

AFFIDAVIT OF POSTING

ORDINANCE #176

STATE OF OREGON)
COUNTIES OF CLACKAMAS)
AND WASHINGTON)
CITY OF WILSONVILLE)

I, the undersigned, City Recorder of the City of Wilsonville, State of Oregon, being first duly sworn on oath depose and say:

On the 1st day of April, 1981, I caused to be posted copies of the attached Ordinance #176, an ordinance amending the Comprehensive Plan and Zoning Map of the City of Wilsonville (Application of NIKE, Inc.), in the following four public and conspicuous places of the City, to wit:

WILSONVILLE POST OFFICE
WILSONVILLE CITY HALL
LOWRIE'S FOOD MARKET
KOPPER KITCHEN

The ordinance remained posted for more than five (5) consecutive days prior to the time for said public hearing on the 6th day of April, 1981.


DEANNA J. THOM, City Recorder

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


NOTARY PUBLIC, STATE OF OREGON

My commission expires: May 10, 1981

ORDINANCE NO. 176

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN AND THE ZONING MAP OF THE CITY OF WILSONVILLE (APPLICATION OF NIKE, INC. FOR A COMPREHENSIVE PLAN AMENDMENT - RESIDENTIAL TO COMMERCIAL AND FOR A ZONE CHANGE FROM RA-1 TO PLANNED DEVELOPMENT COMMERCIAL [PDC], OFFICE COMPLEX, TAX LOTS 1100 and 1190, TOWNSHIP 3 SOUTH - RANGE 1 WEST, MAP 24).

WHEREAS, an application was filed with the Wilsonville City Recorder on behalf of NIKE, Inc., for the purpose of amending the Wilsonville Comprehensive Plan from residential to commercial and for the purpose of changing a classification of zone on a parcel of real property known as the NIKE, Inc. Development, from RA-1 (Rural Agricultural) to PDC (Planned Development Commercial) as office complex, pursuant to the reasons and in accordance with the procedures set forth in the Wilsonville Comprehensive Plan and in Articles 5 and 6 of the Wilsonville Zoning Ordinance, No. 154. The application fee, as prescribed by the City of Wilsonville and as further required by Article 16 of Zoning Ordinance No. 154, has been paid. The description of the real property, consisting of approximately 40-plus acres for which the application for a Comprehensive Plan amendment and for a zone change was filed, is set forth in Exhibit "A", attached hereto, and incorporated by reference as if fully set forth herein; and

WHEREAS, the Wilsonville City Planning Commission scheduled and held a public hearing on the matter as required by the Comprehensive Plan and by the provisions of Article 12 of Zoning

Ordinance No. 154, and said hearing was regularly held on December 8, 1980, commencing at the hour of 7:00 o'clock p.m., at the Wilsonville City Hall. Notice of the time, place and purpose of said hearings were duly and regularly given in a manner and for the time required by the provisions of the Comprehensive Plan and by the provisions of Article 13 of Zoning Ordinance No. 154. The required newspaper affidavit of publication and the City Recorder's Affidavit of Mailing are on file in the City Recorder's records in the file of this Comprehensive Plan amendment and zone change matter; and

WHEREAS, the Wilsonville City Planning Commission, after said hearing, reviewed the records and files of this matter and considered and discussed the submittals of the applicant and reports of the planning staff and the public testimony given by the applicant, proponents and opponents, and upon conclusion of the hearing voted to approve the requested Comprehensive Plan amendment and the requested zone change based upon findings and subject to conditions and recommended to the City Council that the Comprehensive Plan amendment and zone change be made subject to conditions. The findings of the Planning Commission, the procedures it followed, the exhibits and other evidence it considered, the conclusions it reached and recommendations it made are set forth in its Resolution entitled "PLANNING COMMISSION RESOLUTION - COMPREHENSIVE PLAN AMENDMENT - RESIDENTIAL TO COMMERCIAL AND ZONE CHANGE FROM RA-1 TO PLANNED DEVELOPMENT

COMMERCIAL (PDC) TAX LOTS 1100 AND 1190, TOWNSHIP 3 SOUTH - RANGE 1 WEST, MAP 24 - NIKE, INC., APPLICANT", which was finally completed, dated as of December 8, 1980, and filed in the Planning Commission's records of this Comprehensive Plan amendment and zone change herein; and

WHEREAS, based upon the Planning Commission's aforementioned action, this matter came before the City Council at its regularly scheduled meeting for public hearing on February 2, 1981, and continued the matter to its regularly scheduled meeting of February 17, 1981, whereat the public hearing was again opened, and the City Council reviewed the records and files in this matter and the findings, conclusions and recommendations of the Planning Commission and also the reports of City staff and the Planning Department and also heard and considered public testimony on the matter. The journal of the meeting was duly kept, recording those who spoke as proponents, opponents and others. Upon conclusion of the meeting/hearing the City Council determined that the Comprehensive Plan amendment and the zone change request, upon motion duly made, seconded and adopted be approved based upon the record in this matter and an adoption of the Planning Commission's findings and recommendations as set forth in its Resolution, but subject to conditions in modification of the recommended Planning Commission conditions as is fully set forth below. A copy of the Planning Commission's Resolution is set forth in Exhibit "B", attached

hereto, incorporated by reference as if fully set forth herein, and is expressly made a part of this Ordinance, save and except that the conditions set forth in the body of this Ordinance below shall supersede, take the place of, modify and amend those conditions recommended by the Planning Commission.

NOW, THEREFORE, THE CITY OF WILSONVILLE ORDAINS, as follows:

Section 1. That the Comprehensive Plan of the City of Wilsonville, adopted July 7, 1980, and the zoning map of the City of Wilsonville, dated August 26, 1980, and adopted as part of the City's Zoning Ordinance No. 154, adopted on the same date, shall be, and the same is hereby amended and changed so that the Comprehensive Plan designation of Commercial and the zone boundaries of the City's PDC (Planned Development Commercial) zone shall now include the real property hereinabove described, and upon final reading and enactment of this Ordinance, said property shall thereupon be designated in the Comprehensive Plan as Commercial and be classified as PDC (Planned Development Commercial), Office-Commercial, zone subject to the conditions set forth in Section 2 below, and not as residential designation under the Comprehensive Plan and not as RA-1 (Rural Agricultural) zone.

Section 2. The zone change is approved, subject to full compliance with all of the conditions set forth below:

- (1) That the Plan Amendment be from Residential to Office Commercial and that said amendment be valid for the

development of a World Headquarters for NIKE, Inc. as indicated in the Applicant's submittal documents. The use shall be restricted to offices as described in Condition #11.

- (2) That Stage I approval for the Zone Change will expire within two years of final approval by the City Council if substantial development has not occurred and that the land use designation on the Comprehensive Plan Map will also revert back to Residential.
- (3) That within a period of one year from the date of the Ordinance Amending the City's Zoning Map, the Applicant will submit Stage II Final Development Plans for the NIKE, Inc. Phase I development of the subject property as represented in the Applicant's Stage I approval.
- (4) That the phasing of this development be in conformance with the growth management policies as adopted by the City of Wilsonville. Building permits shall not be issued until the Wilsonville Road alignment plans, which will eliminate the "S" curves and which will increase Wilsonville Road under the I-5 Overpass to a minimum of 36 feet pavement section for three lanes and a 40 foot section adjacent to the intersection with the on and off ramps, have been approved by the City of Wilsonville and the road improvement plan has

been scheduled and funded, and an Occupancy Permit shall not be issued until both such improvements are completed. Full development of the subject property including Phase II will be restricted pending necessary improvements, including signalization of the I-5 interchange ramps if warranted by the then current City of Wilsonville traffic survey.

- (5) That the Applicant include in their Stage II submittal a design for the intersection of the new Wilsonville Road, as realigned to eliminate the existing "S" curves, and the existing Wilsonville Road. At Stage II, the Applicant shall propose funding for the access road.
- (6) That the Applicant waive the right of remonstrance against a proposed local improvement district which may be formed to construct public improvements which would benefit the subject property.
- (7) That any proposed development within the Willamette River Greenway or the flood plain area, as determined by the 100 year flood elevation, will be reviewed for conditional use approval.
- (8) That the Stage II submittal identify an appropriate dedication of NIKE, Inc. land to provide access across the NW corner of Tax Lot 1100 for pedestrian, equestrian and bicycle access along Boeckman Creek from

existing Wilsonville Road to the City Park. The Applicant shall comply with slope restrictions contained in the Zoning Ordinance.

