

AFFIDAVIT OF POSTING

ORDINANCE CB-0-46-85

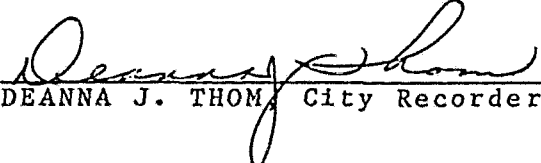
STATE OF OREGON )  
 )  
COUNTIES OF CLACKAMAS )  
AND WASHINGTON )  
 )  
CITY OF WILSONVILLE )

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

On the 31st day of December, 1985, I caused to be posted copies of the attached Ordinance CB-0-38-86, an ordinance amending Section 4.120(4) of the Wilsonville Code to allow Public Information Center and semi-public community building of a non-commercial nature, as conditional uses in the RA-1 zone, in the following four public and conspicuous places of the city, to wit:

- WILSONVILLE CITY HALL
- WILSONVILLE POST OFFICE
- 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 January, 1986.

  
DEANNA J. THOM City Recorder

Subscribed and sworn to before me this 1st day of January, 1986.

  
NOTARY PUBLIC, STATE OF OREGON

My commission expires: Aug 23, 1989

ORDINANCE NO. 286  
ORDINANCE NO. CB-0-46-85

AN ORDINANCE AMENDING SECTION 4.120(4) OF THE WILSONVILLE CODE TO ALLOW PUBLIC INFORMATION CENTERS AND SEMI-PUBLIC BUILDINGS OF A NON-COMMERCIAL NATURE AS CONDITIONAL USES IN THE RA-1 ZONE.

WHEREAS, the Wilsonville Planning Commission has duly considered the Code Amendment at a Public Hearing conducted on November 12, 1985, and continued to December 9, 1985, at which time findings and public testimony were entered into the public record by their Resolution 85PC35 set forth and attached hereto, as Exhibit B, and

WHEREAS, the Planning Director has prepared a report on the above-captioned subject which is attached hereto as Exhibit A, and

WHEREAS, interested parties have had an opportunity to be heard on the subject in a Public Hearing before the Planning Commission which heard no testimony in opposition to the proposed Amendment, and

WHEREAS, the City Council of the City of Wilsonville has held a duly-constituted Public Hearing on January 6, 1986, at the hour of 7:30 p.m. at the Wilsonville City Hall, at a duly called and regularly scheduled meeting of the City Council.

NOW, THEREFORE, the City Council of the City of Wilsonville ordains as follows:

Section 1.

The findings and recommendations of the Planning Director and Planning Commission as set forth in Exhibits A and B, respectively, are hereby adopted as if fully set forth herein.

Section 2.

Section 4.120(4) of the Wilsonville Code is hereby amended to read as follows: (Amendment underlined)

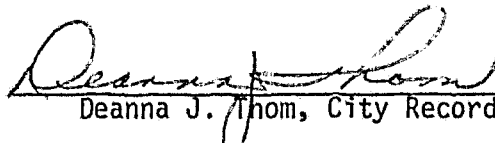
(4) Conditional Uses:

- (a) Private parks, municipal and government buildings, public utilities, public information centers, semi-public buildings of a non-commercial nature, churches, attached family dwelling units limited to two (2) family maximum, public, private and parochial schools, as provided in Section 4.174 to 4.178 when approved by the Planning Commission at a Public Hearing as provided in Section 4.012.

Section 3.

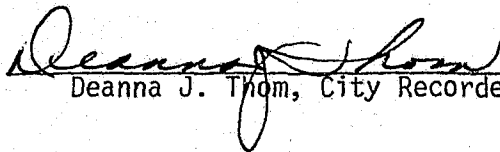
It is hereby determined by the Wilsonville City Council that this Amendment is in support of the public health, safety and general welfare and that an emergency exists in that a desired public information center approval is conditioned upon this Amendment and Council confirmation of zoning. Therefore, 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 December, 1985, and scheduled for second reading at a regular meeting of the Council on the 6 day of January, 1986, commencing at the hour of 7:30 o'clock p.m., at the Wilsonville City Hall.

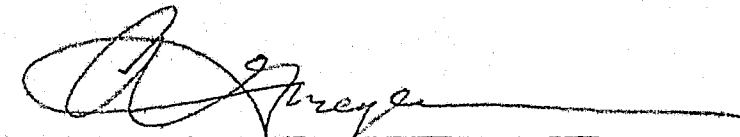
  
Deanna J. Thom, City Recorder

Enacted by the Council on the 6th day of January,

1986, by the following votes: Yeas 5 Nays 0

  
Deanna J. Thom, City Recorder

Dated and signed by the Mayor this 7th day of  
January, 1986.

