

AFFIDAVIT OF POSTING

ORDINANCE #175


STATE OF OREGON)
)
COUNTIES OF CLACKAMAS)
)
)
)
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 11th day of March, 1981, I caused to be posted copies of the attached Ordinance #175, an ordinance amending the Zoning Map of the City of Wilsonville (Application of Robert Randall Co. for a Zone Change to the property known as Gesellschaft from RA-1 to PDR - Planned Development Residential), in the following four public and conspicuous places of the City, to wit:

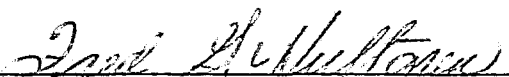
Wilsonville Post Office
Wilsonville City Hall
Lowrie's Food Market
Kopper Kitchen

The ordinance remained posted for more than five (5) consecutive days prior to the time for said public hearing on the 16th day of March, 1981.



DEANNA J. THOM, City Recorder

Subscribed and sworn to before me
this 9th day of April, 1981



NOTARY PUBLIC, STATE OF OREGON

My commission expires: May 10, 1981

ORDINANCE NO. 175

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF WILSONVILLE (APPLICATION OF ROBERT RANDALL COMPANY FOR A ZONE CHANGE TO THE PROPERTY KNOWN AS GESELLSCHAFT FROM RA-1 to PDR-PLANNED DEVELOPMENT RESIDENTIAL, TAX LOTS 600, 700, 1800, 1801 AND 1900; TOWNSHIP 3S, RANGE 1 WEST, MAP 13A)

WHEREAS, application was filed with the Wilsonville City Recorder on behalf of The Robert Randall Company for the purpose of changing a classification of zone on a parcel of real property known as the Gesellschaft Development, from RA-1 (rural agricultural) to PDR (planned development residential) pursuant to the reasons and in accordance with the procedures set forth in Article 6 of the Wilsonville Zoning Ordinance No. 154. The application fee as required by Article 16 of Zoning Ordinance No. 154 has been paid. The description of the real property consisting of approximately 85.10 acres for which the application for a zone change was filed, is set forth in Exhibit A, attached hereto, and incorporated by reference as if fully set forth herein;

WHEREAS, the Wilsonville City Planning Commission scheduled and held a public hearing on the matter as required by the provisions of Article 12 of said Zoning Ordinance No. 154, and said hearing was held on August 11, 1980, commencing at the hour of 7:00 o'clock P.M., at the Wilsonville City Hall, and continued for further public hearing to September 16, 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 hearings were duly and regularly given in a manner and for the time required by the provisions of Article 13 of Zoning Ordinance No. 154. The required newspaper affidavit of publication and the City Recorder's Affidavit of Mailing are on file in the City Recorder's records in the file with this zone change matter; and

WHEREAS, the Wilsonville City Planning Commission after said hearings, reviewed the records and files of this matter and considered and discussed the submittals of the applicant and the reports of the planning staff and the public testimony given by the applicants, proponents and opponents 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 - GESELLSCHAFT ZONE CHANGE - RA-1 TO PDR - PLANNED DEVELOPMENT RESIDENTIAL: TAX LOTS 600, 700, 1800, 1801 and 1900, TOWNSHIP 3 S - R 1 WEST, MAP 13A - ROBERT RANDALL COMPANY, APPLICANT", which was finally completed dated as of September 16, 1980, and filed in the Planning Commission's records and file of this zone

change herein; and

WHEREAS, the City Council met at regular session of public hearing on November 3, 1980, and reviewed the records and files in this matter and findings, conclusions and recommendations of the Planning Commission and also the reports of City staff and Planning Department and also heard and considered public testimony on the matter. A representative of Wilsey and Ham appeared for the applicant and spoke as proponent. The journal of the meeting was duly kept, recording those who spoke as proponents and opponents. Upon conclusion of the meeting/hearing, the City Council determined that the zone change request should be approved, and in support of its decisions adopted in toto the Planning Commission's findings, conclusions and recommendations as set forth in its resolution, but on motion duly made, seconded and adopted, the Council changed conditions of approval No. 3 by deleting the second paragraph and thereafter by duly adopted motion to amend added a sentence to condition No. 3 as follows: "However, if condition No. 16 is met by construction of Wilsonville Road, and initial access to the property need not be by Vlahos Drive."; and further to amend condition No. 16 to read: "No building permits shall be issued until either Vlahos Drive or Wilsonville Road construction is started and no occupancy permits be issued until such construction is completed. Construction of Wilsonville Road shall include widening and straightening of the 'S' curves in

accordance with the Comprehensive Plan." A copy of the Planning Commission's Resolution, is set forth in Exhibit "B", attached hereto, and incorporated by reference as if fully set forth herein and 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 August 26, 1980, and adopted as part of the City's Zoning Ordinance No. 154, adopted on the same date, shall be, and the same is hereby amended and changed so that the zone boundaries of the City's PDR (Planned Development Residential) 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 PDR (Planned Development Residential) and not as RA-1 (Rural Agricultural) zone.