- (9) That the Stage II submittal identify appropriate dedication of NIKE, Inc. land to permit vacating existing Wilsonville Road as a through street, providing a suitable barricade, and establishing a cul-de-sac turn around to service Tax Lots 1200 and 1201 West from Rose Lane along existing Wilsonville Road. And identify emergency vehicle access to subject property from Rose Lane.
- (10) That prior to submission for Stage II approval, the Applicant coordinate with the Public Works Director and City Engineer to determine an adequate storm drainage for the subject property, including consideration of the flood plain areas.
- (11) That except for employee recreation facilities and the caretaker-guest house no land uses other than a planned development commercial center or complex of administrative and general office uses shall be permitted.
- (12) That prior to submittal of Stage II documents, the Applicant work with the City, Tri-Met and O.D.O.T for the development of a transportation system management program to be incorporated with Stage II Development Plans.

- (13) That at Stage II the Applicant will propose the maximum parking which they would like to see on the facility site.
- (14) That NIKE, Inc. will bear the initial cost of extending existing water lines to the property from the City Park and from Town Center Loop East to provide an 8" loop line from Wilsonville Road as realigned across NIKE, Inc. property to City Park. NIKE, Inc. will also extend an 8" water line across NIKE, Inc. property to the intersection of Rose Lane and Montgomery Way.
- (15) Due to the unusual circumstances placing this particular development in a residential neighborhood, there be the formation of a Local Advisory Review Board to be composed of seven voting members, three members to constitute a quorum, plus appropriate designees of the NIKE team. Their purposes will be to review prior to presentation and approval by our three City governing bodies, the Planning Commission, Design Review Board and City Council, the following items:
- a. Elevation
 - b. Landscaping
 - c. Building placement and design
 - d. Entrances and exits
 - e. Signing
 - f. Parking lot design and placement

- g. Fencing between City Park and the proposed development
- h. Boat dock and slip
- i. Road alignment
- j. Bicycle, equestrian and pedestrian pathways.

The Local Advisory Review Board shall be a continuing board which is consulted for possible public uses of the facility. The Committee will be appointed from neighbors under the temporary chairmanship of Mary Crucchiola. The Committee will write its own By-Laws. Failure of the Committee to respond to a question posed in writing by NIKE within ten days shall be taken as an approval of the question.

The appropriate City bodies will be advised of the consensus of the Local Advisory Review Board whether it is approval, disapproval or split vote and shall consider such input along with the other evidence submitted to them.

(16) No public retail sales shall be conducted on the site.

(17) No ramp shall be constructed for the launching of boats or other water vehicles.

(18) The caretaker's residence is found to be an adjunct to the commercial operation and shall be solely for that

purpose and occasional short-term stays of twelve or less employees or friends of the Company.

- (19) The ratio of building coverage to total land shall not exceed 15%.
- (20) That the Stage II Development Plan identify the screening of the activities on the site from Wilsonville Road and Rose Lane.
- (21) That the Applicant submit a plan for traffic control during construction at Stage II.
- (22) Each of the above conditions are hereby added to the area of Special Concern #3 in the Comprehensive Plan as additional concerns.

Section 3. The Mayor, attested by the City Recorder, is hereby authorized and directed to cause this amendment to the Wilsonville Comprehensive Plan to be appropriately noted upon the plan document and to make the appropriate changes on the City Zoning Map in compliance with the dictates of Section 1 of this Ordinance.

Section 4. To be determined by the Wilsonville City Council and in the interests in public health and welfare and safety and the urgent need to finalize the financing commitments associated with the development of the real property and the public improvements involved herein that an emergency exists,

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

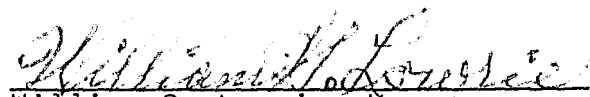
Submitted to the Council and read the first time at a regular meeting thereof on the 16th day of March, 1981, and scheduled for second reading at a regular meeting of the Council on the 16th day of April, 1981, commencing at the hour of 7:30 o'clock p.m., at the Wilsonville City Hall.


Deanna J. Thom, City Recorder

ENACTED by the Council on the 6th day of April, 1981, by the following votes: YEAS 4 NAYS 0, 1 abstain


Deanna J. Thom, City Recorder

DATED and signed by the Mayor this 7th day of April, 1981.


William G. Lowrie, Mayor

Order No. C-32956

DESCRIPTION:

PARCEL I

A portion of the D. Minkler Donation Land Claim No. 44 in Section 24, Township 3 South, Range 1 West, in the Willamette Meridian, Clackamas County, Oregon, described as follows:

BEGINNING at a stone at the North quarter corner of said Section 24; thence South 89° 19' 15" West along the North line of the Northwest quarter of said Section 24, 830.94 feet to the Northeast corner of Parcel I of the Boozier Tract as described in Book 361, Page 127, Clackamas County Deed Records; thence South 00° 12' 16" East along the East line of said Boozier Tract 1081.58 feet to a 1 inch iron pipe at the Southwest corner of Parcel 3 of said Boozier Tract and the true point of beginning (said point also being the Northwest corner of the Kolbe Tract as described in Volume 237, page 389, Clackamas County Deed Records); thence North 89° 27' 49" East, along the North line of said Kolbe Tract, 1093.26 feet to the West right-of-way line of Rose Lane (formerly Moses Road); thence North 00° 22' 16" West along said West right-of-way line, 620.47 feet; thence leaving said West right-of-way line North 88° 48' 00" West 532.65 feet to a point on the South right-of-way line of Wilsonville Road (formerly Market Road No. 12); thence South 87° 49' 15" West 289.75 feet along said South right-of-way line to the East line of Parcel 3 of the Boozier Tract above described; thence following said East line as follows: South 09° 36' 48" West, 52.73 feet; thence South 50° 21' 48" West, 82.90 feet; thence South 09° 26' 46" East, 360.71 feet; thence South 16° 12' 39" West, 77.18 feet; thence South 67° 31' 32" West, 251.20 feet to the true point of beginning.

PARCEL II

A portion of the D. Minkler Donation Land Claim No. 44 in Section 24, Township 3 South, Range 1 West, in the Willamette Meridian, Clackamas County, Oregon, described as follows:

BEGINNING at a stone at the North quarter corner of said Section 24; thence South 89° 19' 15" West along the North line of the Northwest quarter of said Section 24, 830.94 feet to the Northeast corner of Parcel I of the Boozier Tract as described in Book 361, Page 127, Clackamas County Deed Records; thence South 00° 12' 16" East along the East line of said Boozier Tract 1081.58 feet to a 1 inch iron pipe at the Southwest corner of Parcel 3 of said Boozier Tract and the true point of beginning (said point also being the Northwest corner of the Kolbe Tract as described in Volume 237, page 389, Clackamas County Deed Records); thence South 00° 12' 16"

Order No. C-32956

DESCRIPTION:

PARCEL II (cont.)

East along the West line of said Kolbe Tract, 1672.39 feet to the high water mark of the Willamette River; thence following said high water mark as follows: North $54^{\circ} 55' 44''$ East, 460.68 feet; thence North $50^{\circ} 15' 02''$ East, 262.93 feet; thence North $54^{\circ} 28' 23''$ East, 107.96 feet; thence North $50^{\circ} 52' 33''$ East, 111.04 feet; thence North $51^{\circ} 45' 37''$ East, 193.26 feet to the West line of the Clifford Shaver Tract as described in Book 212, page 152, Clackamas County Deed Records; thence North $00^{\circ} 22' 16''$ West along said West line 667.54 feet to the Northwest corner thereof; thence North $00^{\circ} 22' 16''$ West, 120.00 feet; thence North $89^{\circ} 27' 49''$ East, 188.70 feet to the West right-of-way line of Rose Lane (formerly Moses Road); thence North $00^{\circ} 22' 16''$ West along said West right-of-way line, 208.08 feet to the North line of the above mentioned Kolbe Tract; thence South $89^{\circ} 27' 49''$ West along said North line 1093.26 feet to the true point of beginning.