  
A. G. Meyer, Mayor

CITY OF



## PLANNING DEPARTMENT

### SUMMARY STAFF REPORT

Prepared by Ben Altman

**TO:** City Council

**DATE:** December 12, 1985

**SUBJECT:** Proposed Amendment to Section 4.120(4) of the Wilsonville Code.

**MEETING DATE:** December 16, 1985

**ACTION REQUIRED:** Adopt, modify and adopt, or deny Ordinance as proposed.

**PREVIOUS ACTION TAKEN:** Planning Commission hearings on Chamber of Commerce Information Center proposal (85PC35).

#### CONCLUSIONARY FINDINGS:

1. The Planning Commission found it reasonable to provide the most restrictive controls for the proposed Information Center and for subsequent proposals for semi-public buildings that may arise.  
This was a particular concern for the Chamber Info Center since it is to be located on State-owned right-of-way. It was concluded that a commercial zone would be inappropriate since it would allow general commercial uses outright on public right-of-way.
2. The Planning Commission has recommended to the City Council to designate the Information Center site RA-1, and further, to amend the RA-1 zone list of Conditional Uses set forth in Section 4.120(4) WC to allow such use. The Commission has authorized a conditional use for the Information Center contingent upon the Council amending the Code.

**RECOMMENDATION:** Adopt attached Ordinance.



## PLANNING DEPARTMENT

### SUMMARY STAFF REPORT

Prepared by Ben Altman

**TO:** Planning Commission

**DATE:** December 5, 1985

**SUBJECT:** Zoning of Wilsonville Chamber of Commerce Site

**MEETING DATE:** December 9, 1985

**ACTION REQUIRED:** Approve, modify or deny Staff's recommendation on zoning.

#### PREVIOUS ACTION TAKEN:

1. November 12, 1985 - Temporary Permit Grant to allow time to evaluate appropriate zoning.
2. November 25, 1985 - Site Development Plan approved by Design Review Board.

#### CONCLUSIONARY FINDINGS:

1. The original Staff Report for the November 12 Commission hearing recommended RA-1 zoning for the property, However, it was concluded that the RA-1 zone did not allow for such a use, even as a conditional use.
2. The purpose of using the RA-1 zone is to maintain the most restrictive zoning for the site, so that it does not become general commercial property. Thus, this can still be accomplished by amending the conditional use provisions of the RA-1 zone to allow for public information centers and/or semi-public facilities in general. With the Code Amendment, the Commission can authorize a Conditional Use Permit.
3. In recommending approval of a proposed zone change to RA-1 from unzoned, the Planning Commission finds the following:
  - A. The application was submitted in compliance with the procedures set forth in Section 4.008 or in the case of a planned development, Section 4.138.
  - B. The proposed use is consistent with the land use designation of commercial and all applicable policies of the Comprehensive Plan.
  - C. The existing primary public facilities are available to serve the site.
  - D. The applicant is committed to a development schedule that demonstrates development of the property can be reasonably expected to commence within two (2) years of approval of the zone change.
  - E. The proposed use can be developed in accordance with the applicable zoning standards of the RA-1 zone as recommended for amendment.

## **RECOMMENDATION:**

1. Recommend to City Council a Code Amendment of Section 4.120(4) WC to allow Public Information Centers and Semi-public community buildings of a non-commercial nature, and to zone the site RA-1 (Resolution 85PC35).
2. Authorize a Conditional Use Permit contingent upon City Council confirmation of the Zone Change and Code Amendment and further subject to the Conditions of Approval as recommended on the original Staff Report of November 12, 1985.
3. Grant an extension of the Temporary Permit for 60 days to allow for Council action on the Code Amendment and Zone Change.

## 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. Chapter 4 of the Wilsonville Code.
3. Staff Report for Planning Commission meeting of November 12, 1985.

formed to serve the subject site in an agreement to oversize any facilities extended to the site consistent with the Capital Improvements Master Plan, if said facilities are required to serve the initial development.

4. For properties designated for nonresidential use, the intensity of use shall be restricted to activities which do not require construction of a permanent structure and which will not tend to restrict, obstruct or adversely affect the future development of the property for its designated use.
5. Temporary structures of the nature set forth in Section 4.120(2)(a).

(c) Agriculture, horticulture, greenhouses, nurseries, timber growing, grazing, and the small scale raising of livestock and animals.

