

AFFIDAVIT OF POSTING
ORDINANCE CB-0-140-90

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 12th day of September, the I caused to be posted copies of the attached Ordinance CB-0-140-90, an Ordinance of the City of Wilsonville Authorizing the Closure of the Northern Ingress/Egress to Thunderbird Mobile Home Park in Conjunction with the Parkway Avenue Reconstruction Project; Repealing Ordinance No. 344; and Declaring an Emergency, in the following five public and conspicuous places of the City, to wit:

WILSONVILLE CITY HALL

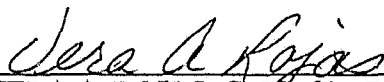
WILSONVILLE POST OFFICE

LOWRIE'S FOOD MARKET

KOPPER KITCHEN

WILSONVILLE PUBLIC LIBRARY

The notice remained posted for more than five (5) consecutive days prior to the time for said public hearing on the 17th day of September, 1990.


VERA A. ROJAS, CMC, City Recorder

Subscribed and sworn to before me
this 25th day of September, 1990.


NOTARY PUBLIC, STATE OF OREGON

My Commission expires: 8-23-93

ORDINANCE NO. 374

AN ORDINANCE AUTHORIZING THE CLOSURE OF THE NORTHERN INGRESS/EGRESS TO THUNDERBIRD MOBILE HOME PARK IN CONJUNCTION WITH THE PARKWAY AVENUE RECONSTRUCTION PROJECT; REPEALING ORDINANCE NO. 344; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Wilsonville is presently completing the final design for the Parkway Avenue Reconstruction Project, hereinafter referred to as "the project"; and

WHEREAS, the first phase of the Parkway Avenue improvements, including realignment and signalization of the Parkway Avenue and Boeckman Road intersection, is scheduled for completion on July 31, 1990; and

WHEREAS, the Wilsonville City Council may restrict or eliminate private access to public right-of-way in order to preserve public health and safety; and

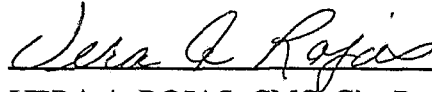
WHEREAS, the Wilsonville Traffic Safety Commission suggested, at its regularly scheduled meeting, held January 23, 1986, that staff review with residents of the area, the preliminary design of the project to discuss any concerns regarding the installation of improvements which would affect individual properties; and

WHEREAS, staff presented the project at an informal meeting held at the Thunderbird Mobile Home Club Recreation Center on February 11, 1986, at 7:30 p.m., and received numerous comments in regards to the project; and

WHEREAS, city staff presented a report to the Traffic Safety Commission, dated February 21, 1986, attached as Exhibit "A", and the result of this report came in the form

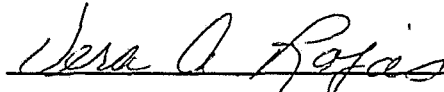
exists and this Ordinance shall take effect immediately upon final reading and passage by the Wilsonville City Council.

SUBMITTED to the Wilsonville City Council and read for the first time at a regular meeting thereof on the 2nd day of July 1990, at which time the hearing was continued until August 6, 1990, at the hour of 7:30 o'clock p.m. at the Wilsonville City Hall. The ordinance was again continued to August 20, 1990, at which time the ordinance was tabled until September 4, 1990 for first reading with second reading to be heard September 17, 1990, commencing at the hour of 7:30 o'clock p.m.



VERA A. ROJAS, CMC, City Recorder

ENACTED by the City Council on the 17th day of September, 1990, by the following votes: YEAS: 3 NAYS: 0.



VERA A. ROJAS, CMC, City Recorder

DATED and signed by the Mayor this 17th day of July 1990.

September



JOHN M. LUDLOW, Mayor

SUMMARY of Votes:

Mayor Ludlow AYE
Councilor Edwards AYE
Councilor Chandler AYE
Councilor Clarke ABSENT
Councilor Dant ABSENT

FINDINGS REGARDING
ORDINANCE NO. CB-O-140-90

In regards to the totality of the evidence presented on the proposed closure of the northern entry way to the properties known as the Thunderbird Mobile Home Park, the City Council of the City of Wilsonville finds:

- (1) That the City Council has not been presented with any legal authority that its decisional authority is to be based on a clear and convincing evidentiary standard, which it understands is a standard generally limited to fraud cases, and the correct standard is that of a preponderance of the evidence. Nevertheless, in balancing the evidence and the competing concerns, the evidence not only supports the findings set forth herein by a preponderance, but also by clear and convincing evidence.
- (2) That there has been sufficient notice and opportunity to have a full, fair and meaningful hearing at several meetings over a long period of time for all parties to present testimony, evidence, arguments, and legal authority.
- (3) That the closing of the northern entry leaving way upon the reconstruction of Parkway Avenue was known as early as 1985 to the Ash Organization, owners of the affected property, was concurred in by a representative of the Ash Organization on its behalf at the time of the first ordinance establishing its closure, and the closure was delayed because the reconstruction was delayed.
- (4) That a portion of Parkway has now been reconstructed which has caused the City Council to revisit the closure of the northern entry way to Thunderbird Mobile Home Park in the form of a follow up Ordinance No. CB-O-140-90 closing the entry way.
- (5) That a minor realignment to the intersection of Parkway Avenue and Boeckman corrected a serious traffic hazard which had resulted in motoring accidents including a fatality, has occurred as part of the reconstruction and information detailing this minor realignment was timely presented to the property owner and to the residents of the Thunderbird Mobile Home Park.
- (6) There is no evidence to support staff has made any misrepresentation intentional, malicious or otherwise. To the extent any human error occurred in the process of this review, any such error has been minor, harmless and without prejudice to any party's ability to present their positions and to be impartially heard.
- (7) That leaving ingress and egress at the northern entrance open will create serious traffic safety hazards due to inadequate site distance and increased traffic pursuant to national AASHTO standards, Local Highway Safety Studies of the Federal Highway Administration, the Manual on Traffic Control Devices, the expert opinion of engineer Dick Woelk and authorities he cites, and common sense.
- (8) That a complete closure of the northern entrance will not create an increase usage at the other entrances to Thunderbird Mobile Home Park greater than a traffic level D and therefore, will not cause a safety hazard; nor will it cause any safety hazard which equals or outweighs the safety hazard of leaving the northern entrance open, wholly or partially.

of a recommendation by the Traffic Safety Commission to be presented to the City Council for final approval; and

WHEREAS, the findings and recommendations from the Traffic Safety Commission were as follows:

1. Due to the widening of proposed Parkway Avenue and the close proximity of the northern ingress/egress to and from Parkway Avenue, this condition presents, and will continue to present, a potential safety hazard to the public.
2. At some future point in time, tentatively within the next five (5) years, a signal will be installed at the Parkway Avenue - Boeckman Road intersection. Therefore, access control for traffic control signalized intersections would require the closure of the northern most ingress/egress from Parkway Avenue to the Thunderbird Mobile Home Club.
3. Closure of the hereinbefore mentioned ingress/egress would be scheduled in conjunction with the construction of the project; and

WHEREAS, the Thunderbird residents received written notice of pending action to be considered for north access closure, attached as Exhibit "C".

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

1. The most northern ingress/egress to and from Parkway Avenue for the Thunderbird Mobile Home Park shall be permanently closed and landscaping shall be accomplished at this location at the city's expense. (See Exhibit "B")
2. Ordinance No. 344 is hereby repealed.
3. It is necessary for the public's health and welfare to permanently close the northern ingress/egress to and from Parkway Avenue for Thunderbird Mobile Home Park; therefore, the Wilsonville City Council determines an emergency

- (9) That a closure or a partial closure of the northern entry way will not create a safety issue of delay in emergency response time of such magnitude either alone or coupled with increase usage of the other entrance so as to create a safety concern equal to or greater than leaving the northern entrance way open.
- (10) That it is possible to design an emergency entry way, while otherwise closing the entrance for general ingress and egress. The property owners submittal at the September 4, 1990 Council hearing argues that the City Council abandon any emergency exit design and either permit a right turn in and out only or close completely. Such an abandonment position is a further admission supporting the use of other accesses by emergency vehicles will not impact emergency response time to any appreciable degree.
- (11) That the City Council has fully reviewed traffic alternatives to full closure and finds that each continue to present traffic hazards. The Ash alternative of a right turn in, right turn out, does not provide a minimum turn out lane under the Manual of Traffic Safety Devices. Speed markers proposed for Boeckman are not sufficiently effective either by themselves or in combination with the proposed turn out lane to mitigate the traffic hazards so as to outweigh closure.
- (12) That the location of the access so close to the intersection, while workable when there was minimum development and traffic usage of Boeckman and Parkway, was clearly foreseeable by the owner that the future increases of traffic would ultimately cause closure and the provision of additional entrance ways to the south along Parkway evidence that this eventuality was taken into consideration.
- (13) That the references to unequal treatment with other similarly situated properties and accesses is not supported by any credible evidence. The assertion regarding ODOT's position on a Boeckman interchange is not accurate and there are two major traffic studies of record with the City that such an intersection can be designed with safety.
- (14) That references to the City's provision of or compensation for the taking of access of other property owners affected by LID #5 again is not supported by any evidence of unequal treatment. The situation pointed to by attorney Blackmore, involved a vacation of a full portion of a road involving almost 100% of total frontage (approximately 800 feet) which compensation is specifically provided for by statute, ORS 271.130.
- (15) That the closure of the northern entrance to Thunderbird Mobile Home Park is not a street vacation; it is a restriction of access based upon substantial traffic safety considerations and concerns which leaves other adequate means of access remaining available. The Thunderbird Mobile Home Park is a large residential use on contiguous property under one ownership. Unless a Comprehensive Plan amendment occurs, its usage will not change. Projection of future usage is speculative, but in any event the tax lots are large enough that other access could be adequately designed for any change of use. Therefore, the effect of having two tax lots and future changes of use is not evidence of sufficient weight or merit under the circumstances to support a taking for compensation.

Therefore, the City Council concludes that it is in the best interest of the public health, welfare, and safety of the citizens of Wilsonville and the motoring public to restrict access to Thunderbird Mobile Home Park at the northern entry way by full closure and to adopt Ordinance CB-O-140-90.



City of
WILSONVILLE
in OREGON

30000 SW Town Center Loop E • PO Box 220
Wilsonville, OR 97070
(503) 682-1011

COMMUNITY DEVELOPMENT DEPARTMENT
MEMORANDUM

DATE: SEPTEMBER 12, 1990

TO: HONORABLE MAYOR AND CITY COUNCILORS

FROM: STEVE STARNER *Sterner*
COMMUNITY DEVELOPMENT DIRECTOR

RE: THUNDERBIRD MOBILE CLUB - PROPOSED NORTH
ENTRANCE CLOSURE - BLACKMORE CORRESPONDENCE

In the course of presenting testimony during the public hearing on August 6, 1990, Mr. Blackmore, legal counsel representing Ash and Associates, read a portion of his July 18, 1990, correspondence into the record as evidence to support denial of the proposed ordinance CB-O-140-90. Unfortunately, his correspondence contained several statements which were not factual, and in the interest of a fair and truthful public hearing, the misrepresentations presented by Mr. Blackmore deserve a response.

1. *"You (Steve Starnar, Community Development Director, acting on behalf of the City of Wilsonville) have not, to date (July 18), removed the pile of rocks that were placed in front of the entryway..."*

The rock pile was removed and the curb was backfilled on July 17, at 10:30 a.m.

2. *"...you have constructed a permanent curb in front of the (north) entryway..."*

The curb was constructed by Hoffman Construction under the direction of Mentor Graphics. However, the curb is within the Wilsonville public right-of-way and as such, may be removed by separate contract, under the direction of the Wilsonville City Council, if so desired. (This construction was set forth in plan documents of L.I.D. No. 5, which were presented as an exhibit in an earlier litigation matter with the Ash organization, who Mr. Blackmore represented).

3. *"...you have back dated a letter, which was mailed July 17 and received by this office on July 18, to July 12 to reflect the period given to you by the City Council..."*

Referencing exhibit #6 in the council packet, one can readily observe that the July 12 correspondence was, in fact, mailed Monday, July 16. To create an attack based upon a conclusion that the authorship of the letter must, therefore, have been back-dated is not only unfounded, but appears to be an attempt to divert attention away from the real issues of traffic safety.

4. *"...you took actions to close the northern entryway of the ...park without notice to the owners or the residents of the park... you gave us less than ten days notice of the city council meeting..."*

The residents were presented with an opportunity to meet with city staff to review the actual construction drawings for the Boeckman/Parkway improvements and discuss the effects on the north driveway, in October, 1989, at the Thunderbird Clubhouse. The temporary closure of the north driveway was announced in the Wilsonville Spokesman on April 4 and April 11, 1990. It was anticipated the City would have the opportunity to give further notice by direct mail. However, due to contractor scheduling the City was not given the necessary lead time. Thunderbird residents, in spaces 1 - 114 were notified of the temporary closure by door hangers on April 17. The temporary closure of the north driveway began April 17. Thunderbird residents in spaces 1 - 114 were notified by correspondence dated June 21, 1990, of the proposed council action scheduled for July 2, 1990, to consider permanently closing the north access. Return mail indicated that residents received the notice on June 22, eleven days prior to the scheduled hearing. Mr. Stan Ash of Ash and Associates was also sent direct mail notice of the a July 2 hearing on Thursday June 21.

Mr. Blackmore presented the City Council with correspondence dated August 31, 1990 during the course of the public hearing conducted on September 4. Again, several of Mr. Blackmore's assertions deserve a response.

1. *"City staff has misrepresented the recommendations of the Kittelson Report."*

Kittelson, under the direction of Mentor Graphics, was asked to prepare a traffic report which would provide the information necessary to complete a Stage I land use application for the Wilsonville Planning Commission. Kittelson was not asked to review attributes or deficiencies associated with the north Thunderbird access, and, therefore, no mention of the access was made in the report. Kittelson declared that the four way stop at Boeckman and Parkway would function adequately until Phase II of the Mentor Graphics campus developed. However, Kittelson did not account for traffic trips generated by Hillman, Sysco, Randall and Town Center projects. Kittelson also made several assumptions about improvements to be made to the existing street system (i.e., Wilsonville Road - five lanes, Parkway Avenue - three lanes, Canyon Creek North - three lanes), which are not in place and with only Parkway to be in place in the next year.

The Planning Commission, based in part upon concern for excessive speed on Parkway and the history of accidents at the intersection of Boeckman and Parkway, conditioned the Mentor project to provide full signalization at Phase I of the campus development. Kittelson projected that the daily vehicle volume associated with the Mentor Graphics master plan would be 9,630 trips (Table 8, page 35, Kittelson traffic report) which must be accommodated by the existing, adjacent city streets, Parkway Avenue and Boeckman Road. This is 9.6 times (rounded off, 10 times) the current level. The staff did not misrepresent the report.

2. *"City staff has failed to consider ...the alternative presented to the City Council (by Mr. Blackmore)."*

Memo To: Mayor & City Councilors
Re: TMHP - Proposed North Entrance Closure
- Blackmore Correspondence
September 12, 1990 - Page 3

During this access review and public hearing process, the City has considered many alternatives. The City Council was not presented with Mr. Blackmore's specific alternative until he did so at the hearing on September 4, 1990. Mr. Blackmore did informally introduce his alternative during the August 22 neighborhood meeting at the Thunderbird Clubhouse. A review of this alternative presents the following substantial traffic safety concerns:

- A. There is insufficient distance between the north driveway and Boeckman Road to accommodate a safe taper lane for Mr. Blackmore's alternative. According to the Manual on Uniform Traffic Control Devices, the minimum downstream lane taper length is to be 100 feet. The minimum upstream lane taper length, towards Boeckman Road, is 245 feet. The north driveway access is only 70 feet from the Boeckman/Parkway intersection, thus any taper lane would be less than 70 feet and would not meet minimum traffic safety standards.
- B. Right turn traffic movements from Boeckman to Parkway would continue to pose a safety risk to users of the north Thunderbird driveway due to inadequate site distance. Staff's inquiry and response information as to the effectiveness of speed markers is that they have received mixed reviews and have not provided the reliability of deterrence to support a safe comfort level in this regard.

ss:md

cc: Project file
Inter-Office Communication file - CD



FACSIMILE TRANSMITTAL COVER SHEET

(503) 743-4491 (PUSH 5 *)to activate FAX

TO: CITY OF WILSONVILLE
FAX #: 682-1015
ATTN: STEVE STARNER
FROM: DICK WOELK
DATE: 09/12/90 # OF PAGES 3 (includes this sheet)
RE: MR. BLACKMORE'S LETTER

COMMENTS/INSTRUCTIONS:



ASSOCIATED
TRANSPORTATION
ENGINEERING &
PLANNING (ATEP)

(509) 636-9232 (509) 749-4491

MEMORANDUM

DATE: September 12, 1990

TO: Steve Starner

FROM: Dick Woelk, P.E., T.E

PROJECT: Thunderbird Mobile Home Park

SUBJECT: Response to Mr. Blackmore's letter to City Council dated August 31, 1990

This memo is in respond to your request for a review of Mr. Blackmore's letter dated August 31, 1990 regarding the closure of the northern driveway to the park.

Page 2 item 1, the Kittleson report as with all traffic studies, are an attempt to describe what will happen given certain assumptions what will happen when a development is constructed. The reports are designed to be a "stopped moment in time" and if all is held constant the impacts of the development can be predicted.

The trouble is that not everything stays constant, so while at that moment in time the impact of the Mentor Graphics development is what was described in the Kittleson report the continued growth of Wilsonville made the Kittleson report outdated the day it was submitted since it did not include other developments that were occurring during that period of time nor those approved since.

Thunderbird Mobile Home Park
Page 2

August 12, 1990

Page 3, item E, Again no other development traffic was taken into account using these numbers and Mr. Blackmore only uses the pm peak hour volumes. While the use of the term "ten-fold increase" may not be technically correct, the increase will be from approximately 250 existing vehicles to over 875 vehicles, without any other of the development that is taking place in the area.

Page 2, Item 2, At no time did I say that such an alternative would be worthy of consideration. My comments indicated that while right turn in and right turn out driveways are not effective traffic control devices. As I indicated in by letter of last week, the study by Washington County indicates they are only 78% effective.

With a median, the problems with the left turn movements are corrected. The concern for the right turning vehicles from Boeckman southbound onto Parkway and the lack of adequate sight distance for this movement is still the overriding consideration.

Page 8, Item 7, As I explained at the Council meeting, while other driveways may exist that are similar in location to a major intersection within the City, none of those indicated by Mr. Blackmore have the limited sight distance along two legs of the intersection that the driveway at the Thunderbird has. All of these driveways have more than adequate sight distance along all approaches.

CONCLUSION

The closure of this driveway is based on sound engineering principles and judgement and should be closed for the safety of not only the residents of the park, but the general motoring public as well.