PLANNING COMMISSION RESOLUTION
COMPREHENSIVE PLAN AMENDMENT - RESIDENTIAL TO COMMERCIAL
AND
ZONE CHANGE FROM RA-1 TO PLANNED DEVELOPMENT COMMERCIAL (PDC)
TAX LOTS 1100 AND 1190, T3S-R1W, MAP 24
NIKE, INC., APPLICANT

WHEREAS, NIKE, Inc., represented by a design team consisting of Phillip R. Balsiger of Balsiger, Shewbridge & Associates, Architects/Planners and PRC Voorhees, Transportation Planning Consultants, have submitted planning exhibits for a Comprehensive Plan Amendment from Residential to Commercial for the property herein described, and

WHEREAS, the Applicant has also requested a Zone Change from RA-1 to Planned Development Commercial (PDC) for said property, and

WHEREAS, said Plan Amendment and Zone Change are for the purpose of authorizing development of a Corporate World Headquarters and attendant athletic facilities for NIKE, Inc., and

WHEREAS, the Planning Commission deems it appropriate to consider both the Comprehensive Plan Amendment and Zone Change request simultaneously for the purpose of reviewing planning documents as submitted as part of a unified Master Plan, and

WHEREAS, said planning exhibits were considered by the Planning Commission at a regularly scheduled meeting conducted on December 8, 1980, at which time said exhibits, together with Findings and public testimony were entered into the public record,

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Planning Commission recommends to the City Council that the Comprehensive Plan be amended to show the subject area as Commercial from Residential; that a Planned Development zone and Stage I approval be granted to the property; and that the Planning Commission has placed 21 Conditions of Approval on said Comprehensive Plan Amendment and Zone Change.

FINDINGS

The following Findings are hereby adopted by the Planning Commission and entered into the public record as confirmation of its consideration of the Comprehensive Plan Amendment and Zone Change request as submitted in compliance with the City's Comprehensive Plan, Zoning Ordinance No. 154 and applicable LCDC Goals and Guidelines.

1. That the subject site is located on the south side of the Wilsonville Road "S" Curve between the City Park on the west and Rose Lane on the east. The site is bisected in an east-west direction by Boeckman Creek which empties into the Willamette River which abuts the southern property line.

The subject property consists of two Tax Lots containing a total of 38.5 acres.

2. That the City's Comprehensive Plan designates the property as residential with a density of 1 to 3 units per acre north of Boeckman Creek and 3 to 5 units per acre south of Boeckman Creek.

The Planning Commission further finds that the subject parcel is designated as an area of special concern (Area No. 3) with the following design objectives:

1. Provide low density and/or open space buffers adjacent to existing large lot development.

2. Maximize the visual buffering effect of Boeckman Creek and associated vegetation by locating higher densities southwest of the Creek.

3. Minimize traffic conflicts and congestion at the Rose Lane intersection with Wilsonville Road by locating primary access to this area at the bottom of the "S" curve rather than Rose Lane.

4. To minimize traffic conflicts, full development of this area must be timed in conjunction with the realignment of Wilsonville Road.

3. That the applicant is proposing to develop an office complex with attendant recreational facilities to function as the World

Headquarters for NIKE, Inc. The recreational facilities are intended for employee use and product testing.

The project is proposed as a three-phased development over approximately a ten-year period. The first phase of development is to include 100,000 square feet of office space for 300 to 500 employees plus jogging trails and four tennis courts. Phases 2 and 3 combine to provide an additional 100,000 square feet of office space for an additional 500 employees plus additional athletic facilities.

The applicant indicates that the site is to be used solely for the purpose of providing office space for NIKE's Corporate Headquarters and attendant product testing. No research and development, warehousing, distribution, retail sales or other general commercial activities and no athletic competition is proposed for the subject site.

4. That the proposed use would require a Comprehensive Plan Amendment from Residential to Commercial and a subsequent zone change to Planned Development Commercial.

The Commission further finds that the applicant has submitted planning documents together with a conceptual Master Site Plan for a Comprehensive Plan Amendment and Zone Change to Planned Development Commercial.

5. That the Comprehensive Plan procedure section includes standards for approval of Plan Amendments which state "In order to grant a Plan Amendment, the City Council shall find that (a) the proposed Amendment is in conformance with the text portions of the Plan not being considered for amendment, (b) the granting of the Amendment is in the public interest, (c) the public interest is best served by granting the Amendment at this time, (d) the factors in ORS 215.055 were consciously considered. These factors include the various characteristics of the areas in the City, the suitability for particular land uses and improvements, the land uses and improvements in the areas, trends in land improvement, density of development, property values, the needs of economic enterprises and

the future development of the area, transportation access, natural resources and the public need for healthful, safe and aesthetic surroundings and conditions.

Item 3 of the Procedure section of the Plan further states that consideration of Plan Amendments "a. Amendments to the maps or text of the Comprehensive Plan shall only be considered by the City Council after receiving findings and recommendations from the Planning Commission at their regular or special meetings in February, August, October and December."

The Commission further finds that the Comprehensive Plan states the "Plan shall be administered through case-by-case zoning and site plan review procedures. The purpose of said case-by-case review is to apply the general Plan Goals, Objectives and Policies to specific properties and development proposals . . . specific zoning objectives are as follows:

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

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

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

URBANIZATION

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

The Planning Commission further finds that the Comprehensive Plan includes a note which reads as follows:

"It is a basic premise of this Plan that the purpose of designating

urban land is to provide for needed housing and employment. Therefore, while public facilities are used as a controlling factor in growth management, it is not the intent of the Plan to place a priority on the provision of public facilities and services over that of providing for housing and employment. Rather, it is the intent of the Plan to seek a balance of these factors by insuring that a reasonable service level of public facilities is maintained to support urban growth."

7. That the subject property is located within the City's immediate growth boundary but it is designated as a secondary growth area. The Comprehensive Plan states the secondary growth area has been established as a temporary growth control based on the need for major water or sanitary sewer line extensions and/or on significant service level constraints of existing road or storm drainage.

Development master plans and subdivision plans may be approved within this area, but site development will be restricted to the service level capacities of the existing primary facilities until such time as urban level services are provided.

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

8. That as specified in the following public facility findings, the use of the subject property for a commercial office complex as proposed is consistent with the urbanization policies of the Comprehensive Plan in that through phased development controls consistent with the City's growth management policies, adequate public facilities can be provided to the site.

PUBLIC FACILITIES

9. That Objective 3.1 of the Comprehensive

Plan states that "Urban development should be allowed only in areas where necessary services can be provided" and that Objective 3.4 states "Require that primary facilities be available or under construction prior to issuance of building permit."

The Planning Commission further finds that the Comprehensive Plan states that "Primary facilities and services are those which significantly impact public health and safety and are directly linked to the land development process, in terms of service capacity, location and design or directly affect public health and safety. Therefore, adequate provision must be made for these facilities and services prior to or simultaneously with urban level development.

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

10. That Policy 3.1.4 of the Comprehensive Plan states "The City shall require all future urban level development to be served by the City's sanitary sewer system."

11. That the subject property can be served by the recently constructed Boeckman Creek sanitary sewer trunkline.

The Planning Commission further finds that the City's sanitary sewer treatment plant currently has adequate capacity to serve the development as proposed. Under the provisions of Ordinance No. 112 initiated on July 1, 1978, the remaining Phase II treatment capacity was allocated for a three-year period with 600 single-family equivalent hookups allocated to commercial and industrial development and 910 single-family equivalent hookups allocated to residential development. The City's records indicate that as of December 1, 1980, 453 residential sewer permits were issued leaving a balance of 457 permits yet to be allocated. In addition, 153 commercial and 134 industrial single-family equivalent permits were issued leaving a balance of 313 single-family equivalent hookups for commercial and industrial use.

Based on the conceptual Site Plan submitted by the applicant, it is estimated that the proposed office complex and recreational facilities would count for 60 to 80 single-family equivalent hookups at full development..

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

12. That Policy 3.2.1.a. of the Comprehensive Plan states "All major lines shall be extended in conformance to the line sizes indicated on the master plan and, at a minimum, provisions for future system looping shall be made. If the type, scale or location of a proposed development warrants maximum fire flows, the Planning Commission may require completion of a loop in conjunctions with the development.

Policy 3.2.1.b states "All line extensions shall be made at the cost of the developer or landowner of the property being served . . .".

13. That the City's Comprehensive Planning Public Facilities and Services Report indicates the City's water system has a current normal condition excess service capacity of .465 MGD. The Report also notes that the system's total emergency capability is limited primarily by two factors - 1. marginal pumping capacity at peak summer demand under emergency conditions and 2. lack of system looping which increases line flows and pressure and provides for similiary liability in emergencies such as a major line break.

The Planning Commission further finds that under average peak daily summer demands, the existing system is adequate to serve at least the first phase of development of the subject proposal.

The Commission further finds that the City is currently in the process of developing a fourth well and pump station to add additional service capacity to the City's water system. The well has been tested with a capacity in excess of 1,000 GPM. The pump station is being designed to provide approximately 700 to 800 GPM pumping capacity. The City's Public Works Department estimates that the well is scheduled to be placed in service in June of 1981. Additional pumping capacity of the fourth well will provide ample water service to serve the entire NIKE development in addition to continued development of other areas of the City.