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

1. The second paragraph of condition of approval No. 3, on page 11 of the Incorporated Planning Commission Report and Recommendations shall be deleted and there shall be added to this No. 3, the sentence: "However, if condition No. 16 is met by construction of Wilsonville Road, then initial access to the project need not be by Vlahos Drive";

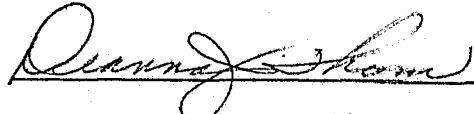
2. Condition No. 16 conditions of approval on page 13 of the Planning Commission Report and Recommendations shall now read: "No building permits shall be issued until either Vlahos Drive or Wilsonville Road construction is started and no occupancy permits be issued until such construction is completed. Construction of Wilsonville Road shall include the widening and straightening of the 'S' curves, in accordance with the Comprehensive Plan";

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

Section 4. It being determined by the Wilsonville City Council that in the interest of public health and welfare, an emergency exists, and this Ordinance shall take effect immediately upon final reading and passage by the Wilsonville City Council.

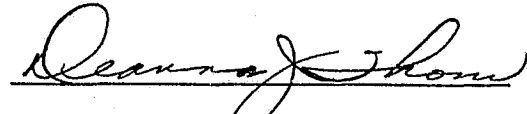
Submitted to the Council and read the first time at a regular meeting thereof on the 2nd day of March, 1981, and scheduled for second reading at a regular meeting of

the Council on the 16th day of March, 1981, commencing at the hour of 7:30 o'clock p.m., at the Wilsonville City Hall.



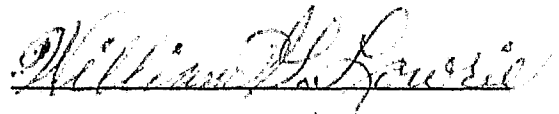
Deanna J. Thom, City Recorder

ENACTED BY THE COUNCIL on the 16th day of March, 1981, by the following vote: YEAS 4 NAYS 0.



Deanna J. Thom, City Recorder

DATED and signed by the Mayor this 26th day of March 1981.



William G. Lowrie, Mayor

January 26, 1981

LEGAL DESCRIPTION

FOR

RANDALL GESELLSHAFT ok

PARCEL I:

Part of the Northeast quarter of Section 13, Township 3 South, Range 1 West, of the Willamette Meridian, in Clackamas County, Oregon, described as follows:

Beginning at the northwest corner of that tract conveyed to Louis H. Bruck, et ux, as recorded in Book 432, Page 532, Clackamas County Deed Records, said northwest corner being on the west line of said northeast quarter, South 0° 32' West, 715.00 feet from the North Quarter corner of said section; thence North 89° 41' 20" East along the northerly boundary of said Bruck tract, 645.00 feet to the northeast corner of that tract conveyed to Oliver A. Wetten by Recorder's Fee No. 68-13419, Clackamas County Records, said point being the true point of beginning; thence continuing North 89° 41' 30" East along the South line of Bridle Trail Acres, a recorded plat 1058.15 feet more or less, to the northeast corner of said Bruck tract; thence following the East line of said Bruck tract as follows; South 13° 50' East 216.00 feet; thence South 35° 30' East 540.62 feet, more or less, to a point on the centerline of Market Road No. 12; thence South 23° 58' 30" West along said centerline 333.7 feet, more or less to a point on the easterly extension of the northline of a 50 foot public road; thence South 89° 52' West along the North line of said road 1298.6 feet, more or less, to the East line of the above mentioned Wetten tract; thence North 0° 32' East along the East line of said Wetten tract 964.80 feet to the true point of beginning.

