

AFFIDAVIT OF POSTING

ORDINANCE #160

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 28th day of January, 1981, I caused to be posted copies of the attached Ordinance #160, an ordinance amending the zoning map of the City of Wilsonville (Application of Ash & Associates for Zone Change from RA-1 to PDR (MR-1), in the following four public and conspicuous places of the City, to wit:

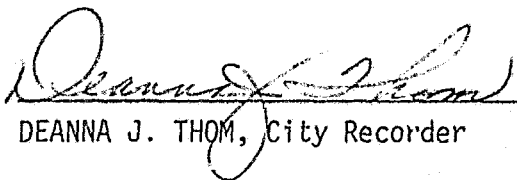
Wilsonville Post Office

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 2nd day of February, 1981.


DEANNA J. THOM, City Recorder

Subscribed and sworn to before me this 3rd day of February, 1981.


NOTARY PUBLIC, STATE OF OREGON

My commission expires: May 10, 1981

ORDINANCE NO. 160

AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF WILSONVILLE (APPLICATION OF ASH & ASSOCIATES FOR ZONE CHANGE FROM RA-1 TO PDR (MR-1))

WHEREAS, an application was filed with the Wilsonville City Recorder on behalf of Ash & Associates for the purpose of changing a classification of zone on a parcel of its real property from RA-1 (rural agriculture) to MR-1 (multi-family residential). The application fee as required by Section 17.01 of Ordinance No. 23 (the City's Zoning Ordinance existing at that time) has been paid. The description of the real property, consisting of approximately 75.6 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 Section 11.02 of the then existing Zoning Ordinance No. 23, and said hearing was held June 9, 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 then existing Zoning Ordinance No. 23. The required newspaper Affidavit of Publication and the City Recorder's Affidavit of Mailing are on file in the City Recorder's records and file of this zone change matter; 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 recommendations 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 - ASH MEADOWS ZONE CHANGE RA-1 TO MR-1: TAX LOT 2600, 2700, SECTION 13, AND A PORTION OF TAX LOT 100, SECTION 14, T3SR1W - ASH & ASSOCIATES, APPLICANTS," which was finally completed and dated as of June 9, 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 August 4, 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. Clifford Alderman, representative of Ash & Associates, 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 Resolution. 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 (replacing the City's Zoning Map adopted June 11, 1971, together with the prior 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 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 following CONDITIONS:

1. That the applicant submit to the Planning Commission within a period of two years the Phase II Preliminary Plat in accordance with the provisions as set forth in the City of Wilsonville Subdivision Regulations Ordinance No. 16 and the regulations for Planned Unit Developments as set forth in Article 6 of Ordinance No. 154.

It is the purpose of this Condition to assure that the development of the property as recommended is commenced without undue delay, for the purpose as requested, and that the Administrative processes by which the Planned Unit Development are approved without undue delay.

The Planning Commission finds that the Stage II and Stage III review process for the Planned Development will allow for a detailed analysis of on-site improvements and the initial approval of the total number of dwelling units which will be determined based on the platting pattern of the site, location of utilities, open space, and carrying capacity of the property.

2. That the Stage II Site Development Plans identify the appropriate dedication of public right-of-way along Parkway Avenue and Boeckman Road for the future improvement of said facilities in accordance with the standards as set forth by the City of Wilsonville and Clackamas County.

It is the purpose of this condition to assure adequate road improvements along Parkway Avenue and Boeckman Road which will be affected by the future traffic generated by Ash Meadows. Administrative review of the Stage II Development Plans are to incorporate approved levels of service for street sections as adopted by the City in accordance with the traffic plan element of the Comprehensive General Plan.

The Planning Commission notes that both Parkway Avenue and Boeckman Road are identified on the existing Comprehensive General Plan as arterial systems intended to accommodate extensive traffic volumes.

3. That the Stage II Site Development Plans be reviewed by the Tualatin Rural Fire Protection District for the purpose of establishing standards for traffic circulation and location of fire hydrants within the interior street system.

4. That the administrative review of the Stage II Development Plans be coordinated with the Town Center Loop Road improvements, the Courtside Estates and Tolovana residential collector street extending along the south side of Ash Meadows and east across Boeckman Creek.

It is the purpose of this Condition to assure that all proposed public rights-of-way are adequately coordinated through the administrative review process in order that the City might achieve a synchronized transportation system as individual property owners develop land adjoining the Ash Meadows site.

5. That the Stage II Development Plans identify a system of single-family development bordering on the east property line to assure land use compatibility with existing residential uses on Canyon Creek Road.

It is the purpose of this Condition to identify a minimum standard of development for the area in question along the east property line of the Ash Meadows Planned Development and to assure that residences east of the project are protected through compatible land uses in the form of single-family development with adequate rear yard setbacks.

6. That Stage II Site Development Plans, together with architectural exhibits and proposed landscaping improvements, be submitted to the Design Review Board for preliminary review prior to submission to the Planning Commission.