(d) Public parks, playgrounds, recreational and community buildings and grounds, public golf courses, tennis courts, and similar recreational uses, all of a non-commercial nature, provided that any principal building or public swimming pool shall be located not less than forty-five (45) feet from any other lot in the residential district.

(3) Accessory Uses Permitted:

(a) Accessory uses, buildings and structures customarily incidental to any of the aforesaid principal uses permitted located on the same lot therewith.

(b) Home occupations.

(c) Roadside stands when located on the same property as the principal uses permitted when selling only those products that are produced on the same property on which the stand is located.

(d) Signs advertising produce that is grown on the same property on which the sign is located, and when the sign is not over six (6) square feet in area.

(4) Conditional Uses:

(a) Private parks, municipal and government buildings, public utilities, churches, attached family dwelling units limited to two (2) family maximum, public, private and parochial schools, as provided in Sections 4.174 to 4.178 when approved by the Planning Commission at a public hearing as provided in Section 4.012.

(5) Dimensional Standards:

(a) Minimum Lot Size: One (1) acre.

1. Minimum lot size in an RA1 zone in an area designated for residential use may be reduced to a minimum of 30,000 square feet when the property is served by City water and sanitary sewer and when the development is consistent with the provisions of Section 4.120(2)a.

(b) Minimum Front and Rear Yard Setbacks: Thirty (30) feet. Minimum Side Yard Setback: Ten (10) feet.



CITY OF



# Wilsonville

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

## NOTICE OF PUBLIC HEARING

PROJECT NAME: Chamber of Commerce

CASE FILE NO: 85PC35

APPLICANT: Chamber of Commerce  
P. O. Box 111  
Wilsonville, OR. 97070

OWNER: Oregon Department of Transportation  
P. O. Box 565  
Beaverton, OR. 97075-0565

PROPERTY DESCRIPTION: (see map below)  
Assessor Map No: 23AA  
Tax Lot No: NA  
Site Size: .43 acre  
Address: \_\_\_\_\_  
Location: Southeast corner of Wilsonville Road  
and Parkway Avenue  
Comprehensive Plan Designation: PDC  
Zoning Designation: RA-1  
Existing Use: Vacant

Proposed Development Action: \_\_\_\_\_  
Conditional Use Permit to allow a  
building to be moved onto State right-  
of-way property.

Notice is hereby given that the Wilsonville Planning Commission will hold a public hearing on Tuesday, November 12, 1985, at 7:00 p.m. at Wilsonville City Hall, 30000 Town Center Loop East, Wilsonville, Oregon. Inquiries pertaining to this application may be made by contacting the Wilsonville Planning Department at 682-1011 prior to the hearing. Written statements 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 proposal will be taken at the public hearing.