14. That the applicant's submittal documents indicate an intent to provide water service to the site through the extension of existing water lines available in Wilsonville Road to the north of the subject property and in the City Park immediately to the west. Extension of these two lines will complete a portion of the system loop between Wilsonville Road and Parkway Avenue, thereby improving the water system to serve adjacent properties.

The Commission further finds that Policy 3.5.3 of the Comprehensive Plan states "The City shall require that all buildings be designed to a maximum fire flow rating of 4,000 GPM." This policy was designed to minimize the need for additional water system reservoir capacity to maintain minimum fire flows.

15. That access to the site will be from Wilsonville Road at the bottom of the existing "S" curve. Consistent with the design objectives as set forth in Area of Special Concern No. 3 in the Comprehensive Plan, the applicant indicates that access from Rose Lane will be for emergency purposes only.

16. That consistent with the concerns stated in Comprehensive Plan Area of Special Concern No. 3 and consistent with previous zoning actions on property to the north of

the subject site, the development of this property must be timed in conjunction with the realignment of Wilsonville Road eliminating the "S" curve. It is a primary concern of the Planning Commission in approving any urban development in this area and particularly a major employment generator such as the NIKE proposal that the hazards of the "S" curve be eliminated and that adequate street traffic volumes be available to serve the subject property as development occurs.

17. That 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 or endanger public health and safety, appropriate improvements shall be made prior to actual site development."

18. That Policy 3.3.8 of the Comprehensive Plan states "The City recognizes that extensive upgrading of mass transit service to Wilsonville is not likely in the near future. . . and that the State Highway Department has expressed concern over maintaining reasonable service levels on the I-5 Freeway. Therefore, the City shall:

a. Review all land use-development proposals with regard to transportation impacts. All development proposals shall be required to submit a transportation impact analysis.

b. Seek to minimize traffic congestion at the Freeway interchanges as well as on local arterial and collector streets.

c. Seek to reduce the number and length of home-to-work trips.

d. Seek a balanced mix of activities which encourage consolidation of

automobile oriented trips and encourage design and location of complementary activities that support public transit, ride-share programs, and use of other alternative modes of transportation.

e. Require large developments and high employment and/or traffic generators to design for mass transit and to submit programs to the City indicating how they will reduce transportation impacts. All such proposals shall be subject to review by Tri-Met and O.D.O.T. Maximum parking limits may also be imposed."

19. That in terms of public facilities a major difference between the current plan designation and the proposed use is in the transportation and traffic impacts generated by the two uses.

The Planning Commission finds that the applicant's submittal documents include a Traffic and Transportation Analysis prepared by P.R.C. Voorhees Transportation Consulting firm.

The Traffic Analysis Report indicates that the proposed use would generate substantially more traffic than the existing designated residential use. Phase I of the NIKE project would generate 1,250 daily trips as opposed to approximately 1,500 trips generated by the residential use. Total buildout of the NIKE project would be nearly double the residential traffic at 2,000 trips per day. The Report includes a detailed analysis of the comparison between the residential use now permitted and the proposed office development.

In addition to the quantity of trips generated, the Report also identifies a significant difference in the distribution and directional flow of the traffic generated. That is, while the proposed development would create nearly double

the traffic, the traffic flow would essentially be in a reverse direction from that of residential uses. This is particularly true for the first phase of development as existing employees from NIKE's current Beaverton location would transfer to the Wilsonville project.

The two major impacts of the proposed use would result at the Freeway interchange at Wilsonville Road and conflict with evening hour inbound residential traffic.

The Analysis also identifies, however, transportation system management techniques that could be used to minimize traffic impacts from the subject proposal which can be better controlled with a single tenant project.

20. That the City's Transportation Consultant, Carl H. Buttke, as part of the Comprehensive Plan studies, has recommended the following short-term street improvements in the general vicinity of the subject property.

1. Widening of Wilsonville Road to three lanes between the northbound and the southbound I-5 ramps (immediate priority).

2. Signalization of the I-5 ramp intersections with Wilsonville Road and widening of the ramps at the intersection approaches (prior to 1985).

3. Widening of Wilsonville Road between I-5 and the City Center Loop Road east (prior to 1985).

4. Widening of Wilsonville Road between City Center Loop Road east and 65th Avenue (after 1985).

As previously stated, the realignment of the Wilsonville Road "S" curve also is an immediate concern with relation to development of this property.

Consistent with previous Planning Commission actions, the Commission further finds that the street improvements in existing capacity figures included in the Buttke Report were generated based on a Service Level D which is not considered by the City to be an acceptable level of service to plan for.

The Planning Commission further finds that the proposed development would substantially alter planning assumptions used to generate the traffic analysis in the Buttke Report. Therefore, the timing of the recommended improvements in the Report and the level of improvements necessary would be accelerated and increased.

As indicated in the applicant's Traffic Analysis, a major impact on streets within the City would occur on Wilsonville Road between the subject property and I-5 as well as the I-5 interchange. Traffic impacts would occur elsewhere in the City but to a lesser degree.

21. That the Buttke Report identifies an existing problem at the Wilsonville Road-I-5 overpass in that there is an immediate need for provision of three lanes, one moving lane in each direction with a center turn lane in this area of Wilsonville Road.

The Commission further finds that Wilsonville Road under the I-5 overpass is paved to a 32 foot section and that there is only 37 feet between the piers of the overpass. This essentially allows for only a 36 foot pavement section whereas the center turn lane is normally provided within a 40 foot pavement section.

The Planning Commission further finds that immediate improvement to three lanes in this area would be necessary to allow Phase I development of the NIKE proposal.

22. That Wilsonville Road is developed within a 60 foot right-of-way and that the pavement section between I-5 and Town Center Loop West is 32-34 feet with a 20-22 foot pavement section from the Town Center Loop West to the subject property. Interim widening of Wilsonville Road to a 40 foot pavement section

at the intersections with the I-5 Freeway on-off ramps would be necessary to provide for additional traffic generated by the NIKE development. The NIKE development would also increase the need for signalization of the Freeway ramp intersections with Wilsonville Road.

The Planning Commission notes, however, that due to the timing of submission of the Traffic Analysis, the City's Transportation Consultant has not had an opportunity to review and comment on the Voorhees Report.

23. That the applicant has not submitted a detailed storm drainage plan for the subject property but indicates that a system incorporating the natural drainageways and on-site retention facilities will be developed.

It is noted by the Planning Commission that it is appropriate to submit detailed drainage plans as part of the Stage II submittal requirements when specific site improvements are known.

The Commission also notes that the applicant's submittal documents do identify the general flow of drainage on the site.

The subject property is located at the bottom of the Boeckman Creek drainage basin and essentially drains directly to the Willamette River. For this reason, drainage improvements made on site will improve upstream drainage.

24. That adequate fire protection can be provided by the Tualatin Rural Fire District and that the Fire District will have an opportunity to review the Stage II Development Plans when submitted for the three phases of development.

It is further noted by the Commission that it is noted in an earlier Finding, Policy 3.5.3 requires buildings to be designed to the maximum fire flow rating of 4,000 GPM, thereby minimizing the impacts on both the City water system and fire protection services.

25. That the provision of adequate police service can be provided consistent with a logical phasing program for the proposed development.

The Commission further finds the applicant indicates an intent to provide private on-site security, thereby minimizing the impact on publicly provided police service.

26. That complementary facilities and services will not be adversely affected by the subject proposal.

Public schools will benefit from the proposed use over residential use by virtue of an inverse ratio of tax support to service demand. The impact on public health and social services will be minimized as private providers will be utilized to a maximum extent. Public parks and recreational facilities will not be adversely impacted by the proposed use in that they will be providing on-site recreational facilities for their own use.

The Commission notes, however, that public benefit for the proposed recreational facilities in terms of public use has not been clearly defined by the applicant. In discussions with Planning staff, the applicant has indicated that some of the recreational facilities might be made available on a limited basis to the general public. However, the applicant has expressed a concern over on-site security and company liability in allowing general public access to the facilities.

The Commission notes that the Planning staff recommends that this issue be studied further and considered in more detail at the Stage II level of review.

PARKS AND OPEN SPACE

27. That Policy 4.5.1.a. of the Comprehensive Plan states that major natural drainage ways and environmentally sensitive areas and significant stands of trees or other vegetation shall be designated as Willamette Greenway flood plain or open space. Development in the Greenway and flood plain areas

will be controlled through a conditional use and Design Review process.