It is the purpose of this Condition to assure adequate design of landscaping features and structures, other than single family, prior to the submission of Stage II Development Plans to the Planning Commission for official action. The location of building sites, architectural design, landscape features, and open space systems are to be reviewed by the Design Review Board for the purpose of recommending any changes to the Planning Commission which the Board feels necessary in order to accomplish the purpose of the Design Review Board's function under the provisions of Ordinance No. 38.

The Planning Commission notes that the Design Review Board acts as the final Board of approval prior to the issuance of building permits and should be included within the review process of the planned development in the early stages of review. This process will prevent the Design Review Board from having to deal with matters of design, which is

its primary function, after the Site Development Plans have been approved and building sites affecting their design of structures and the placement of open space and landscaping have been created.

7. That the phasing of the Ash Meadows Planned Development be in conformance with the policies as proposed and adopted by the City of Wilsonville's Comprehensive General Plan to be submitted to the Oregon Land Conservation and Development Commission which was adopted by the City Council in July of 1980.

It is the purpose of this Condition to assure that all land use policies and growth allocation programs apply to the Ash Meadows Planned Unit Development, thereby assuring the growth of the project in coordination with the City of Wilsonville's capacity to provide urban services. In recommending approval to the City Council of the zone change, the Planning Commission recognizes the need for a coordinated system of urban growth policies throughout the Wilsonville urban growth area and that the staging of the development will best assure the availability of all urban services which are coincidental with the issuance of building permits.

8. That the Stage II Development Plans identify an internal recreation system designed to provide local recreational facilities for the anticipated population within the Ash Meadows project.

It is the purpose of this Condition to assure the future residents of the site that local recreational facilities will be available.

The Planning Commission recognizes the need for local recreational facilities on those properties where an above-average concentration of population is proposed.

9. That the initial phase of development not exceed 81 units as proposed.

It is the purpose of this Condition to document that the City Council approve of the proposed 81 unit first phase level of development and that said number of units will not be exceeded without Planning Commission approval following a review by the Planning Commission of the level of urban services available throughout the City of Wilsonville.

10. If the new Zoning Ordinance is passed by the time this application is heard by the City Council, the applicant shall be allowed to proceed with this application as a planned residential zone change and prepare separately his initial Stage I Planned Development Plan for review at a later public hearing before the Planning Commission and the City Council.

11. Building permits will be subject to Ordinance No. 112 or any subsequent growth management ordinance adopted by the City.

12. The applicant propose a road design for the Boeckman Road - Parkway intersection and a proposed schedule for improvements in the first stage of planned development application.

13. That the applicant work together with other affected property owners to construct the Vlahos Drive extension from the east to its access to a collector street which is located in the southeast corner of the subject property.

14. That the applicant submit at Stage II approval of applicant's proposed CC&R's or Homeowners' Association By-Laws.

15. That the applicant waive his right of remonstrance against any proposed local improvement district which may be found to construct public improvements which would affect the subject property.

Section 3: 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.

Section 4: It being determined by the Wilsonville City Council an emergency exists, 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 19th day of January, 1981, and scheduled for second reading at a regular meeting of the Council on the 2nd day of February, 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 3rd day of February 1981, by the following vote: YEAS 3 NAYS 0.


Deanna J. Thom, City Recorder

DATED and signed by the Mayor this 6th day of February 1981.

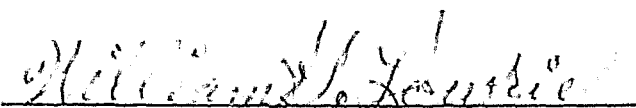

William G. Lowrie, Mayor

EXHIBIT A - Legal

The Northwest quarter of the Northwest quarter of Section 13, Township 3 South, Range 1 West of the Willamette Meridian, in the County of Clackamas, State of Oregon. EXCEPT any portion in public roads.

The East half of the Northeast quarter of Section 14, T. 3 S., R. 1 W., of the W.M., in the County of Clackamas and State of Oregon. EXCEPT any portion in public roads.

A part of Section 13, T. 3 S., R. 1 W., of the W.M., more particularly described as follows:

Beginning at a point on the West boundary line of said Section 13, T. 3 S., R. 1 W., of the W.M., that is 264.0 feet North of the Southwest corner of the Northwest quarter of said Section 13, from said point of beginning running thence North along the West boundary of said Section 13, a distance of 264.0 feet to a point, thence East parallel with the South boundary of the Northwest quarter of said Section 13, a distance of 330.0 feet to a point, thence North parallel with the West boundary of said Section 330.0 feet to a point, thence West parallel with the South boundary of the Northwest quarter of said Section 330.0 feet to a point on the West boundary of said Section 13, thence North along said West boundary to the Northwest corner of the Southwest quarter of the Northwest quarter of said Section, thence East along the North boundary of the said Southwest quarter of Northwest quarter to the Northeast corner thereof, thence South along the East boundary of the said Southwest quarter of the Northwest quarter to the Southeast corner thereof, thence West along the South boundary of the said Southwest quarter to a point that is 330.0 feet East of the Southwest corner thereof, thence North parallel with the West boundary of said Southwest quarter 264.0 feet to a point, thence West parallel with the South boundary of said Southwest quarter 330.0 feet to the point of beginning.