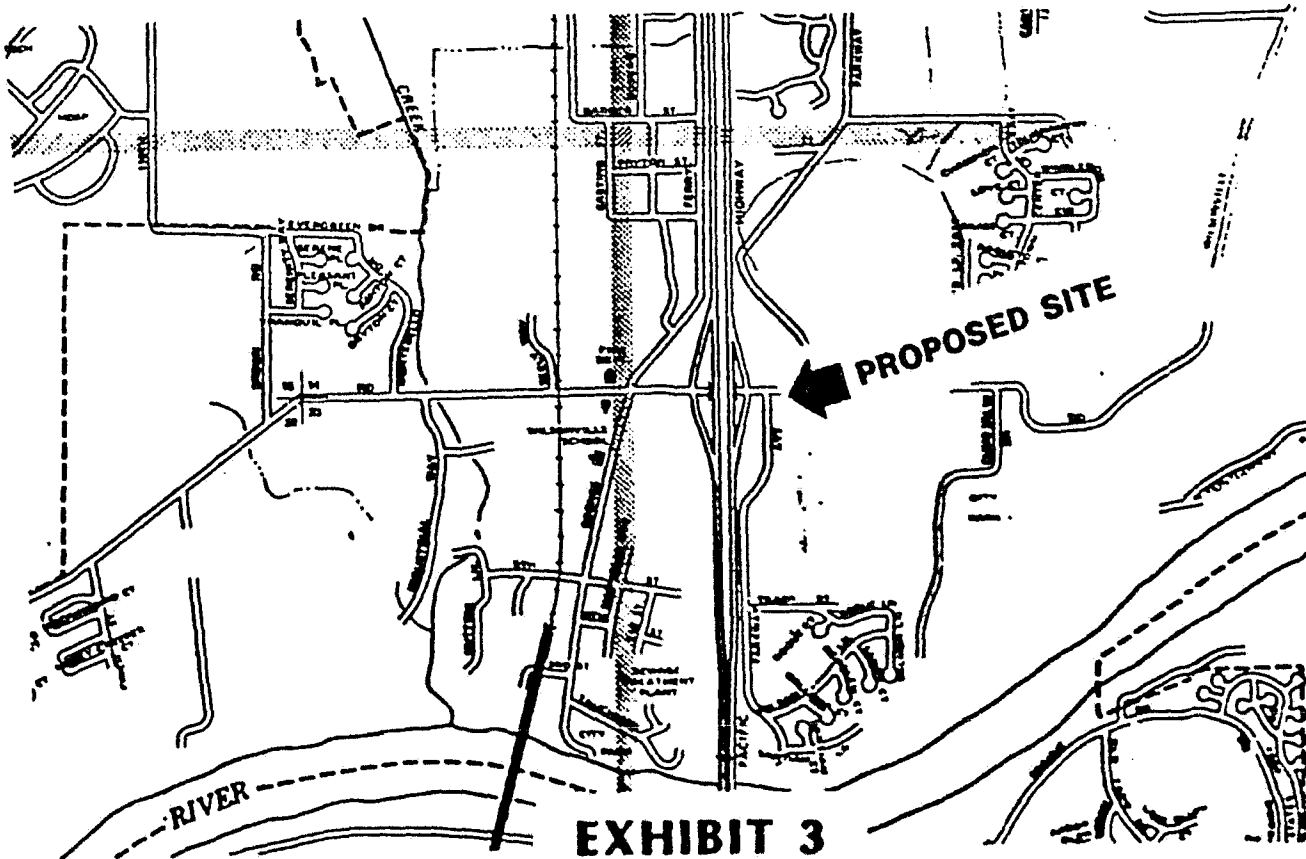


EXHIBIT 3

CITY OF



**PLANNING DEPARTMENT**  
**SUMMARY STAFF REPORT**

**TO:** Planning Commission

**DATE:** November 8, 1985

**SUBJECT:** Chamber request to relocate building on Highway Division property

**MEETING DATE:** November 12, 1985

**ACTION REQUIRED:** Approval or denial of Resolution granting Conditional Use Permit to relocate building for Chamber use.

**PREVIOUS ACTION TAKEN:** City Council action approving Chamber request to waive City fees for the proposed project.

**CONCLUSIONARY FINDINGS:**

1. The subject property is designated Commercial in the Comprehensive Plan.
2. The subject property does not have a specific zone applied because it is in the public right-of-way.
3. The appropriate zone for the property based on past policy choices by the City is RA-1.
4. The proposed use could be permitted as a conditional use in the RA-1 zone.
5. Notice was given for a Conditional Use Permit as required by the Wilsonville Code for the subject property.
6. Section 4.008 WC states "If a development is proposed on a parcel or lot which is not zoned in accordance with the Comprehensive Plan, a zone change application shall be processed . . .".

**RECOMMENDATION:** Approve the attached Resolution based on the Findings and with the Conditions as specified in the attached Staff Report.

**PLANNING COMMISSION**  
**RESOLUTION NO. 85PC35**

A RESOLUTION ADOPTING FINDINGS AND APPROVING, WITH CONDITIONS, A REQUEST BY THE WILSONVILLE CHAMBER OF COMMERCE FOR A CONDITIONAL USE PERMIT TO RELOCATE THE SMALL BUILDING FROM TAX LOT 1100 (MAP 14D) TO THE STATE HIGHWAY DIVISION PROPERTY AT THE NORTHEAST CORNER OF PARKWAY AVENUE AND WILSONVILLE ROAD (NO TAX LOT NO.). THE BUILDING IS TO BE USED AS A VISITOR INFORMATION CENTER; AND RECOMMENDING TO CITY COUNCIL THAT THE RA-1 ZONE BE APPLIED TO THE PROPERTY.

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted in accordance with the procedures set forth in Section 4.008(4) and 4.139(1), (2) and (3) of the Wilsonville Code, and

WHEREAS, the Planning Director has prepared a report on the above-captioned subject which is attached hereto as Exhibit "A", and

WHEREAS, said planning exhibits and staff report were duly considered by the Planning Commission at a regularly scheduled meeting conducted on November 12, 1985, at which time said exhibits, together with findings and public testimony, were entered into the public record, and

WHEREAS, the Commission has duly considered the subject and the recommendation(s) contained in the staff report, and

WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Wilsonville does hereby adopt the staff report attached hereto as Exhibit "A", with the findings, recommendation(s) and Conditions of Approval contained therein and further authorizes the Planning Director to issue a:

Site Development Permit

~~Subdivision Permit~~

consistent with said recommendation(s).