PARCEL II:

Part of the Northeast quarter of Section 13, Township 3 South, Range 1 West, of the Willamette Meridian, in Clackamas County, Oregon, described as follows:

Beginning at a point on the centerline of Market Road, said point being South 89° 52' West 1151.57 feet distant from the quarter corner of the East line of said Section 13; thence South 89° 52' West along the quarter section line, said line also being the North line of the Daniel Minkler D.L.C., a distance of 872 feet more or less, to the southeast corner of that tract of land conveyed to Oliver A. Wetten by Recorder's Fee No. 68-13419, Clackamas County Records; thence North 0° 32' East along the East line of said Wetten tract 962.54 feet to an

iron rod at the Northwest corner of a 50 foot public road; thence East along the North line of said road 1298.6 feet, more or less, to a point on the centerline of Market Road No. 12; thence South $23^{\circ} 58' 30''$ West along said centerline to the point of beginning.

PARCEL III:

A tract of land situated in the Northeast quarter of Section 13, Township 3 South, Range 1 West of the Willamette Meridian, in the County of Clackamas and State of Oregon, being a part of that certain tract of land recorded in Book 432, Page 532, Deed Records, Clackamas County, Oregon being more particularly described as follows;

BEGINNING at the Northwest corner of that certain tract of land conveyed to Lewis H. Brunk, et, ux, as recorded in said Book 432, Page 532, Deed Records, Clackamas County, Oregon, said Northwest corner being on the West line of said Northeast quarter, South $0^{\circ} 32'$ West 715.00 feet from the North quarter corner of said Section 13; from said place of beginning, thence North $89^{\circ} 41' 30''$ East, along the Northerly boundary of said Brunk property (said Northerly boundary also being the Southerly boundary of Bridle Trail Acres, record of Townplats, Clackamas County, Oregon) 645.00 feet; thence leaving said Northerly boundary, South $0^{\circ} 32'$ West, parallel with the North-South centerline of said Section 13, 1927.34 feet to the Southerly boundary of said Brunk property; thence South $89^{\circ} 52'$ West (basis for bearings) along the Southerly boundary of said Brunk property 645.00 feet to the center of said Section 13; thence North $0^{\circ} 32'$ East, along said North-South centerline, 1925.46 feet to the place of beginning.

PARCEL IV:

Lots 1 and 2, Bridle Trail Acres, in the County of Clackamas and State of Oregon.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Leonard Schelsky

ORIG. FILED
JULY 13 1918
LEONARD SCHELSKY
1841

PLANNING COMMISSION RESOLUTION
GESELLSCHAFT ZONE CHANGE
RA-1 TO PDR-PLANNED DEVELOPMENT RESIDENTIAL
TAX LOTS 600, 700, 1800, 1801 AND 1900
T3S-R1W, MAP 13A,
ROBERT RANDALL COMPANY, APPLICANT

WHEREAS, Robert Randall Company, represented by the planning consulting firm of Wilsey & Ham, have submitted planning exhibits for a zone change from RA-1 to PDR, Planned Development Residential, in accordance with the procedure set forth in Wilsonville Zoning Ordinance No. 154, and

WHEREAS, said zone change is for the purpose of establishing planned development regulations for the subject property and to authorize submittal of Stage II Final Development Plans for the Gesellschaft planned development as set forth by Article VI of Wilsonville Ordinance No. 154, and

WHEREAS, said planning exhibits, together with public testimony and findings, were entered into the public record at a regularly scheduled meeting conducted by the Planning Commission on August 11, 1980, at which time Planning Commission continued said hearing requesting that the applicant submit additional information, and

WHEREAS, the applicant has submitted supplemental information as requested by the Planning Commission, and

WHEREAS, the applicant's original planning exhibits together with supplemental information, public testimony and findings were entered into the public record at a Special Planning Commission Meeting conducted on September 16, 1980, and

WHEREAS, the Planning Commission has determined the application to be consistent with the intent of the Comprehensive Plan and deems it appropriate to recommend to the City Council that the zone change be approved as requested based on the applicant's testimony and submitted documentation, together with findings and conditions of approval as entered into the public record in support of said request.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Wilsonville Planning Commission does hereby approve the zone change from RA-1 to PDR on the property as herein described and does hereby forward to the City Council this administrative record in accordance with the provisions of the Wilsonville Zoning Ordinance No. 154.

