

RESOLUTION NO. 1123

A RESOLUTION REGARDING STREET SYSTEMS DEVELOPMENT CHARGES; AMENDING RESOLUTION NO. 842 TO ESTABLISH A SUPPLEMENTARY STREET SYSTEMS DEVELOPMENT CHARGE FOR IMPROVEMENTS TO THE INTERSECTIONS OF TOWN CENTER LOOP WEST AND WILSONVILLE ROAD, AND BOONES FERRY ROAD AND WILSONVILLE ROAD, AND THE I-5/WILSONVILLE ROAD INTERCHANGE.

WHEREAS, Objective 2.1.3 of the Comprehensive Plan is to:

"Encourage a balance between housing, industrial and commercial land use."; and

WHEREAS, Policy 2.2.2 of the Comprehensive Plan is:

"To insure timely, orderly and efficient use of public facilities and services, while maintaining livability within the community, the City shall establish a Growth Management Program consistent with the City's regional growth allocation and coordinated with a Capital Improvements Plan.

- a. Annually the Planning Commission shall review growth related data, e.g., availability of public facilities, scheduled capital improvements, need for housing, commercial development and/or industrial development, etc.; and shall, as determined necessary following a public hearing, recommend to the City Council a Growth Management Plan.
- b. To maximize design quality and conformity to the Comprehensive Plan the City shall encourage master planning of large land areas. However, as an added growth control, the Planning Commission may, as a condition of approval, set an annual phasing schedule coordinated with scheduled Capital Improvements, particularly streets and related transportation facilities."; and

WHEREAS, Policy 3.3.3 of the Comprehensive Plan states:

"Minimum street service levels shall be established. Dedication of adequate right-of-way, as established by the Street System Master Plan, or as otherwise approved by the Planning Commission, shall be required prior to actual site development.

If the proposed development would cause an existing street to exceed the minimum service capacity, then appropriate improvements shall be made prior to occupancy of the completed development. Said improvements may be deferred if they are scheduled and funding is confirmed through the City's Capital Improvements Plan for construction within two years of the date of occupancy, provided that such a postponement of improvements would not seriously endanger public health and safety. In such cases, interim improvements shall be required."; and

WHEREAS, the City has amended Section 4.139(4) of the Wilsonville Code by Ordinance No. 428, effective May 18, 1994. The purpose of Ordinance No. 428 is to recognize the interrelationship of intersection operations (including state, county and city) level of service (LOS) criteria for new development and change of use; and

WHEREAS, paragraph 4.139(4) and subparagraph 4.139(4)(b) of the Wilsonville Code state:

"(4) A planned development permit may be granted by the Planning Commission only if it is found that the development conforms to all the following criteria, as well as to the Planned Development Regulations in Sections 4.130 to 4.140.

* * *

"(b) That 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 of 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 or industrial development, avoid traversing local streets."; and

WHEREAS, improvements are required contemporaneously at the I-5 and Wilsonville Road Interchange, Wilsonville Road and Boones Ferry Road intersection and Wilsonville Road and Town Center Loop West intersection (*the interrelated intersections*) so that traffic can be accommodated safely and without congestion in excess of level of service D at the intersections of Wilsonville Road with Boones Ferry Road and Town Center Loop West, as the interchange and intersection operations are interrelated; and

WHEREAS, the Oregon Department of Transportation (ODOT), in the revised Transportation Improvement Program, has identified that the Wilsonville Road and I-5 Interchange needs to be reconstructed; and

WHEREAS, the City, the Oregon Department of Economic Development and Thrifty-PayLess Drug Stores, Inc. have agreed that Thrifty-Payless Drug Stores will retain corporate headquarters in Wilsonville based, in part, upon the Oregon Department of Economic Development having recommended to the Oregon Transportation Commission the granting of \$1 million of special economic road development funds to pay for Thrifty-Payless Drug Stores share of interchange improvements and Street Systems Development Charges which recommendation the Oregon Transportation Commission has adopted, and that the City will work with ODOT to obtain interchange improvements; and

WHEREAS, the City and ODOT are negotiating a Cooperative Construction Finance Agreement (CFA) for construction of part of the interchange improvements (Phase I) at an estimated cost of \$7.35 million with the City share at \$3.1 million which will meet the conditions of the Development Agreement with Thrifty-PayLess and qualify for the special economic road development funds; and

WHEREAS, Phase I interchange improvements include the following:

- A. Reconstruct and widen the existing I-5 structures overcrossing Wilsonville Road to provide for the improvements of Wilsonville Road outlined in B below.
- B. Reconstruct and widen Wilsonville Road approximately between SW Town Center Loop West and SW Boones Ferry Road to provide six vehicular travel lanes, sidewalks, bikeways and street lights.
- C. Reconstruct and install vehicular and pedestrian actuated traffic

control signals with interconnect system, fire pre-emption devices and street crossing illumination.