The North 965.0 feet of the east 1/2 of the Northwest 1/4 of Section 14, Township 3 South, Range 1 West of the Willamette Meridian, lying between the west line of the Baldock Freeway and the centerline of Market Road #27, and also the following described tract of land, to-wit:

Beginning at the southwest corner of the above described tract; thence southerly along the east line of the said Baldock Freeway, a distance of 650.0 feet; thence easterly parallel with the north line of said Section 14 a distance of 360.74 feet; thence northerly parallel with the Baldock Freeway a distance of 650.0 feet to the south line of the first above described tract; thence westerly along said south line and parallel with

the north line of said Section 14, a distance of 360.74 feet to the place of beginning. Containing a total of 24.8 acres in both above described parcels. EXCEPT that part lying within the bounds of Market Road #27, and within the bounds of Boeckman Road.

*NOTE: The Wilsonville City Council recognizes that there is a dispute between Stan Ash & Associates and the owners of property along the above-described easterly property line as to whether the above-described easterly line of the property should be located along the current occupancy line several feet to the east. In the event, and at such time, as the property in question may be determined to belong to Stan Ash & Associates, then Stan Ash & Associates may submit a legal description of the disputed property and this Ordinance shall be amended to include said property.

PLANNING COMMISSION RESOLUTION
ASH MEADOWS ZONE CHANGE RA-1 TO MR-1:
TAX LOT 2600, 2700, SECTION 13, AND
A PORTION OF TAX LOT 100, SECTION 14, T3SR1W
ASH & ASSOCIATES, APPLICANTS

WHEREAS, Ash & Associates, represented by a design team consisting of Harold Long, Architect, Curtis R. Close, Senior Associate, R. J. Frank & Associates, and William Roth, Landscape Architect, have submitted planning exhibits for a zone change from RA-1 to MR-1 in accordance with the procedures as set forth by the City of Wilsonville Zoning Ordinance No. 23 regulating amendments to the City's zoning map, and

WHEREAS, the said zone change is for the purpose of authorizing the submittal of Stage II Preliminary Plans for the Ash Meadows Planned Development as required by Article XII of the City of Wilsonville's Zoning Ordinance No. 23, and

WHEREAS, said planning exhibits, together with public testimony and findings were entered into the public record at a regularly scheduled Planning Commission meeting conducted on June 9, 1980, and

WHEREAS, the Wilsonville City Council has authorized the submittal of said planning documents to the Planning Commission for its review and recommendation, said authorization in accordance with the provisions of Section 11.03 (Time Limit) confirming that the required one-year time limit has passed from the date of the original Zone Change Application which was denied by the City Council on March 5, 1979, and

WHEREAS, the Planning Commission deems it appropriate to recommend to the City Council that the zone change as requested be approved based on the applicant's testimony and submitted documentation, together with the findings 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 RA-1 to MR-1 zone change on the property as herein described and does hereby forward to the City Council its Administrative Record in accordance with the provisions as set forth in the City of Wilsonville's Zoning Ordinance No. 23, Section 11.02, Amendments.

1. The following procedures should all be followed in applying for the acting on all amendments:

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

BE IT FURTHER RESOLVED that the Planning Commission does hereby recommend approval of the request as submitted by Ash & Associates with the condition that said zone change be for the purpose of authorizing the applicant to proceed with Stage II Preliminary Development Plans for the Ash Meadows Planned Development in accordance with Article XII of Ordinance No. 23 and that submittal of said documents be filed with the Planning

Exhibit "B"

Department within a period not to exceed two years from the date of the City Council's adoption of the Ordinance amending the City's zoning map.

FINDINGS

The following Findings are hereby entered into the public record as confirmation of the Planning Commission's consideration of the application as submitted by Ash & Associates for the zone change as requested and pertain to elements of the City's Comprehensive General Plan Ordinance No. 58, City of Wilsonville Zoning Regulations and Subdivision Standards, together with applicable aspects of the planning documentation as submitted by the applicant and LCDC Goals and Guidelines.

1. That the City of Wilsonville Comprehensive General Plan Map Ordinance No. 58 identifies the 77.06 acre site as 7-12 dwelling units per acre and 5-7 dwelling units per acre, which has been identified on the applicant's plot plan, extending from the south property line north to Boeckman Road through the approximate center of the development.

It is noted by the Planning Commission that the applicant proposes 75 units for the first phase of development and that the total allowed number of units for the planned development will be regulated by Ordinance No. 58 - City of Wilsonville Comprehensive General Plan and the Planning Commission's approval of Stage II Planned Unit Development improvements.

According to the applicant's plot plan, approximately 44.3 acres of the site is devoted to residential 5-7 dwelling units per acre, which calculated on a gross area would allow a minimum of 222 units and a maximum of approximately 310 dwelling units.

On that portion of the site identified as 7-12 dwelling units per acre, the applicant identifies approximately the balance of the 77.06 acres which would allow a minimum of 268 units and a maximum of approximately 460 units.