DUNN, CARNEY, ALLEN, HIGGINS & TONGUE

ATTORNEYS AT LAW

881 S. W. SIXTH AVENUE, SUITE 1500
PACIFIC FIRST FEDERAL BUILDING
PORTLAND, OREGON 97204-1357

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GEORGE J. COOPER
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KENNETH DAVIS
MICHAEL J. FRANCIS
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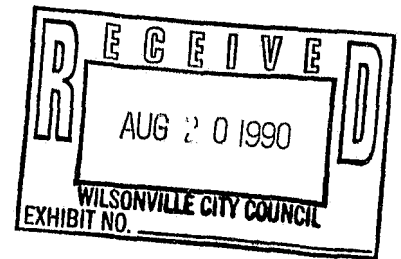
ROBERT L. NASH
GREGORY C. NEWTON
JEFFREY P. NIDELMAN
JOAN O'NEILL, P.C.
GILBERT E. PARKER
HELLE ROSE
CHARLES D. RUTAN
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KENNETH SHIRKISH
SHANNON I. SKOPIL
DONALD E. TEMPLETON
THOMAS H. TONGUE
DANIEL M. VIDAS
ROBERT K. WINDER

ADMITTED IN OREGON
AND WASHINGTON
ADMITTED IN OREGON
AND CALIFORNIA
ADMITTED IN PENNSYLVANIA
WASHINGTON, D.C. AND
ADMITTED IN OREGON
RESIDENT SEASIDE OFFICE

August 20, 1990

VIA FACSIMILE

Mayor John Ludlow
Councilor Eldon E. Edwards
Councilor Bob Dant
Councilor Sandra Chandler
Councilor Richard Clark
City of Wilsonville
30000 Town Center Loop East
Wilsonville, OR 97070



RE: Proposed Closure of Northern Access to Thunderbird
Mobile Home Park

Dear Mayor and Councilors:

Mr. Starnier has advised Stan Ash that a meeting with tenants of the Thunderbird Mobile Home Park will be held on August 22, 1990. We also understand that no final action is taken with regards to the proposed closure at the meeting is scheduled for this evening, August 20. Accordingly, I will not be appearing at the meeting on August 20 but will defer any comment on the proposal until the following meeting.

I would appreciate your submitting this letter into the record and also advising as to the date and time of the next meeting.

Thank you for your courtesies.

Very truly yours,

DICTATED BUT NOT READ

Robert F. Blackmore

RFB529

cc: Michael F. Kohlhoff (via facsimile 682-1015)
Stanley E. Ash


City of
WILSONVILLE
in OREGON

30000 SW Town Center Loop E • PO Box 220
Wilsonville, OR 97070
(503) 682-1011

COMMUNITY DEVELOPMENT DEPARTMENT
MEMORANDUM

DATE: AUGUST 2, 1990

TO: HONORABLE MAYOR AND CITY COUNCILORS

FROM: STEVE STARNER 
COMMUNITY DEVELOPMENT DIRECTOR

RE: THUNDERBIRD MOBILE HOME PARK - NORTH ENTRANCE

As a condition of approval for the development of their World Headquarters, Mentor Graphics was required by the Wilsonville Planning Commission to perform several improvements to municipal utilities, including (89PC12 - Condition No. 18) "Applicant shall construct a full-street improvement on Parkway from Boeckman to the north line of the subject site. This construction shall include the realignment of Boeckman and Parkway to eliminate the skew-angle intersection at Boeckman and Parkway with a transition to Parkway South. The intersection shall be fully signalized." On July 3, 1989, Mentor Graphics and the City of Wilsonville entered into a Development Agreement, acknowledging "that financing of such improvements needs to be fairly apportioned between the public... in a manner which reflects the respective benefits to the public and Mentor Graphics." Mentor Graphics received an offset from system development fees and charges (\$300,000) for construction costs and dedications (\$1,755,000) which provide a benefit to the public. In exchange, Mentor Graphics agreed to build all public improvements required, at their expense, consistent with city specifications and Public Works Standards. Once the agreement had been reached, the actual timing for the phasing of improvements and construction contract administration became an issue of private domain under the control of Mentor Graphics. Under public domain, the City of Wilsonville controls construction quality by enforcing adopted specifications and standards.

On July 19, 1989, a public works permit (P-89014) was issued for the approved construction plans on the Boeckman Road/Parkway Street section. During a preconstruction meeting on September 8, 1989, Mentor Graphics indicated that the necessary Boeckman Road easements had not yet been obtained. Furthermore, to avoid a schedule conflict with the efforts of Randall to reconstruct Wilsonville Road, Mentor Graphics would delay Boeckman Road improvements until the spring, 1990.

In October, 1989, I made a presentation at the regularly scheduled monthly Thunderbird Club meeting. I brought approved construction drawings to illustrate the improvements planned for Boeckman Road and Parkway Avenue. I indicated that the north entrance to the Thunderbird Park would be closed for safety reasons, and I answered general questions about the status for improving Parkway Avenue south of Boeckman Road, development fees and street maintenance. However, at that time the exact date for the Boeckman Road construction detour and the north access closure was unknown. I also indicated that I would return to the Club to share information about the final design for Parkway Avenue south of Boeckman once the plans were complete. Approximately twenty residents, including managers Dan and Bobbie Osborn, attended the meeting.

On March 26, 1990, Mentor Graphics indicated that they would like to start Boeckman Road construction on April 17, 1990. Public works standards require that a detour plan be submitted for approval prior to the start of construction activity necessitating a street closure. Given sufficient lead time and general knowledge of the extent of a detour, a notice was published on the front page of the Spokesman, the city's official newspaper, on April 4 and April 11, 1990. Included within the statement was the following: "the entrance to Thunderbird Mobile Park will be closed. Those residents will be notified by direct mail." During a preconstruction conference, on April 11, 1990, Mentor Graphics submitted a detour plan which was not approved by the City Engineer due to a lack of sufficient signage. The construction of the planned improvements was discussed and Mentor Graphics indicated that construction would be accomplished in three phases. The first phase, scheduled by Mentor Graphics to begin on April 17th, would involve Boeckman Road improvements starting at Canyon Creek South and proceeding west to the Parkway intersection. The next two phases, involving intersection improvements and a closure of the north Thunderbird entrance, were scheduled to occur sometime in June. On April 17, 1990, the north entrance to Thunderbird was closed ahead of schedule in conjunction with the Boeckman Road detour in order to prevent potential traffic conflicts at the Thunderbird driveway due to the increased Parkway southbound traffic generated by the detour. The southbound Parkway p.m. peak (4-7 pm) increased from 200 vehicle trips to 232 trips, (not including construction traffic) following the start of the detour. City of Wilsonville, Senior Engineering Technician Dee Staten contacted and verified detour provisions with the School District, the Fire Department and Sheriff's office. He also notified emergency services of the gravel placed in front of the barricades to deter driveway use as barricades were being moved each night after workers had left the field.

Thunderbird residents in spaces 1 through 114 (see exhibit no. 1) received a hand delivered letter in the afternoon of April 17, 1990 (see exhibit no. 2) in a belated effort to communicate information regarding the detour, the construction activity and the closure of the north entrance. In August, 1988, Bill Stark, Wilsonville Mayor and Thunderbird resident, identified the appropriate zone of notice within the Thunderbird Park (see exhibit no. 3).

The north driveway closure initiated on April 17, 1990 was temporary in nature, intended to relate to the detour and Boeckman/Parkway intersection construction activity. Action taken to permanently restrict driveway use for emergency access only must be supported by a formal decision by the Wilsonville City Council. To that end, notices were mailed on June 21, 1990, to Stan Ash (exhibit no. 4) Thunderbird Park property owner and residents in spaces 1 through 114 (exhibit no. 5) approximately 12 days before a public hearing scheduled for July 2.

On July 2, the City Council instructed that the gravel pile be moved in order to accommodate emergency access. Furthermore, the Council indicated that studies and background material related to the closure of the north Thunderbird driveway ought to be supplied to Mr. Blackmore, legal counsel for the Ash organization. By July 12, I had assembled all relevant documents for Mr. Blackmore's review (see exhibit no. 6). However, the documents were not distributed or mailed until July 16, 1990. As a result of the testimony received on July 2, the City Council delayed making any decision about the driveway access until a new hearing would be held on August 6, 1990.

On July 3, 1990, engineering staff confirmed that Wilsonville emergency services were aware of the gravel at the north driveway and reaffirmed that the off-set placement of the gravel would allow a car or truck to pass through, if necessary. Project engineers advised against moving the gravel and allowing the barricades to be moved at night. This information was not conveyed to City Council as it should have been. Furthermore, under the contract arrangements between Mentor Graphics and Hoffman Construction, work was proceeding at the Boeckman/Parkway intersection. On July 7, 1990, curbs were poured, as designed, through the frontage of the north driveway. Concerned citizens expressed dismay on this issue at the July 16 council meeting. As the concrete curbing had properly cured by July 17, the gravel pile and other soil material were placed behind the curb and leveled for a smooth transition towards the driveway. Additional barricades were placed at the driveway, also. In the event that the Council decides to open the driveway, the curb may be easily cut and a new driveway apron may be constructed to use, if so directed, at a cost of approximately \$5,000.

The fate of the north Thunderbird driveway has been debated for several years. Early dialogue on this issue between Thunderbird residents and the City dates back to May, 1986 (exhibit no. 7) as a result of the discussions taking place at the Wilsonville Traffic Safety Commission meetings. Historically, Wilsonville has valued the input of citizens through committees, commissions and formal hearings, rather than relying solely on reports prepared by consultants and experts when dealing with municipal problems. Prior to the hearing on July 2, 1990, the last time the City Council had an opportunity to revisit the driveway issue was in November, 1988. Correspondence had been exchanged between myself and Stan Ash in October, 1988 (see exhibit no. 8 and no. 9), and as the Boeckman/Parkway improvements had not occurred as originally scheduled, and no development activity generating a significant traffic volume had as yet occurred, and no major accidents had been reported at the driveway, (see exhibit no. 10), the Council had no basis to justify a closure (see exhibit no. 11) given the degree of citizen opposition at that point in time. In fact, in June, 1988, the City Engineer was meeting with Stan Ash and proposing a new alignment for Parkway Avenue which would have relocated the arterial traffic flow away from the north Thunderbird driveway, thereby preventing a necessitation for a driveway closure (see exhibit no. 12).

On July 19, 1990, I prepared an article for submission to Ken Wilson, Thunderbird Smokesignal Newsletter Editor, who published the article in the next monthly edition (see exhibit no. 13). Mr. Blackmore, on behalf of the Ash Organization, also submitted an article to Ken Wilson for publication in the same issue of the Thunderbird newsletter (see exhibit no. 14). I would like to respond to Mr. Blackmore's article as follows:

1. In the interest of prudent fiscal management and citizen input, the City of Wilsonville continues to rely on the opinions and reports presented by professional city staff and appointed citizen involvement groups. For instance, duties of the Traffic Safety Commission included holding hearings

on traffic safety related matters and proposing measures as may be advisable for promotion of the public interest, health, safety and welfare related to transportation services. At the time of discussion and hearings related to the north Thunderbird driveway, the commission membership was aided in their decision making by the participation of Bill Stark, Thunderbird resident and Traffic Engineer, and Jack Turner, Thunderbird resident. The recommendations of the Traffic Safety Commission have been embodied within the language of the proposed ordinance.

However, Dick Woelk, Professional Engineer and Traffic Engineer, has also been directed to study the relationship between the north driveway and the improved Boeckman/Parkway intersection (see exhibit no. 15 and no. 16) and has provided his professional opinion. Given that the improved intersection is designed to accommodate 30-35 mph traffic movements, Federal Highway Administration Safety Studies indicate that allowance for a stopping sight distance of 200-250 feet is recommended (see exhibit no. 17). The Wilsonville Code, Section 4.167(1)(C)(3) states: "Opposing intersections shall be designed so that no offset dangerous to the travelling public is created. In no case shall there be an offset of less than 250 feet on a minor arterial street." The manual of Urban Public Works Administration recommends that 300 feet or more of offset be maintained between intersections.

2. The municipal functions of the City of Wilsonville do not operate within individual vacuums. Instead, a concerted effort is made to communicate between all of the services that comprise local government. The recommendation to restrict the access of the north Thunderbird driveway has been reviewed and supported by Tualatin Valley Fire & Rescue (see exhibit no. 18) and the Clackamas County Sheriff's Department (see exhibit no. 19).

Mr. Blackmore obviously does not live within the Thunderbird Park or he may have been equally concerned about other non-emergency services such as mail delivery (social security checks) and garbage pickup. These services have also been contacted regarding the proposed restricted operation of the north driveway.

Mr. Woelk, in his study of traffic movements within the Thunderbird Park, determined that during the closure of the north entrance, the adjacent driveway, Cherokee Boulevard, continues to operate at level of Service "A". Traffic engineers define A-level service by the "Highway Capacity Manual" as follows:

- I. Average delay per vehicle ranges between 0 and 10 seconds.
- II. Nearly all drivers find freedom of operation.
- III. Very seldom is there more than one vehicle in the queue.

(A LOS is optimum; F LOS represents intersection failure.)

3. Driveway Alternatives explored included:
- A. Right-in, right-out only.
 - B. Eliminate lots 1-5 in order to provide adequate site distance to Boeckman Road.
 - C. Eliminate lots 18 and 19 in order to create a new driveway.
 - D. Restrict the use of the north driveway to emergency situations only.
 - E. Allow full use of the existing driveway.

Given evaluation criteria which includes prudent fiscal management, public transportation safety standards, common sense and net, overall improvement, alternative number (D) has been recommended.

4. The communication process between myself and the Thunderbird residents - including the Park managers and Stan Ash - as it corresponds to the management of the construction detour and the events that would be associated with the improvements to the Boeckman/Parkway intersection, was not ideal. However, in spite of the obvious flaws, I think my actions have revealed a forth-right and honorable effort to make myself available for open dialogue and discourse with anyone who might endeavor to gather needed information. Simply stated, the distance between the north driveway and the Boeckman/Parkway intersection has not changed since 1986 when the issue of substandard location and public safety were first discussed in a public forum.

Recommendation:

Approve ordinance CB-O-140-90 with the addition of language which will clarify the city's intent to make provisions for use of the northern ingress and egress by emergency services.

ss:md

Attachments: (19)

cc: Project file
Inter-Office Communications - CD


City of
WILSONVILLE
in OREGON

30000 SW Town Center Loop E • PO Box 220
Wilsonville, OR 97070
(503) 682-1011

COMMUNITY DEVELOPMENT DEPARTMENT
MEMORANDUM

DATE: JUNE 27, 1990

TO: HONORABLE MAYOR AND CITY COUNCILORS

FROM: STEVE STARNER 
COMMUNITY DEVELOPMENT DIRECTOR

RE: THUNDERBIRD MOBILE HOME PARK
- NORTH ENTRANCE CLOSURE

The chronology of events involving actions taken to preserve public safety at the north entrance to the Thunderbird Park may be presented as follows:

- January, 1986: The Wilsonville Traffic Safety Commission reviewed the proposed design for Parkway Avenue improvements and suggested that the plans ought to be presented to Thunderbird residents.
- February, 1986: City staff met with Thunderbird residents and, among other issues, discussed the need for access restrictions at the northern entrance.
- May, 1986: Ordinance No. 294 was adopted along with the recommendation from the Traffic Safety Commission that the northern Thunderbird ingress/egress ought to be closed permanently in conjunction with the construction of Parkway Avenue improvements.
- August, 1988: Ordinance No. 332 rescinded Ordinance No. 294 and adopted the finding that the perceived motor vehicle hazards at the north Thunderbird entrance warranted closure prior to Parkway Avenue construction.
- January, 1989: After receiving a petition containing 200 signatures, in opposition to the premature closure, the Council adopted Ordinance No. 344, repealing Ordinance No. 332 and delaying closure of the north Thunderbird entrance indefinitely.
- October, 1989: City staff met with Thunderbird residents to review status of Mentor Graphics project, design for improvements to the Boeckman/Parkway intersection, timing for Parkway Avenue improvements and the eventual closure of the north entrance to Thunderbird.

- April, 1990: Due to the start of construction for Boeckman Road improvements and the associated detour, the motor vehicle safety hazards at the north Thunderbird entrance were intensified, and the entrance was closed with temporary barricades. Residents were notified the same day of the closure by door-to-door written notices.
- May, 1990: The detour deadline of July 3, 1990 was extended to July 31, 1990 due to delays created by spring rainfall and underground utility revisions.
- June, 1990: Thunderbird residents were notified of the detour schedule extension by direct mail. Residents were also notified of the pending council discussion and action to be taken on July 2, 1990, involving the northern entrance to Thunderbird.

The motor vehicle safety hazards associated with the northern Thunderbird entrance have been an issue with the Wilsonville City Council for several years. In the interest of public health and safety, the Council has the power to limit, restrict or terminate access to a public right-of-way from private property. By comparison, the residents of Daydream Ranch Estates have alerted the City to the traffic safety dangers posed by the Parkway entrance to Wilsonville Road which is approximately 100 feet from a signalized intersection. The north entrance to Thunderbird is only 25 feet from the signalized Boeckman/Parkway intersection. Demographically, Thunderbird residents are 55 years of age or older.

Recommendation:

Approve Ordinance No. CB-O-140-90 as presented.

ss:md

Attachment:

cc: Project file
Inter-Office Communications - CD

EXHIBIT "A"

CITY OF



Wilsonville

30000 S.W. Town Center Loop E
P.O. Box 220 / Wilsonville, Oregon 97070-0220
503 / 682-1011

STAFF REPORT:

DATE: FEBRUARY 21, 1986

TO: TRAFFIC SAFETY COMMITTEE

FROM: LARRY R. BLANCHARD
PUBLIC WORKS DIRECTOR

SUBJECT: TS-85008 - INTERSECTION DESIGN - PARKWAY AVENUE/
BOECKMAN ROAD

At the January 23, 1986, Traffic Safety Committee meeting, the Traffic Safety Committee reviewed the preliminary design for the Parkway Avenue reconstruction, Station 17+10 north to Station 51+70 north. The Traffic Safety Committee requested that I present the plan to the residents of the Thunderbird Mobile Home Park prior to the Public Hearing. The Public Hearing was rescheduled from February 13, 1986, to February 27, 1986.

The meeting with the Thunderbird Mobile Home Park residents was held February 11, 1986 at their recreation hall at 7:30 p.m. The comments received from the meeting were as follows:

1. Some form of warning lights should be placed at the intersection to warn people they are approaching an intersection.
2. The northern entrance of Thunderbird Mobile Home Park should be either right turn in, right turn out only, or closed completely.
3. The landscaping should be replaced and attractive.
4. Noise levels for increased traffic should not exceed existing conditions.
5. Better lighting at the intersection of Parkway Avenue and Boeckman Road should be installed.
6. The dip in the road at the creek crossing, approximately 600-feet south of Boeckman Road on Parkway Avenue, should be eliminated.