BE IT FURTHER RESOLVED that the Planning Commission does hereby recommend approval of the request as submitted by Robert Randall Company with the condition that said zone change be for the purpose of authorizing

PLANNING COMMISSION RESOLUTION
GESELLSCHAFT ZONE CHANGE
RA-1 TO PDR-PLANNED DEVELOPMENT RESIDENTIAL
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ROBERT RANDALL COMPANY, APPLICANT

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WHEREAS, said planning exhibits, together with public testimony and findings, were entered into the public record at a regularly scheduled meeting conducted by the Planning Commission on August 11, 1980, at which time Planning Commission continued said hearing requesting that the applicant submit additional information, and

WHEREAS, the applicant has submitted supplemental information as requested by the Planning Commission, and

WHEREAS, the applicant's original planning exhibits together with supplemental information, public testimony and findings were entered into the public record at a Special Planning Commission Meeting conducted on September 16, 1980, and

WHEREAS, the Planning Commission has determined the application to be consistent with the intent of the Comprehensive Plan and deems it appropriate to recommend to the City Council that the zone change be approved as requested based on the applicant's testimony and submitted documentation, together with findings and conditions of approval as entered into the public record in support of said request.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Wilsonville Planning Commission does hereby approve the zone change from RA-1 to PDR on the property as herein described and does hereby forward to the City Council this administrative record in accordance with the provisions of the Wilsonville Zoning Ordinance No. 154.

BE IT FURTHER RESOLVED that the Planning Commission does hereby recommend approval of the request as submitted by Robert Randall Company with the condition that said zone change be for the purpose of authorizing

the applicant to proceed with Stage II Final Development Plans for a two-phased development in accordance with Article VI of Ordinance No. 123, and that submittal of said documents be filed with the Planning Department within a period not to exceed one year from the date of City Council's adoption of the Ordinance amending the Zoning Map for the subject property.

FINDINGS

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

1. That the application as submitted and subsequently revised, requests a zone change from RA-1 to PDR, Planned Development Residential, for Tax Lots 600, 700, 1800, 1801 and 1900, T3S-R1W, Map 13A, an 85.1 acre parcel fronting on Wilsonville Road east of Boeckman Creek and south of Boeckman Road. The applicant's revised submittal documents indicate an intent to construct 600 residential units; 154 single-family and 446 multi-family units over a multi-year phased (approximately ten years) planned development.

2. That the City of Wilsonville Comprehensive Plan identifies the subject property as a combination of residential 0-1 dwelling units per acre along Boeckman Road, 5-7 dwelling units per acre from the southern property line of the Boeckman Creek Ranchetts to a point 1500 feet south and 7-12 dwelling units per acre from said point to the southern property line. A portion of this site is also designated as open space which is considered Boeckman Creek and the banks thereof.

Based on the Comprehensive Plan, the Planning staff has calculated allowable densities as follows: 0-1 dwelling units per acre, 5.82 acres = six units; 5-7 dwelling units per acre, 53.87 acres = 377 units; 7-12 dwelling units per acre, 12.19 acres = 146 units, totalling 529 units. Approximately 14.74 acres of the site is designated as open space.

It is noted by the Planning Commission that under the provisions of Section 6.07D of Ordinance No. 154 designated open space up to 10% of the total land area of a development may be used to calculate allowable density. Therefore, an additional 8.51 acres can be calculated as density transfer, thereby allowing a maximum of an additional 70 units as calculated in the Planning Department Memorandum dated August 11, 1980.

The Planning Commission further finds that the subject property is located within a designated Area of Special Concern (Area #2) with the following specified design objectives.

1. Maximize the benefits of the natural vegetation and drainageways by concentrating higher densities along these areas.
2. Provide low density and/or open space buffers adjacent to existing large lot developments.
3. Maintain a low density appearance along Wilsonville Road through the use of open space buffers and large lot or cluster development.

The Planning Commission notes that Section 5.02C2 of Ordinance No. 154 requires any residential development located in a designated Area of Special Concern to be reviewed as a Planned Development.

3. That the Comprehensive Plan identifies property to the west and north to be developed at 0-1 units per acre, to the northeast to be developed at 3-5 units per acre, to the east across Wilsonville Road at 5-7 and 7-12 units per acre with a future high school and grade school site located to the southeast across Wilsonville Road. Properties to the south and southwest will be developed at 7-12 and 5-7 units per acre.