Open space is intended to remain undeveloped and may be used toward satisfaction of open space requirements.

28. That the applicant's conceptual Site Plan submittal documents indicate that generous open space with substantial perimeter landscape buffering will be provided. A continuous green belt along Boeckman Creek is indicated and all site improvements with the exception of four tennis courts and a dock are held behind the Willamette Greenway boundary line. A conditional use for the dock and tennis court facilities would be required and an approval from the Corp. of Engineers would also be required for placement of the dock.

Recreation facilities anticipated within the project will include both passive and active opportunities. A 25,000 square foot recreation building, outdoor athletic practice field, tennis courts and extensive jogging trails are indicated.

29. That the southern portion of the property lies within the flood plain of the Willamette River which reaches an elevation of 89.2 feet MSL at this location.

The applicant's Site Plan indicates that the only development within the flood plain area would include tennis courts and the dock facility.

LAND USE AND SITE DEVELOPMENT

30. That the applicant's submittal documents indicate a request for Stage I and II Planned Development zoning, however, no detailed Site Development Plan has been submitted as required for a Stage II review. The applicant has, however, submitted a Conceptual Site Plan identifying the general location and size of structures, parking areas and other on-site improvements.

It is noted by the Planning Commission that the primary function of the site will be to serve as the Administrative Headquarters

for NIKE, Inc. while attendant recreation facilities will be provided for uses proposed by the applicant for these facilities which do not fall under the normal definition for a mixed use development, since the applicant has not indicated an intent to develop a mixed use project, although the Voorhees Transportation Analysis indicated that an on-site banking facility should be considered.

The Planning Commission finds that provision of a banking facility on the subject property is inconsistent with the applicant's proposal to develop a single user facility fully operated by a single company.

31. That the LCDC Economy Goal is to diversify and improve the economy of the state.

The Commission further finds that NIKE, Inc. is an existing and rapidly growing Oregon company and that it would be beneficial both to the State economy and the local economy to make provisions for the continued growth of the company. The relocation of the corporate headquarters to Wilsonville would stimulate both short and long-term employment in the City.

The site improvements proposed by the applicant would also add an estimated \$6,000,000 plus an assessed valuation, thereby benefiting the City's taxing base.

32. That Objective 4.1.1 of the Comprehensive Plan is to encourage commercial uses which are compatible with the residential nature of the community and are complimentary to or supportive of industrial development of the City.

The Planning Commission finds that by nature of the proposed use being a single user office complex with recreational facilities provided for product testing and employee use, the development will be compatible with adjacent residential development. Depending on the availability

of the recreational facilities to the general or limited public. Development would also be complimentary to residential development.

33. That Objective 4.1.4 is to cluster commercial activity near the Freeway interchanges and encourage service or Freeway oriented commercial to locate near the Stafford interchange, encourage retail and other local oriented commercial to locate in commercial districts or along Wilsonville Road to minimize transient traffic impacts on the Wilsonville interchange.

The Commission further finds that a general commercial use on the subject property would be totally inconsistent with this objective. However, the proposed use is not in the strict sense a general commercial activity. While the site development is essentially an office complex, it is for administrative purposes only and no wholesale or retail activities will occur on the site.

The Commission also notes that the applicant has an expressed interest in developing the Corporate Headquarters in a non-commercial, low density environment due in part to the company's corporate image as well as the nature of activities to be conducted on the site.

While the operation of the site will necessitate access to the Freeway, the traffic generated is primarily of a employee commuter nature rather than typical commercial traffic.

34. That Plan Policy 4.2.4 states "In reviewing proposed developments, the City will examine:

- a. The intensity of use, which includes percent of lot coverage.
- b. Number of employees per acre.
- c. Peak vehicle trips per hour per acre.
- d. Total trips per day per acre."

The Commission further finds that Policy 4.2.5 states:

"Development will coincide with the provision of public streets, water, and sanitary sewer and storm drainage facilities. These facilities shall be (a) capable of adequately serving all intervening properties as well as the proposed development, and (b) designed to meet City or County standards."

The Commission finds that the intensity of use proposed for the site is compatible with adjacent residential development and in fact is less intense in terms of lot coverage than if the subject property developed as residential as currently designated on the Plan.

Employees per acre generated by the subject proposal would range between 23 and 26 employees per acre. At full development the potential for 1,000 employees is substantially greater in terms of daily occupancy of this area than would otherwise occur under the currently designated residential use. Residential development would result in between 250 and 300 residential occupants.

The Commission notes, however, that the time and duration of the intense employee occupancy of the site would occur during the normal weekday work hours and that little or no activity would occur on the site during the evenings or on weekends. With residential development, the daily occupancies would essentially be the reverse and that the predominant activity would occur in the evenings and on weekends.

The Commission further finds that the nature of the proposed use and the hours of operation would not conflict with adjacent residential development. Traffic impacts of the proposed development were discussed in earlier Findings.

The Planning Commission notes that the Planning Department and the City's Consulting Traffic Engineer have not had adequate time to review the Voorhees Transportation Report, therefore, the Planning Commission reserves judgment at this time as to the adequacy of the Report as well as to the determination of necessary improvements in

conjunction with the proposed development.

The Commission does, however, find as indicated in the Public Facility Findings that adequate provision of other public facilities can be provided in relation to the phased development of the subject property.

35. That the applicant has submitted documentation adequately addressing relevant LCDC Goals and Guidelines.

With relation to the proposed Plan Amendment from Residential to Commercial, the Commission specifically finds the following:

a. The existing residential land use designation provides for a low density and therefore, a higher cost of housing.

b. Based on a December 3, 1980, Planning Department Housing Inventory, the City's existing housing stock consists of 1,553 units. A substantial number (greater than one-third) of the existing units are of the higher income type of housing.

c. That a total of 895 additional units have been approved and are eligible for Building Permits. Of these, approximately 350 units would fall into the moderate to high income category.

d. That the City has approved zoning for an additional 3,506 units for which additional approvals are required such as Stage II and Design Review. Based on the densities and geographic location it is estimated that approximately one-third of these units would also fall in the moderate to upper income housing category.

e. That the City's Housing and Economic Development Report identifies a need for moderate and low income housing in the City consistent with the local employment base.

Therefore, while it is the intent of the City's Comprehensive Plan to provide for alternative forms of housing, not to exclude high income housing, Planning Commission finds that adequate land has been zoned to meet the needs for upper income levels of housing and that the elimination of 140 to 150 potential dwelling units by the proposed Plan Amendment will not adversely affect provision of adequate housing within the City.

36. That as indicated in a letter dated October 1, 1980, from Nathan Parrish to the City Planning Department, Tax Lot 1190 is being purchased by NIKE/BRS, Inc. while Tax Lot 1100 is being purchased by BRS, Inc. Employees Profit-Sharing Plan. The letter indicates that the subject property is to be developed jointly by these two organizations.

While it is clear that the Employees Association is in some manner related to the Company, it is not clear as to its relationship to the development of the property, nor is it clear to the financial capability of the Employees group with relationship to the development of the property.

With regard to this matter, the Planning Commission is concerned as to the ultimate ownership status of the two parcels in conjunction with the legal obligations and financial capabilities of both ownership groups to satisfactorily meet any Conditions of Approval related to this Plan Amendment and Zone Change request.

As stated in earlier Findings, the Planning Commission is expressly concerned that a Plan Amendment of this nature for a commercial use in an otherwise residential area must be specifically controlled and limited to the use as requested in this application. Therefore, it is essential that the City fully understands the relationships, both legal and financial, between the Employees' group and the parent company with relationship to the development of the subject proposal.

CONDITIONS OF APPROVAL

Since the Planning Department has recommended continuation of this matter for further discussion and review, the following Conditions of Approval have been prepared for the Planning Commission and applicant's consideration. Additional Conditions may be prepared as the result of the Planning Commission's hearing of this request.

1. That the Plan Amendment be from Residential to Office Commercial and that said Amendment be valid solely for the development and use of the World Headquarters for NIKE, Inc. as indicated in the Applicant's submittal documents. The use shall be restricted to Office Commercial under a single user. No retail warehousing or other commercial uses or activities will be permitted on the site.

2. That Stage I approval for the Zone Change will expire within two years of final approval by the City Council if substantial development has not occurred and that the land use designation on the Comprehensive Plan Map will also revert back to Residential.