Since the City's Comprehensive General Plan takes precedent over the MR-1 zoning standards establishing a total unit count of approximately 3,324 dwelling units (refer Section 5.07 5-1-J), the ultimate number of units will range between a minimum of approximately 480 to a maximum of approximately 770.

The 10% increase in density as authorized under the development standards as set forth in the Planned Unit Development Regulations, Section 12.06-5, may not, therefore, be authorized since any increase in density cannot exceed the maximum number of dwelling units authorized by the City's Comprehensive Plan.

The Planning Commission finds that the total number of living units will be proposed and based on the Stage II Planned Development Master Plan which will take into account the City's Transportation Plan, water and sewer capacities, residential land uses on adjacent properties, sight drainage, landscaping

property line to protect existing adjacent large lot developments, thereby establishing compatibility with neighboring land uses as intended by the Planned Unit Development Regulations.

However, the Planning Commission notes that the function of the south access to the project depends on the orderly implementation of the residential collector serving the Courtside Estates Planned Development and the completion of the Town Center Loop System, which will intersect Parkway Avenue on the east.

The City's Comprehensive General Plan identifies an east-west collector system linking properties east of Boeckman Creek to the Town Center and Parkway Avenue as a collector system. Approximately 30 feet of the collector in question will be dedicated from the Ash Meadows property.

In reviewing the zone change request and the applicant's plot plan, identifying the proposed road system, the Planning Commission notes that a coordinated system of implementation through the approval of Stage II plans for the Ash Meadows Development, and the Tolovana Planned Unit Development linking Courtside Estates with a residential collector to the Town Center will be required by all property owners involved. The orderly implementation of the entire road system will affect the installation of water and sewer lines and the placement of drainage facilities for which each individual property owner is responsible. However, the coordination of said projects remains under the jurisdiction of the City. It is for this reason that the Planning Commission notes the need for cooperation between all affected property owners in order to complete the transportation network.

The Planning Commission further finds that while the property is adequately served by an internal road system and frontage on Boeckman Road and Parkway Avenue, the intersection of Parkway Avenue and Boeckman Road may eventually require signal improvements. In addition, a northbound access onto I-5 as a result of the development within the immediate vicinity has been proposed and will ultimately be required.

The recommended Transportation Plan as submitted by Carl H. Buttke, Consulting Transportation Engineer, identifies the signalization at the intersection in question and the improvement for a northbound on-ramp to I-5. Both Boeckman Road and Parkway Avenue have been recommended by Mr. Buttke for improvement to three lanes to act as arterials within a 60 foot right-of-way, with a 40 foot pavement width to service between 10,000 and 18,000 vehicles per day. These improvements fall under the category of service level D set forth on page 14 of the recommended Transportation Plan for the City of Wilsonville.

The residential collector running north/south within the project has been recommended to be improved with a 36 foot paved width within a 60 foot right-of-way to serve 7,000 vehicles per day. The same standards apply to the east/west residential collector street intersecting with the City Center Loop and servicing the Courthouse Estates PUD and residential development east of Boeckman Creek.

3. That the property in question may be served by the extension of an 8" sewer main running parallel with Parkway Avenue and/or a 12" sewer main extending west from Parkway Avenue beneath the I-5 Freeway, which eventually joins to a 30" sewer main near Seely Ditch. Both lines are identified as being served by pump/lift stations. Any need to increase pumping capacity as a result of the residential development in question will be determined by the City Engineer.

The Planning Commission further finds that the expansion of the sewer treatment plant is currently underway with the construction of Phase III of said facility, which increases the City's capacity to treat 2.5 million gallons per day.

City records indicate a remaining balance of 550 residential equivalent hookups in accordance with provisions set forth in Ordinance No. 112. With the completion of Phase III of the sewer treatment plant, an additional 4,800 single-family equivalent hookups will become available. As of this date, the City has not established the number of hookups that will be provided for residential, commercial and industrial upon the completion of Phase III of the sewer treatment plant facility.

The Planning Commission concludes, therefore, that adequate capacity for sewage treatment for Ash Meadows will be available given that the initial stage of development proposes only 75 units and, the balance of the development will be scheduled in accordance with the City's growth allocation policies to be developed as part of the Comprehensive General Plan.

4. That the property in question may be served with water through the extension of an existing 12" water main running parallel with Parkway Avenue and the use of an 8" water main running east from Parkway Avenue to Courthouse Estates.

The Planning Commission notes that the interior road system as proposed for Ash Meadows will allow for looping of the water system which will improve the City's control over water distribution and maintenance.

The Planning Commission finds, however, that with the approval by the City of the Wilsongreen Planned Development, Day Dream Ranch Subdivision, Courthouse Estates Planned Unit Development, the Willamette Planned Development and the balance of the Charbonneau PUD, the need for an additional well site has become more pronounced. At the present

time the City has a 2,95 million gallon reservoir capacity, which serves a 5,92 square mile area. The recent recommendation by the Planning Commission to the City Council for the approval of the Tolovana Planned Development (proposed 890 units), added to the Ash Meadows maximum allowable density (770 units), could result in the total approval of 4,640 units for the City should the buildout of all projects conclude as authorized. However, given the extent of the building schedules for said projects and the variables introduced by market condition some downward adjustment is to be expected.

