

ORDINANCE NO. 449

AN ORDINANCE OF THE WILSONVILLE CITY COUNCIL ADOPTING FINDINGS AND CONDITIONS OF APPROVAL AND APPROVING AMENDING THE COMPREHENSIVE PLAN MAP TO CHANGE 4.11 ACRES OF LAND FROM RESIDENTIAL TO COMMERCIAL AND INCREASE THE HOUSING DENSITY FROM 7-12 DU/AC TO 12-20 DU/AC FOR 15.00 ACRES OF RESIDENTIAL LAND; AMENDING THE COMPREHENSIVE PLAN TEXT LANGUAGE FOR "AREA OF SPECIAL CONCERN NO. 4; AMENDING THE CITY'S TRANSPORTATION PLAN (1990); AMENDING THE OFFICIAL ZONING MAP FROM RA--1 TO PDR AND PDC TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN MAP; APPROVING STAGE I (MASTER PLAN) AND STAGE II (SITE DEVELOPMENT PLANS) AND A PRELIMINARY SUBDIVISION PLAT FOR THE "TEUFEL PROPERTY" AND DECLARING AN EMERGENCY. THE SITE IS IDENTIFIED AS TAX LOTS 100 & 700; SECTIONS 24 & 24A; T3S-RI; CLACKAMAS COUNTY; OREGON. APPLICANT - MR. ROBERT JOHNSON (AKA the SIMPSON DEVELOPMENT COMPANY).

WHEREAS, the City of Wilsonville is a home rule city under the laws of the State of Oregon and has a duly acknowledged Comprehensive Land Use Plan and implementing ordinances; and

WHEREAS, the Simpson Development Company, represented by Mr. Robert Johnson, submitted a full and complete application to the City Planning Department requesting that the Comprehensive Plan map be amended to change about 4.11 acres of Residential land to Commercial; to increase the residential density from 7-12 du/ac to 12-20 du/ac on approximately 15.00 acres of Residential designated land; to revise the Comprehensive Plan text language for Area of Special Concern No. 4 to allow a mixed use, neotraditional development and amend the 1990 Transportation Master Plan to provide for a revised street system for the "Teufel Property"; and

WHEREAS, the Simpson Development Company concurrently requests that the City's official zoning map be changed from RA-1 (Residential Agriculture - one acre minimum) to PDC (Planned Development Commercial) and PDR (Planned Development Residential) to be consistent with the amended Comprehensive Plan map; and

WHEREAS, the applicant additionally requests approval of a Preliminary Subdivision Plat; a Stage I Master Plan and a Stage II Site Development Plan for two parcels of land commonly known as the "Teufel Property" which is further described and identified on the Clackamas Assessor's maps as Tax Lots 100 & 700, Sections 24 & 24A, T3S-RIW, Clackamas County, Oregon; and

WHEREAS, the full and complete application, including the Planning Department's staff report and exhibits, was submitted to the Wilsonville Planning Commission in compliance with the public hearing procedures set forth in Section 1 (Plan Amendments) of the Comprehensive Plan and Section 4.187(1) Zone Changes and Amendments - Procedures of the Wilsonville Code (WC); and

WHEREAS, the Planning Commission scheduled and held a special public hearing on September 21, 1995, at which time the Commission reviewed the planning staff report, including all exhibits and materials submitted by the applicant and other interested parties, and received oral and written testimony from interested citizens who were afforded an opportunity to be heard after the property was posted and public notice of this matter was mailed to surrounding property owners and interested agencies and published in the *Wilsonville Spokesman*; and

WHEREAS, at the special hearing the Planning Commission received testimony from five people, other than staff and the applicant, four of whom were in favor of the proposed changes and one who was neutral and then, at planning staff's request, the Commission continued the hearing to October 9, 1995, so that they could consider the Traffic Impact Analysis (TIA) along with the recommendations of the City Engineer and Transportation Advisory Commission (TAC) regarding traffic impacts and matters related to the Transportation Management Ordinance (TMO); and

WHEREAS, at about midnight on October 9, 1995, after having heard a previously scheduled application, the Planning Commission decided that they would not reopen the public hearing for this application and, instead, continued the entire matter to October 25, 1995; and

WHEREAS, at the continued public hearing of October 25, 1995, the Commission heard and accepted additional evidence and testimony which included a revised planning staff report, the full TIA, ODOT's comments, a letter from the Community Development Director in response to ODOT and the favorable recommendation of the TAC; and

WHEREAS, the Planning Commission, after closing the public hearing and carefully considering all available evidence and testimony in the record of proceedings, recommended that the Wilsonville City Council **approve with conditions** the Comprehensive Plan map and text changes (including revising the Transportation Plan) along with the Zone Change, Stage I Master Plan, Stage II Site Development Plan and the Preliminary Subdivision Plat as amended and revised by the Commission in their Resolution No. 95PC27 (Exhibit 1); and

WHEREAS, appropriate notice of the proposed adoption of the Comprehensive Plan Map and Text amendments and Zone Change was provided to the Department of Land  
**ORDINANCE NO. 449**  
**CB-O-229-95**

Conservation and Development (DLCD) and Oregon Department of Transportation (ODOT) in accordance with OAR 660-18-020; and

WHEREAS, the Wilsonville City Council, after providing the required notices, held a public hearing on November 6, 1995 to review the record of the Planning Commission and to hear and consider additional evidence and testimony regarding the Simpson Development application.

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

Section 1. The official Comprehensive Plan Map of the City of Wilsonville is hereby amended and changed so that 4.903 acres of land is reclassified from Residential to Commercial as shown on the proposed Preliminary Plat and is further described by a legal description prepared by Michael Gates, Registered Professional Land Surveyor, entitled "New Commercial Parcel" - dated October 18, 1995 which is attached hereto and incorporated by reference. The total amount of Commercial planned property is approximately 11.09 acres as a result of this change not including any proposed dedication to the City of right-of-ways. The Comprehensive Plan Map is further amended so that approximately 15 acres is reclassified from Residential (7-12 du/ac) to Residential (12-20 du/ac) as described on the legal description prepared by Mr. Gates which is entitled "Area of Density Increase" - dated October 23, 1995 which is attached hereto and incorporated by reference. The Planning Director is hereby authorized and directed to make such changes on the Official Comprehensive Plan Map upon the effective date of this Ordinance and in compliance with this section.

Section 2. The Comprehensive Plan Map and the Transportation Master Plan (1990) are hereby amended and changed to reflect a new public street system that is shown on Figure 4 of the applicant's submittal submitted August 18, 1995 and revised on August 18, 1995 (2ND Revision). However, Figure 4 is incomplete. Pacific Avenue is not shown in cross hatch extending to Parkway Avenue. Pacific Avenue shall be extended to Parkway Avenue. Additionally, Wilsonville Road is to be a six (6) lane facility (12-foot travel lanes/14-foot left turn lanes) with bike lanes (5 feet on each side), sidewalks, and planting strips, and medians (14 feet where feasible) between I-5 and Town Center Loop East. Note, Figure 4 also shows a private street extension of Holly Street. Holly Street has been previously vacated as a public street, but may be needed as a local collector, public street in the future depending on traffic pattern development. The Planning Director is hereby authorized and directed to make such changes on the Official Comprehensive Plan

and Transportation Master Plan maps upon the effective date of this Ordinance and in compliance with this section.

Section 3. The text language of the Comprehensive Plan's "Area of Special Concern No. 4" is hereby replaced and is amended to read as follows:

*This area is the Teufel property located south of Wilsonville Road and east of Parkway Avenue. The entire area is currently an active holly orchard, but is planned for commercial and residential development. The majority of the site is designated for residential development with densities ranging from 7-12 and 12-20 units per acre. The frontage of the area is designated for commercial development intended to create a vital village atmosphere. Concerns for this area are related to traffic, design and use.*

Design Objectives

1. *Minimize direct access to Wilsonville Road. Primary access to this site shall be provided at signalized intersections to Wilsonville Road aligned with the Town Center Loop Road and the central access to the Town Center. An internal street network shall provide connectivity to and from Parkway Avenue, Memorial Drive, Rogue Lane, Holly Street, the library and the commercial frontage. Provisions for transit access and coordination with existing and planned pedestrian and bike pathways to the City library and City Park are also concerns in this area.*

2. *The predominant use of the site is intended to be residential. Commercial uses shall be located as designated on the Comprehensive Plan Map and shall be subject to careful design review for compatible and complementary design with the adjacent residential uses. Uses are intended to be convenience and neighborhood oriented to serve the local residents, but may include service commercial and office uses provided they are found to be consistent with the design objectives and the Traffic Management Ordinance. Uses shall interrelate to each other to create a dynamic and vital sense of place. Buildings shall be oriented to each other and to court yards or plazas to facilitate connectivity. All commercial uses and buildings are subject to Planning Commission approval as part of the Stage I Master Plan and Stage II Site Development Plan.*

3. *Residential building design shall maintain human scale and provide a mix of public and private spaces resulting in a safe, healthful, attractive, and engaging community. Sight lines and visual reference points shall be created and/or enhanced throughout the site to strengthen the overall aesthetics of the development..*

4. *The heavy stand of fir trees along the southern portion of the property shall be maintained providing continuity in the vegetation line extending west from the City Park. A visual corridor and pedestrian/bikeway connection shall be provided between the residential areas and the park.*

5. *The Teufel tract is recognized as a sub district of the Town Center. The core area is located immediately across Wilsonville Road. As such, the Teufel property creates an opportunity for a unique complementary relationship to the Town Center as a mixed use development. While not physically part of the core area of Town Center, the commercial portion of the Teufel development shall be designed to function as a special sub district with a neighborhood or main street that complements the City's major commercial district. This also recognizes that the predominant use within the Teufel site is residential.*

6. *As a special sub district of the Town Center, the entire development shall be designed with a strong pedestrian orientation both internally and externally to the site. This is of particular concern within the commercial portion where there is an opportunity to create a less auto dominated environment than has occurred within the Town Center. This special design orientation also recognizes the site's unique geographic location adjacent to the Town Center, City Library, City Park and nearby City Hall which are all within easy walking distance. To create a vital pedestrian oriented environment, the commercial development shall be designed with multiple linkages between store fronts and main doorways. While buildings sizes may vary, it is the orientation between buildings, store fronts, building entries, walkways and plazas that is of specific concern to maximize the pedestrian environment. Second story uses such as office and residential are also encouraged to strengthen the mix of use and activity within the center.*

The Planning Director is hereby authorized and directed to make the necessary changes to the Comprehensive Plan text for "Area of Special Concern No. 4" upon the effective date of this Ordinance and in compliance with this section.

Section 4. The official Zoning Map of the City of Wilsonville is hereby amended to change approximately 11.09 acres of property from **RA-1** to **PDC (Planned Development Commercial)** consistent with the Preliminary Plat (applicant's Exhibit A - dated 09-13-95) and Section 1 above. The City Council affirms and upholds the Planning Commission's approval of a Stage I Master Plan and a Stage II Site Development Plan for the commercial portion of the Teufel property. The Planning Director is hereby authorized and directed to make the necessary changes to the official Zoning Map upon the effective date of this Ordinance and in compliance with this section.

Section 5. The official Zoning Map of the City of Wilsonville is hereby amended to change approximately 38.51 acres of property from **RA-1** to **PDR (Planned Development Residential)** consistent with the Preliminary Plat (applicant's Exhibit A - dated 09-13-95) and the amended Comprehensive Plan map. The Council affirms and upholds the Planning Commission's approval of a Stage I Master Plan for the residential portion of the Teufel property and Stage II Site Development Plan approval for the 440

units of multi-family housing that is the project's core. The Planning Director is hereby authorized and directed to make the necessary changes to the official Zoning Map upon the effective date of this Ordinance and in compliance with this section.

Section 6. The following findings and conclusions are hereby adopted and expressly made part of this Ordinance:

**CITY COUNCIL FINDINGS FOR THE COMPREHENSIVE PLAN  
TEXT AND MAP AMENDMENTS**

1. The applicant's consulting team has prepared a background report (submitted May 19, 1995; revised August 18, 1995 and supplemented September 19, 1995) that describes the development plan and presents the applicant's findings and conclusions that address the applicable development criteria, comprehensive plan policies, objectives and goals, the statewide planning goals and the Transportation Management Ordinance. The applicant's findings are found in Exhibit D-2. The following findings were prepared by City staff in the Staff Report dated September 11 and the revised Staff Report dated October 2, 1995. The findings herein supplement the applicant's findings.

**Site Location:**

2. The 54.72 acre property is identified on the Clackamas County Assessor's maps as Tax Lots 100 and 700 located in Sections 24 and 24A, T3S-R1W, Wilsonville, Oregon. The property is generally located south of Wilsonville Road and Town Center, east of Parkway Avenue, north of Day Dream Ranch and Memorial Drive and west of the City Library. Memorial Park is located to the southeast.