- D. Reconstruct and widen the existing turn storage lanes for traffic existing and entering on to Interstate 5; and

WHEREAS, in a report from the Community Development Director, dated June 7, 1994, the staff analyzed capacity of the interrelated intersections, costs for the improvements and capacity requirements; and

WHEREAS, these Phase I improvements are projected to accommodate the required street capacity for existing PM peak-hour traffic and traffic from approved but not completed Stage II projects, plus an additional 30% of the sum of the traffic generated from the existing and approved Stage II projects; and

WHEREAS, there are approved Stage II projects that have not had building permits issued with an estimated 451 PM peak-hour trips that will benefit from the increased capacity.; and

WHEREAS, the combined interrelated interchange/intersection capacity increase above the level of existing and previously approved Stage II trips is estimated at 1,435 PM peak-hour trips.

WHEREAS, Phase I improvements to the I-5/Wilsonville Road Interchange and the interrelated improvements necessitated thereby to the intersections of Town Center Loop West and Wilsonville Road and Boones Ferry Road and Wilsonville Road were not included in the list of improvements listed in Resolution No. 842 which established and imposed street systems development charges and are required to allow development which generates traffic using these interrelated intersections; and

WHEREAS, a CFA between the City of Wilsonville and the State of Oregon will require the City to participate in these Phase I interchange improvements; and

WHEREAS, the City will incur costs for further improvements to the intersections of Wilsonville Road and Boones Ferry and Town Center Loop West, bringing the overall cost for improvements not currently in the Street Systems Development Charge Improvement Plan to be an estimated \$5,215,730; and

WHEREAS, the City had previously planned to use Urban Renewal funds to pay for \$1,500,000 of the required additional improvements; and

WHEREAS, owners of property which would generate traffic through the interrelated intersections cannot develop at present because they cannot show that traffic can be accommodated at level of service "D" or better; and

WHEREAS, the owners of property which would generate traffic through the

interrelated intersections could develop if the interrelated intersections were improved; and

WHEREAS, the capacity improvements will specially benefit owners of developable property, which generate traffic using these interrelated intersections who otherwise could not develop, by allowing development to occur and to proceed under the mitigation policy of Comprehensive Plan Goal 3.3.3; provided, capacity is reasonably allocated to avoid serious endangerment to the public health and welfare prior to, during, and immediately after the improvements are constructed; and

WHEREAS, in a supplemental report to the June 7, 1994 report, from the Community Development Director, dated July 13, 1994, the staff provided additional information concerning the equity of the supplemental street SDC; and

WHEREAS, ORS 223.299 allows a City to collect systems development charges for such transportation improvements; and

WHEREAS, the City Council desires to establish a supplemental street systems development charge to pay for Phase I improvements and additional costs for improving the intersections of Wilsonville Road and the intersections of Boones Ferry Road and Town Center Loop West, totaling an estimated \$3,715,730, (\$5,215,730 less \$1,500,000); and

WHEREAS, the City also desires to equitably charge those developments whose development applications were made prior to the City's announcement of its intention to adopt such a supplemental street systems development charge on April 19, 1994; and

WHEREAS, the ratio of trips that are on critical lane groups as compared to overall traffic at intersections may change as traffic volume increases; and

WHEREAS, a change in the ratio could modify the combined interrelated interchange/intersection capacity increase above the level of existing and previously approved Stage II trips which is estimated at 1,435 PM Peak-hour trips.

NOW, THEREFORE BE IT RESOLVED by the City of Wilsonville, Oregon, that Resolution No. 842 be modified as follows:

1. The following paragraph is added to ARTICLE I, PURPOSE, Section II Definitions.

c. Supplementary Street Systems Development Charge. An improvement fee or a fee collected at time of increased usage of a capital improvement or at the time of issuance of a building permit for improvements to the intersections of Town Center Loop West and Wilsonville Road, and Boones Ferry Road and Wilsonville Road, and the I-5/Wilsonville Road interchange.