STAFF REPORT - TS 85008
2-27-86, Page 2

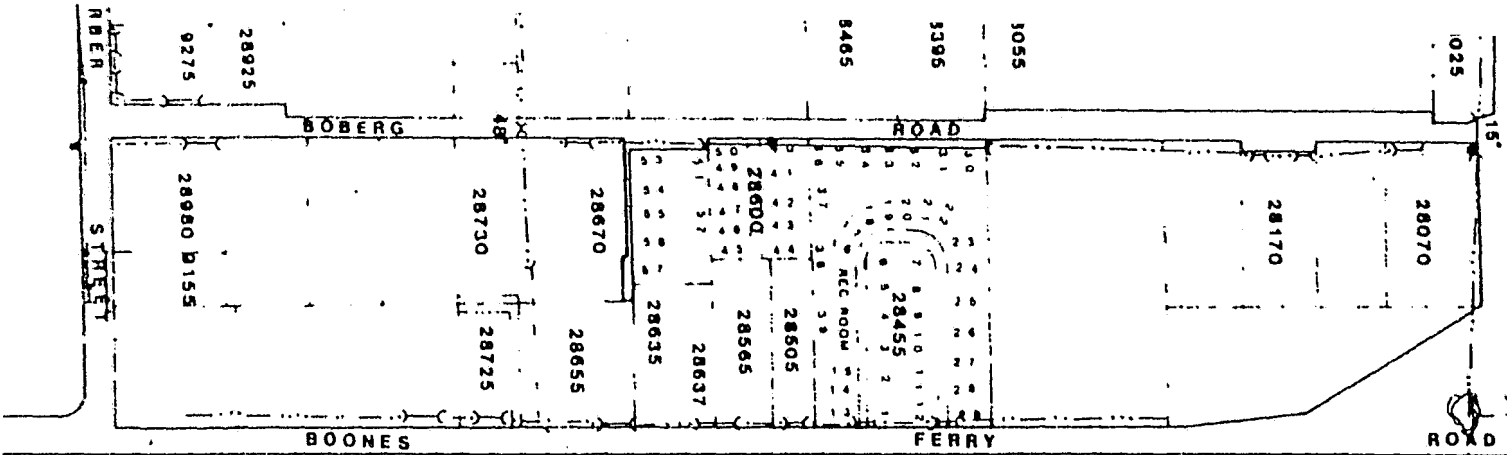
7. The intersection of Parkway Avenue and Boeckman Road should be moved to the east.
8. When will construction begin?
9. Will construction be done in phases?
10. The speed should be reduced for this area, to 35 mph.

Staff has reviewed the preliminary plans for this project regarding Traffic Safety and makes the following recommendations:

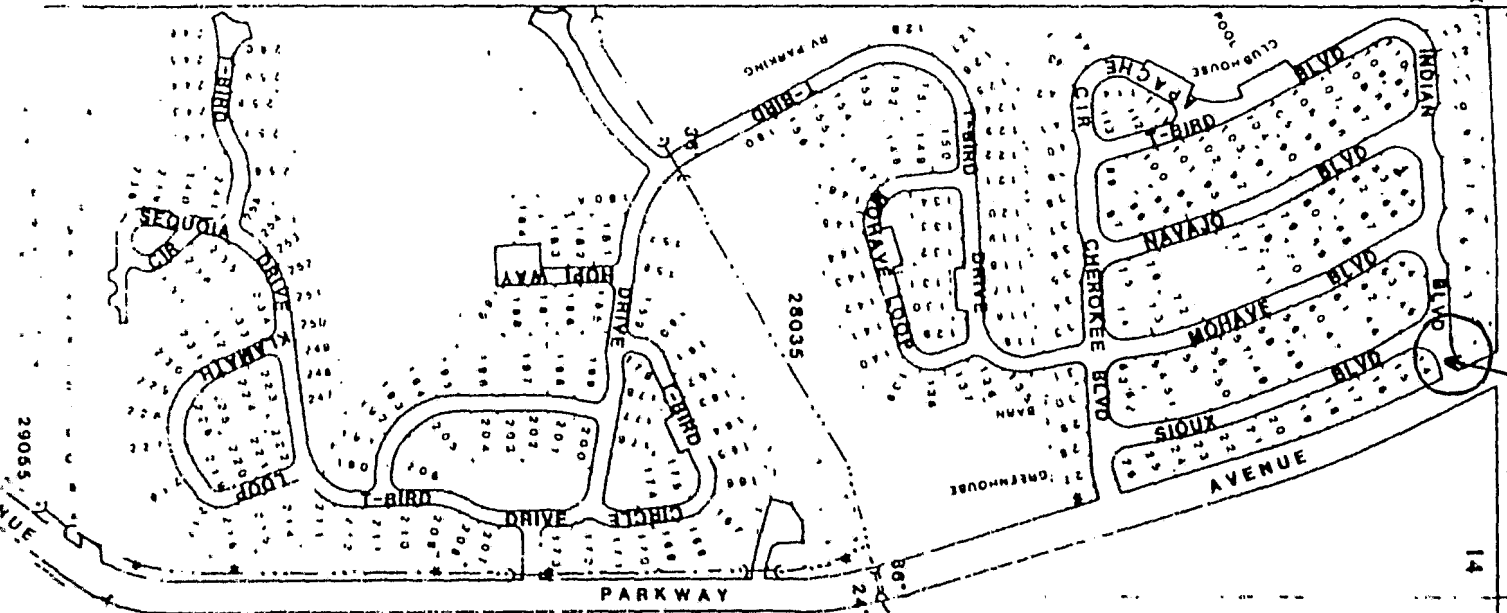
1. Warning lights shall be installed at the intersection of Parkway Avenue and Boeckman Road. Flashing yellow on Parkway Avenue and flashing red on Boeckman Road. The design should allow for future installation of full signals. This installation shall be completed as early in construction as possible.
2. The northern entrance of the Thunderbird Mobile Home Park shall be limited to a right turn in, right turn out only, and when full signals are installed at the Parkway Avenue/Boeckman intersection the entrance shall be eliminated.
3. Noise levels shall be measured and a final report submitted for staff review. All final design work shall include any sound barriers required to maintain existing noise levels. This would include landscape improvements. Landscaping improvement shall be consistent .
4. Street lighting is already a part of the project, however; the design shall include good lighting at the Parkway Avenue/Boeckman intersection.
5. The vertical curve in Parkway Avenue has already been reduced to minimum grade.
6. The City, upon completion of the project, shall submit a recommendation to the State Speed Control Board to reduce the speed on Parkway Avenue to 35 mph.

next map

page 3



NO. 5



ACCESS TO BE CLOSED

11 12

14 13

next map

page 5

EXHIBIT "C"

City of
WILSONVILLE
in OREGON

30000 SW Town Center Loop E • PO Box 220
Wilsonville, OR 97070
(503) 682-1011

June 21, 1990

Dear Thunderbird Resident:

A request by Hoffman Construction and Mentor Graphics for a Boeckman Road detour deadline extension was approved on May 31, 1990. The detour is to remain in effect until July 31, 1990. The extension was necessary due to underground utility revisions and excessive moisture in the new street subgrade. As a result, the concrete paving schedule has been delayed four weeks.

Since the curbs have been poured for the intersection of Parkway Avenue and Boeckman Road, it is easier to visualize the effect that the difference in alignment and difference in grade will have on the north entrance to the Thunderbird Mobile Home Park. As originally foreseen in 1986, the Parkway Avenue improvements and the volume of traffic at the Parkway/Boeckman intersection create a traffic safety necessity for the permanent closure of the north entrance.

During a regular meeting on July 2, 1990, 7:30 p.m., at Wilsonville City Hall, the City Council will be presented with an ordinance which will serve to permanently eliminate northern access to and from Parkway Avenue for the Thunderbird Mobile Home Park residents. The ordinance will be presented as a public hearing and your testimony about plans to permanently close the north entrance will be welcome.

If you have any questions or need additional information, please feel free to contact me. My phone number is 682-4960.

Sincerely,

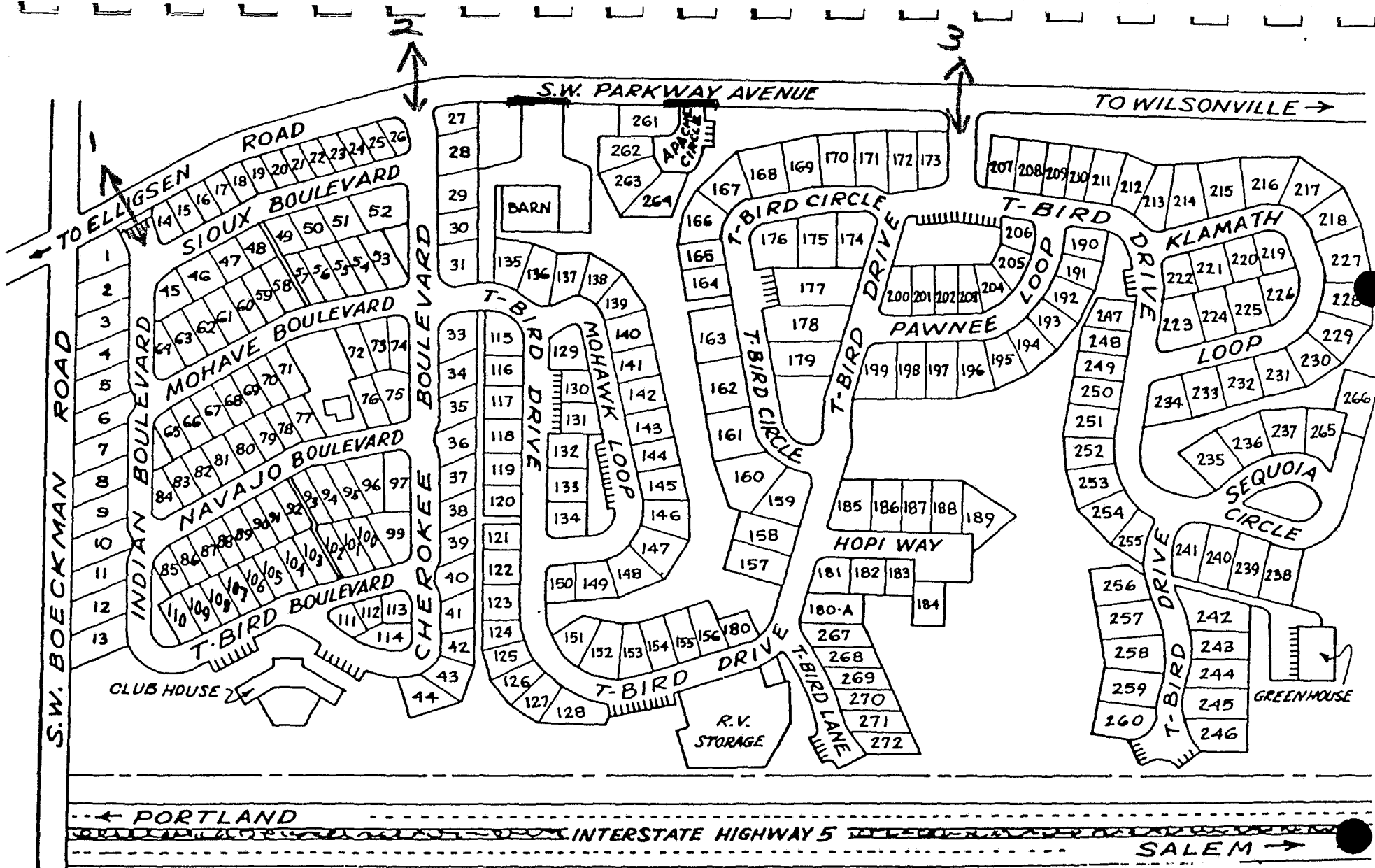
Steven E. Starner / mld

Steven E. Starner
Community Development Director

ses:mld

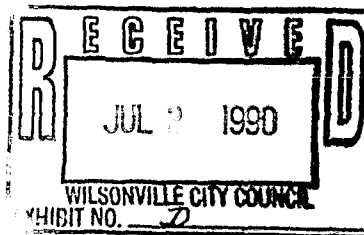
cc: Project file
Community Development Correspondence

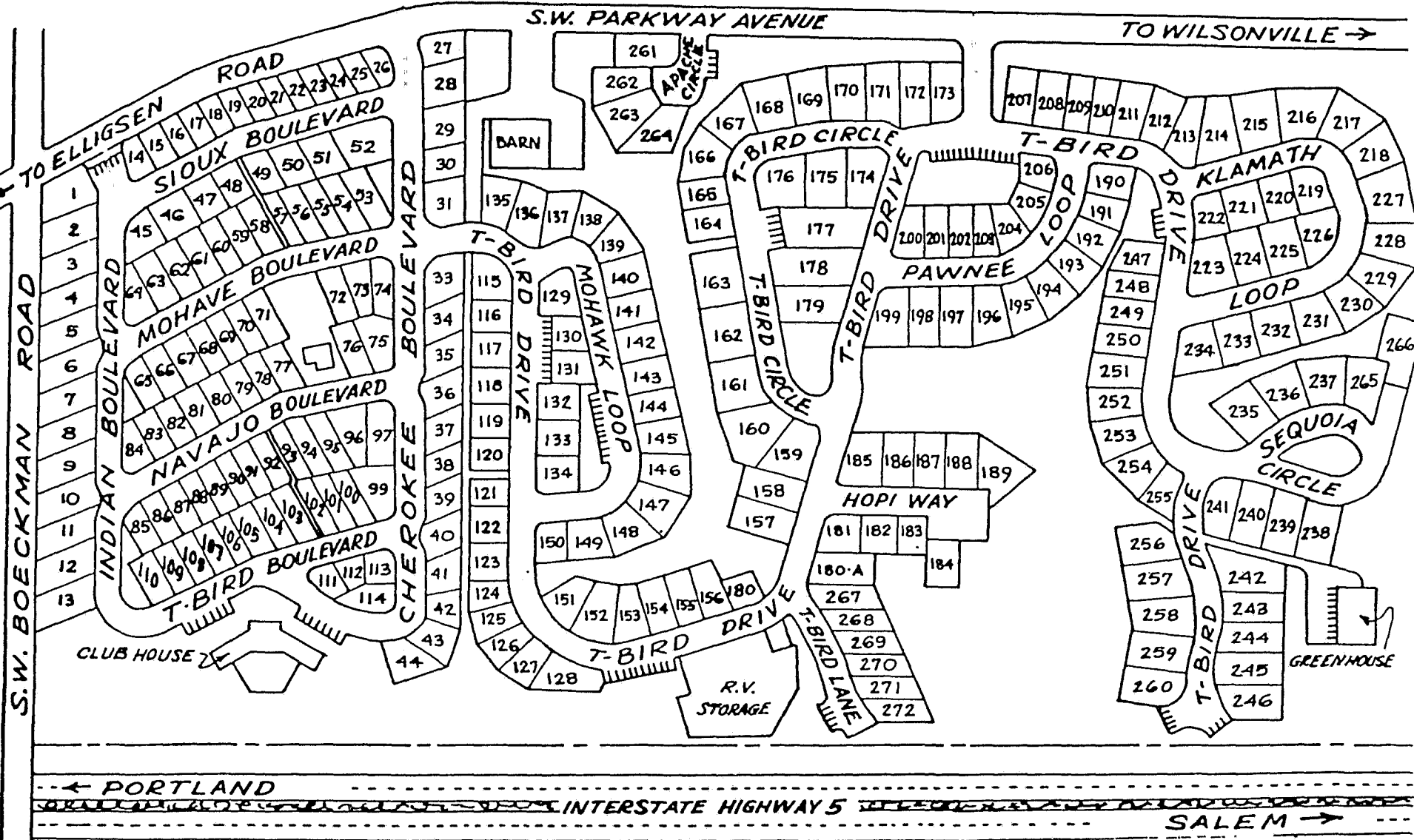
cc: ES
*Dist to/ea
Starner*



THUNDERBIRD MOBILE CLUB
 28035 S.W. PARKWAY AVENUE
 WILSONVILLE, OREGON 97070

DIAGRAM OF LOT LOCATIONS
 (NOT FOR MEASUREMENT)
 COMPILED APRIL 1986





THUNDERBIRD MOBILE CLUB
 28035 S.W PARKWAY AVENUE
 WILSONVILLE, OREGON 97070

DIAGRAM OF LOT LOCATIONS
 (NOT FOR MEASUREMENT)
 COMPILED APRIL 1986


April 17, 1990

Dear Thunderbird Resident:

As you know, beginning today, the access to Boeckman Road from Parkway Avenue has been closed due to road construction. The closure is scheduled to last through July 3. Although the closure of the north entrance to the Thunderbird Park was originally intended to be delayed until construction began at the Boeckman/Parkway intersection, traffic safety concerns have prompted the decision to close the north entrance immediately. Emergency vehicle access will be allowed through the temporary barricades, however, residents will be restricted to access through the south entrance only.

Your patience and cooperation will be appreciated throughout the construction disturbances on Parkway Avenue and Boeckman Road. If you have any questions or wish to express concerns about the access arrangements or the construction process, please contact Steve Starner, Community Development Director, at 682-4960.

Sincerely,



Steven E. Starner
Community Development Director

ses:mld

cc: Correspondence file

cc: ses
Chat 4/17
SES

CITY

OF

Wilsonville

30000 S.W. Town Center Loop E. • P.O. Box 220 • 503-682-1011

Wilsonville, Oregon 97070

TO: PETE WALL, CITY MANAGER

FROM: BILL STARK, MAYOR *BS*

SUBJECT: CLOSURE OF NORTHERLY ENTRANCE,
THUNDERBIRD PARK

DATE: AUGUST 22, 1988

Ordinance CB-O-100-88, adopted by the Council August 15th, authorized the closure of the northerly entrance to the Thunderbird Mobile Home Park by temporary barricades across the approach.

This ordinance did not include an emergency clause. The earliest legal closure date is September 15, 1988.

Meanwhile, I have heard through Bobby Houchin-Osborn, manager of the park, that Stan Ash was unhappy that he was not notified of the public hearing.

Please arrange to get a letter from Stan Ash approving the closure. We don't want to close the entrance and take the chance of being sued by Mr. Ash.

As soon as we have approval in writing from Mr. Ash, we can send out notices to occupants of spaces 1 through 114, excluding 32 and 98 (numbers don't exist). These notices must be sent a minimum of ten days prior to closure.

wes:vr

cc: Steve Starner ✓

City of
WILSONVILLE
 in OREGON

30000 SW Town Center Loop E • PO Box 220
 Wilsonville, OR 97070
 (503) 682-1011

June 21, 1990

Stanley E. Ash
 Ash & Associates, Inc.
 16913 SW 65th Avenue
 Lake Oswego OR 97035

Dear Stan:

A request by Hoffman Construction and Mentor Graphics for a Boeckman Road detour deadline extension was approved on May 31, 1990. The detour is to remain in effect until July 31, 1990. The extension was necessary due to underground utility revisions and excessive moisture in the new street subgrade. As a result, the concrete paving schedule has been delayed four weeks.

Since the curbs have been poured for the intersection of Parkway Avenue and Boeckman Road, it is easier to visualize the effect that the difference in alignment and difference in grade will have on the north entrance to the Thunderbird Mobile Home Park. As originally foreseen in 1986, the Parkway Avenue improvements and the volume of traffic at the Parkway/Boeckman intersection create a traffic safety necessity for the permanent closure of the north entrance.

During a regular meeting on July 2, 1990, 7:30 p.m., at Wilsonville City Hall, the City Council will be presented with an ordinance which will serve to permanently eliminate northern access to and from Parkway Avenue for the Thunderbird Mobile Home Park residents. The ordinance will be presented as a public hearing and your testimony about plans to permanently close the north entrance will be welcome.

If you have any questions or need additional information, please feel free to contact me. My phone number is 682-4960.

Sincerely,

Steven E. Stamer/mld

Steven E. Stamer
 Community Development Director

ses:mld

cc: Project file
 Community Development Correspondence

cc: SS
 dist
 6/21/90

City of
WILSONVILLE
 in OREGON

30000 SW Town Center Loop E • PO Box 220
 Wilsonville, OR 97070
 (503) 682-1011

June 21, 1990

Dear Thunderbird Resident:

A request by Hoffman Construction and Mentor Graphics for a Boeckman Road detour deadline extension was approved on May 31, 1990. The detour is to remain in effect until July 31, 1990. The extension was necessary due to underground utility revisions and excessive moisture in the new street subgrade. As a result, the concrete paving schedule has been delayed four weeks.