**Proposal:**

3. The property currently has three Comprehensive Plan map designations which are: 7 acres of **Commercial** located in the northwest corner, 3.20 acres of **Primary Open Space** located in the southeast corner and 44.52 acres of **Residential**. For the purpose of this report, the applicant's site area calculations are used. The net site area, after dedication of open space and public street right of ways is estimated at **48.47** acres. The estimated net site area does not account for the changes that would occur if the City Council approves the land trade of .375 acres of City property in exchange for .95 acres of the Teufel property. The applicant seeks a minor Comprehensive Plan map amendment to relocate and increase the **Commercial** planned area by **4.903** acres and to increase the residential density from 7-12 du/ac to 12-20 du/ac on **15.00** acres of **Residential** planned property. The other requests are to amend the Transportation Master Plan to provide for a revised public street system and to amend the text language of Area of Special Concern No. 4 to allow for a mixed use development that is more transit and pedestrian friendly. The proposed street system would eliminate a portion of the planned extension of Town Center Loop West to connect with Memorial Drive/Trask Street to the south, add a new connection (Pacific) to connect Parkway Avenue and Town Center Loop West and to add a new public street located west of the library that would connect Wilsonville Road and Memorial Drive (see figure no. 4 of the applicant's submittal for the street design). The proposed street design provides for two signalized intersections and allows for a right-in/right-out access

off of Wilsonville Road. The following table provides an approximate summary of the proposed Comprehensive Plan map changes. The actual resulting acres may have some minor variations due to more accurate surveys and parcel descriptions:

**Amended Comprehensive Plan Map Areas:**

Urban Medium Residential (7-12 du/ac)	25.43 acres
Urban High Residential (12-20 du/ac)	15.00 acres
Commercial	11.09 acres
Primary Open Space	<u>3.20 acres</u>
<b>TOTAL</b>	<b>54.72 acres</b>

**Metropolitan Housing Rule:**

- The Metropolitan Housing Rule required Wilsonville to plan for an average density of 8 dwelling units per acre on its **Residential** designated properties. The Rule requires that the projected housing densities be shown on the Comprehensive Plan Map. The Comprehensive Plan has been acknowledged as being in compliance with the Rule and the Statewide Planning Goals. Metro's proposed 2040 Plan generally seeks to increase the housing densities in the metropolitan area to 30-60 dwelling units per acre. The applicant proposes to build 566 dwelling units on 43.61 acres (before the dedication of any land to the public) which results in a net housing density of **12.98 du/ac**. The actual resulting density (after land dedications and density transfers) is **15.5 du/ac**. The applicant's proposal does comply with the Metropolitan Housing Rule and the amended Comprehensive Plan map.

**Comprehensive Plan - Area of Special Concern No. 4:**

- The Wilsonville Comprehensive Plan identifies several areas within the City that are designated as Areas of Special Concern. Prior City officials believed that the general language in the Comprehensive Plan text did not fully and adequately address specific concerns relating to the future development of these areas and, therefore, included specific language and design guidelines to help guide the development of these areas. The Teufel property is located in Area of Special Concern No. 4, the text of which reads as follows:

*"This area is the Teufel property located south of Wilsonville Road and east of Parkway Avenue. The entire area is currently an active holly orchard, but is planned for commercial and residential development. The majority of the city is designated medium density residential with a small portion designated for commercial. Concerns for this area are related to traffic, design and use.*

**Design Objectives**

- 1. Minimize direct access to Wilsonville Road. Access to this site should be provided from 3 common access(es) to Wilsonville Road and/or Parkway Avenue. Coordination with existing and planned pedestrian and bike pathways to the City Park is also a concern in this area.*
- 2. The predominant use of the site is intended to be residential. Commercial uses shall be located as designated on the Comprehensive Plan Map and shall be subject to careful design review for compatible and complementary design with the existing commercial buildings along Parkway Avenue, adjacent residential*

*development and the Town Center development. Uses other than office or convenience commercial must be approved by the Planning Commission.*

3. *Any location of high density development should be sensitive to the visual image from the freeway and Wilsonville Road. Buildings should not be designed in barracks-like manner which creates a wall effect along Wilsonville Road.*

4. *The heavy stand of fir trees along the southern portion of the property should be maintained providing continuity in the vegetation line extending west from the City Park."*

6. The current Plan text mandates that the Planning Commission approve any commercial uses on the property other than "office" and "convenience commercial" which, apparently, are permitted outright. The Plan also states that the commercial uses "...be located as designated on the Comprehensive Plan Map and shall be subject to careful design review for compatible and complementary design...etc.". This suggests that the Planning Commission and/or the City Council could impose additional design guidelines regulating the commercial development. The applicant has proposed a design for the commercial buildings in order to meet the objectives of the TMO. The applicant believes that the current language of Area of Special Concern No. 4 is out dated and is too restrictive to meet the intent of the Transportation Planning Rule, the Transportation Management Ordinance and the Metro 2040 Plan.

7. In order to more clearly describe desirable functions, features and relationships, the applicant has proposed new language for Area of Special Concern No. 4 as follows (additions are highlighted in **bold**); (Note, the City Council adopted this language with minor amendments, the full text of which is set out in the ordinance.)

*This area is the Teufel property located south of Wilsonville Road and east of Parkway Avenue. The entire area is currently an active holly orchard, but is planned for commercial and residential development. The majority of the site is designated for residential development with densities ranging from 7 to 20 units per acre. The frontage of the area is designated for commercial development intended to create a vital village atmosphere. Concerns for this area are related to traffic, design and use.*

#### Design Objectives

1. *Minimize direct access to Wilsonville Road. Primary access to this site should be provided at signalized intersections to Wilsonville Road aligned with the Town Center Loop Road and the central access to the Town Center. An internal street network should provide connectivity to and from Parkway Avenue, Memorial Drive, Rouge Lane, Holly Street, the library and the commercial frontage. Provisions for transit access and coordination with existing and planned pedestrian and bike pathways to the City library and City Park are also concerns in this area.*

2. *The predominant use of the site is intended to be residential. Commercial uses shall be located as designated on the Comprehensive Plan Map and shall be subject to careful design review for compatible and complementary design with the adjacent residential uses. Uses are intended to be convenience and neighborhood oriented to serve the local residents, but may include*



*service commercial and office uses provided they are found to be consistent with the design objectives and the Traffic Management Ordinance. Uses should interrelate to each other to create a dynamic and vital sense of place. Buildings should be oriented to each other and to court yards or plazas to facilitate connectivity. All commercial uses and buildings are subject to Planning Commission approval as part of the Stage I Master Plan and Stage II Site Development Plan.*

*3. Residential building design should maintain human scale and provide a mix of public and private spaces resulting in a safe, healthful, attractive, and engaging community. Sight lines and visual reference points should be created and/or enhanced throughout the site to strengthen the overall aesthetics of the development..*

*4. The heavy stand of fir trees along the southern portion of the property should be maintained providing continuity in the vegetation line extending west from the City Park. A visual corridor and pedestrian/bikeway connection should be provided between the residential areas and the park.*

8. The applicant's original proposed language did not include any reference to the Town Center which is located to the north across Wilsonville Road. Staff recommends, and the applicant agrees, to include the following additional language to address the Town Center since the close proximity of adjacent sub-areas needs to be clearly addressed and complementary relations described:

*5. The Teufel tract is recognized as a sub district of the Town Center. The core area is located immediately across Wilsonville Road. As such, the Teufel property creates an opportunity for a unique complementary relationship to the Town Center as a mixed use development. While not physically part of the core area of Town Center, the commercial portion of the Teufel development should be designed to function as a special sub district with a neighborhood or main street that complements the City's major commercial district. This also recognizes that the predominant use within the Teufel site is residential.*

*6. As a special sub district of the Town Center, the entire development should be designed with a strong pedestrian orientation both internally and externally to the site. This is of particular concern within the commercial portion where there is an opportunity to create a less auto dominated environment than has occurred within the Town Center. This special design orientation also recognizes the site's unique geographic location adjacent to the Town Center, City Library, City Park and nearby City Hall which are all within easy walking distance. To create a vital pedestrian oriented environment, the commercial development should be designed with multiple linkages between store fronts and main doorways. While buildings sizes may vary, it is the orientation between buildings, store fronts, building entries, walkways and plazas that is of specific concern to maximize the pedestrian environment. Second story uses such as office and residential are also encouraged to strengthen the mix of use and activity within the center.*

9. The Wilsonville Comprehensive Plan provides the operative document for criteria needed to review comprehensive plan map and text amendments. The Planning Commission has forwarded a recommendation to the City Council, along with their findings and conclusions, based on the criteria set forth in Chapter 1, page 4 of the Plan. Additionally, the amendment must consider the Comprehensive Plan's goals, policies and objectives and demonstrate compliance with the applicable Statewide Planning goals. The applicant has submitted his own findings which he believes demonstrate compliance with the Plan Amendment criteria in his submittal. The following findings are adopted by the Wilsonville City Council and are intended to supplement the applicant's findings. In the event of conflict, the Council's findings shall take precedence over the applicant's findings and submittals.

**Comprehensive Plan Amendment Criteria:**

10. The first Plan amendment criteria is:
  - a. **The proposed amendment is in conformance with the text portions of the Plan not being considered for amendment.**
11. The Comprehensive Plan requires that interested parties be allowed to be involved in the land use planning process. This application was received in a timely manner and was accompanied by the appropriate fee. Surrounding property owners were notified, the property was posted and public notice of the hearings was published in the *Wilsonville Spokesman*. Additionally, the Department of Land Conservation and Development (DLCD), as well as the Oregon Department of Transportation (ODOT), received notice of this proposal as required by state law. The Wilsonville Planning Commission and City Council have each held at least one public hearing at which parties have offered testimony regarding this development. The means and opportunity for interested parties to be involved has been provided and all legal notice requirements have been met.
12. The Comprehensive Plan's Urban Growth Management goal requires "...growth to continue at a rate consistent with: the economics of development, the economics of city administration, and the economics of providing public services and facilities provided that such development is consistent with livability within the City." The subject property is located within Wilsonville's Urban Growth Boundary (UGB) and is, therefore, presumed to be readily available for development, consistent with the Wilsonville Code requirements that primary public facilities are available and are adequate to serve the development. The development must also comply with the City's innovative Traffic Management Ordinance (TMO) which seeks to control the rate of development within the vicinity of the I-5/Wilsonville Road interchange. The project will have to be developed in phases in order to meet the TMO requirements. It appears that public facilities and services are adequate, or can be provided, to serve the project site. The developer will be constructing all of the on-site streets and utilities in accordance with the Master Plans for streets, sewer, water and storm sewer. Where needed, the developer will have to provide increased capacity to serve the development as determined by the City Engineer. All public facilities will be permitted and inspected by the City to ensure that they meet the appropriate standard(s). The Wilsonville Code criteria regarding zone map amendments require compliance with specific Plan policies and objectives that relate to public facilities and additional findings have been provided in this report.

The Comprehensive Plan identified schools as "complementary facilities" which affect the overall quality of urban living, but are not directly linked to the

development process. The Teufel tract is located within the West Linn-Wilsonville School District and the District was notified of the proposed development. The District choose not to comment; however, the District has greatly expanded its school facilities in the Wilsonville area in the past few years, including the construction and opening of the Wilsonville High School. The District's facilities planning took into account the City's rapid growth and anticipated that most of the Teufel property would be developed residentially. The City has also entered into an intergovernmental agreement with the District regarding the joint use of school facilities by the public. The City Council finds that the school capacity is adequate to serve this development.

13. The Comprehensive Plan contains several goals and objectives relating to the use and development of **Commercial** planned and designated land. As stated before, the Town Center is recognized in the Plan as the City's major commercial district and is the major retail anchor. Staff has proposed additional language in the Plan text (i.e. Area of Special Concern No. 4) to more clearly describe the desired relationships. The other applicable commercial goals and objectives are:

**Goal 4.1: "Encourage commercial growth primarily to serve local needs as well as adjacent rural and agricultural lands."**

**Objective 4.1.1 "Encourage commercial uses which are compatible with the residential nature of the community, and are complimentary to or supportive of industrial development in the City."**

**Objective 4.1.2 "Attempt to provide a basic mix of needed goods and services."**

**Objective 4.1.3 "Encourage a rate of commercial development consistent with serving the needs of residents of the City and adjacent rural and agricultural lands."**

**Objective 4.1.4 "Cluster commercial activity near the freeway interchanges and encourage service or freeway oriented commerce to locate near the Stafford interchange. Encourage retail and other local oriented commerce to locate in commercial districts along Wilsonville Road to minimize transient traffic impacts on the Wilsonville interchange."**

14. About 7 acres of the Teufel property (the northwest corner) is already designated for commercial use on the Comprehensive Plan map. The proposed amendment would change about 4.903 acres of **Residential** to **Commercial** and would reconfigure the commercial portion of the site. The reconfiguration would allow the developer to create a more efficient and pedestrian friendly "Main Street". The commercial designation would also allow for limited recreational commercial use of the leasing office/recreation building located at the entry to the apartment complex. The types of commercial uses would be limited to office, neighborhood convenience, restaurants, recreational use, and limited service commercial. All uses would be subject to Planning Commission approval and would have to meet the TMO. The total amount of commercial land, if the change is granted, would be **11.903** acres. The City Council agrees with Planning Staff view this as a minor change to the existing Plan map and believes that the resulting benefits (i.e. better traffic circulation, a more pedestrian friendly environment, less parking, and better building orientation and design) warrant the change.