2. The following are added to sections in ARTICLE III, METHODOLOGY.

Section 1. Street Capacity for supplemental street systems development charges is limited to existing traffic, plus traffic from approved Stage II projects, plus an additional 30 per cent of existing, plus approved Stage II projects by capacity of the initial construction for the I-5/Wilsonville Road interchange. Calculations of street capacity are based on traffic during the PM peak-hour. PM peak-hour traffic will be determined using the Highway Capacity Manual and may be part of the Traffic Impact Analysis for the development based on the land use category and trip factors appropriate to the land use category for the PM peak-hour. These trips will be distributed throughout the Transportation System and the higher of the additional traffic through the Wilsonville Road and Town Center Loop West or the Wilsonville Road and Boones Ferry Road intersections will be used to determine the supplementary street SDC. Current methodology for analysis of trip generation includes drop-in trips, linked trips, and new trips. Drop-in trips are for traffic that was on the road and stopped at a commercial establishment en route. These trips do not add to the traffic and are not included in SDC calculations. Linked trips may be additional trips through the intersections and will be addressed on an individual basis depending on the type of commercial activity. Existing trips, trips from approved Stage II projects, and a representative sample of development adding traffic of an additional 30 per cent were analyzed to determine the number of PM peak-hour trips through the intersections. Each development was analyzed for traffic through both intersections and traffic through the intersection with a higher volume was used to determine eligibility for the supplemental street SDC. This analysis results in 1,886 PM peak-hour trips as being eligible for the supplemental street SDC. Summary is at Table 5.

Section 2. Table 6 identifies \$5,437,000 in improvements that are necessary to improve capacity to serve existing traffic, traffic from approved Stage II projects, and an additional 30 per cent of the existing and approved Stage II projects. This includes \$1,500,000 which is being contributed from Urban Renewal and \$221,270 which is included in the existing calculations for the street SDC. Subtracting these figures allows \$3,715,730 as eligible for inclusion in calculations of supplemental street systems development charges. Based on the estimated cost eligible for

SDC funding, the supplementary street SDC unit cost is calculated as follows:

Capital Improvement Cost Basis (\$3,715,730)

= \$1,970 Per PM Peak-Hour Trip

New PM Peak-Hour Trips (1,886)

Section 4. The amount of supplementary street SDC due shall be determined by multiplying the supplementary street SDC times the higher of the PM peak-hour trips through the intersection of Town Center Loop West and Boones Ferry Road with Wilsonville Road. For developments approved after approval of this resolution the analysis for traffic through the intersection of Wilsonville Road with Town Center Loop West and Boones Ferry Road will be included in the Traffic Impact Analysis prepared prior to Planning Commission action on the Stage II approval. Staff will prorate this projection based on the normal basis for issuance of building permits.

For developments that were approved prior to approval of this Resolution, staff will use the Traffic Impact Analysis prepared for the development to determine PM peak-hour trip generation. Traffic through the intersections will be determined by using Tabs A-F and J, attached to Community Development memorandum, dated June 7, 1994, subject: Supplementary Street Systems Development Charge - Wilsonville Road/I-5 Interchange Vicinity, to calculate the ratio of traffic that goes through the interrelated intersections. This ratio will be multiplied by the PM peak-hour trip generation from the traffic report to determine the PM peak-hour trips through the intersection.

Example 1 160 unit single family development in west Wilsonville

- a. 160 units and 162 PM peak-hour trips
- b. 162 PM peak hour trips - Wilsonville Road & Boones Ferry Road
- c. Ratio through intersections - 100%

Total Supplementary Street SDC = 162 X \$1,970 = \$319,140

SDC/unit = \$317,170 = \$1,995 paid at Building Permit application

160

Example 2 200,000 square foot Auto Parts Warehouse and 67,000 square foot Auto Dealership - Vicinity of 95th Avenue north of Boeckman Road

- a. Warehouse PM peak-hour 150
- b. Dealership PM peak-hour 175
- Total: 325**
- c. Ratio through intersection 10%

Payable at Building Permit:

Warehouse = 150 X 0.1 X \$1,970 = \$29,550

Dealership = 175 X 0.1 X \$1,970 = \$34,475

Example 3 Restaurant - vicinity of Town Center Loop and Parkway

- a. Size - 6,000 square feet
- b. PM peak-hour trips - 100
- c. Through intersection - 30%

Total Supplementary Street SDC = 100 X 0.3 X \$1,970 = \$59,100

Section 5. Implementation of the Transportation Planning Rule, better use of mixed use developments, public transit and better bicycle and pedestrian facilities are trend which will reduce trip generation below the projections in the standards as published in the ITE Trip Generation Manual. Developers shall provide all information which will influence trip generation to the City Consultant that prepares the Traffic Impact Analysis. The Consultant will identify any recommended adjustments from normal standards in the Traffic Impact Analysis.

