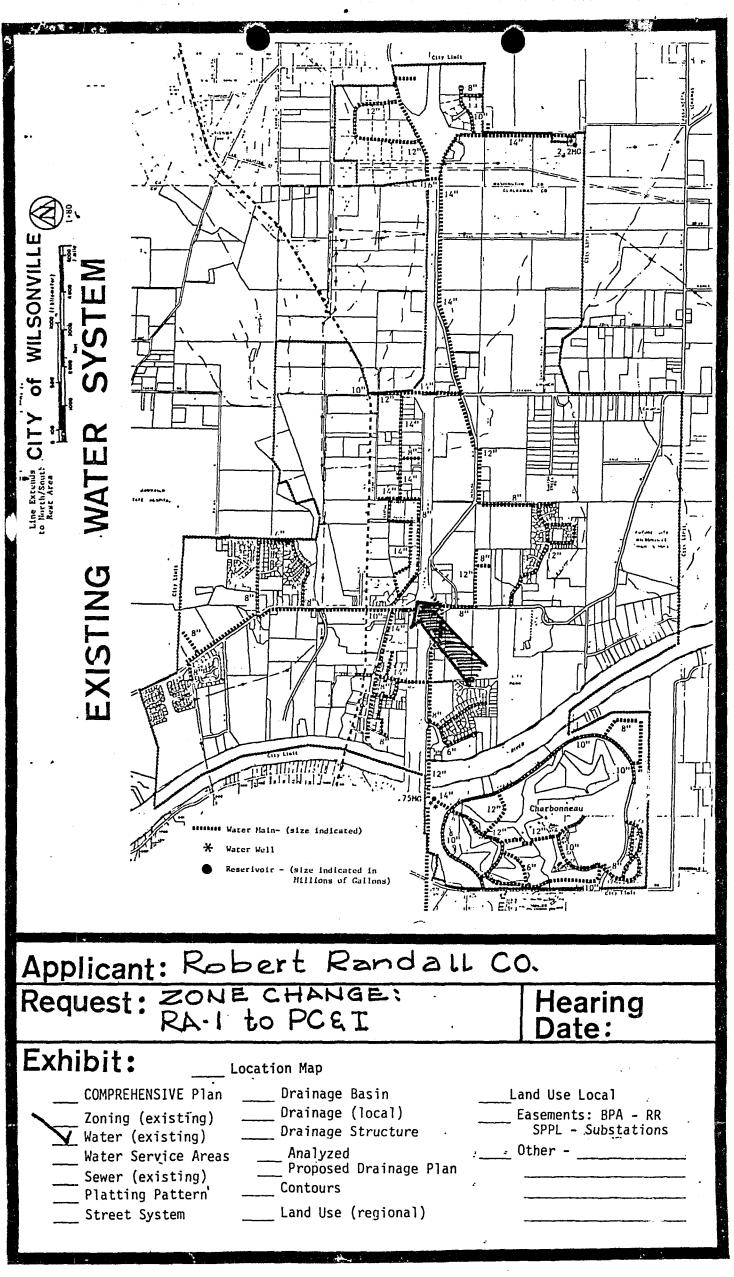
> 1. That the property in question is designated by the City of Wilsonville Comprehensive General Plan Map Ordinance No. 58 as service commercial.

It is noted by the Planning Commission that the 4.15 acre site consists of the majority of the property as designated as service commercial in an area extending west from the I-5 interchange to Boones Ferry Road.

EXSING ENERGY SYSTEM	
Applicant: Robert Randall Co.	-
Applicant: Robert Randall Co.Request: zone CHAnge: RA-1 to PCE,IHearing PC. Date: 2-114	හ
Exhibit:Location Map	
COMPREHENSIVE Plan Drainage BasinLand Use Local Zoning (existing) Drainage (local) Easements: BPA - RR	
Water (existing) Drainage Structure SPPL - Substations Water Service Areas AnalyzedOther	
Sewer (existing) Proposed Drainage Plan Contours	
Land Use (regional)	

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