3. That within a period of one year from the date of the Ordinance amending the City's Zoning Map, the Applicant submit Stage II Final Development Plans for the first phase of development on the subject property and that as part of the Stage II submittal the Applicant provide assurance to the City that the site will be developed solely by and for NIKE, Inc. as represented in the Stage I approval with the exception of any general or limited public use of the recreational facilities as may be agreed to by the Applicant.

4. That the phasing of this development be in conformance with the growth management policies as adopted by the City of Wilsonville. Building Permits shall not be issued until the plans are approved by the State for a minimum of 36 feet pavement section on Wilsonville Road under the I-5 overpass with a 40 foot pavement section adjacent to the intersection with the off-ramps, and Occupancy Permits shall not be issued until the improvements are completed. Full development of the subject property will be restricted until such time as Wilsonville Road, including the underpass, from I-5 to the subject property is improved to full Plan standards.

5. That the Applicant identify an engineered access to Wilsonville Road as realigned that is approved by the Wilsonville Planning Commission prior to the issuance of a Building Permit. At Stage II, the Applicant shall propose funding for the access road.

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

7. That any development proposed within the Willamette River Greenway or flood plain area including employee recreation facilities be reviewed for conditional use approval as part of the Stage II submittal. Any proposed changes be submitted for approval at Stage II.

8. That Stage II Development Plans identify an appropriate dedication of open space as designated on the Comprehensive Plan and that no structures be placed on slopes of 20% or greater and that 70% of all slopes greater than 12% remain free from structures and that slope stabilization and revegetation plans be submitted as part of the drainage plan or landscaping plan.

9. That Stage II Development Plans identify appropriate dedication of public right-of-way for improvement to old Wilsonville Road (access road) and emergency vehicle access to Rose Lane (access road) and that a detailed pathway or jogging trail plan be submitted to consider pedestrian, equestrian and bicycle paths. Designation of public access to said trails shall also be determined at that time.

10. That prior to submission for Stage II approval, the Applicant coordinate with the Public Works Director and City Engineer to determine an adequate storm drainage design for the subject property, including consideration of the flood plain areas.

11. That with the exception of the employee recreation facilities identified on the Conceptual Master Plan, no mixed land uses will be permitted within this development.

12. That prior to submittal of Stage II documents, the Applicant work with the City, Tri-Met and O.D.O.T. for the development of a transportation system management program to be incorporated with Stage II Development Plans.

13. That at Stage II the Applicant will propose the minimum parking which they would like to see on the facility site.

14. That the extension of water lines to the property complete the link between the existing line in Wilsonville Memorial Park with the one at the Town Center Loop East in Wilsonville Road.

15. That there be the formation of a Local Advisory Review Board to be composed of seven voting members, three members to constitute a quorum, plus appropriate designees of the NIKE team. Their purpose will be to review, prior to presentation and approval by our three City governing bodies, the Planning Commission, Design Review Board and City Council, the following items:

- a. Elevation
- b. Landscaping
- c. Building placement and design
- d. Entrances and Exits
- e. Signing
- f. Parking lot design and placement
- g. Fencing between City Park and the proposed development
- h. Boat dock and slip
- i. Road alignment
- j. Bicycle, equestrian and pedestrian pathways

The Local Advisory Review Board shall be a continuing board which is consulted for possible public uses of the facility. The Committee will be appointed from neighbors under the temporary chairmanship of Mary Crucchiola. The Committee will write its own By-Laws. Failure of the Committee to respond to a question posed in writing by NIKE within ten days shall be taken as an approval of the question.

The appropriate City bodies will be advised of the consensus of the Local Advisory

Review Board whether it is approval, disapproval or split vote.

16. No public retail sales shall be conducted on the site.

17. No ramp shall be constructed for the launching of boats or other water vehicles. *Add -*

18. The caretaker's residence is found to be an adjunct to the commercial operation and shall be solely for that purpose and occasional short-term stays of twelve or less employees or friends of the Company.

19. The ratio of building coverage to total land shall not exceed 15%. This contingency is attached to the underlying zone and cannot be changed by future owners without the proper legal process.

20. That the Stage II Development Plan identify the screening of the activities on the site from Wilsonville Road and Rose Lane.

21. That the Applicant submit a plan for traffic control during construction of Stage II.

Any proposed changes to the present boat dock would be submitted for approval at Stage II.

EXHIBITS

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

1. City of Wilsonville Comprehensive Plan.
2. City of Wilsonville Zoning Ordinance No. 154.
3. City of Wilsonville existing sewer and water system maps.
4. City of Wilsonville Physical Inventory and Natural Environment Reports.
5. Federal Flood Insurance Study Report prepared by James Montgomery Consulting Engineers, Inc.

6. Applicant's submittal documents and planning exhibits.

7. Draft Report on Transportation, City of Wilsonville, prepared by Carl H. Buttke, dated September 4, 1980.

ACTION TAKEN AT PLANNING COMMISSION MEETING OF DECEMBER 8, 1980:

Marian Wiedemann moved to approve the Comprehensive Plan Amendment from Residential to Commercial and the Zone Change from RA-1 to Planned Development Commercial (PDC) for NIKE, Inc. on Tax Lots 1100 and 1190, T3S-R1W, Map 24, with the following changes and additions:

On the first page, finish the "NOW, THEREFORE" paragraph:

"NOW, THEREFORE, BE IT HEREBY RESOLVED that the Planning Commission recommends to the City Council that the Comprehensive Plan be amended to show the subject area as Commercial from Residential; that a Planned Development zone and Stage I approval be granted to the property; and that the Planning Commission has placed 21 Conditions of Approval on said Comprehensive Plan Amendment and Zone Change.

On page 15, third paragraph, fifth line, should read "extensive jogging trails . . .". On page 15, Finding No. 30, should read "Stage I and II Planned Development . . .".

On page 21, Condition of Approval 1 be changed to read:

1. That the Plan Amendment be from Residential to Office Commercial and that said Amendment be valid solely for the development and use of the World Headquarters for NIKE, Inc. as indicated in the Applicant's submittal documents. The use shall be restricted to Office Commercial under a single user. No retail warehousing or other commercial uses or activities will be permitted on the site.

Page 21, Condition of Approval 4 be changed to read:

4. That the phasing of this development be in conformance with the growth management policies as adopted by the City of Wilsonville. Building Permits shall not be issued until the plans are approved by the State for a minimum of 36 feet pavement section on Wilsonville Road under the I-5 overpass with a 40 foot pavement section

adjacent to the intersection with the off-ramps, and Occupancy Permits shall not be issued until the improvements are completed. Full development of the subject property will be restricted until such time as Wilsonville Road, including the underpass, from I-5 to the subject property is improved to full Plan standards.

Page 22, a new Condition of Approval 5 to read:

5. That the Applicant identify an engineered access to Wilsonville Road as realigned that is approved by the Wilsonville Planning Commission prior to the issuance of a Building Permit. At Stage II the Applicant shall propose funding for the access road.

Page 22, Condition of Approval 7, add the word "employee" before "recreational facilities" in the third line. Add the following sentence at the end of the paragraph: "Any proposed changes be submitted for approval at Stage II."

Page 22, Condition of Approval 9 be changed to read:

9. That Stage II Development Plans identify appropriate dedication of public right-of-way for improvement to old Wilsonville Road and emergency vehicle access to Rose Lane (access road) and that a detailed pathway or jogging trail plan be submitted to consider pedestrian, equestrian and bicycle paths. Designation of public access to said trails shall also be determined at that time.

Page 22, Condition of Approval 11, add the word "employee" before "recreational facilities" in the second line.

Add Condition of Approval 13:

13. That at Stage II the Applicant will propose the minimum parking which they would like to see on the facility site.

Add Condition of Approval 14:

14. That the extension of water lines to the property complete the link between the existing line in Wilsonville Memorial Park with the one at the Town Center Loop East in Wilsonville Road.

Add Condition of Approval 15:

15. That there be the formation of a Local Advisory Review Board to be composed of seven voting members, where three members constitute a quorum, plus appropriate designees of the NIKE team. Their purpose will be to review, prior to presentation and approval by our three City governing bodies, the Planning Commission, Design Review Board and City Council, the following items:

- a. Elevation
- b. Landscaping
- c. Building placement and design
- d. Entrances and Exits
- e. Signing
- f. Parking lot design and placement
- g. Fencing between City Park and the proposed development
- h. Boat dock and slip
- i. Road alignment
- j. Bicycle, equestrian and pedestrian pathways

The Local Advisory Review Board shall be a continuing board which is consulted for possible public uses of the facility. The Committee will be appointed from neighbors under the temporary chairmanship of Mary Crucchiola. The Committee will write its own By-Laws. Failure of the Committee to respond to a question posed in writing by NIKE within ten days shall be taken as an approval of the question.