The Planning Commission also finds that the regulation of sewer and water hookups will be established through the growth allocation policy set forth in the Comprehensive General Plan which will limit the number of building permits on an annual basis.

Therefore, any excessive building which would threaten to exceed the projected water supply for the City would be adequately controlled. In any event, the Planning Commission finds that the current water supply and storage capacity for the City of Wilsonville is adequate to service the first stage of development for Ash Meadows (75 units).

5. That the property in question is located between two major points of development, i.e., Tektronics to the north and the City Center zone to the south, which will provide industrial and commercial employment to the residents of Ash Meadows. In addition, commercial services will be available upon the implementation of the City Center Plan for banking, food, professional services, and miscellaneous shopping.

The Planning Commission finds that the location of medium to moderately high density development has been encouraged between the two centers as mentioned and along improved arterial transportation systems.

The Planning Commission further finds that the property in question is adjacent to the Thunderbird Mobile Home Park, which is identified on the Comprehensive General Plan with a density of 12-20 dwelling units per acre. It is noted, however, that the Planning Commission has proposed that said facility be redesignated on the Comprehensive General Plan at a density of 5-7 dwelling units per acre, which is consistent with the Ash Meadows Development proposal.

6. That the surrounding land use adjoining the property in question is indicated by residential development along the east property line fronting on Canyon Creek Road with residential home sites platted over one acre in size. The

Planning Commission finds that the dwelling unit per acre designation is O-1 in this area.

North of Boeckman Road the Comprehensive Plan indicates a large area proposed for industrial park development which extends north to the BPA power easement and east from Parkway Avenue to Boeckman Creek. Tektronics, a manufacturer of electronic products, is located immediately south of the BPA power easement and employs approximately 1,500 people. Upon full buildout of Tektronics approximately 8,000 employees are anticipated.

Residential development has occurred near the south portion of the site abutting Parkway Avenue on either side of the General Telephone building. Both developments are common wall construction with apartments to the south of the General Telephone building and condominiums to the north.

The Planning Commission finds that with the exception of the Thunderbird Mobile Home Park and the residential development along Canyon Creek Road, and the apartments as cited, that the majority of the property, including the site in question, is relatively undeveloped.

Layton Sales (northwest of the site) together with Gillespie Decal and Metalcraft make up the balance of developed land within the immediate vicinity.

6. That the topographical features of the 77 acre site identify a high elevation of 226 feet near the east property line which gradually slopes to the southwest to an elevation of 196 feet. A natural drainageway has been identified on the Site Plan extending south to Boeckman Road approximately 900 feet, at which point it meanders to the west and passes under Parkway Avenue and eventually drains to Seely Ditch.

According to the City's Physical Inventory and Natural Environment Study conducted in 1979, the geological subsurface deposits on the property consist primarily of Willamette silt, which is capable of supporting moderate structural loads where some settling can be tolerated. However, since the slope of the property is not as severe, the load-bearing qualities of the soil is increased. The northwest portion of the site is composed of clay over Willamette silt.

7. That the property in question is located near the center of the City's urban growth boundary at the intersection of Boeckman Road and Parkway Avenue which represents the approximate center of the City of Wilsonville.

Both residential and commercial development has been approved by the Planning Commission north and south of the site in areas closer to the urban growth boundary than that proposed by Ash Meadows: Stafford Business Park, Courthouse Estates Planned Development, Charbonneau Planned Unit Development,

Wilsongreen Planned Unit Development, City Center District (Dant Development Corporation). In addition, industrial growth within the City has occurred throughout the community in areas closer to the urban growth boundary, i.e., Tektronix expansion, Edwards Industrial Park (Riverwood Industrial Campus, Oregon Toro, Capital Industrial Supply Company, Foremost McKesson Drug Company, Crawford Door Manufacturing Company), G.I. Joe's, Payless warehouse and office facility and Lewis Electric.

The Planning Commission finds that with the combined industrial and commercial growth as identified that the potential for employment for residents of the Ash Meadows Planned Unit Development is self evident given the nature and rate of growth documented by the construction which has taken place since July of 1977.

8. That the Planning Commission finds that the site in question is free from any known geological hazards, i.e., unstable soils, geological faults, excessive slopes, etc. The site in question is not subject to flood plain regulations; however, the natural drainage course through the northwest portion of the property may from time to time be subject to excessive water runoff from properties located to the north. On-site water retention systems, coordinated with the City's program for improving natural drainageways and requirements for upgrading drainage structures, will provide the means by which the storm water runoff from developed sites may be controlled.

9. A new Zoning Ordinance is in the process of being adopted by the City. The purpose of this Finding is to acknowledge the comprehensive planning process so we can anticipate how the City might handle this application at the next stages of review.