Properties to the east across Boeckman Creek and immediately to the north are currently developed on large lots in excess of one acre. The historic Frog Pond Church is located at the intersection of Boeckman Road and Wilsonville Road northeast of the subject property and there is a single-family home located east of Wilsonville Road immediately across from the subject property.

The Planning Commission has recently approved zoning for the property immediately to the south as part of the Tolovana Planned Development. The Courtside Estates Planned Development is located to the southwest and is separated from the subject property by Boeckman Creek. Site development including roads, a few single-family residences and the Boeckman Creek Condominiums has occurred within the Courtside Planned Development.

4. The applicant's Site Plan identifies a development pattern consisting of 5,000 and 10,000

square foot single-family lots on the northern portion of the property with clustered townhouse buildings, not to exceed two stories in height, located on Wilsonville Road in the southeast portion of the site. Multi-family apartments are to be located around the interior and western portions of the site along Boeckman Creek. The applicant has also submitted a conceptual design perspective for the townhouse development along Wilsonville Road. The design concept indicates a large setback and landscaped berm with trees. The Site Plan further indicates that the townhouses would be two unit structures which in combination with the large setback and landscaped berm together with the single-family lot light pattern to the north provides a design consistent with the objectives of the Comprehensive Plan for this area.

5. That the City Comprehensive Plan states that the Plan shall be administered through case-by-case zoning and Site Plan review procedures. The purpose of said case-by-case review is to apply the general plan goals, objectives and policies to specific properties and development proposals . . . specific zoning objectives are as follows:

To provide a case-by-case analysis of impacts on public facilities and services

To determine specific conditions in terms of phasing of developments related to needed facility improvements

To provide for site impact analysis related to specific development proposals.

URBANIZATION

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

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

facilities is maintained to support urban growth.

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

The approval of development plans and subdivision plats in secondary growth areas with phase development controls will provide specific service demand information which is needed for efficient public facility planning and capital improvements.

PUBLIC FACILITIES

8. That the Comprehensive Plan states that primary facilities and services are those which significantly impact public health and safety and are directly linked to the land development process in terms of service capacity, location and design or directly affect public health and safety; therefore, adequate provision must be made for these facilities and services prior to or simultaneously with urban level development.

These facilities and services include sanitary sewer, water, roads, storm drainage, police and fire protection.

9. That the property in question may be adequately served with sanitary sewer via the Boeckman Creek trunk line which is currently under construction and nearing completion.

The Planning Commission further finds that construction of the Phase III expansion of the City's sanitary sewer treatment plant is currently underway. The project is scheduled for completion in the spring of 1981. Completion of Phase III will provide an additional 4,800 single-family equivalent hookups. In addition to any unused permits allocated under Ordinance No. 112.

10. That City water service can be provided to the site through extension of the "8" line located in the Courtside Estates Development which is approximately 1,000 feet to the left. The water line can also be extended to the property down Boeckman Road from Parkway Avenue coordinated with development of the recently approved Ash Meadows Planned Development.

The Planning Commission notes that the existing 8" line in Courtside Estates is part of an incomplete loop in the water system. To provide adequate service to the subject property at full development, the looping system must be completed. The ultimate water system loop would link lines in Boeckman Road, Parkway Avenue, Courtside Estates and the subject property.

The Planning Commission further finds that the City is currently in the process of awarding a construction contract for the drilling of a fourth water well located south of Wiedemann Road on Tektronix property. Completion of this well will provide additional system reliability to serve additional development.

The Commission further finds that the applicant's revised submittal documents indicate that a well site will be made available on site to augment the City's water system.

11. That the applicant has indicated an intent to design a drainage system incorporating Boeckman Creek to the west and an unnamed creek to the northeast as natural drainage courses which flow directly to the Willamette River.

12. That the subject property has frontage along Wilsonville Road and Boeckman Road and with the extension of Vlahos Drive east across Boeckman Creek as proposed by the Tolovana Planned Development to the south, the property will also have frontage along Vlahos Drive. The applicant's conceptual Site Plan envisions a local and collector street system with intersections at Boeckman Road, Wilsonville Road and Vlahos Drive.

The applicant's proposed street system indicates a vacation of Angel Street with a realigned right-of-way for an internal collector street intersecting with Wilsonville Road at or near the present intersection of Angel Street.