The appropriate City bodies will be advised of the consensus of the Local Advisory Review Board whether it is approval, disapproval or split vote.

Add Condition of Approval 16:

16. No public retail sales shall be conducted on the site.

Add Condition of Approval 17:

17. No ramp shall be constructed for the launching of boats or other water vehicles.

Add Condition of Approval 18:

18. The caretaker's residence is found to be an adjunct to the commercial operation and shall be solely for that purpose and occasional short-term stays of twelve or less.

employees or friends of the Company.

Add Condition of Approval 19:

19. The ratio of building coverage to total land shall not exceed 15%. This contingency is attached to the underlying zone and cannot be changed by future owners without the proper legal process.

Add Condition of Approval 20:

20. That the Stage II Development Plan identify the screening of the activities on the site from Wilsonville Road and Rose Lane.

Add Condition of Approval 21:

21. That the Applicant submit a plan for traffic control during construction of Stage II.

Stan Maves seconded the motion which passed 6-0.

LOCATION MAP

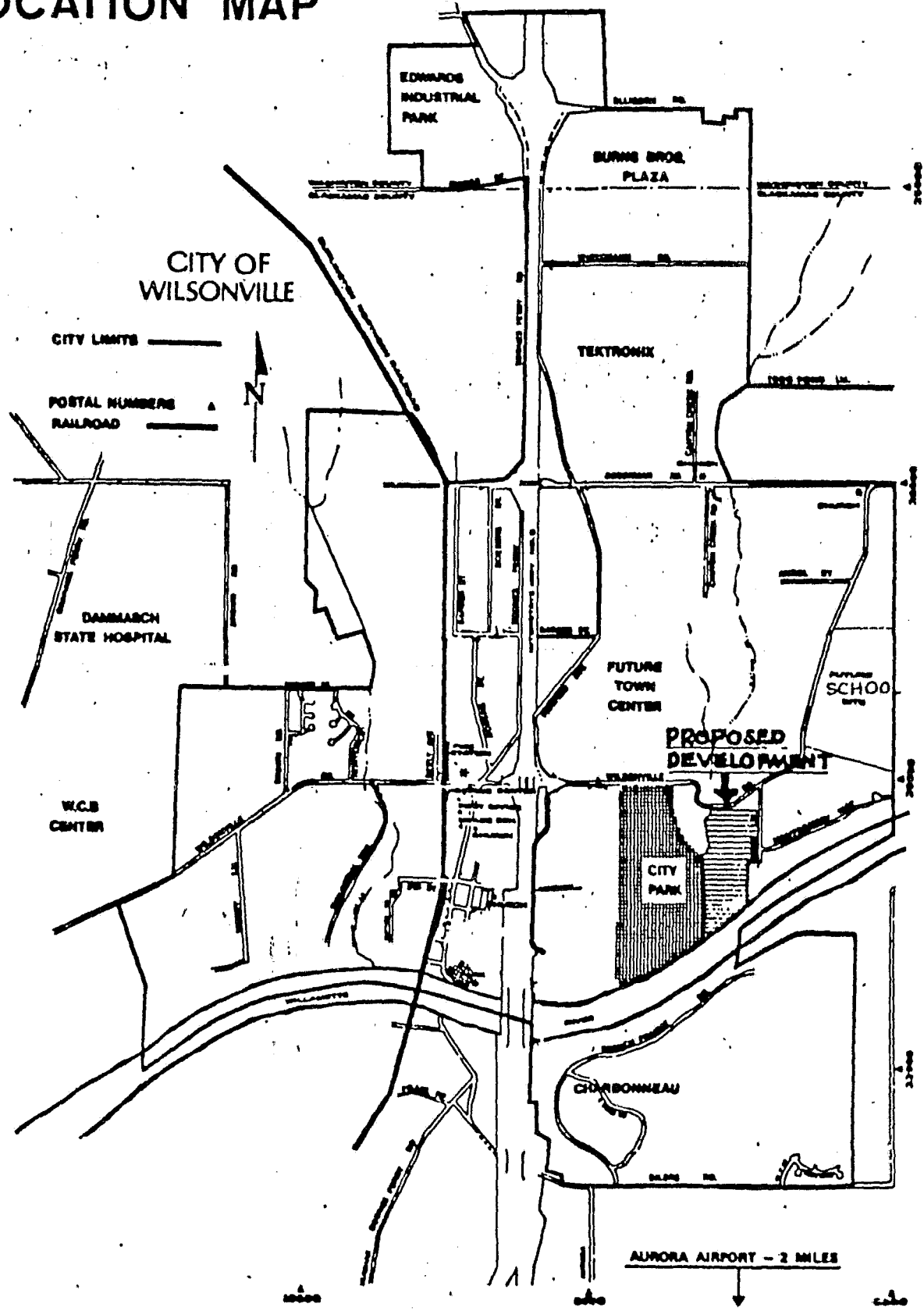
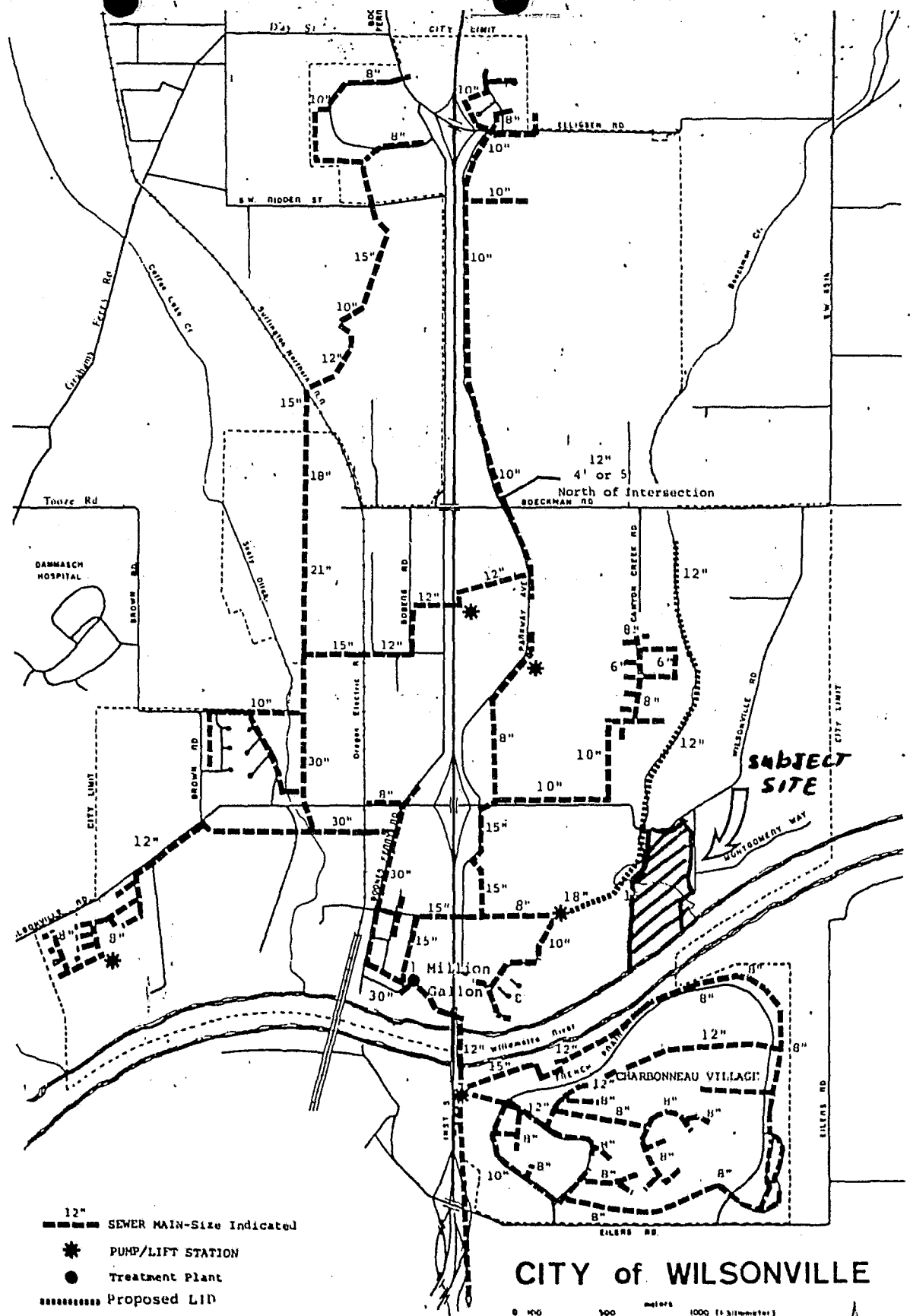