15. The Comprehensive Plan, pg. 57, describes desirable commercial development as:

*"Commercial development is often a major identifying feature in a community, offering impressions to resident and visitor alike of the quality of life available. The Plan, therefore, urges that shopping areas be pleasant environments to live near and to do business within. They should not be designed in a manner only to attract attention and create the illusion of having ample parking. Buildings need not be painted red, white, and blue, having flashing, rotating signs, to secure their share of the shopping public. In fact, the reverse trend appears to be the case, with centers providing a pleasant shopping environment often being the more prosperous."*

16. The proposed commercial development appears to conform to the Comprehensive Plan's vision of providing a pleasant, local shopping environment. The concept of providing a "Main Street" that is pedestrian scale and allows for and encourages pedestrian movement is in keeping with the design objectives of the TMO and the TPR.

17. The Comprehensive Plan's Housing Goal 4.3 and applicable Objectives are:

**Goal 4.3:** "Plan for and permit a variety of housing types consistent with the objectives and policies set forth under this Goal while maintaining a reasonable balance between the economics of building and the cost of supplying public services. This Goal identifies the City's desire to provide a variety of housing types needed to meet a wide range of personal preferences and income levels. This Goal also recognizes the fact that adequate public facilities and services must be available in order to build and maintain a decent, safe and healthful living environment."

**Objective 4.3.1:** "Establish residential areas that are safe, convenient, healthful and attractive places to live while encouraging variety through the use of planned developments and clusters."

**Objective 4.3.3:** "Encourage the construction and development of diverse housing types, but maintain a general balance according to housing type and geographic distribution, both presently and in the future. Such housing types may include, but shall not be limited to: Apartments, single-family, detached, single-family common wall, manufactured homes, mobile homes, modular homes and condominiums in various structural forms."

**Objective 4.3.4:** This objective sets "balance ratios" for different housing types and is addressed in greater detail in the Zone Change findings. The balance ratios in the Plan are 40% single family (4415 units), 50% multi-family (5520 units) and 10% manufactured housing (1104 units). Additionally, no single traffic zone shall have a single housing type exceeding 60% of the long term goal calculated for the sum total of the primary traffic zone, and all adjacent traffic zones. This application meets the Objective. (See discussion below).

**Objective 4.3.7:** "Coordinate housing development with the social and economic needs of the community."

**Objective 4.3.8: "Require new housing developments to pay an equitable share of the cost of required capital improvements for public services."**

**Objective 4.3.9: "Restrict the number of housing starts to the capacities of public facilities and services."**

18. The proposed residential development anticipates a total of **566** residential units. The Comprehensive Plan map amendment, if the requested increase in density is granted, would allow a total of 645 residential units. A total of **440** multi-family units and **126** townhouses are proposed to be built. The developer has stated that condominiums are an option for this development (see page 13 of the applicant's revised application). The resulting density is 12.98 du/ac prior to dedication of any land to the City. The actual density, after dedication of land, is 15.5 du/ac. Recommended Staff Condition #1 would limit this area to the proposed 566 units.
19. The developer has requested TMO bonus credits (additional peak PM traffic trips) for providing affordable housing. To qualify, at least 20% of the residential units (113 units) must be available at rent levels affordable to low and moderate income families. City Council Resolution No. 1160 defines "Housing for low income persons" as housing which is affordable by people whose income does not exceed 80% of the median income for the Portland Metropolitan Statistical Area, as determined by HUD. In order to be affordable, the cost of such housing cannot exceed 30% of the gross household income. The median income, as determined by HUD, is \$42,700. It appears that the projected apartment rent levels will meet the TMO criteria. The projected rent levels range from \$400 to \$1,200 per month. The City needs to ensure that the appropriate number of housing units are, in fact, set aside. A development agreement or condition of approval may be adequate assurance. The provision of "affordable housing" helps meet Objective 4.3.7.
20. The question of what is the development's equitable share of the cost of capital improvements is answered by the City's systems development charges (SDC) and the imposition of the Traffic Impact fee that the developer will pay. These fees have been carefully calculated under the provisions of state law to require each development to pay their *pro rata* share of improvement costs. The developer may receive a systems credit for required improvements beyond the impact of his development. The Community Development Director will determine what systems credits, if any, are appropriate. The SDC and Traffic Impact fees are normally collected at the time a building permit is issued.
21. The TMO limits the number of allowable PM peak traffic trips for each development and allocates the capacity over a five year period. This project will have to be built in phases in order to meet the TMO requirements. Generally, there are 287 PM peak trips available each year and any single development can be approved for up to 30% (86 trips) of the available capacity each calendar year. Additionally, the TMO allows a 10 % bonus (29 trips) in three different categories if certain standards are met. The applicant has requested a 10% bonus for each of the three categories. The total number of TMO trips the developer has requested is 173 PM peak trips per year. The capacity of the yet-to-be-built Wilsonville Road/I-5 interchange will restrict the number of yearly housing starts in this development. The developer will need to phase both the commercial and residential portions to satisfy the TMO.

22. Although not specifically addressed by the applicant, the Comprehensive Plan sets forth Goals and Objectives relating to open space and natural and scenic resources. The applicable Goals and Objectives are:

**Goal 4.5: "Conserve and create open space throughout the City for specified objectives."**

**Goal 4.6: "Encourage identification and conservation of natural, scenic and historic areas with the City."**

**Objective 4.4.3: "To develop an attractive and economically sound community."**

**Objective 4.4.5: "Ensure that open space conforms to the characteristics of the land, type of land use, adjacent land uses and City needs."**

**Objective 4.4.7: "Identify areas of natural and scenic importance and give them priority in selection of public open space, and extend public access to, and knowledge of such areas, to encourage public involvement in their preservation."**

**Objective 4.4.8: "Protect the river-connected wildlife habitat and encourage a maximum inter-tie of the Willamette River Greenway to open space areas of the City and regulate development within the Greenway boundaries. Provide for public access to the river only through and within City parks."**

23. There is approximately 3.20 acres of land in the southeast corner of the Teufel property that is designated as **Primary Open Space** on the Plan map. The site is located south of Memorial Drive and is adjacent to Memorial Park. It contains a stand of significant fir trees that overlook Memorial Park.
24. The developer proposes to dedicate the 3.20 acre tract to the City and the development plan provides a pathway system and sidewalks linking Memorial Park with the residential units. The development plan shows a visual corridor oriented diagonally from the northwest to the southeast that directly leads to and overlooks Memorial Park. Once in Memorial Park, there is easy access to the Willamette River.
25. The applicant is requesting an additional 10% bonus under the TMO for "Exceptional Design". The bonus criteria (no. 5) states:
- (5) In addition to all other landscaping and outdoor living requirements, a town green/public square of at least 1 acre of contiguous open space for each 20 acres of developable property in the form of public plazas or park land is provided whose frequent use is encouraged through placement and design. Water features are encouraged. (emphasis added).**
26. The developer's initial response was that he would provide 3.45 acres of public plazas, incorporating water features, within his development; with additional map and text material, the applicant has shown how the contiguity requirement is met.

The TMO bonus criteria findings discuss this in greater detail; however, providing the plazas would meet Objective 4.4.3.

The developer's latest response, September 18, 1995, states that he will dedicate 3.20 acres of open space to the City and that he will provide an additional 3.45 acres of pedestrian open space within the Teufel development. The developer has also submitted a map entitled "CONTIGUOUS OPEN SPACE - Exhibit B" depicting the park/pedestrian open spaces and courtyard open space (outdoor living area) and demonstrates how the open space areas are inter-connected. The City Council finds that the applicant has demonstrated compliance with the TMO's bonus criteria #5.

27. The second Plan amendment criteria is:

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

28. The applicant states that the public interest is "...best served when decisions are made that provide for consistency between one decision and another. In this case, public decisions regarding the relationships between transportation systems and land uses (TPR & TMO) are forcing reconsideration of land use configurations, densities and site design factors that were no(t) previously considered in the development of the current Comprehensive Plan designations for the subject property." The applicant's statement provides the rationale for the City to again look at the Comprehensive Plan in light of the new policies (i.e. TPR and TMO). The Plan amendment must still be measured by the declared public policies of the City Council which are generally set forth in the Comprehensive Plan's Goals, Objectives and Policies and more specifically in the Transportation Management Ordinance, the Transportation Master Plan, the Sewer Master Plan, the Water System Master Plan, the Parks Master Plan, and the Bicycle and Pedestrian Master Plan.

29. The "public interest" criterion is met when a development proposal fully meets the City's declared public policy as it is expressed in its Plan(s) and ordinances. If substantial conflict exists between the development proposal and public policy, the Plan amendment should be denied. In this case, the potential benefits the City receives by granting the Plan amendment appears to outweigh any apparent conflicts by a substantial margin. The City gains a substantial increase in its housing stock and provides some housing for lower income persons; however, due to the density increase, this is not simply trading **Residential** planned property for more valuable **Commercial**. The development is designed to be less automobile dependent, more transit and pedestrian friendly and is designed at a "human scale." The City can add the 3.2 acres of open space to Memorial Park and fully protect the existing fir trees. The traffic impacts may be mitigated by compliance with the TMO's traffic capacity allocations and the DKS report shows that Street Master Plan can be revised and that the traffic operations can be maintained under the developer's proposed street system. The City Engineer and TAC have reviewed the Traffic Study and the Master Plan and support the proposed changes. The City has additional built-in safeguards (i.e. additional Stage II and Design Review approvals) to ensure that the "Teufel Village" will be a quality development as promised. In any event, the developer has greatly improved the overall design and function from the development he had earlier proposed that did not include a Comprehensive Plan amendment. A comparison of the previous plan with the

current plan leaves little doubt in the Council's minds as to which is most preferable.

30. The third Plan amendment criteria is:

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

31. The applicant asserts that the requested Plan changes are necessary to allow for better compliance with the design objectives of the TMO, TPR and the Metro 2040 Growth Concept and that the proposed amendments are a timely response to Wilsonville's Growth Management concerns. The current **Commercial** plan designation is located in the northwest corner of the Teufel property adjacent to Wilsonville Road. Commercial uses, including Commercial Recreation uses, are solely limited to the **Commercial** planned area by the text of Area of Special Concern No. 4. This limitation on the location of commercial uses greatly restricts the design options available to the developer. Generally, the newest planning design concepts envision better designed and smaller human scale commercial developments that are designed to be more pedestrian friendly and less automobile dependent. Today, citizens and planners speak of creating a "village" atmosphere within these smaller commercial complexes and establishing pedestrian and bicycle linkages to nearby residential areas and other public uses. Certainly, given the past development history and current appearance of Town Center across Wilsonville Road, the opportunity exists on the Teufel property to seek a different and improved design concept for commercial complexes.

32. The Comprehensive Plan (page 58) defines Neighborhood Commercial Centers as:

*"Neighborhood Commercial Centers are established to provide for the daily convenience needs of nearby residential areas. They will consist primarily of a small market and drug store. Other related uses such as barber and beauty shops, laundry and dry cleaner pickup and delivery facilities, small bakery shops and other similar uses would be appropriate in these residentially oriented centers. Parking facilities, signs, landscaping and the architecture of these centers must be of quality at least equal to that of nearby residential areas. This is not to say that the buildings should look like house(s), because they should not. However, they should be sensitively designed so that they are physically and visually comfortable with the residential world of which they have the privilege of being a part."*

*"Note: The location and development of commercial areas within the community should be given very careful consideration. Although they may occupy a relatively small percentage of the total land area, commercial developments customarily occur at points of maximum traffic movement and, therefore, have a tremendous impact on people's impressions of the visual quality of the community. If Wilsonville is to retain an image as a desirable place to live, its commercial areas must reflect that quality."*

33. The Teufel Village commercial complex is recognized as a special sub district of Town Center and is being designed in coordination with the Village's residential multi-family units and townhouses. The largest commercial buildings (2), aside from the recreation center, are proposed to be less than 15,000 square feet and the other commercial structures are about 5,000 square feet or less. The developer has introduced the concept of "festival pavilions" which are covered, but open sided structures, located along the Wilsonville Road frontage. These pavilions generally



will be used to provide covered parking; however, they are also designed to be used as outdoor retail space and would be ideal for a farmers market, Boones Ferry Days vendors or Christmas tree sales. The "festival pavilions", along with the buildings and landscaping, reduce the visual impact of the on-site parking from Wilsonville Road. The commercial design concepts introduced in the Teufel Village development are very different from the other commercial complexes located along Wilsonville Road and deserve due consideration in light of the newest adopted policies of the City and State.