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During a regular meeting on July 2, 1990, 7:30 p.m., at Wilsonville City Hall, the City Council will be presented with an ordinance which will serve to permanently eliminate northern access to and from Parkway Avenue for the Thunderbird Mobile Home Park residents. The ordinance will be presented as a public hearing and your testimony about plans to permanently close the north entrance will be welcome.

If you have any questions or need additional information, please feel free to contact me. My phone number is 682-4960.

Sincerely,

Steve Starnier/mld

Steven E. Starnier
 Community Development Director

ses:mld

cc: Project file
 Community Development Correspondence

cc: SS
 List 6/21
 SS

City of
WILSONVILLE
 in OREGON

30000 SW Town Center Loop E • PO Box 220
 Wilsonville, OR 97070
 (503) 682-1011

July 12, 1990

Robert F. Blackmore
 Dunn, Carney, Allen, Higgins & Tongue
 851 SW Sixth Avenue; Suite 1500
 Pacific First Federal Building
 Portland OR 97204-1357

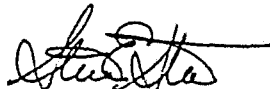
Re: Thunderbird Mobile Home Park - North Access

Dear Mr. Blackmore:

At the city council hearing which was held on July 2, 1990, the Council directed me to provide you with copies of material related to the traffic safety problem associated with the northern entry of the Thunderbird Park within 10 days, or by July 12, 1990. To that end, please find enclosed documents which will provide you with information supporting the city's intentions and actions to date. I will also soon be receiving updated information and opinions related to the Thunderbird Park access from Barb Waggoner, Clackamas County Deputy Sheriff; Bob Hunt, Deputy Fire Marshal; and Dick Woulk, Traffic Engineer. The additional information will be forwarded to your office as soon as I receive it. As we are both attempting to gather information and contribute to a well-founded decision that will be in the best interest of all parties involved, I hope you'll find this information sharing arrangement acceptable as we proceed towards the scheduled continuation of the public hearing on August 6, 1990.

Although it is not unusual to encounter animosity in the course of making difficult decisions which effect the public, I am unaware of any "animosity between the staff and the Ash organization". As an employed City of Wilsonville staff member striving to protect and meet the needs of the residents of Wilsonville, including Thunderbird residents and the Ash organization, I would be most appreciative of receiving any specific, factual basis for the animosity you have observed so that the situation may be corrected. Animosity on the part of staff is not a character trait that is either condoned or tolerated.

Sincerely,



Steven E. Stamer
 Community Development Director

ses:mld

cc: Project file
 Community Development Correspondence

cc: SS list
 (originals attach.)
 7/16 [signature]

City Council and Mayor
City of Wilsonville

15 May 1986

Greetings:

Reference is made to the proposed closure of entrance #1 to Thunderbird Mobile Park on Parkway Ave. immediately south of the Boeckman Ave. intersection.

Closure of entrance #1 is generally favored.

I have been in contact with Mr. Stan Ash, owner of Thunderbird Park. Mr Ash is in favor of the closure.

I live in space #63 in the park and use entrance #1 regularly. Closure of entrance #1 will necessitate a change in my driving habit, but the improved safety in using entrance #2 (the next one south) will outweigh the inconvenience.

The many residents of the north end of the Park with whom I have had conversation, agree that the unsafe situation of entrance #1 makes closure a necessity.

In conversation with the authorities of Tualatin Fire District office on Boeckman Rd. it was agreed that closure of entrance #1 will not create an emergency response problem. Since there is a hydrant at entrance #2 and none at entrance #1, logical fire response to the north end of Thunderbird Park would be through entrance #2 even if entrance #1 were to remain open.

I respectfully request that you vote to pass the ordinance to close Thunderbird Park entrance #1.

Respectfully,



Albert C. Turner
28035 S.W. Parkway Ave
Space #63
Wilsonville, Oregon 97070

CITY
OF*Wilsonville*

30000 S.W. Town Center Loop E. • P.O. Box 220 • 503-682-1011

Wilsonville, Oregon 97070

CERTIFIED MAIL

October 4, 1988

Mr. Stan Ash
Thunderbird Mobile Club
28035 SW Parkway Avenue
Wilsonville OR 97070

Re: Closure of North Entrance - Thunderbird Park

Dear Stan:

As you know, several months ago, the Wilsonville Traffic Safety Commission heard testimony from a Thunderbird Park resident regarding the perception of unsafe traffic movements at the north entrance of the Park. It was conveyed to the Commission that the close proximity of the north entrance to the Boeckman/Parkway intersection creates a potentially hazardous situation. The Commission thereafter took action to recommend to the City Council that the north entrance be closed. Your reaction at that time was to cooperate with the City's intentions to protect the safety and welfare of the public.

On August 15, 1988 the City Council held a public hearing and then adopted Ordinance CB-O-100-88, authorizing the closure of the north entrance by placing temporary barricades across the approach. The closure will not occur until the Park residents have had ample time to appeal the Council's decision or until notice of the pending closure has been sent to the occupants of spaces 1 through 114.

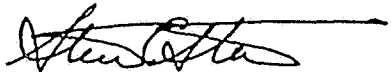
On September 21, 1988 we again discussed the City Council's action pending on the north entrance of the Thunderbird Park. You reiterated that you did not care about the status of the north entrance as long as the actions taken would preserve the safety of the public and you were more than willing to cooperate with the Council's intentions to that end.

cc: JS
Chat 10/5/88

Mr. Stan Ash
Thunderbird Mobile Club
Re: Closure of North Entrance - Thunderbird Park
October 4, 1988 - Page 2

Stan, your reasonableness and concern for the public has been appreciated as the City decides the interim fate of the north entrance of Thunderbird. The reconstruction and relocation of Parkway Avenue to the east of its current alignment may eventually deviate the present perception of traffic dangers. Since the City does not arbitrarily close access points to the street system without the affected owner's consent, this letter serves to document your approval of the temporary closure of the north entrance to the Thunderbird Park. You will be further notified a minimum of ten days prior to the closure. Please feel free to contact me if I have misunderstood your position on this issue or if you have any questions.

Sincerely,



Steven E. Stamer
Community Development Director

ses:mld

cc: Community Development Correspondence
Traffic Safety Commission Correspondence



THUNDERBIRD MOBILE CLUB
28035 SW PARKWAY AVENUE • WILSONVILLE, OREGON 97070 • (503) 682-1436

October 11, 1988

RECEIVED
OCT 14 1988
CITY OF
WILSONVILLE

Mr. Steve Starner
Community Development Director
City of Wilsonville
P.O. Box 220
Wilsonville, Oregon 97070

Dear Steve,

Thank you for your letter of October 4, 1988.

You did understand me correctly in my conversation with you, when I stated that it did not really matter to me if the North Entrance was closed. That still stands true today.

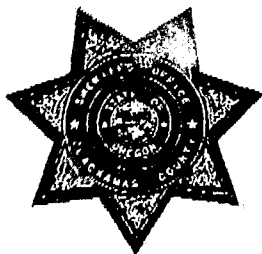
However, since our conversation I have been approached by the president of the Thunderbird Association, Mr. Roy Kauffman. He explained to me that many of the people in the Thunderbird are angry about the proposed closing. He asked that I postpone my agreement about closing the entrance until the homeowners have a chance to present their case to the city council.

Although I am perfectly within my rights to close the entrance or not, it is only fair and proper for me to acquiesce to the request of the homeowners. After all, their rights have to be considered too.

With all this to consider, I am going to hold my agreement on the proposed closing until all the facts have been weighed.

Sincerely,


Stanley E. Ash

**CLACKAMAS COUNTY SHERIFF'S DEPARTMENT**

2223 S. Kaen Road Oregon City, Oregon 97045

(503) 655-8218

Office of
BILL BROOKS, SHERIFF
CLACKAMAS COUNTY

August 1, 1990

Steve Starner
Community Development Director
City Of Wilsonville
30000 Town Center Loop East
Wilsonville, OR 97070

Dear Mr. Starner:

On behalf of the City of Wilsonville, Deputy Waggoner was asked to research the accident history for the intersection of S.W. Parkway Avenue and Boeckman Road and the north access driveway for the Thunderbird Mobile Club.

I completed a five year check of the above mentioned area and found eight incidents that met the reporting criteria for the Sheriff's Department. Of the eight crashes, six involved the intersection of S.W. Parkway and Boeckman Road. One of the six crashes at the intersection was a Fatal crash. Refer to our case number 86-13231/85-35344 if further information is requested. Two of the total eight crashes involved vehicles leaving the roadway north of the intersection, near Portland Tractor Company.

In checking the history of crashes in the area I find no reportable crashes that involve the north access driveway for the Thunderbird Mobile Club. The relevant crashes are listed below.

1989- 4 FEB VEHICLE #1 N. ON PARKWAY DRIFTED OUT OF ITS LANE AND STRUCK MIRRORS WITH VEHICLE #2 S. ON PARKWAY

23 OCT VEHICLE #1 W. BOECKMAN FAILED TO YIELD THE RIGHT OF WAY TO VEHICLE #2 S. PARKWAY

27 OCT VEHICLE #1 N. PARKWAY DANGEROUS LEFT TURN INTO PATH OF VEHICLE #2 S. PARKWAY

1988- 21 JUL VEHICLE #1 S. PARKWAY LEFT ROADWAY N. OF INTERSECTION

1987- NONE

1986- 10 JAN VEHICLE #1 W. BOECKMAN FAILED TO YIELD THE RIGHT
OF WAY TO VEHICLE #2 S. PARKWAY

1985- 12 AUG VEHICLE #1 E. BOECKMAN FAILED TO YIELD THE RIGHT
OF WAY TO VEHICLE #2 N. PARKWAY

30 AUG VEHICLE #1 N. PARKWAY LEFT ROADWAY N. OF
INTERSECTION

25 OCT VEHICLE #1 E. BOECKMAN RAN STOP SIGN STRUCK
VEHICLE #2 S. PARKWAY

If I can be of further assistance please call me at 655-8249.

Sincerely,

Bill Brooks, Sheriff



Paul Steigleder II
Traffic Sergeant

CITY

OF

Wilsonville

30000 S.W. Town Center Loop E. • P.O. Box 220 • 503-682-1011


Wilsonville, Oregon 97070

COMMUNITY DEVELOPMENT DEPARTMENT
MEMORANDUM

DATE: NOVEMBER 3, 1988

TO: HONORABLE MAYOR AND CITY COUNCILORS

THROUGH: PETE WALL
CITY MANAGER

FROM: STEVE STARNER 
COMMUNITY DEVELOPMENT DIRECTOR

RE: CLOSURE OF NORTHERN ENTRANCE -
THUNDERBIRD MOBILE HOME PARK

As you know, the final action on CB-0-100-88 gives city staff the authority to close the north entrance to the Thunderbird Mobile Home Park. However, since the adoption of the ordinance on August 15, 1988, the City has learned of the displeasure expressed by the occupants of the mobile home park regarding the city's action on this issue and the owner of the park, Stan Ash, has withdrawn his earlier agreement to cooperate with the closure.


Although the intersection at Boeckman Road and Parkway Avenue has a history of traffic accidents, the adjacent entrance to Thunderbird does not have a clearly documented traffic liability. Furthermore, city engineering staff are in the preliminary design stage for Parkway Avenue FAS realignment which will address the current problem at the Boeckman Intersection.

Recommendation:

Based on the volume of citizen opposition to the proposed closure of the north entrance to the Thunderbird Mobile Home Park, instruct staff to withhold action on the Park entrance closure until construction on Parkway Avenue is complete and a new study of the situation is warranted.

ss:md

cc: Project file
Traffic Safety Commission Correspondence
Inter-Office Communication - Administration

cc: SS
Dist 1/2


OF
Wilsonville


30000 S.W. Town Center Loop E. • P.O. Box 220 • 503-682-1011

Wilsonville, Oregon 97070

COMMUNITY DEVELOPMENT DEPARTMENT
ENGINEERING DIVISION
MEMORANDUM

DATE: JUNE 28, 1988

TO: PETE WALL
CITY MANAGER

FROM: R.L. DRINKWATER P.E., P.L.S. 
CITY ENGINEER

SUBJECT: PARKWAY AVE. (PROPOSED ALIGNMENT &
PRELIMINARY COST ESTIMATE)

As requested by you on June 27, 1988, please find a copy of the proposed Parkway Avenue alignment (Exhibit "A") and the proposed street section (Exhibit "B") attached. The preliminary cost estimate is based on the cost of construction for LID #5.

Preliminary Cost Estimate for Parkway Extension

<u>Item:</u>	<u>Unit:</u>	<u>Quantity:</u>	<u>Cost:</u>	<u>Amount:</u>
1) Road Construction storm, water, street, electrical, signing & striping, sidewalk & landscaping.	L.F.	2550 +/-	\$ 360.00	\$ 905,250.00
2) Engineering & Administration	L.S.	All Required		\$ 90,525.00
3) Construction Man- agement & surveying	L.S.	All Required		\$ 63,367.00
4) Project Contingency	---	---		\$ 105,915.00
		Total:		\$ 1,165,057.00

The city has a federal aid to secondary roads funding allotment in the amount of \$420,000.00 now on hold for this project.

rl:d:ml

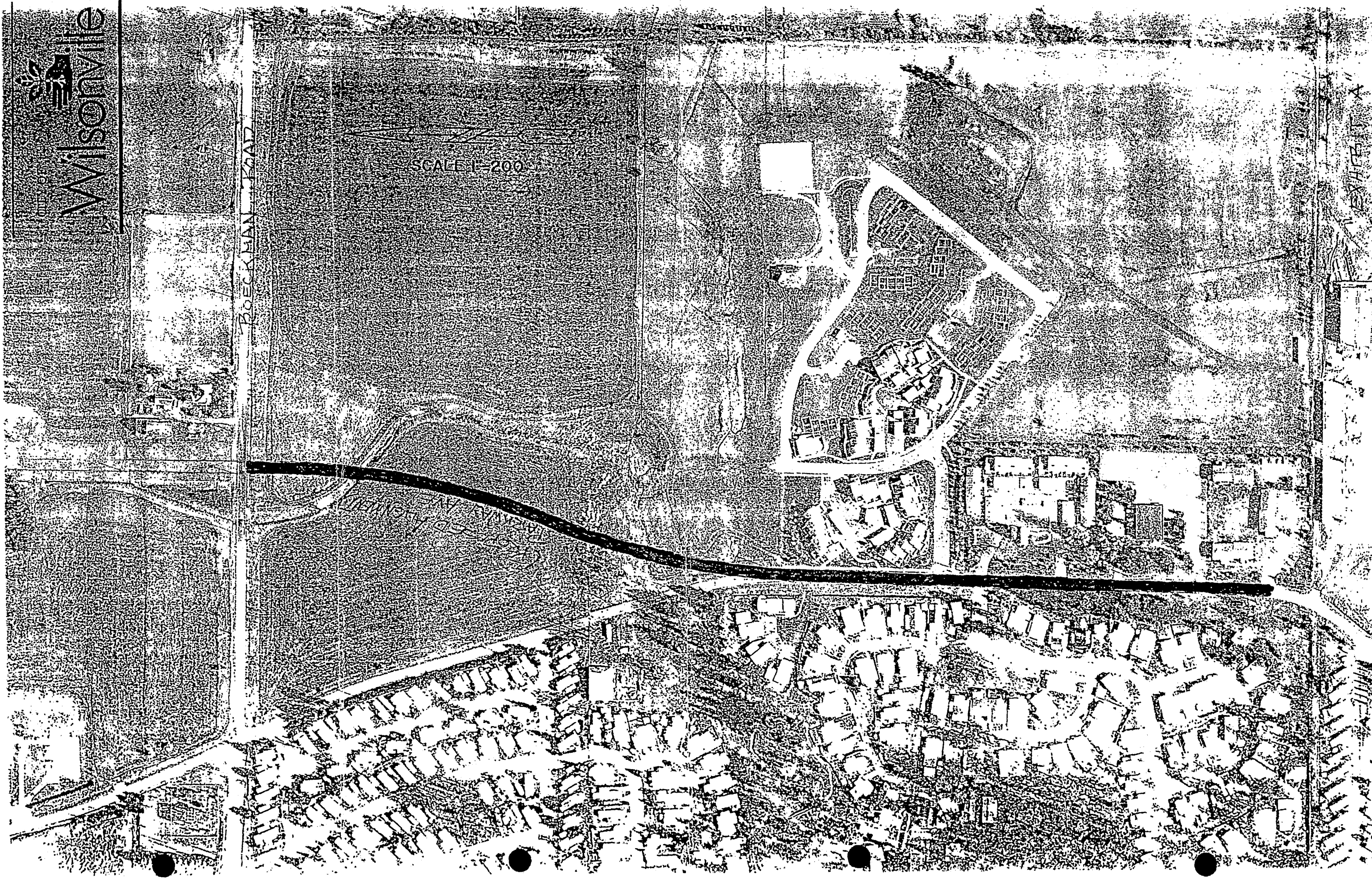
Attach: Exhibit "A"
Exhibit "B"

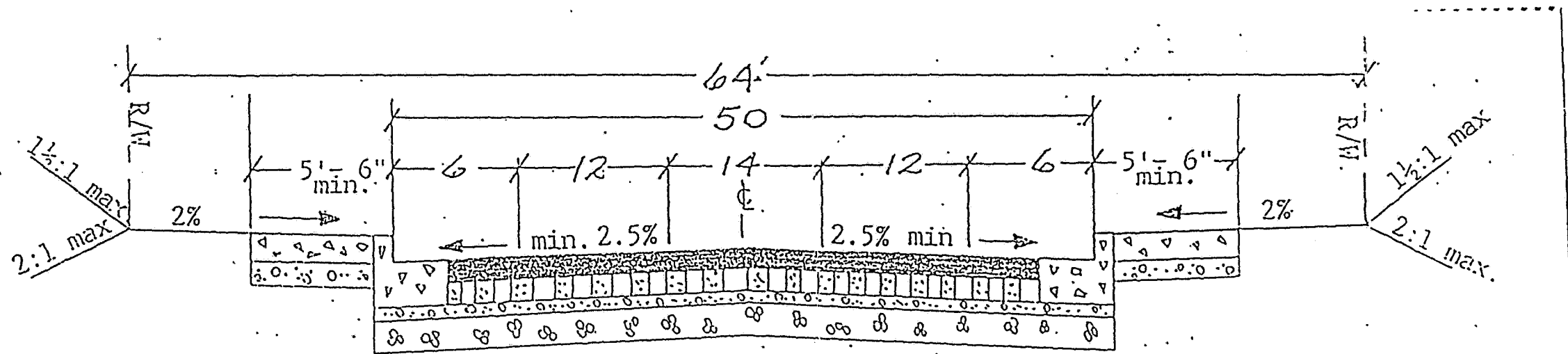
cc: Mike Kohlhoff, City Attorney
Inter-Office Communication - Administration

BECKMAN ROAD

SCALE 1-200

EXHIBIT A





Arterial Road

"EXHIBIT B"

AT YOUR REQUEST

By Steve Starner
Community Development Director
City of Wilsonville

Good transportation is essential to the quality of life and development of any urban community. This is especially true in Wilsonville.

The benefits of a good roadway are pretty obvious. In addition to shorter travel time, reduced traffic delays and congestion, and less wear and tear on your vehicle, both citizens and the city save money. Better roads means fewer accidents, which helps keep insurance rates down by avoiding car repair and medical costs.