EXHIBIT ①

NIKE, INC. PLAN AMENDMENT + ZONE CHANGE

EXISTING SEWERAGE SYSTEM 10/79



CITY of WILSONVILLE

- 12" SEWER MAIN-Size Indicated
- * PUMP/LIFT STATION
- Treatment Plant
- Proposed LID

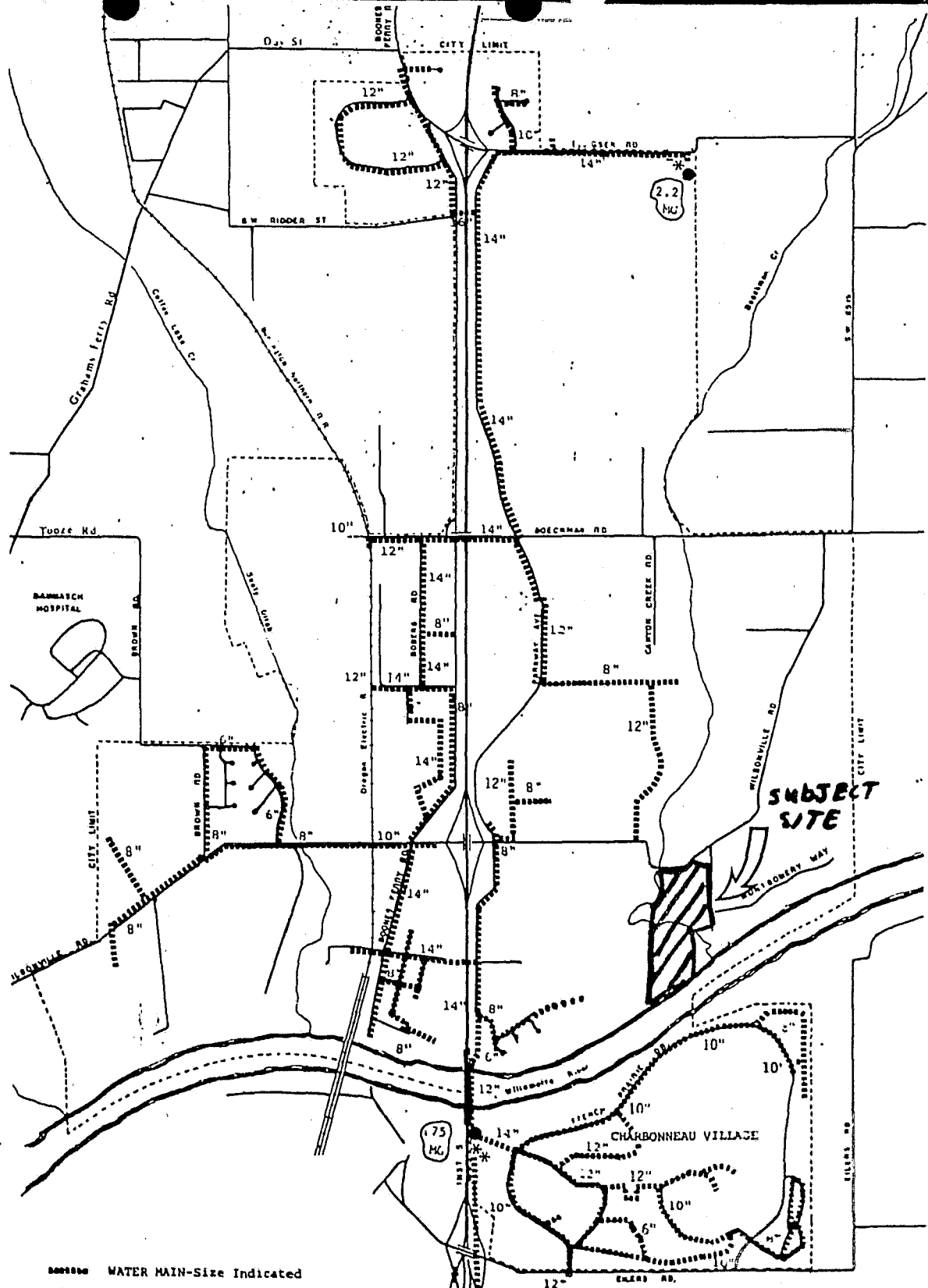
Line Extends to State North/ South West area

0 100 500 1000 (1 Kilometer)
 0 1000 2000 3000 4000 5000 Feet
 0 1 2 3 4 5 Miles

Applicant: **NIKE, INC.**

EXISTING WATER SYSTEM

10/79



WATER MAIN-Size Indicated
 Water well
 Reservoir --Size Indicated Millions of Gallons

CITY of WILSONVILLE

Line Extends to North/ South
 Rest / Res.

Applicant: **NIKE, INC.**

Mr. Richard Drew Chairman P.
City of Wilsonville
P.O. Box 220
Wilsonville, Ore 97070

F
R
O
M

OLSON REALTY
P. O. BOX 41 682-3831 - 682-2175
WILSONVILLE, OREGON 97070

SUBJECT
Nike Inc. Monday Dec. 8 Planning Commission public hearing

DATE
December 6, 1980

FOLD — MESSAGE

I will be out of town Monday so please enter into the public record for me, thank you. Nike development plan would retain this beautiful, treed, waterfront property in a park like setting for future generations and it would have the least environmental impact on the neighborhood and the fragile 100 year flood portions of this property. It also would have the least impact on local schools plus a greater positive economical impact on the local tax base. This industry is one of a million and Wilsonville will be very fortunate if they can add them to our local economy. But I believe irrevocable controls on future development of this 40 acres should be put in the resolution so no more development occurs after Nike development plan is completed. There should be deed restrictions which would be valid thru perpetuity to protect the public in the event of a sale of the property by Nike Inc. any time in the future.

ORIGINATOR-DO NOT WRITE BELOW THIS LINE

REPLY TO → SIGNED

Pete Olson

REPLY

DATE

SIGNED

SEND WHITE AND PINK COPIES WITH CARBONS INTACT. PINK COPY IS RETURNED WITH REPLY.



NEAL BROWN, REALTOR
COMMERCIAL AND INVESTMENT BROKERAGE

November 13, 1980

RECEIVED
NOV 24 1980
CITY OF WILSONVILLE

City Hall
Planning Commission
Wilsonville, Oregon 97070

Dear Planning Commission:

We support the Nike plan amendment and zone change. We note that Nike also plans to build a sports complex with tennis courts, an Olympic-sized swimming pool, and jogging trails. This would be a terrific addition to the Wilsonville community.

But why lock out the people of the community? Let's be neighbors and friends. Let's share the facilities that are so badly needed in this community.

We are not asking for something for nothing. In our opinion, we should give the zone change, float a bond, or give tax breaks to encourage Nike to open its doors to the community.

This proposal is not only good for the community, but as a businessman, I believe this is "good business" for Nike. Think of the goodwill created world-wide by being a good neighbor. This is advertising material you can take to the bank.

Please consider our ideas, and we would like a response in writing. That way, we know someone is listening.

Sincerely,

Neal Brown and Charlotte Brown

Neal Brown and Charlotte Brown

P.S. We own 20 acres three miles east of Wilsonville where we will be your neighbors as soon as our home is built.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN whereas, the Wilsonville City Council will hold a public hearing Monday, February 2, 1981 at 7:30 P.M. at the Wilsonville City Hall, 30470 S. W. Parkway Avenue, Wilsonville, Clackamas County, Oregon, or at such other place or time to which the Council may adjourn.

Application for an amendment to the Comprehensive Plan from Residential to Office Commercial has been submitted to the City Council by NIKE, Inc., for Tax Lots 1100 and 1190, T3S-R1W, Map 24, a 40 acre parcel.

Application for a zone change from R-Residential to PDC-Planned Development Commercial has been submitted to the City Council by NIKE, Inc., for Tax Lots 1100 and 1190, T3S-R1W, Map 24, a 40-acre parcel.

The purpose of said requests is to authorize the development of their World Headquarters facility. The Master Plan is on file and available for inspection upon request at City Hall. Inquiries pertaining to the application may be made by contacting City Hall at 682-1011. Written statement may be submitted prior to the date of the hearing and will be entered into the public record. Public testimony in favor of or in opposition to the proposed development will be taken at the public hearing.