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. The purpose of the conditions is to assure an orderly system of urbanization for the site in coordination with urban facilities, i.e., water, sewer, streets, drainage, and to establish an orderly pattern for the rate of growth thus assuring full and available service to the residents of Ash Meadows and the balance of the City of Wilsonville.

1. That the applicant submit to the Planning Commission within a period of two years the Phase II Preliminary Plat in accordance with the provisions as set forth in the City of Wilsonville Subdivision Regulations Ordinance No. 16 and the regulations for Planned Unit Developments as set forth in Article VI of Ordinance No. 154.

It is the purpose of this Condition to assure that the development of the property as recommended is commenced without undue delay, for the purpose as requested, and that the Administrative processes by which the Planned Unit Development are approved without undue delay.

The Planning Commission finds that the Stage II and Stage III review process for the Planned Development will allow for a detailed analysis of on-site improvements and the initial approval of the total number of dwelling units which will be determined based on the platting pattern of the site, location of utilities, open space, and carrying capacity of the property.

2. That the Stage II Site Development Plans identify the appropriate dedication of public right-of-way along Parkway Avenue and Boeckman Road for the future improvement of said facilities in accordance with the standards as set forth by the City of Wilsonville and Clackamas County.

It is the purpose of this condition to assure adequate road improvements along Parkway Avenue and Boeckman Road which will be affected by the future traffic generated by Ash Meadows. Administrative review of the Stage II Development Plans are to incorporate approved levels of service for street sections as adopted by the City in accordance with the traffic plan element of the Comprehensive General Plan.

The Planning Commission notes that both Parkway Avenue and Boeckman Road are identified on the existing Comprehensive General Plan as arterial systems intended to accommodate extensive traffic volumes.

3. That the Stage II Site Development Plans be reviewed by the Tualatin Rural Fire Protection District for the purpose of establishing standards for traffic circulation and location of fire hydrants within the interior street system.

4. That the administrative review of the Stage II Development Plans be coordinated with the Town Center Loop Road improvements, the Courtside Estates and Tolovana residential collector street extending along the south side of Ash Meadows and east across Boeckman Creek.

It is the purpose of this Condition to assure that all proposed public rights-of-way are adequately coordinated through the administrative review process in order that the City might achieve a synchronized transportation system as individual property owners develop land adjoining the Ash Meadows site.

5. That the Stage II Development Plans identify a system of single-family development bordering on the east property line to assure land use compatibility with existing residential uses on Canyon Creek Road.

It is the purpose of this Condition to identify a minimum standard of development for the area in question along the east property line of the Ash Meadows Planned Development and to assure that residences east of the project are protected through compatible land uses in the form of single-family development with adequate rear yard setbacks.

6. That Stage II Site Development Plans, together with architectural exhibits and proposed landscaping improvements, be submitted to the Design Review Board for preliminary review prior to submission to the Planning Commission.

It is the purpose of this Condition to assure adequate design of landscaping features and structures, other than single family, prior to the submission of Stage II Development Plans to the Planning Commission for official action. The location of building sites, architectural design, landscape features, and open space systems are to be reviewed by the Design Review Board for the purpose of recommending any changes to the Planning Commission which the Board feels necessary in order to accomplish the purpose of the Design Review Board's function under the provisions of Ordinance No. 38.

The Planning Commission notes that the Design Review Board acts as the final Board of approval prior to the issuance of building permits and should be included within the review process of the planned development in the early stages of review. This process will prevent the Design Review Board from having to deal with matters of design, which is its primary function, after the Site Development Plans have been approved and building sites affecting their design of structures and the placement of open space and landscaping have been created.

7. That the phasing of the Ash Meadows Planned Development be in conformance with the policies as proposed and adopted by the City of Wilsonville's Comprehensive General Plan to be submitted to the Oregon Land Conservation and Development Commission which is subject to adoption by the City Council in July of 1980.

It is the purpose of this Condition to assure that all land use policies and growth allocation programs apply to the Ash Meadows Planned Unit Development, thereby assuring the growth of the project in coordination with the City of Wilsonville's capacity to provide urban services. In recommending approval to the City Council of the zone change, the Planning Commission recognizes the need for a coordinated system of urban growth policies throughout the Wilsonville urban growth area and that the staging of the development will best assure the availability of all urban services which are coincidental with the issuance of building permits.

8. That the Stage II Development Plans identify an internal recreation system designed to provide local recreational facilities for the anticipated population within the Ash Meadows project.

It is the purpose of this Condition to assure the future residents of the site that local recreational facilities will be available.

The Planning Commission recognizes the need for local recreational facilities on those properties where an above-average concentration of population is proposed.

9. That the initial phase of development not exceed 75 units as proposed.

It is the purpose of this Condition to document that the Planning Commission approve of the proposed 75-unit first phase level of development and that said number of units will not be exceeded without Planning Commission approval following a review by the Planning Commission of the level of urban services available throughout the City of Wilsonville.

10. If the new Zoning Ordinance is passed by the time this application is heard by the City Council, the applicant shall be allowed to proceed with this application as a planned residential zone change and prepare separately his initial Stage I Planned Development Plan for review at a later public hearing before the Planning Commission and the City Council.