As our city grows, providing the best possible street system for the residents and employees becomes more of a challenge for city officials and staff.

Since the city's incorporation in 1969, transportation needs have undergone adoption of transportation master planning and safety standards for new street construction. Invaluable citizen participation and input has been obtained through the development of the Wilsonville Transportation Advisory Commission.

In addition to reducing your tax rate, continued growth in the city also has benefited Wilsonville's transportation system. Requiring new development to pay for most of the improvements to city streets has successfully kept the brunt of such costs being placed on residents' shoulders.

Unfortunately, a major side effect of even the most efficient road improvements are temporary traffic delays, inconvenience and driver discomfort.

Probably the most intensive street improvements currently under construction are at the intersection of Boeckman Road and Parkway Avenue, near Thunderbird Mobile Home Park. Improvements include traffic signalization, straightening the skewed angle of the intersection and the addition of left-turn lanes and curbs. These improvements are safety-oriented, and being done largely due to the number of recorded accidents at that intersection (4 accidents in the past 2 years).

Another major safety reason for the improvements is the anticipated increase in traffic when Mentor Graphics opens for business. In October of this year, when Mentor opens the doors to their world headquarters facility on Boeckman Road, the number of daily traffic trips between 4 and 7 p.m. on Parkway Avenue -- in front of the north Thunderbird entrance -- is expected to eventually raise from the present average of 280 trip to approximately 965 trips.

As you are all aware, this construction made necessary the temporary closure of the north Thunderbird entrance. While not a popular issue with some of the Thunderbird residents, it is important that you understand the history of this action.

The north entrance to Thunderbird was established in 1962, before Wilsonville had been incorporated as a city or established standards for safe street system and access design.

In 1986, concerned Thunderbird residents testified before the Wilsonville Traffic Safety Commission, asking for a review of the north entrance location. It was found that the entrance didn't meet the minimum sight-distance allowance of 450 feet (looking north), and that the distance between this entrance and the Parkway/Boeckman intersection didn't meet the minimum public safety standard of 250 feet.

In the interests of safety for both Thunderbird residents and the driving public, and in conjunction with proposed improvements to Parkway Avenue and the nearby intersection, the Commission recommended closing the entrance to all but emergency vehicles.

Parkway Avenue improvements didn't occur as soon as originally scheduled, and the issue of closing the north entrance was delayed until April 17, 1990. At that time, a temporary closure was imposed, along with the construction detour that signaled the beginning of the awaited Parkway Avenue/Boeckman Road improvement.

At their regular meeting on Monday evening, August 6 (7:30 p.m. at City Hall), the Wilsonville City Council will consider whether or not the north Thunderbird entrance should be permanently restricted to emergency use only. As residents of Thunderbird, your attendance is encouraged and any testimony you can present to the City Council as they struggle with a difficult decision will be appreciated.

BY ROBERT BLACKMORE, ATTORNEY
ON BEHALF OF THE ASH ORGANIZATION, INC.

The primary purpose of this article is to advise the residents of the Thunderbird Mobile Home Club of The Ash Organization's position on the City's proposed permanent closure of the north entrance. The secondary purpose is to respond to Mr. Starner's statement.

The Ash Organization believes that the north entrance should not be modified or closed until the following has occurred:

1. The City has clearly and convincingly documented the reasons for closure, i.e. studies showing traffic hazard or safety issues;
2. The City has considered the impact of closure on other concerns, such as police, fire, medical and the impact of redirecting traffic to other accesses;
3. The City has explored all alternatives; and
4. The City has given reasonable notice and opportunity to to the residents of the Thunderbird Mobile Home Park, The Ash Organization and others who might be impacted by the decision to evaluate and respond to any proposal.

To date, the City has not addressed any of the above matters and, accordingly, The Ash Organization is opposed to closure.

To understand the process to date, several clarifications to Mr. Starner's article are necessary, to wit:

1. The improvements to the intersection were contemplated as part of LID No. 5 in 1985 and the straightening of the skewed angle of the intersection was a matter discussed by City staff in 1987 and 1988. Intersection improvements were not proposed "due to the number of recorded accidents at that intersection (four accidents in the past two years)" as suggested by Mr. Starner.
2. In 1986, by Ordinance 294, the City voted to permanently close the north entrance in conjunction with the Parkway Avenue reconstruction project. By Ordinance 322, the City rescinded Ordinance 294 and ordered immediate closure. On January 3, 1989, in response to a petition with over 200 signatures of Thunderbird residents opposing the closure, the City passed Ordinance 344 repealing closure and Ordinance 322.
3. In November of 1988, Mr. Starner conveyed a memorandum to Pete Wall, the City Manager, the Mayor and City Councilors recommending that the Council "instruct staff to

withhold action on the park entrance closure until construction on Parkway Avenue is complete and a new study of the situation is warranted." Memorandum in June of 1988 also indicates that the concern focused upon the angle of Parkway Avenue with Boeckman. The City also confirmed that there were no records of purported problems or traffic accidents caused by the north entrance of the park.

4. Mr. Starner indicates that the proposed ordinance is whether or not the north entryway should be "permanently restricted to emergency use only." The ordinance presented on Monday, July 2, authorized the closure of the northern ingress/egress without any reference to maintaining the entrance for emergency uses.

At the July 2 meeting, Council requested that Mr. Starner convey to my office within ten days of the meeting copies of the recent studies supporting safety concerns. I advised the Council that we would need approximately two weeks upon receipt of that information for review and response, if any. Sixteen days after the meeting, I received correspondence from Mr. Starner enclosing information from 1986 and 1988. No documents or studies supporting closure of the northern entry after that date were received. I am advised and believe that Mr. Starner is presently pursuing development of documentation to support his original proposal, which obviously was not supported at the time of submitting the ordinance to Council.

At the present time, it is entirely possible that the so-called traffic safety concern has been resolved by the realignment of the skewed intersection. Indeed, it is impossible for cars traveling west on Boeckman to "whip past the entryway" since to do so would require almost a 135 degree turn. Other options and safety concerns have not been addressed, e.g., right turn only, fire, police and medical, or the impact of safety on the other entryways given the reroute of traffic. It is apparent that Mr. Starner is attempting to generate facts to support his position, rather than developing the facts and taking action which provides the best possible resolution.

Finally, The Ash Organization and, to our knowledge the members of the park, were not given notice of the temporary blockade. It simply appeared overnight. The Ash Organization was given less than ten days notice of the ordinance proposing closure, which meeting was held on the Monday night preceding July 4. It is our understanding that many residents received no notice whatsoever and those that did receive notice were also given very little time in which to respond. Finally, despite the Council's direction to Mr. Starner to provide us with documentation, the documentation did not exist or is just now being developed.

Although we are grateful that Mr. Starner is at least considering modification of the ordinance to provide for

emergency vehicle access, it is clear that a reasonable and prudent process has not been followed. It is also clear that the City is not responding to facts, but developing facts to support a preconceived position.



MEMORANDUM

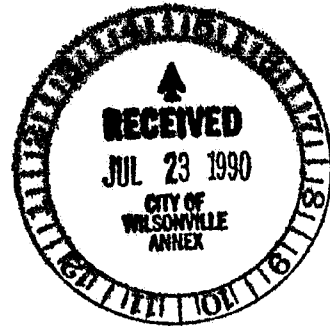
DATE: July 23, 1990

TO: Mr. Steve Starner

FROM: Dick Woelk, P.E., T.E

PROJECT: Thunderbird Mobile Home Park Driveway

SUBJECT: Traffic analysis of Driveway Closure



As you requested I have reviewed in the information provided for the Thunderbird Mobile Home Park access and the following comments are in response to the proposed closure of Indian Blvd at Parkway Drive.

An access driveway this close to a major signalized intersection can become quite a hazard to those vehicles trying to make a left turn into the driveway. Those vehicles can block the proposed left turn lane and cause the signal to change even though no traffic is actually turning left at the major intersection. Another problem with the driveway is vehicles exiting turning left or north onto Parkway Driveway will have to cross the left turn lane and this can cause conflicts with vehicles wanting to enter the left turn lane and those exiting the driveway.

Typically, driveway locations are controlled by local statutes and therefore regulated. Several examples of driveway ordinances is the City of Salem requires that driveways on a down stream side of a signalized intersection be a minimum of 150 feet from the

extension of the intersection curb line, in this case the extension of the south curb line of Boeckman Road.

The publication "Guidelines for Driveway Design and Location" , Institute of Transportation Engineers Recommended Practice, 1974 indicates that the driveway should be at a minimum, the distance of the proposed left turn lane away from the intersection.

The last criteria for the location of a driveway should be the intersection sight distance at the driveway. This criteria indicates that adequate sight distance be available for vehicles on Parkway Drive to see vehicles exiting the driveway. The measured sight distance at the intersection in question is approximately 40 to 50 feet. The publication "Guidelines for Driveway Design and Location" mentioned above indicates in Table 7, page 33 the intersection sight distance should be a minimum of 400 feet. This indicates that a driveway at this location should be considered a hazard due to inadequate sight distance.

In conducting field traffic counts at the other exit to the Thunderbird Mobile Home Park at Cherokee Circle, indicates that the intersection (with all park traffic using Cherokee) is currently operating at a level of service "A", (the highest level of service available) during the pm peak hour.

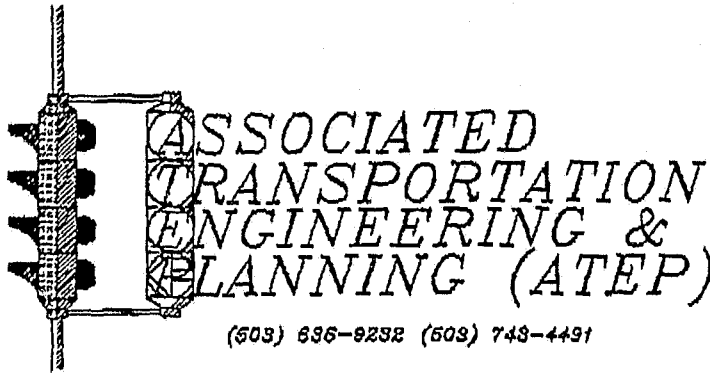
With the traffic projected from the Mentor Graphics development during the pm peak hour, this intersection is still expected to operate at a very good level of service.

The conclusion derived from this analysis is that 1) this driveway should be closed for safety the of the park residents and the motoring public and 2) that the other driveway located at Cherokee will still operate at an adequate level of service with the driveway closed.

With the reconstruction of the Boeckman/Parkway intersection and the close proximity of Indian Blvd to the intersection, I concur with/the City of Wilsonville's proposal to close this driveway.

If you have any further questions, please contact me.

EXHIBIT No. 16



MEMORANDUM

DATE: July 25, 1990

TO: Mr. Steve Starner

FROM: Dick Woelk, P.E., T.E

PROJECT: Thunderbird Mobile Home Park Driveway

SUBJECT: Traffic analysis of Driveway Closure

As requested, I have reviewed the above intersection for the feasibility of a right turn in and right turn out driveway.

In my previous memo dated July 23, 1990, I indicated that the intersection sight distance for the intersection is one of the criteria used in sighting a driveway. This still applies to a right in and right out driveway. Unless the intersection sight distance for this egress point is equivalent to ten times the design speed of approaching vehicles or 300 feet, a right turn in and right turn out driveway will still pose safety problems and *should not be* allowed.

LOCAL HIGHWAY SAFETY STUDIES

FEDERAL HIGHWAY ADMINISTRATION

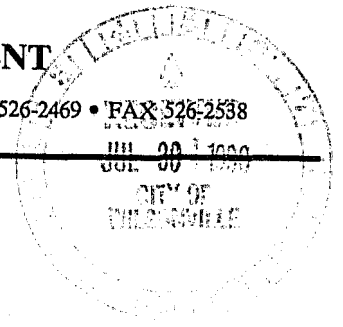
Table 7. Recommended stopping sight distance (Developed for wet pavement).
 (Source: [14] p. 138)

Design Speed (mph)	Assumed Speed for Condition (mph)	Brake Reaction		Coefficient of Friction f	Braking Distance on Level (ft)	Stopping Sight Distance
		Time (sec)	Distance (ft)			Rounded for Design (ft)
20	20-20	2.5	73.3- 73.3	0.40	33.3- 33.3	125-125
25	24-25	2.5	88.0- 91.7	0.38	50.5- 54.8	150-150
30	28-30	2.5	102.7-110.0	0.35	74.7- 85.7	200-200
35	32-35	2.5	117.3-128.3	0.34	100.4-120.1	225-250
40	36-40	2.5	132.0-146.7	0.32	135.0-166.7	275-325
45	40-45	2.5	146.7-165.0	0.31	172.0-217.7	325-400
50	44-50	2.5	161.3-183.3	0.30	215.1-277.8	400-475
55	48-55	2.5	176.0-201.7	0.30	256.0-336.1	450-550
60	52-60	2.5	190.7-220.0	0.29	310.8-413.8	525-650
65	55-65	2.5	201.7-238.3	0.29	347.7-485.6	550-725
70	58-70	2.5	212.7-256.7	0.28	400.5-583.3	625-850



**TUALATIN VALLEY FIRE & RESCUE
AND
BEAVERTON FIRE DEPARTMENT**

4755 S.W. Griffith Drive • P.O. Box 4755 • Beaverton, OR 97076 • (503) 526-2469 • FAX 526-2538



July 26, 1990

Steve Starner, Community Development Director
City of Wilsonville
P.O. Box 220
Wilsonville, Oregon 97070

Re: Proposed Curb & Barricade Standards
Thunderbird Mobile Home Park

Dear Steve:

I have reviewed your proposal regarding the closure of the north entrance of the above noted site.

Due to adequate access at other portals and the fact that the barricade is removable for emergency use as well as a low curb design, we feel there is no conflict with Tualatin Valley Fire and Rescue access requirements. In addition to this letter of approval, I am returning your letter and site plan stamped approved.

I trust these documents will fill your need.

Sincerely yours,

Bob Hunt
Deputy Fire Marshal

BH:kw

Enc.:

**CLACKAMAS COUNTY SHERIFF'S DEPARTMENT**

2223 Maen Road Oregon City, Oregon 97045

(503) 655-8218

Office of
BILL BROOKS, SHERIFF
CLACKAMAS COUNTY

July 31, 1990

Steven Starner
Community Development Director
City Of Wilsonville
30000 Town Center Loop East
Wilsonville, OR 97070

Dear Mr. Starner:

On your behalf, Deputy Waggoner asked for assistance in reviewing the closure of the #1 entrance\exit for the Thunderbird Mobile Park. Deputy Davis and I went to the intersection of S.W. Parkway and Boeckman Road for an on site review.

From a strictly Law Enforcement point of view without regard for traffic engineering, we considered the possibility of placing a traffic island into the entrance\exit. After further review and adding traffic engineering into the equation the placement of a traffic island would be without merit barring extensive changes in the traffic flow on S.W. Parkway.

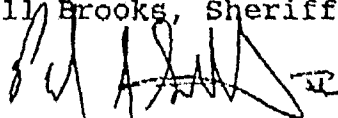
It is now understood that the plan for the entrance\exit is to limit the use to emergency vehicles only. This plan has merit and could be considered keeping in mind the ultimate goals of harmony between all of the parties effected.

In accepting your invitation to attend the August 6th meeting of the City Council and I will bring along a diagram of the area for illustration purposes.

If I can be of assistance in the interim please call on me at 655-8249.

Sincerely,

Bill Brooks, Sheriff


Paul Steigleder II
Traffic Sergeant

MEMO

FROM: BOBBIE OSBORN, RESIDENT MANAGER OF THE THUNDERBIRD MOBILE CLUB
SUBJECT: CLOSURE - NORTHERN ENTRANCE TO TMC - MEETING

DATE: JULY 25, 1990

LOCATION: TMC CLUBHOUSE

MY CALENDAR READ: 10:00 AM APPOINTMENT JULY 25, 1990 WITH STEVE STARNER TO MEET WITH KEN WILSON, "SMOKESIGNAL" EDITOR, BILL JONES, TMC ASSOCIATION PRESIDENT AND MYSELF. STEVE WANTED TO SPEAK WITH US ABOUT THE ARTICLE HE WANTED PRINTED IN OUR PAPER.

I WAS A LITTLE CONFUSED WHEN MR STARNER SHOWED UP WITH TWO OTHER PEOPLE, RICHARD DRINKWATER AND SECRETARY MARGO DILLINGER. IN FACT I WAS SURPRISED HE KEPT THE APPOINTMENT KNOWING HIS BUSY WORK SCHEDULE WAS PROBABLY FULL AND HE HAD ALREADY SUBMITTED HIS ARTICLE AND IT WAS PRINTED. KEN WILSON COULD NOT BE PRESENT SO I ASKED JACK TURNER WHO WAS AT THE CLUBHOUSE TO SIT IN ON THE MEETING.

JACK TURNER DOES NOT REPRESENT THE RESIDENTS OF THE PARK. RE: MEETING MINUTES #5. 268 PEOPLE SIGNED A PETITION DATED SEPTEMBER 9, 1988, STATING THEIR NOT WANTING THE NORTHERN ENTRANCE CLOSED.

RE: MEETING MINUTES #4 - MEASUREMENT FROM CURB ON BOECKMAN ROAD TO TMC PARK ENTRANCE. PLANS READ 25' - IT WAS REPORTED AT THE FIRST HEARING I THINK TO BE A DISTANCE OF 40'. LAMI SUBIA, TMC PARK MAINTENANCE MANAGER AND I MEASURED IT AT 70'. MR STARNER SAID HE WOULD MEASURE IT AGAIN - I WOULD LIKE TO KNOW WHAT HIS REPORT IS.

RE: MEETING MINUTES #7 - TRAFFIC CONTROL STANDARDS- THE ENTIRE WEST SIDE OF PARKWAY IS FOR RESIDENTIAL & I THINK THE EAST SIDE IS ZONED MULTIPLE DWELLING - THEN SHOULD THE TRAFFICE SPEED BE 45 MPH?

I WOULD LIKE TO TAKE THIS TIME TO SET THE RECORD STRAIGHT. THE CORRECT NAME FOR THE MOBILE HOME PARK IS: "THUNDERBIRD MOBILE CLUB" PRESENTLY PLACED THERE ARE TRAILERS, COACHES, MOBILE HOMES & MANUFACTURED HOMES. IT JUST ALL DEPENDS WHO YOU ARE SPEAKING WITH AND WHAT THEY ARE COMFORTABLE WITH - BUT THE PROPER NAME IS "THUNDERBIRD MOBILE CLUB"

NOW THAT THE INTERSECTION OF BOECKMAN ROAD & PARKWAY AVENUE ARE OPEN. I KNOW WHEN I STOP AT THE CROSS WALK LINE ON BOECKMAN ROAD HEADING EAST AND I LOOK SOUTH TO MY RIGHT THAT I CAN CLEARLY SEE THE ENTRANCE TO THE PARK. I STILL REQUEST THE PRIVILEGE OF HAVING THE RIGHT TURN ONLY FOR ENTERING AND EXITING THE NORTH ENTRANCE TO THE PARK.

I WOULD LIKE TO THANK MR STARNER, MR DRINKWATER AND THEIR SEC. FOR TAKING THE TIME TO COME TALK WITH US. IF THIS APPROACH WERE ATTEMPTED AND OTHER MEANS OF COMMUNICATION SKILLS APPLIED WE PROBABLY WOULDN'T HAVE BEEN HERE WASTING VALUABLE TIME & MONEY TO ACCOMPLISH WHAT WE CITIZENS DESERVE.