34. The City of Wilsonville and the Oregon Department of Transportation (ODOT) have approved an intergovernmental contract to reconstruct the Wilsonville Road/I-5 interchange. The \$7.35 million project is designed to improve the traffic operations at the interchange and at the critical intersections on Wilsonville Road, in this case the intersection of Town Center Loop West and Wilsonville Road. According to the contract, ODOT must request construction bids in a timely manner so construction can start on or before October 1, 1996. Construction is expected to last for two years. The traffic impacts of this development have been evaluated by DKS, the City's traffic consultants, and their report concludes that the proposed road system and major intersections will properly function, once the improvements have been constructed, and that the traffic level of service will not fall below "D". Coordinating the anticipated interchange improvements with development of Teufel Village is timely and appropriate. The City Engineer and TAC have reviewed and accepted the DKS report.

34. The fourth Plan amendment criteria is:

**d. "The factors in ORS 215.055 were consciously considered. These factors include the various characteristics of the areas of the City; the suitability of the various areas for the particular land uses and improvements; trends in land improvement, density of development; property values; the needs of economic enterprises in the future development of the area; transportation of the area; transportation access; natural resources and the public need for healthful, safe and aesthetic surroundings and conditions."**

35. ORS 215.055 has been subsequently repealed; however the various factors that are stated in Plan amendment criteria (d) still need to be considered and addressed. The findings relative to the previous Plan amendment criteria (a), (b) and (c) are also germane to this criteria and are hereby incorporated herein (see Findings 11 - 33 above).

36. The Teufel property is located at the City's front door, just east of the I-5 interchange and south of and adjacent to Wilsonville Road which is a major arterial street. Wilsonville Road exhibits consistently high traffic volumes, especially in the near vicinity of the interchange. Traffic operations are often identified as a major concern in this area and given the volume of new development in the vicinity of Wilsonville Road, it is a given that traffic in this area will retain its standing as a problem causing major concern to City officials, citizens and businesses. The adoption of the TMO, anticipated improvements to Wilsonville Road and the reconstruction of the I-5 interchange will help mitigate some of the impacts, but the traffic problems are simply not going to disappear or noticeably improve. The common belief is that conditions will worsen, especially during construction of the interchange.

37. The high traffic volumes on Wilsonville Road have created congestion at the intersection of Wilsonville/Town Center Loop West and at Parkway Avenue. The current Comprehensive Plan street system forces additional traffic to the intersection of Wilsonville Road/Town Center Loop West and until recently the solution has always been to build a bigger, wider, higher volume (this could be read as "less pedestrian and bicycle friendly") intersection and streets. The Teufel Village street plan mitigates the traffic problem by creating a "Main Street" south of Wilsonville Road and eliminating the southerly portion of Town Center Loop West. Access to Wilsonville Road is at two signalized intersections and a right-in/right-out access. Connections to Parkway Avenue and Memorial Drive are provided for in the Master Plan (see fig. 4, applicant's revised submittal).
38. The City has adopted the Traffic Management Ordinance (Ordinance No. 431) which allocates excess traffic capacity in the vicinity of the I-5/Wilsonville Road Interchange (based upon a planned and funded interchange/intersection reconstruction project) over a five year period to ensure that development can continue in the City in compliance with the decision criteria set forth in Section 4.139(4)(b)WC. The TMO permits Master Plan approval based on the allocation, reservation and banking of excess traffic capacity for up to five consecutive year to allow construction.
39. Comprehensive Plan Policy 3.3.1(a) states:
- "The Street Master Plan has been designed to meet projected year 2000 traffic volumes. It specifies the design standards for each arterial and major collector street. The conceptual location of the proposed new major streets are also identified. However, actual alignments may vary from the conceptual alignments based on detailed engineering specifications and design considerations, provided that the intended function of the street is not altered. While local residential streets are considered a part of the Master Street System, they are not shown on the Master Plan. The alignment of local street shall be evaluated on a project-by-project basis. Other streets not shown on the plan may also be considered, if determined necessary for safe and convenient traffic circulation."*
40. The City Engineer and TAC, after reviewing the DKS Traffic analysis and the Street Master Plan, recommend that a new six (6) lane street section be created for the portion fronting on Wilsonville Road. The designs of the Interchange reconstruction show a six lane section for a portion of Wilsonville Road. That section should be carried from Boones Ferry Road east to Town Center Loop East. The section would have six travel lanes with bikelanes and sidewalks.
41. The major public roads serving the Teufel property include Wilsonville Road, Memorial Drive, Parkway Avenue, the I-5 Interchange, the proposed extension of Town Center Loop West and a connector to Parkway Avenue identified as Pacific (Street).
42. The applicant retained the firm of Hobson Johnson & Associates to do a retail land need analysis for the Teufel site. The report, dated August 2, 1994, concluded that there would be a 1.2 acre shortage of appropriately planned retail acreage by 1995 and a 29.3 acre shortage by 1999. City staff believes that the 4.903 acre increase in Commercial planned property constitutes a minor amendment to the Comprehensive Plan and that the balance between industrial, commercial and residential planned properties will not be significantly affected by granting the

change. The City Council finds that this proposed change is indeed a minor amendment to the Comprehensive Plan.

### Statewide Planning Goals:

43. Goal 1: Citizen Involvement - "To develop a citizen involvement program that insures the opportunity for citizens to be invoiced in all phases of the planning process."

This goal is met by providing the opportunity for citizens to appear before both the Planning Commission and City Council on this application after providing the required public notices. The applicant has also held informal public meetings with the residents of Day Dream Ranch who have expressed concerns about the development.

44. Goal 2: Land Use Planning - "To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure adequate factual base for such decisions and actions.

This goal is met by carefully reviewing and weighing the proposed Plan amendment(s) for compliance with the Comprehensive Plan's Goals, Objectives and Policies, the Master Plans for public utilities, the Statewide Planning Goals, the Transportation Planning Rule and the Transportation Management Ordinance. The City has conducted the review and will make a decision in an open public forum in front of all interested parties, both for and against, who have had an opportunity to present evidence and offer testimony.

45. Goal 3: Agricultural Lands - This goal is not applicable because the site is located within an Urban Growth Boundary.

46. Goal 4: Forest Lands - This goal is not applicable because the site is located within an Urban Growth Boundary.

47. Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources - "To conserve open space and protect natural and scenic resources."

This goal is met because the 3.20 acres in the southeast corner, designated as Primary Open Space, will be preserved and dedicated to the City. No other Goal 5 resources have been identified on the property.

48. Goal 6: Air, Water and Land Resources Quality - "To maintain and improve the quality of the air, water and land resources of the state."

The Teufel Village development will receive full City services, including sewer, water and storm sewer. City utilities are required to comply with state standards. Transit and pedestrian friendly environments may help air quality by reducing automobile trips; however, this requested Plan amendment is too small to have any effect on the state's air quality.

49. Goal 7: Areas Subject to Natural Disasters and Hazards - "To protect life and property from natural disasters and hazards."

The property is located well above the Willamette River's 100 year flood plain and no other geologic or natural hazard has been identified by the developer or the City.

50. Goal 8: Recreational Needs - "To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities, including destination resorts."

This goal does not directly apply to Teufel Village; however, a commercial recreation center is being provided to serve the needs of Teufel Village residents and the general public. The development plan provides for pedestrian pathways to the library and Memorial Park.

51. Goal 9: Economy of the State - "To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare and prosperity of Oregon's citizens."

The economy of the state will not be affected by changing 4.903 acres of Residential to Commercial. The economy of the City will benefit by increasing the residential base of customers and providing additional job opportunities. The mixed use development is expected to create a positive economic influence within the City.

52. Goal 10: Housing - "To provide for the housing needs of citizens of the state."

The Teufel Village development allows a slight increase in the housing density and proposes a mix of different housing types, some of which will be made available to low and moderate income persons, as defined by HUD. The increase in housing density offsets the impact of converting 4.903 acres to commercial use and helps the City comply with the Metropolitan Housing Rule.

53. Goal 11: Public Facilities and Services - "To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development."

The City has adequate primary and secondary public services available to serve the site. The developer will be required to install the on-site utilities at his own cost and will have to make some off-site improvements to the sewer and streets. The City's systems development charges are calculated to ensure that the developer pays his pro rata share of the cost of public improvements. These fees include a Traffic Impact Fee that will pay for the developer's pro rata share of the interchange reconstruction costs.

54. Goal 12: Transportation - "To provide and encourage a safe, convenient and economic transportation system;"

City Staff is coordinating the anticipated improvements to Wilsonville Road with ODOT's I-5 interchange design. As stated before, the developer will pay his pro rata share of costs based on the City's Traffic Impact Fee. DKS, the City's traffic consultant, have evaluated the proposed development and found that the proposed changes to the Transportation Master Plan will work. The development encourages pedestrian and transit use through design and limits access to Wilsonville Road as required by the amended Area of Special Concern No. 4.

55. Goal 13: Energy Conservation - "To conserve energy."

The project seeks to reduce the reliance on the automobile; however while the net effect is difficult to accurately measure. In compliance with the TRP there will be a significant reduction in vehicular miles traveled and in energy consumed.

56. Goal 14: Urbanization - "To provide for an orderly and efficient transition from rural to urban land use."

The project site is located within the established Portland Metropolitan Area Regional Urban Growth Boundary.

57. The remaining LCDC statewide planning goals do not apply to this project.

### CITY COUNCIL'S CONCLUSIONS:

Based on the conclusions in the DKS traffic analysis, recommendations of the City Engineer, the Planning Commission and TAC, and on the above findings, the request to amend the Comprehensive Plan map to change approximately 4.903 acres of **Residential** to **Commercial** and to increase the housing unit density from 7 - 12 du/ac to 12 - 20 du/ac on 15.3 acres should be granted. The City's "Transportation Master Plan" should be amended to provide a revised public street system and the text language of Area of Special Concern No. 4 should also be amended to comply with the newest public policies of the City and state. The findings for the Plan amendments (see the above findings 1 - 57) demonstrate compliance with the Goals, Objectives and Policies of the Plan not being considered for amendment. The findings also demonstrate that the granting of the amendments are in the public interest and that the public interest is served by granting the amendments at this time. Finally, both the factors set forth in Plan amendment criterion (d) and the applicable statewide planning goals are satisfied by this proposal.

### CITY COUNCIL FINDINGS FOR THE ZONE MAP AMENDMENT, STAGE I MASTER PLAN AND STAGE II SITE DEVELOPMENT PLAN

#### **Stage I Master Plan and Zone Map Amendment - Section 4.187(1)(c)WC:**

58. The applicant must demonstrate compliance with the seven (7) approval criteria listed in Section 4.187(1)(c) of the Wilsonville Code before a zone map amendment is granted. The approval criteria also reference specific Comprehensive Plan goals, policies and objectives that must be met when land is designated as "**Residential**" on the Comprehensive Plan map. The requested zone map amendments are to change the zoning from Residential Agriculture - one acre minimum (RA-1) to Planned Development Residential (PDR) and Planned Development Commercial (PDC). Specifically, the requests are:

- a. A zone change from **RA-1** to **PDC** for approximately 11.09 acres of property which is located adjacent to and south of Wilsonville Road. The site includes the proposed recreation center and would be designated as "**Commercial**" on the official Comprehensive Plan Map if the City grants the request for a Plan Map amendment.

b. A zone change from **RA-1** to **PDR** for 43.61 acres of the property which is designated as "**Residential**" on the Comprehensive Plan Map. The proposed residential uses consist of 440 apartments and 126 townhouses and condominiums.

c. Approval of a Stage I Master Plan for the entire 54.72 acre parcel which depicts the general land use locations, proposed streets and pathways, access to Wilsonville Road, the recreation complex and open space/public plazas, including the areas proposed to be dedicated to the City.

59. The zone map amendment criteria are:

**1) The application was submitted in accordance with the procedures set forth in Section 4.008 or, in the case of a Planned Development, Section 4.138.**

60. Wilsonville Planning staff has determined that the applicant submitted a complete application, including payment of all the appropriate fees, for the Commission and Council to review. Public notice has been published, mailed and posted in accordance with state law and local code and a public hearing has been duly scheduled in compliance with the hearings procedures specified in the Code. The submittal date was August 18, 1995. Compliance with the 120-day decision making requirement is not required because this application involves Comprehensive Plan map and text amendments.