It is also noted by the Planning Commission that the proposed alignment of the north-south

collector street intersecting with Boeckman Road crosses the natural drainage course in the north-east portion of the subject property and includes an area of land not owned by the applicant. In reviewing the proposed Site Plan, the owner of Tax Lot 400 which is affected by this proposed street alignment, indicated to the Planning staff the applicant has not initiated any negotiations with him with regard to the proposed street crossing his property.

The Planning Commission also acknowledges that their previous action regarding approval of the Tolovana Planned Development has established a temporary restriction for access to Wilsonville Road via Vlahos Drive pending the realignment of Wilsonville Road "S" curve.

13. That the Street System Master Plan identifies Wilsonville Road in the area of the subject property as an arterial requiring a 60 foot right-of-way with 40 feet of pavement. Boeckman Road is also designated an arterial with 60 foot right-of-way and 40 feet of pavement. Vlahos Drive is designated as a residential collector calling for a 60 foot right-of-way with 36 feet of pavement.

Planning Commission further notes that the Street System Master Plan indicates that Vlahos Drive serving as the east-west collector is intended to be designed with indirect access to Wilsonville Road to minimize through traffic from Wilsonville Road to the Town Center.

14. Both Wilsonville Road and Boeckman Road are currently established with 60 foot right-of-ways, however, existing pavement widths are only 19 feet and 22 feet respectively. The structural subgrades for these roads were designed and constructed for rural traffic capacities and will not sustain substantial urban level traffic (Exhibit 1A). The extension of Vlahos Drive across Boeckman Creek will require a dedication of 30 feet from the subject property to coincide with an additional 30 feet from the Tolovana Planned Development to establish the designated 60 foot right-of-way.

The Planning Commission further finds as indicated in Exhibit 1B that the existing traffic volume on Boeckman Road is 660 vehicles per day with 1700 vehicles per day on Wilsonville Road west of Boeckman Creek and 800 vehicles per day east of Boeckman Creek. As specified in Exhibit 1C, existing design capacities are 5,000 vehicles per day for Boeckman Road and Wilsonville Road.

It is noted by the Planning Commission, however, that these capacities were provided by Carl Buttke, the City's consulting transportation engineer, based on existing pavement widths and street alignments. These capacity figures do not consider the existing structural design deficiencies of these roads. The specific capacities of Wilsonville and Boeckman Road without significant deterioration is not known at this time. These capacities could only be provided through a detailed structural analysis of the two roads.

The Planning Commission does, however, find that under existing conditions and traffic volumes, some maintenance problems have been experienced, particularly on Boeckman Road.

15. That an adequate transportation system can be provided to serve the site based on a reasonable phasing of development coordinated with improvements to Wilsonville Road, Boeckman Road and the I-5 Freeway interchanges.

The applicant has submitted supplemental traffic information based on Carl Buttke's analysis of the City's transportation system. Exhibits 1D and E identify projected full development in the year 2000 traffic volumes which are referenced by the applicant's supplemental letter to the Planning Commission dated September 5, 1980.

Full development of the site is estimated to generate approximately 4816 vehicles per day at current travel habits. Based on Mr. Buttke's assumed traffic assignments, this traffic will be distributed as follows: 60% or 2889 vehicles per day will be distributed to Wilsonville Road, 30% or 1444 vehicles per day will use Boeckman Road and 15% or 722 vehicles per day will use Wilsonville Road to the north on 65th.

It is noted by the Planning Commission that the applicant's references to reserve capacities for Wilsonville and Boeckman Road do not consider the structural deficiencies of these roads and based on Mr. Buttke's report, would result in a service level D. The assignments to Vlahos Drive are appropriate in that this would be a newly constructed road to the City's Public Works Standards.

The Planning Commission recognizes, however, that a phasing of development together with specific incremental street improvements will minimize traffic

impacts upon the street system.

16. That the applicant's supplemental submission proposes a two-phased development schedule with the first phase to include approximately 114 single-family units and 180 multi-family units. The first phase single-family units are proposed with initial access to Boeckman Road only with initial access for the multi-family units to Vlahos Drive only. Second phase development would include approximately 40 single-family units and 261 multi-family units with access increased to two access points on Wilsonville Road.

The applicant has further indicated that full development has estimated to occur over a ten-year period. It is noted by the Planning Commission that the applicant is also the owner and developer of the Tolovana Planned Development to the south which is also planned for a ten to fifteen year buildout at full development.

The Commission further notes that year 2000 population employment and traffic projection were based on an assumption of 50% development of this area. The proposed development schedules for these two developments will result in an accelerated development impact for this area by more than ten years.