THANK YOU & PLEASE TAKE THE FACTS INTO CONSIDERATION AND NOT YOUR FEELINGS TOWARDS INDIVIDUALS INVOLVED.

DUNN, CARNEY, ALLEN, HIGGINS & TONGUE

ROBERT L. ALLEN
BRADLEY O. BAKER
JONATHAN A. BENNETT*
ROBERT F. BLACKMORE
JOHN C. CAHALAN
ROBERT R. CARNEY
GEORGE J. COOPER, III
ANDREW S. CRAIG
I. KENNETH DAVIS
MICHAEL J. FRANCIS
BRYAN W. GRUETTER**
JACK D. HOFFMAN
WILLIAM L. KOVACS'
SALLY R. LEISURE
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ATTORNEYS AT LAW

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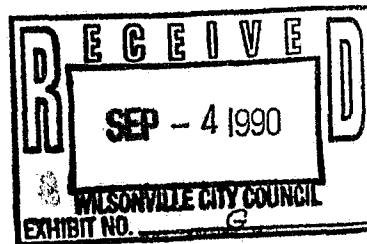
WASHINGTON, D.C. OFFICE
1900 L. STREET, N.W.
SUITE 500
WASHINGTON, D.C. 20036
TELEPHONE (202) 862-4972

ROBERT L. NASH**
GREGORY C. NEWTON**
JEFFREY F. NUDELMAN*
JOAN O'NEILL P.C.*
GILBERT E. PARKER
HELLE RODE
CHARLES D. RUTTAN
JOSEPH P. SHANNON*
G. KENNETH SHIROISHI***
SHANNON I. SKOPIL*
DONALD E. TEMPLETON*
THOMAS H. TONGUE
DANIEL F. VIDAS
ROBERT K. WINGER

* ADMITTED IN OREGON
AND WASHINGTON
** ADMITTED IN OREGON
AND CALIFORNIA
† ADMITTED IN PENNSYLVANIA,
WASHINGTON, D.C., NOT
ADMITTED IN OREGON
*** RESIDENT, BEND OFFICE

August 31, 1990

Mayor John Ludlow
Councilor Eldon E. Edwards
Councilor Bob Dant
Councilor Sandra Chandler
Councilor Richard Clark
City of Wilsonville
P.O. Box 220
Wilsonville, OR 97070



RE: Proposed Closure of Northern Access to
Thunderbird Mobile Home Park

Dear Mayor and Councilors:

The purpose of this letter is to supplement our prior testimony with regards to the proposed closure. We have had the opportunity to review documents provided by staff and participate in the informational meeting held on August 22, 1990. Based upon the information provided, the Ash Organization opposes the proposed ordinance closing the north entrance.

It is the position of The Ash Organization that the north entrance should remain open as a right-turn-in/right-turn-out only entrance. In addition, the design of the intersection should include a safe turn lane dedicated to that entrance. A rough sketch of the proposal is attached as Exhibit A.

With regards to staff's proposal, based upon the testimony of the Chief from the Tualatin Valley Fire and Rescue District and of the Sergeant from the Sheriff's Department, it is apparent that a knock-down access would not be utilized by emergency services and is, therefore, unnecessary. If the council desires to pursue closure, then

it should be without emergency access. Further, the types of barricades proposed by the City are not aesthetically pleasing or necessary. The City should, as a condition of closure, require landscaping to provide for similar shrubbery to that on either side of the access. Given our difficulties with staff performing as directed by the council, we believe that council should direct that landscaping be completed within thirty days and that this matter continue to be supervised by the council.

Finally, The Ash Organization has a vested right in the northern access which has been developed over many years of use. The facts indicate that the alleged reasons for the proposed closure are due to a change in the nature of the public roads and intersection effected by the City. Consequently, if the council goes forward with closure, then this is a compensable taking under the Oregon Constitution and demand for just compensation is hereby made. We also note in making this demand that this is the only access point to the tax lot where it is situated and, although present use of the property does not differentiate the tax lots, The Ash Organization has advised the City that it considers the parcels separate and distinct and, in fact, has announced its intention to dispose of real estate holdings in the City of Wilsonville. Accordingly, the access is extremely important to the economic viability of this parcel since it may be sold separately. If that occurs, the alleged reason for closing the access, i.e. lack of site distance west on Boeckman, may be eliminated.

The remainder of this correspondence will consider specific factual and legal issues raised by City staff as well as address the factual basis and alternatives which should have been considered.

1. City staff has misrepresented the recommendations of the Kittelson Report.

The Kittelson Report is based upon a worst case development scenario and considers two alternatives for the Boeckman/Parkway intersection. The difference in the alternatives is a proposed I-5 freeway interchange at Boeckman. The report is based on full build-out of Mentor Graphics, which is, based upon staff's statement to members of the mobile home club, not anticipated at this time. Council should note the following:

A. For the year 2005 with full build-out of the proposed Mentor Graphics campus, without the I-5/Boeckman Road interchange, the report indicated that the minor stop sign control on the Boeckman Road approach at Parkway Avenue would be deficient and would require signalization and widening for left turn refuge lanes. That improvement has, in fact, been built. See pages 8 and 9.

B. If the I-5/Boeckman Road interchange is built, then Parkway Avenue and Boeckman are recommended to be widened to five lanes. See page 9.

C. Although site distance deficiencies are noted in that report, see page 10, none are noted for the driveway access.

D. Table 5, page 22, indicates that the existing level of service at the Parkway/Boeckman interchange, with a stop sign, is the highest rating with substantial reserve capacity. Assuming the worst case scenario with complete build-out, by year 2005 that rating would drop to service level E, table 6, page 28, which is, as described in table 3 on page 19, "near or equal to the probable maximum number of vehicles that can be accommodated by the movement." There remains reserve capacity at the intersection and the intersection is considered to be unsignalized under this scenario. The Ash Organization assumes that the City was able to prevail upon Mentor Graphics to install the signal, although it is clearly not necessary under the Kittelson Report at this time, because staff is still attempting to obtain a freeway offramp at Boeckman. It is clear that the level of service at Parkway and Boeckman, without the interchange and with signalization, will remain excellent well past 2005.

E. Contrary to staff assertion, there will not be a "ten-fold increase" in traffic at the Parkway Avenue/Boeckman Road interchange. Figure 5 on page 15 of the Kittelson Report shows existing p.m. peak hour volumes. When compared to figure 7 on page 27, the p.m. peak hour volumes are as follows:

	Existing -----	2005 ----	X Increase -----
Parkway	250	875	3.50
Boeckman	155	445	2.87

Moreover, the increase in right-turn traffic from Boeckman on to Parkway going south, increases 3.2, from 50 to 160.

F. If we assume the worst case scenario together with a full build-out of Mentor Graphics, coupled with the I-5/Boeckman interchange, then the increased traffic is as set forth below:

	Existing	2005	X Increase
	-----	----	-----
Parkway	250	860	3.44
Boeckman	155	1,225	7.90

As is evident, even with the Boeckman interchange there will not be a "ten-fold increase" in traffic. The right turn off of Boeckman heading south on Parkway increases from 50 to 320, an increase of 6.4 over the existing traffic. Even with those numbers, the increased level, given the signalized intersection, is considered to be an acceptable standard for signalized intersections. See page 16.

In summary, staff has grossly misled council with regards to the increase in traffic and the circumstances under which that increase would occur. Under the Kittelson Report, assuming a worst case scenario with full build-out of Mentor Graphics, the increase is from 50 to 160 cars. That increase is tempered by the intersection being signalized, and by the design of the intersection as it presently exists.

2. City staff has failed to consider significant alternatives and, in particular, the alternative presented to the City Council.

At the meeting with staff on August 22, Mr. Starner indicated that the staff never considered the alternative of a right-turn-in/right-turn-out only configuration as presented in Exhibit A. Mr. Woelk advised those present that such an alternative would be worthy of consideration but expressed concern with regards to controlling traffic making a left turn out of the entry way. When a median was proposed, Mr. Woelk indicated that that would control left turn traffic.

Mr. Starner also indicated that staff did not consider the potential of using warning bumps in the road, similar to those used between lanes on freeways, for control of speed of cars approaching the intersection on Boeckman from the west. Mr. Woelk commented that he did not feel those would be effective. The Ash Organization believes they would be effective and proposes them as an addition to the right-turn-in/right-turn-out only access.

3. The access should be maintained for emergency purposes.

As the council will recall, the Sergeant from the Sheriff's Department testified that it would be optimal to maintain the access point since it would cut down response time. My recollection of the testimony of the Chief of the Fire District was that he did not see the response time as being critical. At the meeting on August 22, there were comments from members of the audience, as well as there have been comments from people before the council, that the access is needed for emergency vehicles. The staff proposal, as modified to provide for emergency access, is not feasible. Accordingly, the access should either be maintained or closed entirely.

4. The Ash Organization and the members of the mobile home club were not given notice of the actions of the City, i.e. Mentor Graphics, redesign of intersection, et cet., and their known effect on the north entrance at the time the decisions were being considered.

The primary support for the staff's position on closure is the Mentor Graphics transportation impact analysis prepared by Kittelson and Associates, Inc. and known as the Kittelson Report. The document provided The Ash Organization is not dated with regards to the stage 1 submittal, although the master plan submittal is dated December, 1988, which was prior to the redesign of the intersection. Although major changes were being proposed and anticipated in the Mentor Graphics process, closure of the north entrance was never proposed. However, staff repeatedly stresses the fact that closure of the north entrance is for purposes of safety and is a direct result of the Mentor Graphics approvals and transportation studies. How then, can staff state at this time that The Ash Organization should not have been given notice of this significant off-site activity? Failure to give notice at that time is significant and deprived The Ash

Organization of an opportunity to be heard and discuss alternatives. Indeed, had staff notified The Ash Organization of this specific proposal to close the north entrance at that time, the proposal that The Ash Organization sets forth to the council at this date could have been discussed, evaluated and implemented with very little cost to any of the parties, including the City.

Staff now argues that, given the construction which has continued during this proceeding, that the City should not consider this matter anew. Indeed, council has heard evidence and indicated in previous meetings that it would be a burden to incur the cost to rectify this situation. As a result, The Ash Organization is unable to obtain a fair and impartial hearing since staff continues to incur costs and to place the City in a position of increased costs should it proceed as would have been reasonable at the outset.

5. This is a quasi-judicial procedure which entitles The Ash Organization to due process procedural protections, and the action of the council, if pursued, constitutes a taking which entitles The Ash Organization to compensation.

Discussion of the above statement is requested by your counsel, Mr. Michael Kohlhoff, in his letter of August 8, 1990.

The seminal case on this matter was Fasano v. Washington County Commissioners, 264 Or. 574 (1972) which described a city council's legislative function as being an action which produces a general rule or policy applicable to an open class of individuals, interests or situations. That case was further articulated and expanded to provide a three-prong test to determine whether quasi-judicial procedures are required, to wit:

- A. The process is bound to result in a decision;
- B. The decision is bound to apply pre-existing criteria to concrete facts; and
- C. The action is directed at a closely circumscribed factual situation or a relatively small number of persons.

See Lane v. City of Prineville, 49 Or. App. 385 (1980);
Neuberger v. City of Portland, 288 Or. 155 (1979).

In the instant case, the City is applying safety standards to determine whether or not to allow access to a specific parcel of property. That access is a vested property right of The Ash Organization, Inc.

There are numerous cases dealing with taking issues. The first question is whether or not the action of the City constitutes a taking. Whenever a municipality restricts property rights, it is, ipso facto, a taking. The crux of the question is whether or not the taking is "compensable". In a regulatory type of taking, the primary issues are whether or not the property remains usable and whether the restrictions imposed are unreasonable or arbitrary. To date, the Oregon Supreme Court has not ruled directly on the question of whether a change in the nature of a public road, effected to protect a valid public interest but not involving a trespass by the governing authority, may nonetheless be a compensable taking where one of the consequences of the change in the nature of the road is the limitation or elimination of an abutting land owner's ability to enter or leave a portion of his property. See Boese v. City of Salem, 40 Or. App. 31, 384 (1979). The Ash Organization does not argue that the City does not have the right to qualify or restrict an abutting owner's right of access to protect public safety. However, in this instance the City has promoted a change in the nature of a public road without notice, fair hearing and apparently without payment of compensation. The proposal to eliminate the access is a result of the City's own actions.

In addition, we are dealing with a separate although contiguous tax lot which, without this access, will not have access to either Boeckman or Parkway and will be landlocked. Previous testimony before the council establishes the fact that access to that tax lot has independent economic value, since the tax lot itself has economic value separate and distinct from the other parcels. In addition, the City has previously considered payment for such loss of access in conjunction with LID No. 5. See, Resolution 472, Allied Real Estate Appraisers Report dated April 15, 1985. The Ash Organization should be treated similarly.

6. City council should not consider the position of staff that the design and construction is completed and, consequently, there would be substantial cost to change the design and construction at this time.

As previously indicated, The Ash Organization is entitled to a fair and impartial tribunal and to hearing prior to a taking or other interference with their property rights. The City has violated the procedural rights guaranteed The Ash Organization by, inter alia, 1) failing to give notice of a decision which would have a substantial impact and result in this current proposal to close the north access, and 2) by continuing to proceed with construction inconsistent with the access remaining open after the beginning of these proceedings. Although it appears impossible to give The Ash Organization a fair hearing at this time, the council should consider the alternatives as if this matter was freshly before the council without the construction of the intersection and any of the associated costs. If that approach is taken, The Ash Organization is confident that the council will decide upon the right-turn-in/right-turn-out scenario as outlined in the attached Exhibit A, together with warning bumps on Boeckman to slow traffic.

7. The Ash Organization is entitled to equal treatment with similar properties and accesses situated throughout the City.

As indicated in our prior presentation, there are numerous other sites throughout the City with similar if not more busy accesses located adjacent to intersections. As shown in the photographs introduced, not all site distances at those intersections are better than the site distance at the intersection of Parkway and Boeckman. Indeed, Mr. Woelk's testimony that there is not sufficient site distance on Parkway is based upon convention that he will readily admit defies the reality of the situation. The site distance on Parkway north is more than that required under any engineering standards; however, due to the road's curvature, the convention is to not count the site distance beyond the curve. In this instance, the City maintains ownership of the right of way which means the City can continue to ensure adequate site distance indefinitely. There is no reason to ignore the obvious and the City is free to exercise common sense in reviewing this issue.

With regards to the site distance off of Boeckman, the intersection is no worse than others presented and, if we are to believe the testimony of staff, the apparent concern for safety is due to removal of the stop sign, an action the City took which is not even recommended by the Kittelson Report

Mayor John Ludlow
City Councilors
August 31, 1990
Page 9

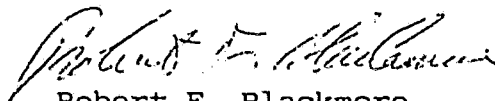
unless there is a Boeckman/I-5 interchange. As the council is well aware, the State Department of Transportation not only feels such an I-5 interchange is not warranted, but is adamantly opposed to the same due to its unsafe and close proximity to the Stafford and Wilsonville Road interchanges. It is ironic that the City would be pursuing an unsafe interchange on an interstate freeway over the strenuous and adamant objections of the Department of Transportation yet be allegedly concerned about safety vis-a-vis the north access.

There has been testimony attempting to differentiate the other intersections from the north access. However, the City has no standards or criteria for determining when to close accesses which no longer conform to current development standards. Adopting such standards would be a legislative act, while application is quasi-judicial. Without knowledge of those standards, it is apparent that The Ash Organization is not receiving fair and equal treatment compared to others similarly situated. The actions are arbitrary. The Ash Organization has a right to know the standards, for the standards to be applied equally throughout the City and, once adopted, for quasi-judicial procedures prior to implementation. Indeed, the decision in this instance must be supported by findings which make clear the objectives and policies of planning within the City.

Conclusion

As stated in the introduction, our position is that closure of the north access is unwarranted. The Ash Organization does, however, support modification to the north access to provide for left turn in and left turn out, the additional safety lane as indicated on Exhibit A, a traffic divider on Parkway to prevent left turns out and speed bumps on Boeckman to slow traffic prior to the intersection. Such configuration is entirely possible and is prudent. While the left-turn-in and left-turn-out safety lane is not necessary, it is optimal given staff's position.

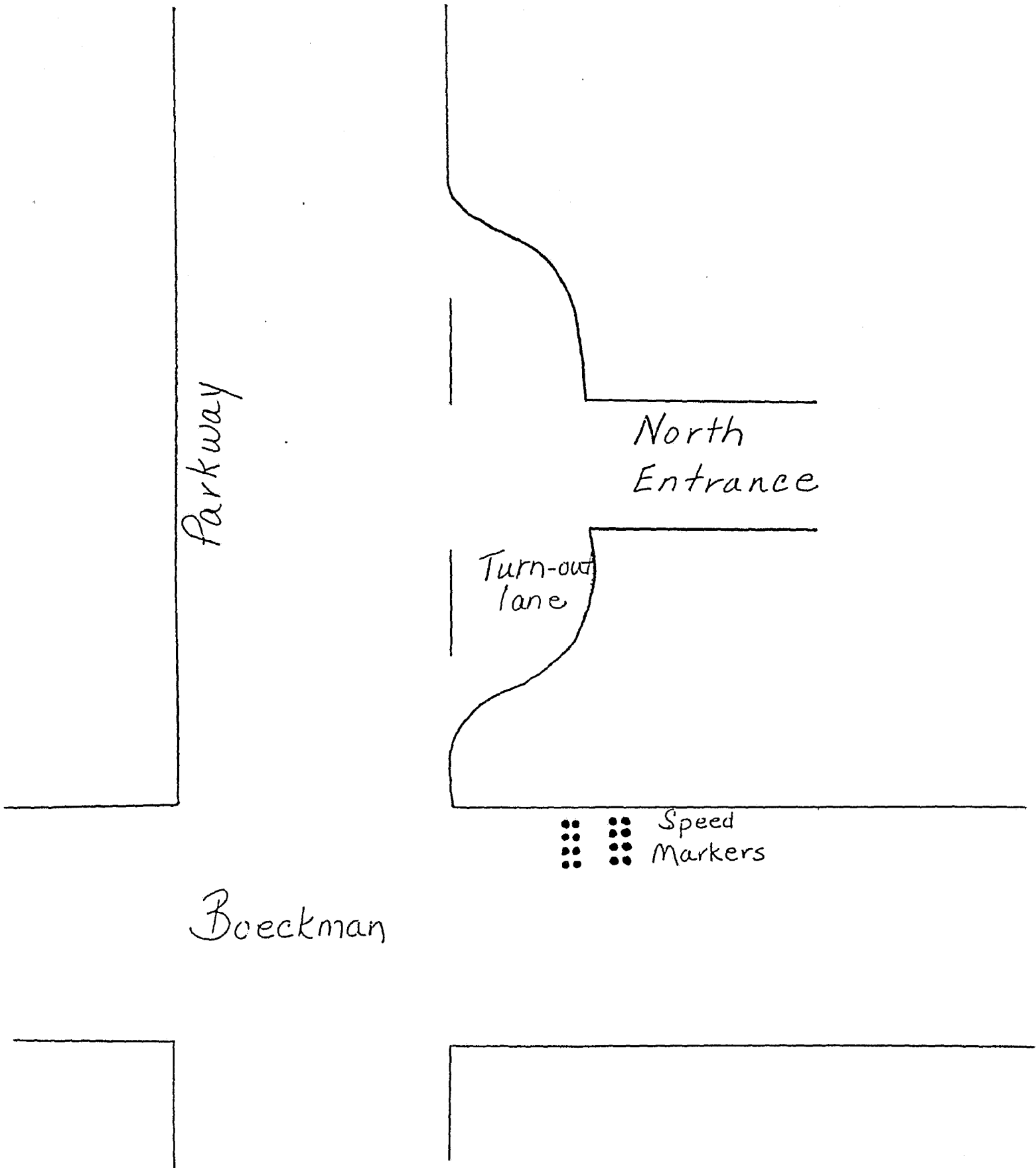
Very truly yours,



Robert F. Blackmore

RFB567/jjb

Exhibit A



DUNN, CARNEY, ALLEN, HIGGINS & TONGUE

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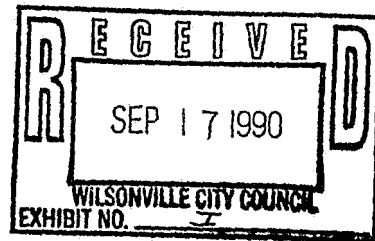
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** RESIDENT, BEND OFFICE

September 17, 1990

Mayor John Ludlow
Councilor Eldon E. Edwards
Councilor Bob Dant
Councilor Sandra Chandler
Councilor Richard Clark
City of Wilsonville
P.O. Box 220
Wilsonville, OR 97070



RE: Proposed Closure of Northern Access to
Thunderbird Mobile Home Park

Dear Mayor and Councilors:

The purpose of this correspondence is not to present new evidence, thankfully, but to respond to the proposed findings regarding the ordinance and comments of Mr. Starner in his letter of September 12, 1990.