**2) The proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with the applicable goals, policies and objectives set forth in the Comprehensive Plan text.**

61. The applicant's submittal states that the proposed Master Plan was designed in conformance with the **proposed** Comprehensive Plan map designations. The 11.903 acres of designated commercial land located adjacent to Wilsonville Road will be zoned **PDC**. The 3.20 acres designated as "**Primary Open Space**" in the southeast corner is to be set aside and retained as "open space"; however, there is no **POS** zone that can be applied to this site as suggested by the applicant. The options would be to retain the **RA-1** zoning for this site or to rezone it to **PF (Public Facility)** if the applicant intends to dedicate said land to the City. The applicant would transfer the density from the 3.20 acres of open space to the residential area. It has been common practice for the City to allow the density transfer and to calculate density based on the total site area prior to street dedications and open space set asides. The remaining property (about 43.61 acres) would be zoned **PDR** in compliance with the Comprehensive Plan Map.

62. The proposed road system and access plan complies with the **amended** (if the applicant's request is granted) 1991 Transportation Master Plan and provides limited access to Wilsonville Road. Additionally, the applicant has included an internal pathway system that provides access to the City Park, library and to the recreational features contained within the development.

**3) In the event that the subject property, or any portion thereof, is designated as "Residential" on the City's Comprehensive Plan Map; specific findings shall be made addressing substantial compliance with Goal 4.3, Objective 4.3.3, Objective 4.3.4, Policy 4.4.2 and Policy 4.4.8 of Wilsonville's Comprehensive Plan text.**

**Goal 4.3: Plan for and permit a variety of housing types consistent with the objectives and policies set forth under this Goal while maintaining a reasonable balance between the economics of building and the cost of supplying public services. This Goal identifies the City's desire to provide a variety of housing types needed to meet a wide range of personal preferences and income levels. This Goal also recognizes the fact that adequate public facilities and services must be available in order to build and maintain a decent, safe and healthful living environment.**

**Objective 4.3.3: Encourage the construction and development of diverse housing types, but maintain a general balance according to housing type and geographic distribution, both presently and in the future. Such housing types may include, but shall not be limited to: Apartments, single-family detached, single-family common wall, manufactured homes, mobile homes, modular homes and condominiums in various structural forms.**

63. The development plan calls for 126 townhouses and duplexes and 440 apartments which range from studio to 3-bedroom apartments. The projected prices for the duplexes/townhouses range from \$100,000 to 200,000 and apartment rents will range from \$400 - \$1,200 per month. Condominium options may be available. The Engineering Department has not identified any lack of public facilities or services needed to serve this site; however, some specific improvements to the public facilities are mandated and will be installed at the developer's proportional costs. The provision of public facilities are also discussed as part of the Planned Development approval criteria. The previous Comprehensive Plan amendment findings made for Goal 4.3 and Objectives 4.3.3, 4.3.8 and 4.3.9 are hereby incorporated by reference. Objective 4.3.4 seeks to provide a general balance of housing types according to geographic location.

**Objective 4.3.4: Balance ratios (targets) are set as follows: 50% multi-family; 40% single-family (including manufactured housing located in subdivisions and modular homes) and 10% for mobile homes and manufactured housing located in mobile home parks.**

Because of normal building cycles, it would be expected that any single projection for a specific type of housing might vary by 50% from the units calculated for a specific housing type. Interim targets are to be established for a five-year interval and will be recalculated at each periodic review period. The building average will be allowed to vary by as much as 30%, but shall not exceed the long term goal. Permits exceeding more than 30% of an interim goal or exceeding the long range goal may be specifically excepted by the City Council on a case-by-case basis.

To assure balance in location of housing types, no traffic zone shall have a single housing type exceeding 60% of the long term goal calculated for the sum total of the primary traffic zone, and all adjacent traffic zones.

The balance targets shall be as follows:

	Current %*	Target%	Units
Single-family	33	40	4,415
Multi-family	46	50	5,520
Manf. in MHP**	21	10	1,104
<b>TOTAL</b>	<b>100</b>	<b>100</b>	<b>11,039</b>

\* This is a 1988 figure used at the time of Periodic Review.

\*\* Manufactured housing located in mobile home parks (MHP).

64. The applicant, using the housing data provided by the City, has provided the housing calculations on page 28 of his revised written submittal. A maximum of 1161 apartment units could be permitted in Traffic Zone No. 9 under Objective 4.3.4; however, it appears that only 454 apartments (440 are the applicant's) will be located in Traffic Zone No. 9 once this project is built-out. This is well under the allowed 60% standard that is mandated by Objective 4.3.4 that seeks a geographic balance in housing types. The method of calculation used by the applicant is the same as was used for the Wilsonville Meadows development and in Charbonneau. The City Council finds that the applicant meets the housing balance objectives of Objective 4.3.4.

**Policy 4.4.2 (a):** The City will provide for development of mobile home parks and subdivisions by establishing them as outright permitted uses in urban medium density residential areas. Where economically feasible and where adequate compatible provisions can be made, existing mobile home parks shall be protected and allowed to continue.

65. This Policy does not apply because the applicant is not proposing a mobile home park or subdivision on this site.

**Policy 4.4.8:** Apartments and mobile homes should be located to produce an optimum living environment for the occupants, but also to produce the least adverse effect upon the single family areas. Development criteria should include:

- a. Buffering by means of landscaping, fencing, and distance from conflicting areas.
- b. Compatibility of design, recognizing the conflicts of mass and height between apartment buildings and houses.
- c. On-site recreation space as well as pedestrian and bicycle access to parks, schools, mass transit stops and convenience shopping.
- d. The siting of buildings to minimize the visual effects of parking areas and to increase the availability of privacy and natural surveillance for security.



e. **All mobile homes shall be located in parks or subdivisions specifically designed for them.**

66. The applicant has provided a buffer between the apartments and the houses in Day Dream Ranch by locating single family lots along the north side of Memorial Drive and by retaining the 3.20 acres of open space in the southeast corner. He has stated that a fence along the north side of Memorial Drive is also possible; however, a design for the fence is not available. He is providing on-site recreation facilities consisting of a health club and pool located south of the proposed intersection of Pacific and the extension of Town Center Loop West. There is an off-street pedestrian pathway, as well as sidewalks along the major streets, leading to the City Park and there is good access to Town Center shopping, the City Library, City Hall and the Senior Center. A transit stop is planned and should be required. The final location will be coordinated with SMART and confirmed at the time the Design Review submittals are reviewed by the City.

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

67. The developer will be constructing all of the on-site streets and utilities in accordance with the Master Plans for streets, sewer, water and storm sewer. Where needed, the developer will have to provide increased capacity to serve his development as determined by the City Engineer. All public facilities will be permitted and inspected by the City to ensure that they meet the specified City standard(s). Please refer to the City Engineer's report, the DKS traffic report (which was available for the Commission's October 9, 1995 meeting) and the Planned Development findings for specific details relating to the primary facilities.

**5) The proposed development does not have a significant adverse effect upon primary open space, an identified natural hazard, or an identified geologic hazard. When primary open space or natural hazard, and/or geologic hazard are located on or abut the proposed development, the Planning Commission shall use appropriate measures to mitigate and significantly reduce conflicts between the development and identified hazard or primary open space.**

68. According to the applicant's Level I Environmental Assessment, there are no identified natural or geologic hazards located on the site; however, there is about 3.20 acres of Primary Open Space located in the southeast corner of the Teufel Property. This area will be set aside as "Tract A" and will not be developed. This is an appropriate measure to protect the open space area as long as some assurance is provided by the applicant to prevent the harvesting the timber. There is an on-site well that was used for agricultural irrigation. The location of this well needs to be confirmed and, if operated, the applicant must comply with the Department of Water Resources guidelines. The same applies if the well is deactivated.

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

69. The development will occur in at least three (3) phases. Phase I will be the commercial area and is anticipated for construction in 1996. The remaining phases will be the apartments and townhouses which will be developed in compliance with the TMO as determined by the traffic study. Phase II is anticipated to begin in 1997. The development schedule and phasing of the Teufel Village demonstrates that the applicant is committed to developing the property within two years of the initial approval of the zone change.

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

69. The Planning Commission and Design Review Board will be reviewing subsequent Stage II site development plans, as well as architectural and landscaping plans, for conformance with City development standards. The City Engineer will be reviewing the public works permits for compliance with the public works standards adopted by the City. In addition, there are several Conditions of Approval that are proposed to be adopted as a part of the project approval. The City Council believes that there are plenty of safeguards in the development process to ensure the project is developed in compliance with the applicable development standards.

**Planned Development Permit Criteria - Section 4.139(4)  
Stage II Site Development Plan and Preliminary Plat**

70. Section 4.139(4)WC stipulates that a Planned Development Permit may be granted by the Planning Commission only if the Commission finds that the proposed development complies with the criteria set forth in subsections 4.139(4)(a), (b) and (c) and Sections 4.130 to 4.140.

71. The purpose of the Planned Development regulations as set forth in Section 4.130 WC is:

*"...To encourage development of tracts of land sufficiently large to allow for comprehensive master planning, and to provide flexibility in the application of certain regulations in a manner consistent with the intent of the Comprehensive Plan and general provisions of the zoning regulations and to encourage a harmonious variety of uses through mixed use design within specific developments thereby promoting the economy of shared public services and facilities and a variety of complimentary activities consistent with the land use designation on the Comprehensive Plan and the creation of an attractive, healthful, efficient and stable environment for living, shopping or working."*

72. Subsection 4.130(2)WC states:

*"To produce a comprehensive development equal to or better than that resulting from traditional lot land use development.", and*

Subsection 4.136(c)(1)(a) identifies The Town Center (Amended Ord. #254, 4/2/84 as an area that is appropriate to be developed as "Planned Development Commercial". The amendment of "Area of Special Concern No. 4" makes the Teufel property a special sub district of the Town Center and, therefore, it would

follow that the commercial portion should be zoned as "Planned Development Commercial" in keeping with the Comprehensive Plan map designation.

73. Subsection 4.139(4)(a) states:

**(a) The location, design, size and uses, both separately and as a whole, are consistent with the Comprehensive Plan, and with any other applicable plan, development map or Ordinance adopted by the City Council.**

74. The findings for the Comprehensive Plan and Zone Change amendment criteria are incorporated herein to demonstrate compliance with the Comprehensive Plan map and the applicable Comprehensive Plan Goals, Policies and Objectives, including Area of Special Concern No. 4. Additionally, the applicant has to comply with the Traffic Management Ordinance that has been adopted.

### **Traffic Management Ordinance**

75. The City has adopted the Traffic Management Ordinance (Ordinance No. 431) which allocates excess traffic capacity in the vicinity of the I-5/Wilsonville Road Interchange (based upon a planned and funded interchange/intersection reconstruction project) over a five year period to ensure that development can continue in the City in compliance with the decision criteria set forth in Section 4.139(4)(b)WC. The TMO permits Master Plan approval based on the allocation, reservation and banking of excess traffic capacity for up to five consecutive year to allow construction. The TMO allows a developer to receive up to 30% of each year's 287 total trips which is 86 trips. Additionally, the developer may receive up to 10% (29 peak p.m. trips) additional capacity to the peak p.m. trip allocation in each of 3 different categories where projects have demonstrated exceptional design and/or meet regional or Comprehensive Plan goals. Therefore, the total amount of peak p.m. trips a project could receive in a year is 173. In this case, the developer has requested the full 173 yearly trip allocation. The findings for compliance with the TMO's bonus criteria are set forth in the section following.

76. Policy 3.3.1(a) states:

*"The Street Master Plan has been designed to meet projected year 2000 traffic volumes. It specifies the design standards for each arterial and major collector street. The conceptual location of the proposed new major streets are also identified. However, actual alignments may vary from the conceptual alignments based on detailed engineering specifications and design considerations, provided that the intended function of the street is not altered. While local residential streets are considered a part of the Master Street System, they are not shown on the Master Plan. The alignment of local street shall be evaluated on a project-by-project basis. Other streets not shown on the plan may also be considered, if determined necessary for safe and convenient traffic circulation."*

78. The City Engineer and the TAC after reviewing the DKS Traffic analysis and the **amended** Street Master Plan, have recommended that a new six lane street section needs to be created for the portion fronting on Wilsonville Road. The designs of the Interchange reconstruction show a six lane section for a portion of Wilsonville Road. That section should be carried from Boones Ferry Road east to Town Center Loop East. The modified street system proposed by the applicant has been reviewed

by DKS and the City Engineer and TAC and it has been found to be a suitable alternative.