The Commission recognizes, however, that these projections were based on certain planning assumptions which are subject to change. Based on the applicant's phased development proposal, the initial impact to Boeckman Road would be 1254 vehicles per day, or nearly double the current traffic volume. Based on the current structural condition of Boeckman Road, some structural improvements would be required to adequately handle this volume of traffic. The applicant has not indicated an estimated time frame for completion of Phase I development. The Phase I multi-family development would generate 1292 vehicles per day on Vlahos Drive. The design capacity proposed for Vlahos Drive would be adequate to serve this level of development, including Phase I development of Tolovana project.

The proposed design of the City Center Loop Road will provide sufficient capacity to serve both Phase I and Phase II development. If the east leg of the Town Center Loop is initially completed with only two lanes as currently proposed, it would be sufficient capacity to serve

the Phase I development of the multi-family area, with realignment of the Wilsonville "S" curve and improved pavement sections for Wilsonville Road and Boeckman Road, adequate street capacities will be provided to serve full development of the subject property.

It is noted by the Planning Commission, however, that appropriate phasing of improvements to Parkway Avenue and the Freeway interchanges will also be necessary throughout the duration of this development to maintain service levels throughout the street system.

17. That the applicant's narrative indicates an intent to develop a pedestrian and equestrian trail system thereby providing for adequate non-vehicular access throughout the site. The applicant also indicates an intent to connect said trail system to the proposed Boeckman Creek trail system, which when complete, will link the subject site to Wilsonville Memorial Park.

18. That the subject site can be provided with adequate police and fire protection based on a reasonable phased growth program consistent with the adequacy of these facilities.

19. That the applicant indicates an intent to develop both passive and active recreational facilities designed to suit the needs of a wide range of ages of people expected to live within the development. With the exception of description of tot lots and a trail system, the applicant does not, however, describe specific recreational facilities to be developed. Generous open space areas including Boeckman Creek are indicated throughout the site.

20. That as indicated by the applicant's submittal documents, the proposed development will not adversely impact the West Linn School District in that the increase in student population will be phased over a multi-year period.

21. That the proposed development will provide a range of alternative housing types to satisfy the various housing needs of local residents and employees.

22. The Physical Inventory Report prepared by the Planning Department identifies natural hazards associated with the subject property with

respect to soil type particularly along Boeckman Creek. The soil composition along the banks of Boeckman Creek result in an unstable condition in slopes greater than 20% and can create a severe erosion problem on slopes of 12% or greater, with moderate erosion occurring between 7% and 12%. The majority of the central portion of the site is subject to a high water table, thereby creating problems related to storm drainage especially for structures designed with basements.

23. That the applicant has submitted documentation adequately addressing relevant LCDC goals and guidelines.

CONDITIONS OF APPROVAL

The following Conditions of Approval are hereby adopted by the Planning Commission and recommended to the City Council for its consideration as part of the zone change as requested.

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

2. That the applicant submit to the Planning Commission within a period of one year a Stage II Final Development Plan for Phase I to include not more than 100 single-family units and 185 multi-family units.

3. That the initial access to the project be via Vlahos Drive provided that no development in excess of 25% of the planning capacity of the project will be permitted or allowed without the improvements to Wilsonville Road as set forth in Condition of Approval 11.

Based on findings of the structural analysis for Boeckman Road, the Planning Commission will reserve the right to determine access to either Boeckman Road or Wilsonville Road for Phase I single-family development.

4. That the Stage II Development Plans identify appropriate identification of public right-of-way for the extension of Vlahos Drive and also identify appropriate full development improvements for Wilsonville Road, Boeckman Road and Vlahos Drive in accordance with the standards set forth by the City of Wilsonville and Clackamas County.

5. That no development of either Phase I or Phase II will be permitted which will result in less than a street service level B on Wilsonville Road and Boeckman Road.

6. That Stage II Development Plans identify appropriate dedication of open space as designated on the Comprehensive Plan.

7. That no structures be placed on slopes of 20% or greater and that 70% of all slopes greater than 12% remain free from structures and that slope stabilization and revegetation plans be submitted as part of the drainage plan or landscape plan.

8. That Stage II Development Plans identify low density development pattern of single-family and clustered townhouses together with landscape berm as indicated in the applicant's conceptual design for development on Wilsonville Road.