With regards to the findings, it is obvious that we object since they are proposed for the purpose of supporting closure of the north entrance and we do not support that conclusion. Although I do not believe they are adequate or the nature you would wish for in support of your ordinance, I will not respond to the specifics since they are, in fact, the staff's position which they will need to support in the future. However, with regards to the safety issues please note the following:

1. Finding No. 10 alleges that we have admitted that the use of other accesses by emergency vehicles will not impact emergency response time to any appreciable degree. That is not correct. We have admitted that there is no reason to have emergency access by way of removable barriers since barriers will not be used and are not practical. The

testimony of fire and police is that they would not use the removable barriers, but go to the other access points. As I recall the fire chief's statement, he did not believe the additional delay time of using the other access would be material, although the sheriff's department felt that the delay time caused a "concern." It is the council's duty to decide whether or not that delay in emergency response time is critical. We believe it could be in some instances, but suggest that the bigger issue is a weighing of the issues of that concern, among others, with the safety issues of the intersection.

2. The turn-out lane proposed as an alternative has been referred to by staff as a "taper lane" and for purposes of deceleration or acceleration. That is not our proposal. Although we believe a turn-out lane is not necessary to deny staff's request, the alternative of the turn-out lane was to provide a safe harbor position for any cars turning into the mobile home park, should there be a stall or delay in getting off Parkway and out of the lane of traffic. Mr. Starner's memo of September 12, 1990, page 3, subparagraph A, indicates that there is 70 feet available and, accordingly there would be enough space at the intersection to put in the turn-out lane. It appears that there would be enough space for a turn-out lane, which could be tapered for acceleration, going south out of the north entrance.
3. We take exception to the statement under Finding No. 12 that the location of the access was such that its ultimate closure was "clearly foreseeable for the owner." Indeed, the testimony before the council was that this was not foreseeable and, in fact, has been a subject of some debate over the past several years.

In response to Mr. Starner's memo of September 12, please note the following:

1. Mr. Starner advised me by telephone conversation on July 26, 1990, that the rock had been removed the morning of July 17. At the time of dictation and

mailing of the July 18 correspondence, my information was that the rock was still in place. That information was confirmed on the morning of the 17th with The Ash Organization prior to dictation of the correspondence. Apparently, that was prior to the action of the City to remove the rock.

2. My prior statement is correct unless one is to believe the City did not control the construction of the permanent curb. If I understand Mr. Starner's defense, he did not personally construct or supervise construction since construction was by Hoffman Construction under the direction of Mentor Graphics. His defense does not negate the point.
3. Enclosed please find a copy of the envelope in which Mr. Starner's July 12 correspondence and documents were mailed to this office. As you will note, the date of the mailing is July 17, which is what I recited in the correspondence of July 18. Since Mr. Starner has not shared Exhibit 6 in the council packet, I cannot respond to whatever documentation he is providing. It appears Mr. Starner is compounding the problem by making new assertions.
4. My prior statement remains correct.
5. Surprisingly, City staff continues to misrepresent the Kittelson Report. Mr. Starner is correct in that Table 8, page 35, estimates that daily trip generations on a daily, morning and evening peak hour basis, on the worst case scenario assuming full build-out, and with no trips being made by mass transit, would be 9,630. Mr. Starner does not refer to you to any place in the Kittelson Report where the existing levels, calculated on the same basis, are specified. Indeed, he cannot because they are not in the report. We are again at a loss to explain how he comes up with the ten time current level analysis, since the Kittelson Report does not provide that support or information. As you will recall, Mr. Starner's statement was that the Kittelson Report provided that support and

information. Further, our analysis on p.m. peak hour trip generation was dictated by the specifics of the report, since it did not provide enough information to provide other comparisons. Indeed, Mr. Woelk advised me how to figure the numbers that would lead to a comparison and the comparison is based upon that advice as well as a fair reading of the document.

The original question still remains as to the basis of staff's ten-fold statement which apparently there is none, or, if otherwise, for the identity of the other studies, reports, et cet. Enclosed as Exhibit A is a copy of my September 6 correspondence to Mayor John Ludlow requesting such information, among other things.

6. I understand Mr. Starner to acknowledge that staff did not consider fully the alternative presented to the city council with regards to the turn-out lane, speed bumps and restrictive barrier in Parkway. His correspondence appears to conclude that there is not enough distance for a "taper lane" and staff contests the effectiveness of speed markers. We have not received specific analysis with regards to the sufficiency of space for a turn-out lane, which is the substance of our proposal, not a deceleration, acceleration or a "taper lane."

Set forth in Exhibit A is also correspondence with regards to the effectiveness of right-turn-in/right-turn-out only access points. As I trust you will note, the statements of the engineer were incorrect in that they are generally 78% effective under the study conducted by Washington County, but in at least two instances, they were 100% effective. Three additional turn-outs were effective in 90% range, three in the 80% range and five in the 70% range. It is apparent that the effectiveness of the turn-outs depends upon other matters as well, as the report explains. In the instant case, it is apparent that restriction on movement as proposed by a center barrier would result in a very effective turn-out lane.

Mayor and City Councilors
September 17, 1990
Page 5

Thank you for your consideration of the above matters.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Robert F. Blackmore".

Robert F. Blackmore

RFB610/jjb

Enclosures

cc: Stanley E. Ash



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WASHINGTON, D.C., NOT
ADMITTED IN OREGON
** RESIDENT, BEND OFFICE

September 6, 1990

VIA FACSIMILE 682-2259

Mayor John Ludlow
c/o John Ludlow Realty
9475 S.W. Wilsonville Road
Wilsonville, OR 97070

**PREVIOUSLY SENT
BY FAX**

RE: North Entrance - Thunderbird Mobile Home Club

Dear Mayor Ludlow:

At the September 4, 1990 council meeting, you indicated that you assumed staff was looking at other developments and increases in traffic for justification of its "ten-fold increase" statement. My recollection of the testimony of Steve Starner and Richard Woelk is that they based their projections and statements solely on the Kittelson Report. However, if I am incorrect, and given the fact that the City will need to prepare findings of fact and conclusions in support of its decision in this matter, I would appreciate receiving any other traffic studies supporting the "ten-fold increase" statement of staff.

Also, with regards to the investigation staff is presently doing on the turn-out lanes proposed for the north entrance, it would be helpful if we could have the results of that investigation well in advance of the meeting so that we will have an opportunity to review and make appropriate comment if warranted at the meeting.

Generally, if staff, including legal counsel, have comments or other matters which they intend to present at the next meeting, it would be extremely helpful to have that information well in advance so that we can all discuss and share our ideas prior to the final meeting on this issue.

Exhibit A

Mayor John Ludlow
September 6, 1990
Page 2

Lastly, Dick Woelk conveyed by facsimile his letter of September 5 to Mr. Starner enclosing a memorandum prepared by Washington County addressing the effectiveness of right-turn-in, right-turn-out driveways. Copy enclosed. I trust you have also been provided with that information and are now aware of the fact that the information given at the council meeting was incorrect. Mr. Woelk now states that the driveways are now 78% effective, not 78% ineffective. That figure is still incorrect since the study shows the actual figure is 83% effective, which is severely skewed negatively by two accesses. Please remember, our proposal includes a traffic barrier on Parkway.

Thank you for your courtesies and any assistance you can give in this matter.

Very truly yours,

Robert F. Blackmore

Robert F. Blackmore *J.*

RFB577/jjb

September 5, 1990

Mr. Steve Starner
City of Wilsonville
P.O. Box 220
Wilsonville, OR 97070

RE: ATEP testimony given September 4, 1990

Dear Steve:

As requested by Councilman Richard Clark, attached is a copy of the study done by Washington County Land Use and Transportation regarding restricted access points in the County.

I believe that I miss-spoke last night regarding the effectiveness of right turn in, right turn out driveways. The 78% figure used last night should have been construed as right turn in/out driveways are 78% effective with 22% violations of the restrictions, not as 78% violations of the restrictions.

Hopefully my error last night did not sway any of the Council from their original positions, but that's what I get for speaking off of the top of my head without reviewing statistics before hand.

As you will see, the data indicates that right turn in/out driveways do not stop drivers from making the restricted movements and are somewhat ineffective in providing safety to the motoring public.

Again, I'm sorry for the confusion.

If you have additional questions please contact me at 743-4491 or 636-9232.

Sincerely,

ASSOCIATED TRANSPORTATION ENGINEERING & PLANNING, (ATEP)

Richard L. Woelk, P.E.
Principal

cc: Robert Blackmore, Attorney at Law w/attachments



WASHINGTON
COUNTY,
OREGON

December 14, 1988

MEMORANDUM

TO: Interested Persons

FROM: Daryl Steffan, Traffic Analyst *DS*
Land Use and Transportation

SUBJECT: DATA ON RESTRICTED ACCESS POINTS

We have collected some data on restricted access points that I wanted to share with you. This is not a full-blown study but it's a start. I'm not going to go into a lengthy dissertation on this subject but rather share the data, a few observations, and let you draw your own conclusions.

The page after next is a spreadsheet. I'll explain the columns by example. At the right-in, right-out access at Wards there were 63 movements at the right-in, 30 of the 63 were left-ins, the percent effective is the difference between the total and the restricted divided by the total. We also made a subjective evaluation of capacity for the restricted movement. In this instance the left-ins were not capacity restricted.

After the spreadsheet are three sheets for each access. The first is a schematic of the access with the turning movements and capacity evaluation. The second is a diagram of the site, site access, and adjacent streets. The third is a signing and marking diagram.

It appears the effectiveness of the turn prohibitions is influenced by:

- Availability of alternate access for the restricted movement
- Travel time to the alternate access
Capacity for the restricted movement
Capacity at the alternate access
- Direction distribution of the site traffic
- Design of the channelization and on-site design
- Signing and striping

It appears effective installations complement the natural conditions. For instance, the right-in at the Target driveway is 100% effective. This is the first opportunity for rights at the center but the third for left-ins. This is in contrast to an identical design at the Lamont's driveway where the right-in is only 42% effective. This is the first opportunity to make a left into the center.

Department of Land Use And Transportation, Engineering/Survey Division

DATA:
Data on Restricted Access Points

December 14, 1988

Page 2

11

Another interesting comparison is the right-out only at Bales and Murray Crossing. Both access retail developments with alternate access to a signal for left turns. At Murray, where the left-outs were operating at a near capacity condition, the access is 84% effective. At Bales, where the left-outs were operating at under capacity, the access is 76% effective.

Distribution:

Tom Tushner, Washington County
Ron Failmezger, ODOT
Lee Gunderson, ODOT
Bob Keech, Keech Associates, Inc.
Wayne Kittelson, Kittelson & Associates
Dave Larson, Mackenzie Engineering
Carl Buttke, Carl H. Buttke, Inc.

LOCATION	TOTAL MOVEMENTS	TOTAL RESTRICTED	CAP	% EFFECTIVE
BH HIGHWAY MONTGOMERY WARDS				
RIO	63	30	U	52%
ROO	47	2	N	86%
TOT	110	32		71%
HALL BLVD TARGET DRIVEWAY				
RIO	137	0	U	100%
ROO	92	10	N	89%
TOT	229	10		86%
HALL BLVD LAMONTS DRIVEWAY				
RIO	26	15	U	42%
ROO	49	0	N	100%
TOT	75	15		80%
GREENBURG ROAD WASH SQUARE TWO				
RIO	82	24	U	71%
ROO	50	12	N	76%
TOT	132	36		73%
CORNELL ROAD BALES DRIVEWAY				
ROO	114	27	U	76%
MURRAY BLVD MURRAY CROSSING				
ROO	31	5	N	84%
BH HIGHWAY FASHION SQUARE				
RIO	91	8	N	91%

LEGEND: RIO: RIGHT IN ONLY
 ROO: RIGHT OUT ONLY

 U: UNDER CAPACITY
 N: NEAR CAPACITY
 O: OVER CAPACITY



**ASSOCIATED
TRANSPORTATION
ENGINEERING &
PLANNING (ATEP)**

(503) 636-9292 (503) 743-4491

FACSIMILE TRANSMITTAL COVER SHEET

(503) 743-4491 (PUSH 5 *)to activate FAX

TO: DUNN, CARNEY, ALLEN, HIGGINS, & TONGUE

FAX #: 224-7324

ATTN: ROBERT BLACKMORE

FROM: DICK WOELK

DATE: 09/05/90 # OF PAGES 4 (includes this sheet)

RE: ATEP TESTIMONY OF 09/04/90

COMMENTS/INSTRUCTIONS:

September 5, 1990

Mr. Steve Starner
City of Wilsonville
P.O. Box 220
Wilsonville, OR 97070

RE: ATEP testimony given September 4, 1990

Dear Steve:

As requested by Councilman Richard Clark, attached is a copy of the study done by Washington County Land Use and Transportation regarding restricted access points in the County.

I believe that I miss-spoke last night regarding the effectiveness of right turn in, right turn out driveways. The 78% figure used last night should have been construed as right turn in/out driveways are 78% effective with 22% violations of the restrictions, not as 78% violations of the restrictions.

Hopefully my error last night did not sway any of the Council from their original positions, but that's what I get for speaking off of the top of my head without reviewing statistics before hand.

As you will see, the data indicates that right turn in/out driveways do not stop drivers from making the restricted movements and are somewhat ineffective in providing safety to the motoring public.

Again, I'm sorry for the confusion.

If you have additional questions please contact me at 743-4491 or 636-9232.

Sincerely,

ASSOCIATED TRANSPORTATION ENGINEERING & PLANNING, (ATEP)

Richard L. Woelk, P.E.
Principal

~~cc: Robert Blackmore, Attorney at Law w/attachments~~



WASHINGTON
COUNTY,
OREGON

December 14, 1988

MEMORANDUM

TO: Interested Persons

FROM: Daryl Staffan, Traffic Analyst *DS*
Land Use and Transportation

SUBJECT: DATA ON RESTRICTED ACCESS POINTS

We have collected some data on restricted access points that I wanted to share with you. This is not a full-blown study but it's a start. I'm not going to go into a lengthy dissertation on this subject but rather share the data, a few observations, and let you draw your own conclusions.

The page after next is a spreadsheet. I'll explain the columns by example. At the right-in, right-out access at Wards there were 63 movements at the right-in, 30 of the 63 were left-ins, the percent effective is the difference between the total and the restricted divided by the total. We also made a subjective evaluation of capacity for the restricted movement. In this instance the left-ins were not capacity restricted.

After the spreadsheet are three sheets for each access. The first is a schematic of the access with the turning movements and capacity evaluation. The second is a diagram of the site, site access, and adjacent streets. The third is a signing and marking diagram.

It appears the effectiveness of the turn prohibitions is influenced by:

- Availability of alternate access for the restricted movement
- Travel time to the alternate access
Capacity for the restricted movement
Capacity at the alternate access
- Direction distribution of the site traffic
- Design of the channelization and on-site design
- Signing and striping

It appears effective installations complement the natural conditions. For instance, the right-in at the Target driveway is 100% effective. This is the first opportunity for rights at the center but the third for left-ins. This is in contrast to an identical design at the Lamont's driveway where the right-in is only 42% effective. This is the first opportunity to make a left into the center.

Data on Restricted Access Points

December 14, 1988

Page 2

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Another interesting comparison is the right-out only at Bales and Murray Crossing. Both access retail developments with alternate access to a signal for left turns. At Murray, where the left-outs were operating at a near capacity condition, the access is 84% effective. At Bales, where the left-outs were operating at under capacity, the access is 76% effective.

Distribution:

Tom Tushner, Washington County
Ron Failmezger, ODOT
Lee Gunderson, ODOT
Bob Keech, Keech Associates, Inc.
Wayne Kittelson, Kittelson & Associates
Dave Larson, Mackenzie Engineering
Carl Buttke, Carl H. Buttke, Inc.