11. Building permits will be subject to Ordinance No. 112 or any subsequent growth management ordinance adopted by the City.

12. The applicant propose a road design for the Boeckman Road - Parkway intersection and a proposed schedule for improvements in the first stage of planned development application.

13. That the applicant work together with other affected property owners to construct the Barber Street extension from the east to its access to a collector street which is located in the southeast corner of the subject property.

14. That the applicant submit at Stage II approval of applicant's proposed CC&R's or Homeowners' Association By-Laws.

15. That the applicant waive his right of remonstrance against any proposed local improvement district which may be found to construct public improvements which would affect the subject property.

EXHIBITS

The following Exhibits are hereby entered into the public record by the Planning Commission as part of the administrative record and as confirmation of its consideration of the planning documents pertaining to the request as submitted and the land use policies of the City of Wilsonville.

1. Comprehensive General Plan Map Ordinance No. 58.

It is the purpose of this document to confirm that the property in question is classified as residential with a dwelling unit count per acre of 5-7 and 7-12 which divides the property in the

approximate center extending south from Boeckman Road to the southern property line.

It is also the purpose of this document to confirm that the property fronts on Boeckman Road on the north and Parkway Avenue on the west and that both public rights-of-way are classified as arterial street systems.

2. City of Wilsonville Zoning Text and Map Ordinance No. 23.

It is the purpose of said documents to confirm that the property in question is currently zoned RA-1 and to identify the surrounding zoning patterns as being I-1 (light industrial) to the north of Boeckman Road, RA-1 to the east of the subject property, C-2, MR-1 and CC to the south of the site in question.

3. City of Wilsonville Existing Water System Exhibit.

It is the purpose of said document to identify that the property in question may be served through the extension of a 12" water main running parallel with Parkway Avenue and an 8" water main running parallel with the south property line of subject site.

4. City of Wilsonville Existing Sewer System Exhibit.

It is the purpose of this document to confirm that the property in question may be serviced by the City's existing sewer system through the use of a 12" sewer main west of the site and a 8" main south of the property extending through the City Center District.

5. Robert E. Meyer Storm Drainage Study.

It is the purpose of this document to identify the natural storm drainage course through the property and to confirm that said site is part of the Seely Ditch drainage basin.

6. City of Wilsonville Recommended Traffic Plan as prepared by Carl H. Buttke, Consulting Transportation Engineer.

It is the purpose of this document to identify the recommended transportation system for Parkway Avenue and Boeckman Road and to indicate the proposed signalization of said intersection.

Said document further identifies the proposed northbound on-ramp west of the Boeckman Road-Parkway intersection which will ultimately provide access to the I-5 Freeway.

In addition, the standards for number of lanes and level of service has been indicated for both Parkway Avenue and Boeckman Road on the proposed plan which is subject to implementation

as a part of the Ash Meadows approval process.

7. Applicant's Fasano statement and LCDC Goal analysis for the Ash Meadows zone change request.

It is the purpose of this document to identify the presentation made by the applicant for the zone change in accordance with the required Fasano procedures and in response to LCDC Goals.

8. Ash Meadows Plat Plan identifying configuration of property and proposed road assignment and land use densities, together with on-site topographical features and contiguous land uses.

It is the purpose of this document to identify the preliminary proposal for the internal street system both the public and the private and to establish a record of the intended use of the property in accordance with the residential densities as indicated.

9. City of Wilsonville Ordinance No. 113.

It is the purpose of this Ordinance to identify that the City of Wilsonville is currently engaged in the administration of a Systems Development Fee program designed to provide improvements to street and storm drainage facilities for new developments within the community.

The Planning Commission notes that Ash Meadows Planned Development will have a significant impact on local streets and storm drainage and will thus require the technical analysis of the City Engineer and Superintendent of Public Works for the installation of public utilities referred to by Ordinance No. 113.

ACTION TAKEN AT PLANNING COMMISSION MEETING OF JUNE 9, 1980:

Bob Dant moved for approval of Ash Meadows zone change request on Tax Lots 2600, 2700, Section 13 and a portion of Tax Lot 100, Section 14, T3SR1W, with the following additions and corrections:

On page 2 of 13 under 1., 4th paragraph, strike the numbers "38.3" and add "the balance of the 77.06".

Add the following additional Finding:

9. A new Zoning Ordinance is in the process of being adopted by the City. The purpose of this Finding is to acknowledge the comprehensive planning process so we can anticipate how the City might handle this application at the next stages of review.

and adding the following additional Conditions of Approval:

10. If the new Zoning Ordinance is passed by the time this application is heard by the City Council,

the applicant shall be allowed to proceed with this application as a planned residential zone change and prepare separately his initial Stage I Planned Development Plan for review at a later public hearing before the Planning Commission and the City Council.

11. Building permits will be subject to Ordinance No. 112 or any subsequent growth management ordinance adopted by the City.

12. The applicant propose a road design for the Boeckman Road - Parkway intersection and a proposed schedule for improvements in the first stage of planned development application.