9. That Stage II Development Plans be reviewed by the Tualatin Rural Fire Protection District and that said plans together with architectural exhibits and proposed landscape improvements including recreational areas be submitted to the Design Review Board for preliminary review prior to submission to the Planning Commission.

10. That the phasing of the proposed development be in conformance with the policies established in the City's Comprehensive Plan and that building permits will be subject to Ordinance No. 112 or any subsequent growth management ordinance adopted by the City.

11. That direct access to Wilsonville Road via Vlahos Drive or any internal streets will be prohibited until Wilsonville Road is improved by straightening the "S" curve near the City Center and near the Frog Pond Church and widening to 40 feet and three lanes from Frog Pond Church to City Center.

12. That no access to Boeckman Road will be allowed.

13. That the applicant submit with Stage II Development Plans proposed CC&Rs or Homeowners' Association By-Laws adequate to insure proper maintenance of all proposed common open space or recreational areas.

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

15. That Stage II Final Development Plans identify an area reserved for City well site and that Phase II development will coincide with completion of a water system loop with the existing Courtside Estates and Parkway Avenue water line.

16. No building permits be issued until Vlahos Drive construction is started and no occupancy permits be issued until Vlahos Drive is completed.

17. That the representations contained in the request for zone change dated June 16, 1980, and supplemented July 3, 1980, and September 5, 1980, be made Conditions of Approval.

EXHIBITS

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

1. Draft Report on Transportation - City of Wilsonville, Oregon, prepared by Carl H. Buttke dated September 4, 1980, including attached Exhibits 1A through F.
2. Projected Year 2000 Population and Employment prepared by City Planning Staff.
3. City of Wilsonville Comprehensive Plan.
4. City of Wilsonville Zoning Ordinance No. 154 Map and Text.
5. City of Wilsonville Existing Sanitary Sewer and Water System Maps.
6. City of Wilsonville Physical Inventory and Natural Environment Report.
7. Applicant's submittal documents and planning exhibits including supplemental documents submitted September 5, 1980.
8. Letter to Robert Mahoney from Carl Buttke dated April 5, 1980.

9. Letter to Ben Altman from Bothman from the Department of Transportation, dated April 2, 1980.

10. Written testimony from the public hearing of September 16, 1980.

ACTION TAKEN AT PLANNING COMMISSION MEETING OF SEPTEMBER 16, 1980:

Mike Williams moved to approve the zone change of Robert Randall Company for Tax Lots 600, 700, 800, 1801 and 1900, T3S-R1W, Map 13A, known as Gesellschaft with the following changes and additions:

Delete Condition of Approval 3 and add a new Condition of Approval 3:

3. That the initial access to the project be via Vlahos Drive provided that no development in excess of 25% of the planning capacity of the project will be permitted or allowed without the improvements to Wilsonville Road as set forth in Condition of Approval 11.

That Condition of Approval 11 be stricken in its entirety and a new Condition of Approval 11 be as follows:

11. —That direct access to Wilsonville Road via Vlahos Drive or any internal streets will be prohibited until Wilsonville Road is improved by straightening the "S" curve near the City Center and near the Frog Pond Church and widening to 40 feet and three lanes from Frog Pond Church to City Center.

That Condition of Approval 12 be stricken in its entirety and a new Condition of Approval 12 be as follows:

12. That no access to Boeckman Road will be allowed.

That in Condition of Approval 5 the word "surface" should be "service".

Add a new Condition of Approval 16:

16. No building permits be issued until Vlahos Drive construction is started and no occupancy permits be issued until Vlahos Drive is completed.

Add a new Condition of Approval 17:

17. That the representations contained in the request for zone change dated June 16, 1980, and supplemented July 3, 1980, and September 5, 1980, be made Conditions of Approval.

Add Exhibits 8, 9 and 10:

8. Letter to Robert Mahoney from Carl Buttke dated April 5, 1980.

9. Letter to Ben Altman from Bothman from the Department of Transportation, dated April 2, 1980.

10. Written testimony from the public hearing of September 16, 1980.

Stan Maves seconded the motion.

Stan Maves withdrew his second to the motion.

Mike Williams moved to amend the motion by changing Condition of Approval 5 on page 12 to read "street service level B on Wilsonville Road and Boeckman Road."

Stan Maves seconded the motion which passed 3-1 with Marian Wiedemann voting against and Marlene Rifai abstaining.