LOCATION	TOTAL MOVEMENTS	TOTAL RESTRICTED	CAP	% EFFECTIVE
BH HIGHWAY MONTGOMERY WARDS				
RIO	63	30	U	52%
ROO	47	2	N	86%
TOT	110	32		71%
HALL BLVD TARGET DRIVEWAY				
RIO	137	0	U	100%
ROO	92	10	N	89%
TOT	229	10		86%
HALL BLVD LAMONTS DRIVEWAY				
RIO	26	15	U	42%
ROO	49	0	N	100%
TOT	75	15		80%
GREENBURG ROAD WASH SQUARE TWO				
RIO	82	24	U	71%
ROO	50	12	N	76%
TOT	132	36		73%
CORNELL ROAD BALES DRIVEWAY				
ROO	114	27	U	76%
MURRAY BLVD MURRAY CROSSING				
ROO	31	5	N	84%
BH HIGHWAY FASHION SQUARE				
RIO	81	8	N	81%

LEGEND: RIO: RIGHT IN ONLY
 ROO: RIGHT OUT ONLY
 U: UNDER CAPACITY
 N: NEAR CAPACITY
 O: OVER CAPACITY

NE 1/4 SEC. 14 T.3S. R.1W. W.M.
CLACKAMAS COUNTY

1" = 200'

EXHIBIT A-6
Map Designating
Parcels 1-5

NW 1/4 SEC. 13 T.3S. R.1W. W.M.
CLACKAMAS COUNTY

1" = 200'

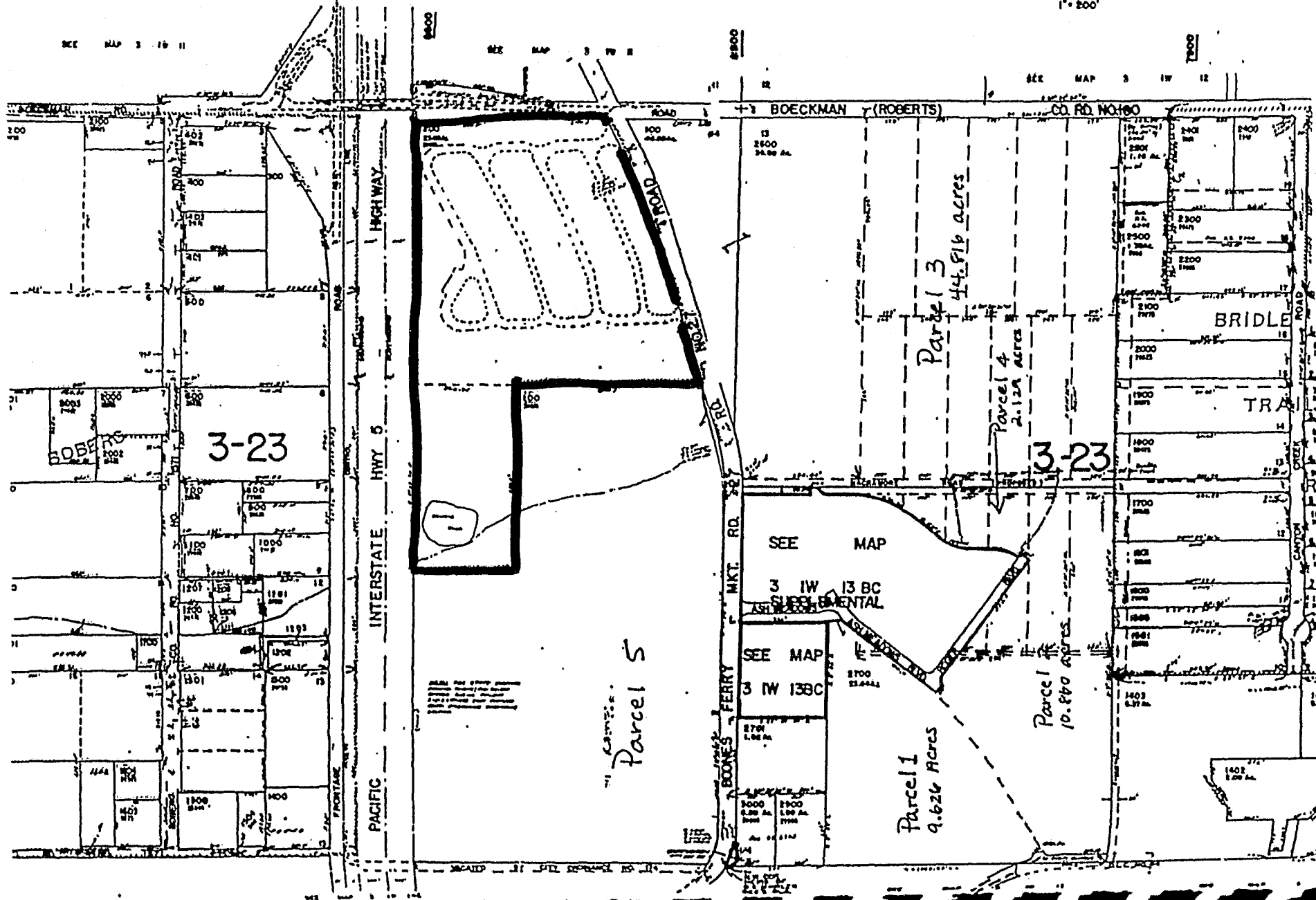


Table 2
Taper Length Criteria for Work Zones

TYPE OF TAPER	TAPER LENGTH
Upstream Tapers	
Merging Taper	L Minimum
Shifting Taper	1/2 L Minimum
Shoulder Taper	1/3 L Minimum
Two-way Traffic Taper	100 ft. Maximum
Down Stream Tapers	
(Use is optional)	100 ft. Minimum

Formulas for L

Speed Limit

40 MPH or Less

Formula

$$L = \frac{W \times S \times S}{60}$$

45 MPH or Greater

$$L = W \times S$$

L = Taper Length in feet
W = Width of offset in feet
S = Posted speed or off-peak 85 percentile speed in MPH

**U.S. MANUAL ON
UNIFORM TRAFFIC
CONTROL DEVICES**

$$W = 12 \text{ FT.}$$

$$S = 35 \text{ MPH}$$

$$\therefore L = \underline{\underline{245 \text{ FT}}}$$

**WILSONVILLE TRANSPORTATION AND
ENGINEERING DESIGN STANDARDS**

MINIMUM TRANSITION TAPERS

35 MPH

20/1

240 FT.

STOPPING
SLIGHT
DISTANCE
TRIANGLE

S.W. BOECKMAN ROAD

PUE
SUBSTATION

SCALE 1" = 40'

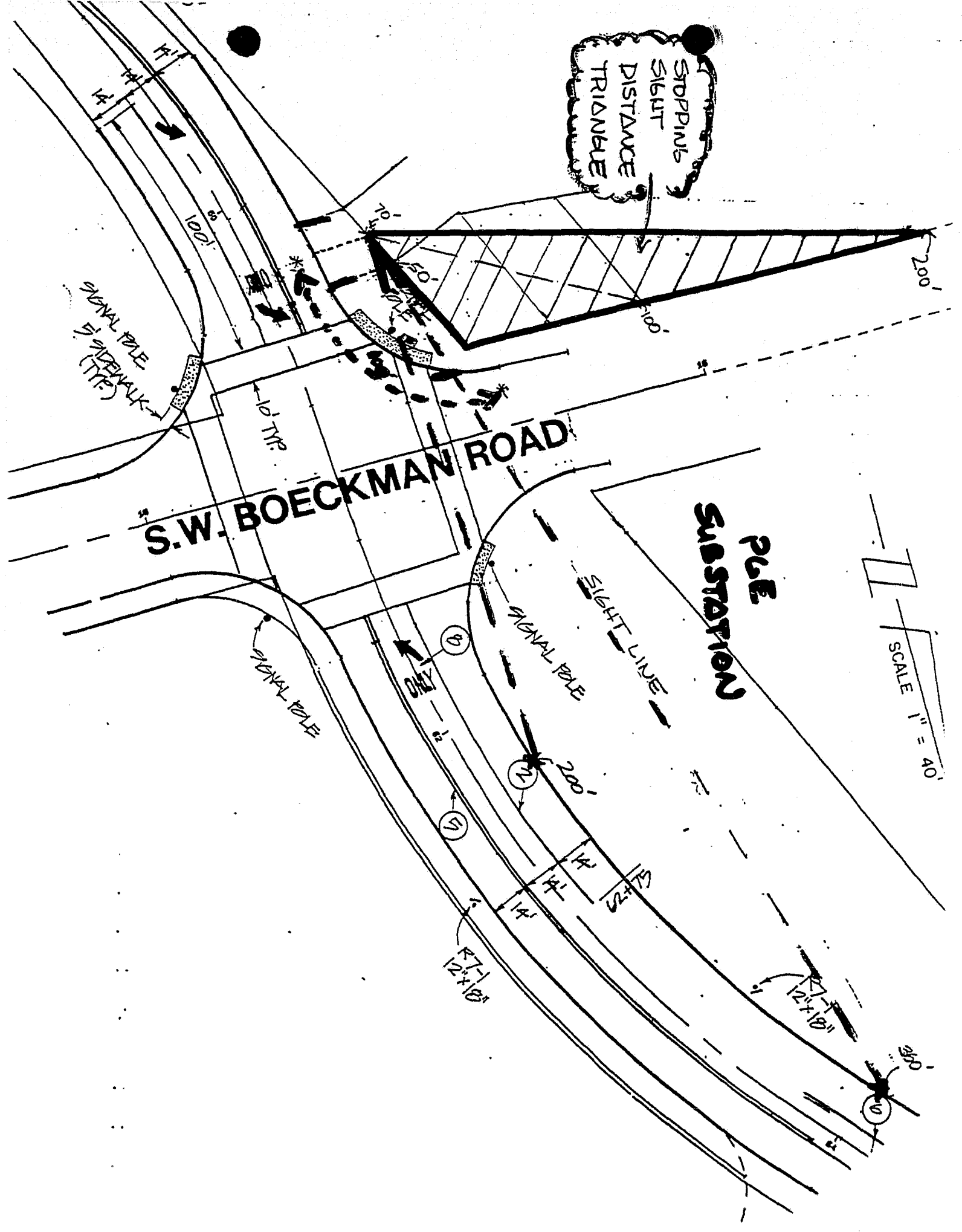
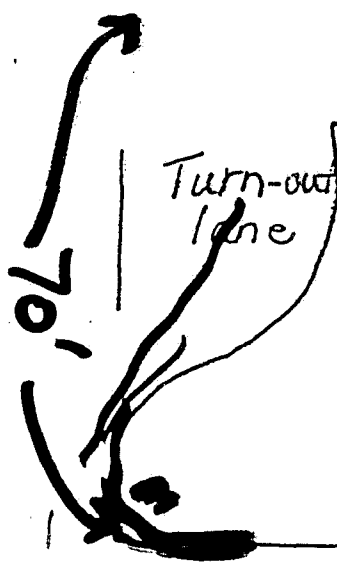
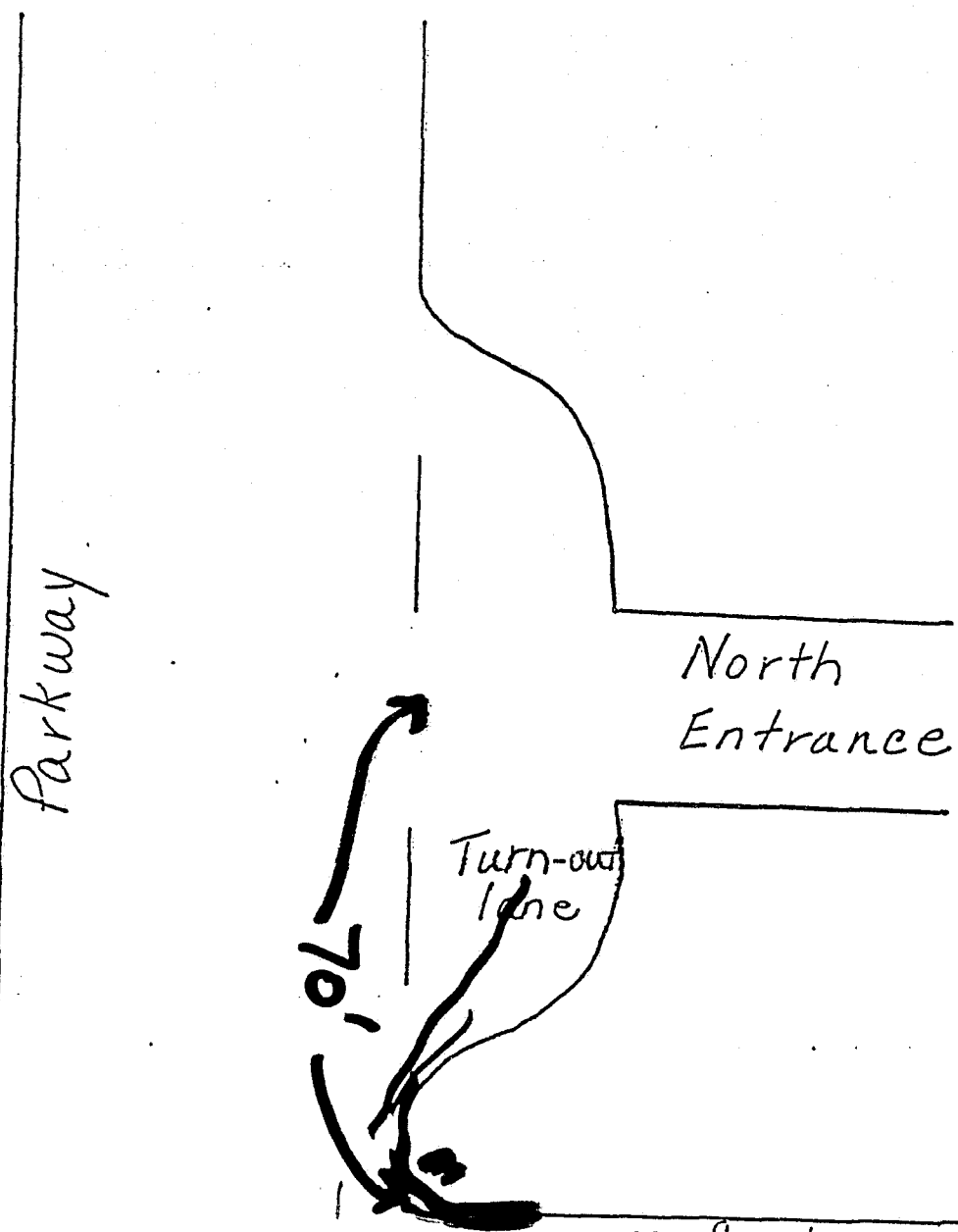
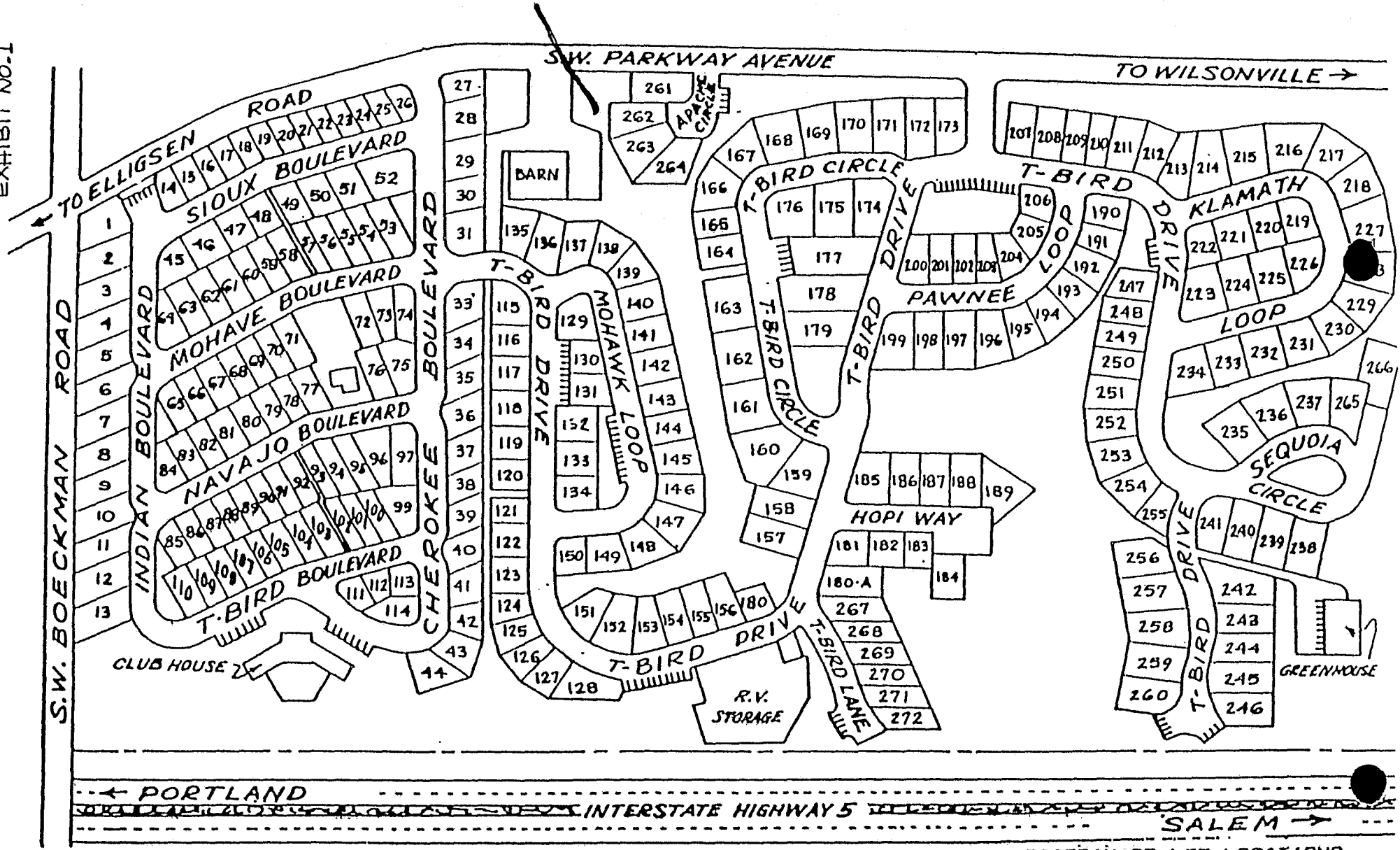


Exhibit A



Speed
Markers

Boeckman



THUNDERBIRD MOBILE CLUB
 28035 S.W. PARKWAY AVENUE
 WILSONVILLE, OREGON 97070

DIAGRAM OF LOT LOCATIONS
 (NOT FOR MEASUREMENT)
 COMPILED APRIL, 1986

NORTH ENTRANCE THUNDERBIRD

STA. 59+50 LT. 21'
END TAPER
BEGIN CURB

STA. 59+15.32 \pm
P.C.

58+68.45 LT. 10.82'

MENTOR GRAPHICS TO BEGIN
TAPER OF EXISTING PAVEMENT
TO NEW, RECONSTRUCTED SECTION

NEW STREET SECTION
TO BEGIN BY MENTOR GRAPHICS
STA. 60+40.76
LT. 21.00' P.R.

ADJUST WATER
VALVE BOXES

EXISTING
EDGE OF
PARKWAY

PARKWAY

ROAD

STA. 61+00.93
STA. 61+32.17
PARKWAY AVE. =
BOECKMAN RD.

STA.
LT.
P.C.

A.S.
TO
GIN

R/W

SAN

STA. 59+50 RT. 21'
END TAPER
BEGIN CURB

STA. 60+13.14
RT. 21.00'
P.C.C.

G.I. No. 1
STA. 59+52.12
RT. 23.75'

STM. M.H. No. 1
STA. 60+77.12 \pm

3.3 L.F. 12" STM. @ 5L = 1.05%

SAN

0.5' S

RECONSTRUCT
ING SANITARY
TO FINISH

STA. 61.1
RT. 21.00
P.R.C.

MAN

LOCAL HIGHWAY SAFETY STUDIES
 FEDERAL HIGHWAY ADMINISTRATION

Table 7. Recommended stopping sight distance (Developed for wet pavement).
 (Source: [14] p. 138)

Design Speed (mph)	Assumed Speed for Condition (mph)	Brake Reaction		Coefficient of Friction f	Braking Distance on Level (ft)	Stopping Sight Distance
		Time (sec)	Distance (ft)			Rounded for Design (ft)
20	20-20	2.5	73.3- 73.3	0.40	33.3- 33.3	125-125
25	24-25	2.5	88.0- 91.7	0.38	50.5- 54.8	150-150
30	28-30	2.5	102.7-110.0	0.35	74.7- 85.7	200-200
35	32-35	2.5	117.3-128.3	0.34	100.4-120.1	225-250
40	36-40	2.5	132.0-146.7	0.32	135.0-166.7	275-325
45	40-45	2.5	146.7-165.0	0.31	172.0-217.7	325-400
50	44-50	2.5	161.3-183.3	0.30	215.1-277.8	400-475
55	48-55	2.5	176.0-201.7	0.30	256.0-336.1	450-550
60	52-60	2.5	190.7-220.0	0.29	310.8-413.8	525-650
65	55-65	2.5	201.7-238.3	0.29	347.7-485.6	550-725
70	58-70	2.5	212.7-256.7	0.28	400.5-583.3	625-850