13. That the applicant work together with other affected property owners to construct the Barber Street extension from the east to its access to a collector street which is located in the southeast corner of the subject property.

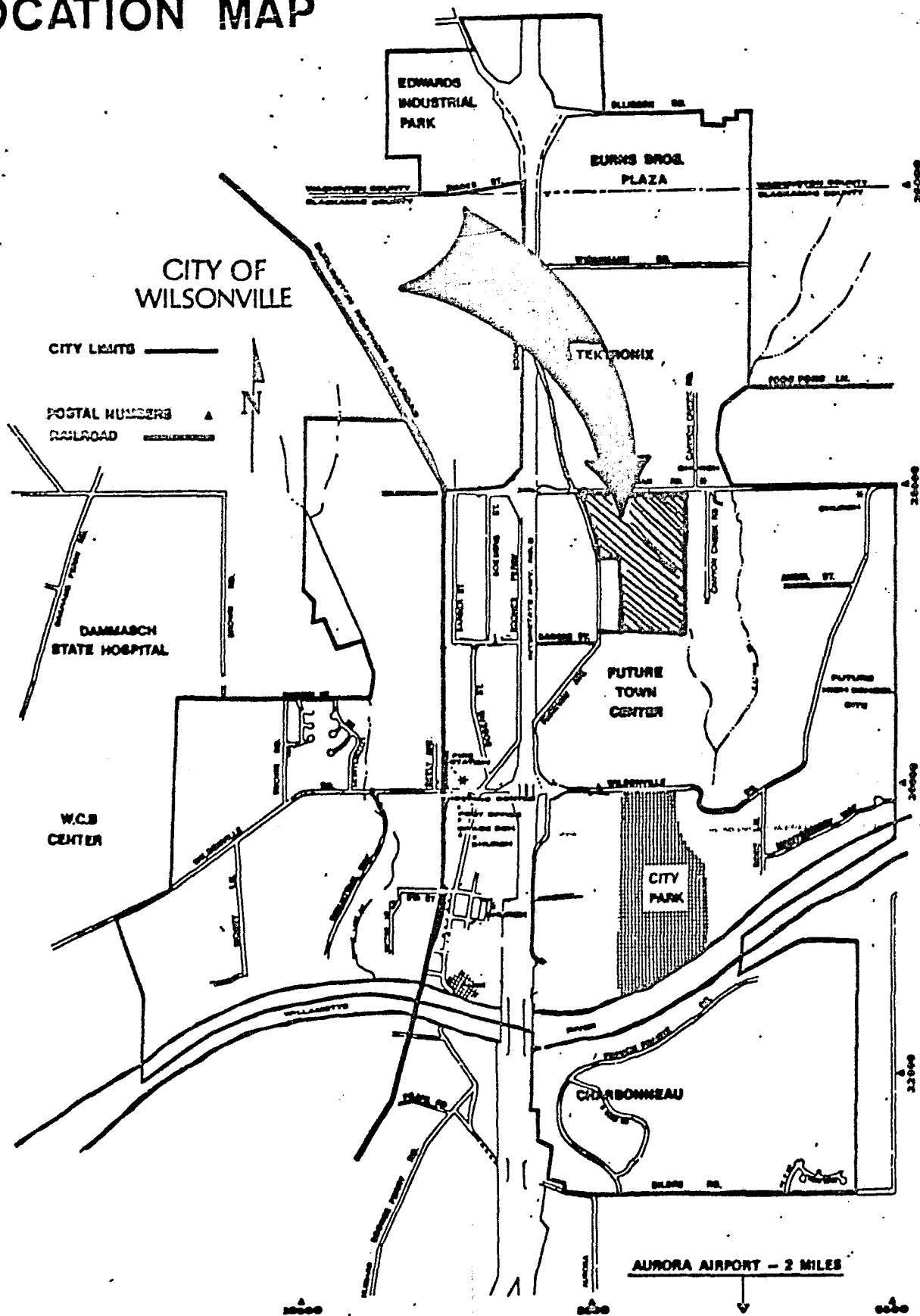
14. That the applicant submit at Stage II approval applicant's proposed CC&R's or Homeowners' Association By-Laws.

15. That the applicant waive his right of remonstrance against any proposed local improvement district which may be found to construct public improvements which would affect the subject property.

Marian Wiedemann seconded the motion which passed 4-0.

Robert W. Dant *6/16/80*

LOCATION MAP



Applicant: Ash & Assoc.

Request: *zone change:* RA-1 to MR-1

Hearing Date: 6-9-80

Exhibit: Location Map

- | | | |
|-----------------------|--------------------------|-----------------------|
| — Comprehensive Plan | — Drainage Basin | — Land Use Local |
| — Zoning (existing) | — Drainage (local) | — Easements: BPA - RR |
| — Water (existing) | — Drainage Structure | — SPPL - Substations |
| — Water Service Areas | — Analyzed | — Other - _____ |
| — Sewer (existing) | — Proposed Drainage Plan | |
| — Platting Pattern | — Contours | |
| — Street System | — Land Use (revised) | |