79. Subsection 4.139(4)(b) states:

**(b) The location, design, size and uses are such that traffic generated by the development at the most probable used intersection(s) can be accommodated safely and without congestion in excess of level service D defined in the Highway Capacity Manual published by the National Highway Research Board on existing or immediately planned arterial or collector streets and will, in the case of commercial and industrial developments, avoid traversing local streets.**

The City's Traffic Management Ordinance (TMO) has been appealed to the Land Use Board of Appeals (LUBA) and this Staff Report is based on the assumption that the City will prevail and the TMO will remain intact and in effect. If the TMO is overturned or reversed, then the staff findings would be for a denial of this project because the City's ability to finance the construction of improvements needed to maintain a traffic level-of-service "D" would be greatly impaired. The TMO provides part of the City's share of construction costs to reconstruct the I-5 interchange and if the interchange is not rebuilt, then traffic conditions on Wilsonville Road and nearby intersection will be below level-of service "D". The results would be increased traffic congestion that has serious public safety implications. LUBA's decision will be forthcoming; however, it was not in time for the Commission's October 9, 1995 hearing. Until LUBA acts, the TMO is effective.

80. The traffic analysis was done by the City's traffic consultant, DKS Associates. The total PM peak hour trip generation is **1,433** trips. The net new trips, after subtracting the pass by trips, is **683**. There are **584** new interchange area trips subject to the TMO. The bottom line of all this is that the traffic level-of-service is **"D"** at the intersection of Town Center Loop West and Wilsonville Road once all the planned improvements are constructed.
81. The TMO allocates traffic capacity and trips over a 5-year period. The following table is an estimate of the available trips under the TMO based on the land use approvals granted to date and considering applications in progress. The figures change very quickly and can show a wide variation from month to month. The final decision on trip allocation cannot be made until the Council approves the Zone Change and grants a final approval to this project.
82. At the end of calendar year 1994, the Transportation Management Ordinance showed that 61 excess trips were available to be carried over into 1995. Therefore, a total of **348** vehicle trips were available for 1995. The TMO allows 287 trips per year which are allocated over a 5-year period.
83. The applicant has requested the following bonus credits under the TMO: 10% for implementing the Transportation Planning Rule; 10% for implementing the Metro Housing Rule and providing affordable housing; and 10% for exceptional design. Without the bonus allocation, the developer cannot receive Stage II approval for any project that will use more than 30% of the allocated capacity for a single calendar year. This allows a developer to use 86 PM peak trips per year (without a bonus). **Any trips reserved or banked shall be fully paid for in the initial year**

reserved or banked and by January 1st of each succeeding year of reservation or banking.

84. If all the bonus allocations are granted, the developer could receive an additional 87 PM peak trips per year. This would be a total of **173 PM peak trips**. Generally, the bonus criteria allow a planned development to receive an additional 10% (i.e. 28.7 or 29 trips) of the annual 287 trips over and above the 30% yearly allocation if it demonstrates compliance with specific criteria. Bonus trips may be reserved by phasing and banking.

**TMO Capacity Tracking System**

85. With the 61 excess capacity trips brought forward from 1994, there was a total of 348 PM peak hour trips available in calendar year 1995. At the time the staff report was produced the allocated and remaining trip capacity is shown in the following simplified table:

Original number of trips available:	1,435
Trips used in calendar year 1994:	226
Trips available under the TMO at the end of 1994:	1,209

**1995 Projects**

**Trips Used**

1. Hummelt's SF Phase I	39
2. Klien Building	9
3. Landover Subdivision	48
4. Canyon Creek Meadows	25
5. Wilsonville Corporate Phase II	26
6. US Crane	3

**TOTAL APPROVALS FOR 1995: 150**

**1996 Projects**

7. Hummelt Phase II	41
8. Approvals for 1996	41
9. Approvals for 95/96	191
10. Additional available from reevaluation	221

**Under Consideration**

1. Chevron	24
2. Fox Center	36
3. ACT III	238
4. Teufel	584

**TOTAL SUBJECT TO THE TMO: 882**

The City Council finds that the Teufel Village application can be approved under the Transportation Management Ordinance and that sufficient trips exist to accommodate the development without exceeding level of service "D" at the most probable used intersection(s).

## Public Utilities and Services

86. Section 4.139(4)(c) states:

(c) That the location, design, size and uses are such that the residents or establishments to be accommodated will be adequately served by existing or immediately planned facilities and services.

87. There are sanitary sewer lines located in Wilsonville Road, Parkway Avenue and in Trask Street/Memorial Drive. The City Engineer recommends extending a 15 inch line through the subject property from Wilsonville Road south to Memorial Drive. The existing sewer line that is located at the Trask/Fir Street alignment will require the installation of a parallel 18 inch line and a new 18 inch line will need to be installed under I-5 to provide additional capacity. Final line locations and specifications will be reviewed and approved by the Engineering Dept. prior to installation.

88. Water demands are divided into categories of domestic flow and fire flow. It is important to have the ability to provide adequate fire flow for a project of this size. There is a 12 " trunk line located in Wilsonville Road and, additionally, there is a 12 " line located in Memorial Drive that is stubbed out to the property. Final line locations, specifications and design of the water system will be reviewed and approved by the Engineering Dept. prior to final installation. Based on the testimony of Mike Stone, City Engineer, the Planning Commission finds that there will be sufficient water and sewer capacity to serve this project at the time final occupancy permits are issued for the buildings allowed under the Stage II approvals (s). **\*\***(Modified by Planning Commission)

89. The Public Works Code requires storm drainage facilities that are adequate to accommodate a 25-year storm event. The final design of the storm drainage facilities will be reviewed and approved by the Engineering Dept. prior to final installation. Storm facilities are available in Wilsonville Road, Parkway and Memorial Drive. The new on-site facilities will be installed by the developer.

## Parking

90. The developer states that parking has been provided consistent with the requirements of the TMO. There are **520** parking spaces provided for the 75,000 square feet of commercial buildings and **801** parking spaces provided for the 440 apartment units. These figures include the on-street parking. The WC requires 2 spaces/dwelling unit for the townhouses (single family) and 1.5 spaces/unit for the apartments. The TMO Bonus Criteria would be met if the parking for retail and office uses is 10% less than the minimum required by City code. Additionally, parking for bicycles and ride-share vehicles has to be provided. The Code requires **575** parking spaces for the commercial retail portion of the development. By setting aside parking for ride shares/car pools, the application does meet the TMO Bonus Criteria for reduced parking.

Parcel	Description	Code Req's	Total SF	Total Req's
A	Bank	1 sp/250 sf	5,000 sf	20 spaces
B	Restaurant	1 sp/200 sf	3,600 sf	18 spaces
C	Convenience	1 sp/200 sf	5,600 sf	28 spaces
D	Restaurant	1 sp/200 sf	3,600 sf	18 spaces
E,J,K,L,M	General Retail	1 sp/200 sf	41,000 sf	206 spaces
F	High Turn Restaurant	1 sp/200 sf	3,200 sf	16 spaces
G	Restaurant	1 sp/200 sf	4,800 sf	24 spaces
H	Restaurant	1 sp/200 sf	4,800 sf	24 spaces
I	High Turn Restaurant	1 sp/200 sf	3,200 sf	16 spaces
N	Daycare	2 sp/teacher	5,000 sf	32 spaces
O	Health Club/Office	1 sp/200 sf	<u>34,600 sf</u>	<u>173 spaces</u>
			114,600 sf	575 spaces

Total spaces provided: 520

Total spaces provided less ride share: 495

\*\*(Amended by Planning Commission)

### Police/Fire/Emergency

91. Police protection is provided by the Clackamas County Sheriff's Department under contract to the City. The Tualatin Valley Consolidated Fire and Rescue District provides fire protection to the site. The City is served by two fire stations that are strategically located to provide fire and emergency response. The City Building Official has coordinated the review of this proposed development with the Fire District.

### Mass Transit

92. Specific transit features such as transit stop locations are needed to serve the subject property and one is proposed to be located next to the City library. Specific design changes to accommodate transit use by SMART need to be fully coordinated with Transit Manager, Cynthia Thompson. This could be implemented at the time of the Design Review submittal. Cynthia Thompson has submitted a memorandum, dated September 7, 1995, and has requested that transit accommodations be required. A condition of approval is recommended to require the installation of 4 bus shelters and a "transit center" to be located near the Recreation Center.

### Pedestrian/Bikeways

93. The Transportation Planning Rule required local jurisdictions to update and adopt plans that encourage pedestrian and bicycle use in lieu of automobiles. The Bikeway Advisory Task Force oversaw the development and adoption of the Bicycle and Pedestrian Master Plan that was adopted by the City Council in December, 1993. The Plan requires that new developments install bicycle racks. The plan needs to more clearly delineate pedestrian and bikeways, especially sidewalks. A condition of approval is recommended that would allow the Design Review Board to review the specific location and design of the bike racks and pathways at the time detailed plans are submitted to them for their review.

94. The Bicycle and Pedestrian Master Plan sets forth the following policies:

*Pg. 25 - It shall be the policy of the City to require pedestrian and bicycle connections within and between developments to provide convenience and safety for pedestrians and bicyclists. The purpose of this policy will be to provide alternative routes to the collector and arterial street system.*

*Pg. 30 - Walkways shall be located so that pedestrians have a short distance to walk between a transit stop or public sidewalk and building entrances.*

**TMO Bonus Criteria - 10% (29 trips) allowed for each category:**

95. The applicant has requested a 10% bonus for meeting the bonus criteria to implement the Transportation Planning Rule. The applicant must demonstrate that he meets two of three criteria in order to be granted a bonus. The criteria are:

**a. Criteria-Retail, office and/or housing uses are integrated within the project area to reduce vehicle miles traveled. Second-story residential units and/or offices above street level shops are included in the project design.**

Response: The applicant complies with the stated criteria. The applicant does have an integrated mixed-use project. There are second story residential units and/or offices shown on the preliminary design plans proposed in the applicants 9-29-95 letter. The Planning Commission has recommended a condition of approval requiring that second story residential units and/or offices be added to certain buildings since the applicant indicates that he would be willing to incorporate them into his design. The Design Review Board could review the final design plans for compliance with the condition, if one is added.

**b. Criteria-Drive-up windows are prohibited.**

Response: The developer will have a drive-up window and does not meet the criteria.

**c. Criteria-Parking provided for retail and office uses is 10% less than the minimum allowed under the city code. Parking for bikes shall be provided. Parking shall be set aside for ride share vehicles. Bikeways and pedestrian ways shall also be located within parking lots.**

Response: The applicant has used all the commercial uses (about 115,000 square feet) to calculate parking to meet the TMO. His parking ratio is about 4 spaces per 1,000 square feet of commercial. The Code generally requires 5 spaces per 1,000 square feet. A 10% reduction would be 4 spaces per 1,000 square feet for the commercial retail and office uses. The parking areas for ride share vehicles are not shown on the development plans; however, the applicant has stated to staff that he will meet this criteria by setting aside parking for ride share vehicles. A condition of approval has been added to set aside a specific number of spaces and designating the Design Review Board as the authority to review the final location and design. Staff recommended that 25 spaces be designated for ride sharing and the developer has agreed to set aside that number of spaces..



96. With conditions of approval, the City Council finds that the applicant should be granted a 10% bonus for implementing the Transportation Planning Rule because he has demonstrated that he is willing to amend his development plans so that he could fully meet 2 of the 3 criteria as stated.
97. The applicant has requested a 10% bonus for meeting the bonus criteria to implement the Metropolitan Housing Rule and Comprehensive Plan Policy 4.3. To qualify, the applicant must demonstrate compliance with two of four criteria. The criteria are:

**a. Criteria-20% or more of all residential units are affordable for low or moderate income persons in accordance with standard established by resolution of the City Council.**

Response: The Wilsonville City Council adopted Resolution No. 1160 which defines "Housing for low income persons" as housing which is affordable by people whose income does not exceed 80% of the median income for the Portland Metropolitan Statistical Area, as determined by HUD. In order to be affordable, the cost of such housing cannot exceed 30% of the gross household income. The median income, as determined by HUD, is \$42,700 for Portland. To meet this criteria, the developer will have to set aside **88** apartments and **25** townhouses/duplexes for low or moderate income persons. Of these, **44** apartments and **13** townhouses/duplexes have to be for low income persons. The developer can meet the criteria as stated; however, the City needs adequate and binding assurance that the housing will be set aside for low and moderate income persons. City staff is recommending a condition of approval that requires the developer to present a written proposal to the Planning Director demonstrating compliance prior to obtaining building permits for each phase of the residential units. The City Council finds that the developer can comply with this criteria and will adopt the condition of approval as recommended by the staff and Planning Commission.

**b. Criteria-In mixed use developments, second story residential units above street/and retail shops or offices shall be included in the project design.**

Response: The project site plan design does not include second story residential units above retail shops and offices. However, the applicant has agreed to accept a condition of approval that would require second story residential and offices. See letter of 9-29-95 from applicant.

**c. Criteria-A variety of housing choices for people of varying incomes and lifestyles are provided including single family and/or duplex homes interspersed with apartments, condominiums, and townhomes.**

Response: The project will provide townhouses and apartments at different rent levels. The developer has stated that condominiums are an option. Condominiums should be required if this criteria is to be met. A condition could be added to require compliance. The developer has submitted a letter stating his intentions to provide condominiums. See letter dated 9-29-95 from the applicant.