In the event the developer disagrees with the City Consultant, the applicant may, at his expense, hire a registered Traffic Engineer to prepare a separate report of PM peak-hour trip generation and PM peak hour trips through the interrelated intersections. The Director may make such adjustments as he deems appropriate in determining the appropriate supplementary street SDC charge. The Director's decision may be appealed to Council in accordance with ARTICLE X. APPEAL PROCEDURES of Ordinance No. 386.

Section 7. The City shall, in the third fiscal year and in each subsequent fiscal year until the supplementary street SDC is no longer required, compare intersection traffic counts and ratios of trips on critical lane groups to overall traffic at the intersections of Town Center Loop West and Boones Ferry Road with Wilsonville Road. These comparisons will be used to adjust the supplementary street SDC and the combined interrelated interchange/intersection capacity increase above the level of existing and previously approved Stage II trips which is estimated at 1,435 PM peak-hour trips. The supplementary street SDC will terminate when all combined interrelated interchange/intersection capacity increases, above the level of existing and previously approved Stage II trips which are presently estimated at 1,435 PM peak-hour trips, have been committed to future Stage II projects.

The following section is added to ARTICLE VI. EXEMPTIONS

Section 2 In addition to the exemptions in Section 1 for street SDCs the

relocation of an office, business, commercial, industrial or institutional activity when the original structure is being acquired for interchange/intersection improvements is exempt from the supplementary street SDC except to the extent it generates additional PM peak-hour trips beyond the PM peak-hour trips in the existing location through the intersections of Boones Ferry Road and Town Center Loop West with Wilsonville Road.

The following section is added to ARTICLE VII. DEDICATED FUND

Section 3. The City shall maintain a separate dedicated fund entitled "Supplementary Street Systems Development Fund". All money derived from the supplementary street SDC shall be placed in the Supplementary Street Systems Development Fund. Supplementary Street SDC revenue shall be used for no purpose other than those activities described as, or for the benefit of extra capacity facilities.

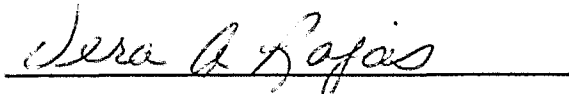
Section 4. Supplementary Street SDC revenues may be spent to provide new or expanded capacity at the interchange between I-5 and Wilsonville Road, improvement of the City streets between the interchange and Boones Ferry Road and Town Center Loop and improvement of the intersections of Wilsonville Road with Boones Ferry Road and Town Center Loop West.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof on the 1st day of August, 1994, and filed with the City Recorder this date.



GERALD A. KRUMMEL, Mayor

ATTEST:



VERA A. ROJAS, CMC/AE, City Recorder

SUMMARY of Votes:

Mayor Krummel	<u>AYE</u>
Councilor Lehan	<u>AYE</u>
Councilor Benson	<u>AYE</u>
Councilor Hawkins	<u>AYE</u>
Councilor Sempert	<u>AYE</u>

[WV Rd/1-5 IC, SDC]Traffic Summary

TRAFFIC SUMMARY

5/20/94	TCLW & WV RD	BOONES FERRY & WV RD	ELIGIBLE FOR SDC SURCHARGE
EXISTING COUNTS-APRIL 1994	1946	2254	0
UNDER CONSTRUCTION & DEVELOPMENT AGREEMENTS	480	.289	0
SUBTOTAL	2426	2543	
APPROVED STAGE II'S-NOT STARTED	266	310	451
SUBTOTAL	2692	2853	451
30% FROM FUTURE STAGE II APPROVALS	808	856	1435
TOTAL	3500	3709	1886

8/26

Sandy,

Eldon said to send
you these for you
to attach to Res 1123.

Bobbi

TABLE 5

Supplemental Street Systems Development Charges

Existing Plus Approved Stage II Projects Plus 30%	
5/16/94	
Item	Est. Cost
Payment to ODOT & initial construction	\$3,000,000
Contribution from Urban Renewal funds	(\$1,500,000)
Improvements at TCLW & WV Rd	\$1,735,000
Included in Street SDC CIP (Res No. 842)	(\$221,270)
Improvements at WV Rd & Boones Ferry	\$602,000
Additional ROW on Boones Ferry	\$100,000
Total supplemental street SDC eligible costs	\$3,715,730

TABLE 6