**d. Criteria-Day care facilities are incorporated into the project design.**

Response: Day care facilities have been incorporated into the project design. This criteria has been met.

98. With conditions of approval, the developer can meet 2 of the 4 criteria. The City Council hereby grants a 10% bonus (29 trips) for implementing the Metropolitan Housing Rule and Comprehensive Plan Policy 4.3.

99. The applicant has requested a 10% bonus for exceptional design. To qualify, the applicant must demonstrate that he meets four of seven criteria. The criteria are:

**a. Criteria-Drive up windows are prohibited.**

Response: A drive up window is proposed and, therefore, this criteria is not met.

**b. Criteria-Primary entrances are to be visible and accessible from the street. Retail, office and mixed use buildings come up to the street right-of-way, or public plaza except where this would interfere with existing and proposed utilities and easements.**

Response: The primary entrances of the retail, office and mixed use buildings are oriented to the internal street system and public plazas (i.e. public use plazas, not plazas dedicated to the public). The developer has met the criteria as stated.

**c. Criteria-Commercial facades shall not consist of undifferentiated blank walls when facing a public street or pedestrian way. There must be a facade variation at least every 25 feet using recessed entrances, awnings, and porches to re-enforce this characteristic. Display windows must line facades facing public streets and pedestrian connections with no more than 6 to 10 feet of blank non-window wall space in every 25 feet of store front.**

Response: The developer's initial designs for the commercial facades show that he can meet this criteria. If the project is approved, this criteria should be made a condition of approval and the final building design should be carefully reviewed by the Design Review Board for compliance. The conceptual plans show some promise; however, the scale and detail need to be improved at the design review level. The developer can meet the criteria and staff has recommended that the Council adopt an appropriate condition of approval which the Council will do.

**d. Criteria-Parking lots do not occupy more than 30% of any street frontage. Within the parking lot itself, 10% of the parking lot area is in landscaping islands and no island is less than 400 square feet in size.**

Response: The applicant's conceptual plans show that this criteria can be met. Again, if the project is approved, staff has recommended adoption of a condition of approval which requires the final design to be reviewed by the Design Review Board for compliance.

e. **Criteria-In addition to all other landscaping and outdoor living requirements, a town green/public square of at least 1 acre of contiguous open space for each 20 acres of developable property in the form of public plazas or park land is provided whose frequent use is encouraged through placement and design. Water features are encouraged.**

Response: The developer has stated that he will meet this criteria and his revised plans show how he can clearly meet this criteria (see Exhibit B-Contiguous Open Space map). The requirement is to have 1 acre of contiguous open space for each 20 acres of developable property. This equates to about 2.75 acres of open space/park land. Currently the developer is providing 7.65 acres of open space, including a 3.20 land dedication to the City. The project design fully meets the stated criteria as documented by his letter dated September 18, 1995, and the Exhibit B Contiguous Open Space map.

f. **Criteria-An unobstructed view corridor through or to the public plaza is provided including a pedestrian/bikeway connection or "stroll way" with direct access to the adjacent arterial street and to the adjacent residential areas. (This criteria can only be used in conjunction with criteria e.)**

Response: The developer meets this criteria by providing the "park block" that is in the center of the apartment complex (oriented northwest to the southeast). This feature does provide for a pedestrian/bikeway connection to Memorial Drive and Memorial Park and the developer has explained how this view corridor is or could be used in conjunction with the open space/public plazas required in criteria e above. The developer has demonstrated the link between the view corridor and the public open space in his letter dated September 18, 1995, and has shown how he meets the criteria.

g. **Criteria-In no case shall the rear of a building or of a residential lot face public park land or other public facilities unless fully screened from public view.**

Response: The commercial buildings have been designed so that they will front on the street. The developer has stated that the proposed residential lots located along Memorial Drive will meet this criteria. If the townhouses face Memorial Drive, then the criteria is met. Staff has recommended a condition of approval allowing the Design Review Board to review the final design plans for compliance. The developer meets this criteria.

100. The City Council finds that the developer should receive an additional yearly bonus of 87 p.m. peak trips in addition to the 86 trips allowed by the TMO. The total number of trips allocated to this project is 173 p.m. peak trip per year. The City Council will adopt the appropriate conditions of approval recommended by Planning Staff and the Planning Commission to ensure that the Design Review Board has the opportunity to review the final plans for compliance with the applicable TMO criteria.

## CITY COUNCIL'S CONCLUSIONS:

Based on the Traffic Study and the above findings, the Wilsonville City Council finds that the applicant's request to change the official zoning map from **RA-1** to **PDC** and **PDR** should be approved because the amendment satisfies the criteria set forth in Wilsonville Code Section 4.187(1)(c)(1-7), including the Comprehensive Plan's Goal 4.3, Objectives 4.3.3 and 4.3.4 and Policies 4.4.2 and 4.4.8. This approval includes the Stage I Master Plan for the entire parcel. The 3.2 acre parcel designated as **Primary Open Space** should be left as **RA-1** or rezoned to **Public Facility(PF)**. The City Council finds that the Planning Staff will address this as a separate issue after the land has been dedicated to the City and that the current **RA-1** zoning is appropriate at the current time. The zone change would be in compliance with the **proposed** Comprehensive Plan map designations and the **amended** text language for "Area of Special Concern No. 4.

The applicant's request for a preliminary plan and Stage II Final Site Development Plan for 440 apartment units and the commercial area, including the commercial recreation complex, should be granted based on the staff report findings 70 - 94 which demonstrate compliance with Wilsonville Code Planned Development Criteria - Section 4.136(c)(1)(a) and Section 4.139(4)(a), (b) and (c). The preliminary plat would create two commercial lots, one multi-family lots and two lots that would be dedicated to the public. The Planning Director is required to review the final plat for compliance with the preliminary plat approval.

With the conditions of approval recommended by staff and Planning Commission, which have been incorporated within this Ordinance, the applicant should be granted a bonus in peak p.m. traffic trips for "Transportation Planning Rule", "Exceptional Design" and "Implementation of the Metro Housing Rule and Comprehensive Plan Policy 4.3". Each bonus would add 29 trips yearly in addition to the TMO's base of 86 trips. The total number of trips would be 173 annually for the Teufel Village project.

Section 7. The following conditions of approval are hereby adopted and are expressly made a part of this Ordinance. In the event of conflict, the City Council's adopted Conditions of Approval shall take precedence over any other conditions:

### **Comprehensive Plan Amendment, Zone Map Amendment, Stage I Master Plan, Stage II Site Development Plan and Preliminary Subdivision Plat for Teufel Village - 95PC27**

#### **WILSONVILLE CITY COUNCIL** **CONDITIONS OF APPROVAL** **Adopted November 6, 1995**

1. The Stage I Master Plan approval allows 440 units of multi-family housing and 126 units of single family housing, including duplexes, townhouses and condominiums. This approval allows additional housing units and offices to be constructed over the commercial buildings. The Design Guidelines set forth in the applicants Exhibit Z are hereby adopted, save and except as may be otherwise modified by conditions 30-36, roads and streets. Final design details of the individual buildings shall be reviewed and approved by the Design Review Board. The Stage II approval allows the 440 multi-family units to be constructed in phases that are in compliance with the annual traffic capacity allocation allowed by the TMO. The Stage II approval requires that retail, office and housing uses shall be integrated within the project area to reduce vehicle miles traveled (see Teufel Village Stage II Plan Development map dated 5-18-95, revised 8-18-95). Second story residential units and/or offices shall be provided above at least two (2) commercial buildings as designated on the City Council approved planned development map.

The Planning Director, or his designated representative, shall review the final construction plans and drawings to insure compliance with this condition.

2. Parking provided for the commercial retail and office uses (excluding the designated ride share parking spaces) shall total no more than 518 spaces plus 1 additional parking space per 225 square feet of gross second story office space. A minimum of twenty-five (25) parking spaces for ride shares shall be provided adjacent to the commercial area and shall be shown on the detailed plans submitted for design review and on the final construction drawings. The Planning Director, or his representative, shall review the final construction plans and drawing for compliance with this condition. The commercial parking requirements shall be reviewed by the Design Review Board and, if the Board finds that the parking should be reduced to allow additional landscaping, the Planning commission has granted a waiver to the parking standards that allows the Board to reduce the commercial parking immediately south of Wilsonville. **\*(This Condition was modified by the Planning Commission).**
3. At least 88 apartments and 25 townhouses or duplexes shall be made available to low or moderate income families as defined by the Department of Housing and Urban Development (HUD). Of these, at least 44 apartments and 13 townhouses or duplexes shall be made available to low income families. As proposed in the applicant's letter of 9-29-95, condominiums will be provided as part of the development. The developer shall submit his Certificate of Compliance for compliance with this condition of approval to the Planning Director prior to obtaining building permits for each applicable phase of construction of housing units, excluding the second story residential units located over commercial buildings. **\*(This Condition was modified by the Planning Commission).**
4. A day care facility shall be provided as proposed by the developer. The day care facility shall be available by the time the final phase of the multi-family residential units are permitted (i.e. building permits).
5. The primary entrances of each building shall be visible and accessible from the public street as depicted on the Teufel Village site plan dated 9/18/95, revised 8/18/95. Retail, office and mixed use buildings shall be designed and constructed adjacent to the street or public plaza as indicated on the Master Plan. Commercial facades shall not have undifferentiated blank walls facing a public street or public pedestrian way. There must be a facade variation at least every twenty-five (25) feet by using recessed entrances, awnings and porches. Display windows must line facades facing public streets and pedestrian connections with no more than 6 to 10 feet of blank non-window wall space in every 25 feet of store front. The developer shall submit detailed design plans to the DRB demonstrating compliance with this condition.
6. Parking lots shall not occupy more than 30% of any street frontage. Within the parking lot, 10% of the total parking area shall be devoted to landscaping and, if landscape islands are used, no landscape island shall be less than 400 square feet in size. The DRB shall review the detailed site development landscape plans for compliance with this condition.
7. The developer shall dedicate the 3.20 acres of open space to the City as he has proposed, *subject to approval on conversion lands for Memorial Park should same become necessary in relation to a contemplated exchange of small land strips involving this project and the Wilsonville library*

*and possibly a very small strip of Memorial Park land.\*\*\** The developer shall construct the pedestrian connection that will connect Memorial Park to the Teufel Village town green/common area that is shown on the Contiguous Open Space map dated 9/13/95 (Exhibit B). The developer shall submit detailed landscaping plans to the DRB which show the proposed location of the pedestrian way and the town green (the unobstructed view corridor in the residential portion that is oriented northwest to the southeast). The design plans shall also show the actual location and design of all water features and fountains that are proposed.

8. The rear of any building or residential lot shall not face a public park, nor any other public facility, unless fully screened from public view. The developer shall submit detailed plans to the DRB who shall review said plans for compliance with this condition.
9. The developer shall provide the Planning Department with 15 copies of all submittal documents and the appropriate legal descriptions, along with a map, for the Comprehensive Plan Map amendment and the Zone Map amendment at least ten (10) days prior to the date of the first City Council hearing on this application. The developer shall show the actual location of the existing irrigation well located on the Teufel property on the map and, if use of the well continues, on the final plat map.  
\*\*(This Condition was modified by the Planning Commission).
10. The subdivision/condominium lots shall be brought back to the Planning Commission for final Stage II approval. No subdivision lots or condominiums shall be offered, sold or conveyed to the general public until the final plats are recorded with Clackamas County.
11. The developer shall submit a Stage II subdivision plat and Site Development Plan to the Planning Commission for the 126 duplexes/townhouses. At that time, the applicant shall identify all anticipated waivers including, but not limited to, lot coverage, building setbacks, minimum lot depth, minimum street frontage, and accessory uses. The Planning Commission shall review each waiver request on its own merits for compliance with the City Council's Stage I Master Plan approval, including the zone change. This condition excludes all public utilities which are permitted by the Community Development Department (Engineering) and are needed to serve the site.
12. The developer shall waive the right of remonstrance against any local improvement district (LID) that may be formed to provide public improvements and facilities to serve the Teufel property.
13. The developer shall submit an application to the Design Review Board for each phase of his project. If appropriate, an application may cover more than one phase; however, no application to the DRB shall be submitted for any developable portion of the project site that does not have Stage II approval. The DRB application shall set forth the street tree program, development plans and location of the tot lots, water features, trash receptacles, all locations and design details for the pedestrian and bicycle paths, landscape plans for the outdoor living and common "open space" areas, proposed signs, and fence/wall areas. The developer shall demonstrate how the common areas and private streets will be maintained through a homeowner's

association or what other means will be used to provide maintenance of the facilities.

14. Prior to site grading and removal of any trees over 6" caliper, the developer shall provide the DRB with a tree survey to determine what trees will be preserved. No trees located within the 3.20 acre parcel that is proposed to be dedicated to the City shall be removed without the initial review of the Board. The existing Holly trees are excluded from this condition.
15. The developer shall coordinate with the US. Postal Service for the final location(s) of mail boxes and stations. The Postmaster has specific standards for location mail boxes and stations so as to provide convenient mail delivery and pickup and not obstruct handicapped accessibility. The mail stations shall be located so they will not obstruct pedestrian movement on sidewalks or interfere with fire hydrants or public and private utilities.
16. The developer shall coordinate with United Disposal Service for the location and design of all drop boxes, except during the initial construction, and waste disposal areas, including recycling areas. The final location and design of all garbage facilities shall be shown on the project design plans and approved by the DRB.
17. The zone map amendment and Stage I and II approvals will expire two years after the date of the City Council's final approval of 95 PC 27 if no development has occurred on the Teufel property within that time; provided, however, the Planning Commission shall grant a one year extension upon the request of the applicant if he shows good cause. In the case of planned development, the zone change and master plan approvals shall not expire if substantial development has occurred on a part of the land and if the development is being completed in phases. Substantial development of the property may be construed as the installation of public infrastructure and facilities needed to serve the project site.
18. The developer may reserve or bank up to 30% of his approved traffic trip capacity in compliance with the TMO for up to five consecutive years; however, any trips reserved or banked shall be fully paid for in the initial year reserved or banked and by January 1st of each succeeding year.
19. The initial subdivision plat must be part of an association as required by the PDR regulations which state:  
  
*"Deed restrictions. A copy of all protective deed restrictions proposed for the subdivision area shall accompany the final plat and specifications of all easements and dedications as required by the Planning Commission."*
20. The covenants and restrictions (CC&R's), along with a copy of these conditions of approval, shall be recorded in the Clackamas County deed records together with the final plat after signature by the Planning Director and the Community Development Director. This condition intends to disclose all of the final adopted conditions of approval for 95 PC 27 in the title reports.
21. Copies of the final plat and the CC&R's will be provided to the Planning Director.
22. The private streets and alleys shall be maintained free and clear of any obstructions (excluding on-street parking of private vehicles) including, but not limited to: trash containers, boats, trailers, recreational vehicles and storage of materials. This

condition applies only after the completion of project construction. The CC&R's shall include this regulation.

23. Common areas (outside the private streets) and open space shall be maintained free and clear of obstructions including, but not limited to: trash containers, parked vehicles, boats, trailers, Recreational vehicles and storage of materials. This condition applies only after completion of project construction and does not include playground equipment for the tot lots and water features and pavilions approved by the DRB. The CC&R's shall include this regulation.
24. The developer shall coordinate the final location and design of the transit stop and bus shelters with the Southern Metropolitan Area Rapid Transit (SMART) Director and the Community Development Director. The developer shall provide a minimum of four (4) shelters and one (1) "transit center" which will be located near the Recreation Center.

#### **ADOPTED BUILDING DEPARTMENT CONDITIONS**

25. Provide fire hydrants within 250 feet of all exterior walls in hose-lay fashion.
26. Each separate building shall be provided with a separate water meter.
27. Submit street names to the Planning Commission for final approval.
28. Provide a fire hydrant at each intersection.
29. Submit separate plans to the (Clackamas) County Health Department for review and approval of the public pool.

#### **ADOPTED ENGINEERING DEPARTMENT AND TAC CONDITIONS**

30. Dedication of necessary right-of-way and construction (or, if agreeable between the applicant and the city, a pro rata payment agreement for all or a portion of the construction) of the improvements adjacent to the applicant's property to bring Wilsonville Road to the following standard: A six (6) lane facility (12-foot travel lanes/14-foot left turn lane), with bike lanes (5-feet on each side), sidewalks, and planting strips, and medians (14 feet where feasible) between I-5 and Town Center Loop East. Sidewalks and planting strips shall be subject to Design Review Board approval.
31. The condition previously placed on the Town Center Development requiring the installation of a continuous median be removed and replaced with selective installations to limit turning movements and allow the installation of landscaping improvements.
32. Installation of a traffic control signal (with interconnection to the signals at Town Center Loop East/West) at the entrance to Town Center.
33. Modifications are required to the traffic control signal at Town Center Loop West/East to allow the required turning movements.
34. Construction of Town Center Loop West south of Wilsonville Road as a (5) lane facility (12 foot travel lanes/14 foot left turn lanes) with bikelanes (5 feet each side)



and sidewalks (5 feet each side), and planting strips. Sidewalks and planting strips shall be subject to Design Review Board approval.

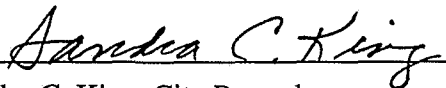
35. Construction of Pacific Drive between Parkway Avenue and Town Center Loop West as a (3) lane facility (12 foot travel lanes/14 foot left turn lane) with bikelanes (5 feet each side) and sidewalks (5 feet each side), and planting strips. Sidewalks and planting strips shall be subject to Design Review Board approval.
36. No access on the extension of either side of Town Center Loop West from Wilsonville Road to Pacific Drive.
37. Parking shall conform to City standards or may be reduced by 10% for the commercial retail/office buildings in compliance with the bonus criteria of the Traffic Management Ordinance. Parking shall conform to the City Council approved Master Plan and Stage II Site Development Plan(s).
38. Provide 15 foot wide raised pedestrian crossings within the Teufel development at 250 to 400 foot intervals in compliance with ADA standards. The raised pedestrian crossings shall connect the internal pathway system. Locations of the pedestrian crossings shall be shown on the project's final design plans and reviewed and approved by the Design Review Board.
39. The proposed right "in" only located west of Town Center Loop West shall meet the following criteria:
  - If re-aligned with the proposed drive-through there must be a minimum of 150-foot clear distance between Wilsonville Road and the end of the maximum calculated drive-through queue.
  - No parking maneuvers shall be permitted within 75-100 feet of Wilsonville Road.
40. The service commercial portion of the development shall integrate pedestrian accessibility to the adjacent employment and housing to the maximum extent possible. All pedestrian connections shall be constructed as shown on the approved Stage II Site Development Plan.
41. Pedestrian linkages from the front doors of each individual building to public sidewalks and adjacent commercial uses shall be provided as depicted on the approved Stage II Site Development Plan. These accesses shall provide direct paths between activity areas and minimize vehicle crossing conflicts.
42. Bicycle racks shall be provided convenient to the building entrances for employment/patron and residential uses. The location and design of the bicycle racks shall be shown on the detailed project design plans and approved by the Design Review Board.
43. **The Applicant has prepared a transportation demand management program to further enhance the overall design efficiency and effectiveness of non-auto oriented travel to and from and within Teufel Village. The plan includes flexible working hours to encourage off-peak travel, car pooling parking provisions, scheduling deliveries during off-peak hours, methods to encourage employees to live on-site and advertisement of commute options. The Plan was developed in cooperation with the Director of SMART and is approved by City Council.**

44. This approval may be deemed null and void by the Planning Commission if:
- a. A court of competent jurisdiction or LUBA overturns the City's Traffic (Growth) Management Ordinance (TMO) and all final appeal rights have been exhausted; and
  - b. The applicant has failed to comply with all applicable requirements of the TMO prior to such final appellate determination.
- \*\* (This Condition was added by the Planning Commission)
45. The on-site well shall be utilized for irrigation purposes, if feasible. Drought resistant landscaping materials shall be utilized. \*\* (This Condition was added by the Planning Commission).
46. The Design Guidelines, Exhibit Z, shall be modified to be consistent with the City Council and Design Review Board final written conditions of approval and filed with the Planning Department. (This condition added by the City Council 11/6/95.)

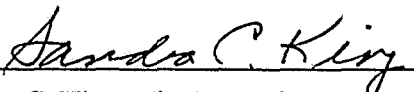
Section 8. EMERGENCY DECLARED

That it is determined by the Wilsonville City Council that time is of the essence and an emergency exists and that this Ordinance shall take effect immediately upon final reading and passage by the Council.

SUBMITTED to the Wilsonville City Council and read the first and second time at a regular meeting thereof on the 6th day of November, 1995, commencing at the hour of 7 P.M., at which time the ordinance was adopted at the Wilsonville City Hall Annex, Community Development Hearings Room.

  
 Sandra C. King, City Recorder

ENACTED by the Wilsonville City Council on the 6th day of November, 1995, by the following vote: AYE: 5 NAY: -0-

  
 Sandra C. King, City Recorder

DATED and signed by the Mayor this 8<sup>th</sup> day of November, 1995.

  
GERALD A. KRUMMEL, Mayor

SUMMARY of Votes:

Mayor Krummel	Yes
Councilor Lehan	Yes
Councilor Hawkins	Yes
Councilor Leahy	Yes
Councilor Leo	Yes

## **TUEFEL VILLAGE TRANSPORTATION DEMAND MANAGEMENT PROGRAM**

The following program has been developed for implementation at Tuefel Village. The program was designed in cooperation with the Transit Director and the Tuefel Village Design Team.

Tuefel Village is designed as a mixed-uses commercial and residential community. The design emphasizes a walkable community coupled with transit oriented design and a careful mix of uses intended to reduce the dominance of the auto as the primary source of travel.

The purpose of the Demand Management Program is to further enhance the overall design efficiency and effectiveness of non-auto oriented travel to, from, and within Tuefel Village. By implementing this plan it is hoped that a significant reduction in demand on the City's street system will be realized.

### **PROGRAM ELEMENTS**

Because there are many unknowns regarding specific uses and activity patterns at this time, this program is designed to be implemented over time, with anticipated future refinements. Therefore, of necessity, the initial program is more of an outline strategy to be coordinated with the Transit Director, City Engineer and other appropriate City staff over time.

#### **Tenant Association and Education Program**

The basic implementing strategy will be to create a Tenant's Association, including both commercial operator and residential tenants. The association will work with the developer/manager to formulate operating policies, plan events, coordinate marketing and promotion of the Village, etc. The association will hold regular business meetings, and schedule special sessions which will provide opportunities for "SMART Training".

"SMART training" is envisioned as an on-going education program, not a one time event. The first element of the education program would be to coordinate with SMART to develop a SMART Information Packet. The packet will be distributed to all tenants. The basic context of the information will be:

- Before you Drive - "think trip reduction"
- Plan Ahead - "link trips"
- Walk
- Bike
- SMART
- Tele-commute
- Ride Share

## **SMART Options**

Other options and ideas to explore once the tenant association is formed, might include:

- Scheduling off-peak deliveries
- Voluntary group application of the DEQ ECO Rule..  
Note: It is not anticipated that any single tenant, other than maybe a restaurant, will have more than 50 employees, which requires compliance with the Rule.
- Explore with SMART and Town Center owner/operators the possibility of a Local Loop Shuttle.
- Encourage merchants to provide home deliveries, fax orders, etc.
- Making SMART schedules readily available to tenants and customers. An on-site information kiosk shall be developed in relation to the design and location of on-site SMART stops. Ultimately, a computerized display might be developed which would provide route and schedule information, as well as display traffic congestion warnings.
- The tenant association should develop a system for Village discount coupons as incentives for non-auto customers, and/or for off-peak specials.

## **Street Furniture**

As part of the preparation for Design Review, the developer will coordinate with the Transit Director and City Engineer regarding design details and specifications for street furniture. The focus will be on enhancing the pedestrian and transit friendly nature of the streetscape. Design elements will include:

- Sidewalk and pathway treatments
- Coordinated transit stop design, shelters, and amenities
- Bike racks and inside bike hangers
- Benches
- Drinking fountains
- Directional and informational signage

## **Shared Parking**

The initial marketing of the commercial space will focus on careful matching of tenants and types of business and activities which have varied and different peak parking demands. This strategy coupled with discount coupons, etc., will be used to encourage customers to stay within the Village for a variety of shopping and entertainment opportunities. The tenant's association will likely continue developing strategies on how to maximize the use of limited parking.

### **Ride Sharing**

The information packet will encourage ride sharing for residential and commercial tenants. Employee car pools may be given preferential parking. A computer system may be developed for tenants to match ride share needs.

### **SMART Buildings & Units**

The unit design will include SMART building features such as built-in separated and protected wiring systems for home computers and home faxes. Tenant will be encouraged to use tele-commuting as a daily option. Special on-site training may be developed in cooperation with the Chamber of Commerce and Community College.

It may be possible to develop an on-site satellite work station facility, for tenants that do not have their own computer. A teleconferencing facility may also be a future on-site possibility.

The health club, and maybe other buildings, will have showers available as a convenience for bicyclists.

### **Other Strategies**

As noted in the introduction, this is a skeleton program which will be enhanced and refined over time as more and more information and opportunities begin to surface through actual development and use of the site.