ADOPTED by the Planning Commission of the City of Wilsonville at a regular meeting thereof this 12th day of November, 1985, and filed with the Wilsonville City Recorder this same day.

\_\_\_\_\_  
Chairman, Planning Commission

Attest:

\_\_\_\_\_

**FINDINGS: PDC & PDI**

The following findings are hereby adopted by the PLANNING COMMISSION and entered into the public record in consideration of the application as submitted in conformance with the City's Comprehensive Plan and Zoning Regulations.

	Code Std.	Proposed	Code Compliance		Additional Findings
			Yes	No	
<b>A. Land Use</b>					
Zoning	<u>PDC</u>	<u>?</u>	<input type="radio"/>	<input type="radio"/>	<u>2</u>
Comprehensive Plan Designation	<u>COM.</u>	<u>COM</u>	<input checked="" type="radio"/>	<input type="radio"/>	<u>3</u>
<b>B. Land and Building Improvements</b>					
<b>1. Lot Size</b>					
a. Total site area (acreage)	<u>—</u>	<u>APROX .43 AC.</u>	<input checked="" type="radio"/>	<input type="radio"/>	<u>4</u>
b. Lot sizes (subdivision)	<u>N/A</u>	<u>—</u>	<input type="radio"/>	<input type="radio"/>	<u>—</u>
Average lot size	<u>N/A</u>	<u>—</u>	<input type="radio"/>	<input type="radio"/>	<u>—</u>
<b>2. Lot Coverage</b>					
a. All buildings	<u>—</u>	<u>APROX 675<sup>#</sup></u>	<input checked="" type="radio"/>	<input type="radio"/>	<u>—</u>
b. Parking/paved	<u>—</u>	<u>6600<sup>#</sup></u>	<input checked="" type="radio"/>	<input type="radio"/>	<u>—</u>
c. Landscaping					
1. total site area (%)	<u>15%</u>	<u>61%</u>	<input checked="" type="radio"/>	<input type="radio"/>	<u>—</u>
2. parking area (%)	<u>—</u>	<u>34%</u>	<input checked="" type="radio"/>	<input type="radio"/>	<u>—</u>
3. screening/buffering	<u>T. SOUTH</u>	<u>NOT SPECIFIED</u>	<input type="radio"/>	<input type="radio"/>	<u>DEB</u>
4. irrigation system	<u>YES</u>	<u>NOT SPECIFIED</u>	<input type="radio"/>	<input type="radio"/>	<u>DEB</u>
<b>3. Building Setbacks (FROM SIDEWALK NET PROF. LINE)</b>					
Front (NORTH)	<u>55' E or 25' PL</u>	<u>55' E or 25' PL</u>	<input checked="" type="radio"/>	<input type="radio"/>	<u>—</u>
Right side (EAST)	<u>0</u>	<u>4'</u>	<input type="radio"/>	<input type="radio"/>	<u>—</u>
<del>Left side</del> FRONT (WEST)	<u>55' E or 25' PL</u>	<u>80' E or 45' PL</u>	<input checked="" type="radio"/>	<input type="radio"/>	<u>—</u>
Rear side (N/A)	<u>0</u>	<u>N/A</u>	<input checked="" type="radio"/>	<input type="radio"/>	<u>—</u>
<b>4. Building Use</b>					
a. Office	<u>—</u>	<u>175<sup>#</sup></u>	<input checked="" type="radio"/>	<input type="radio"/>	<u>—</u>
b. Warehouse	<u>N/A</u>	<u>—</u>	<input type="radio"/>	<input type="radio"/>	<u>—</u>
c. Manufacturing	<u>N/A</u>	<u>—</u>	<input type="radio"/>	<input type="radio"/>	<u>—</u>
d. Other	<u>N/A</u>	<u>—</u>	<input type="radio"/>	<input type="radio"/>	<u>—</u>
<b>5. Building Height</b>					
(Sun Exposure Plane) ft/st.	<u>35'</u>	<u>NOT SPECIFIED</u>	<input type="radio"/>	<input type="radio"/>	<u>DEB</u>
Gross floor area - when more than one story	<u>N/A</u>	<u>—</u>	<input type="radio"/>	<input type="radio"/>	<u>—</u>

	Code Std.	Proposed	Compliance		Additional Finding
			Yes	No	
<b>6. Number of Off-Street Parking</b>					
a. Standard 9'x18'	<u>3</u>	<u>6</u>	<input checked="" type="radio"/>	<input type="radio"/>	<u>                    </u>
b. Compact 8½'x17' (30% 10 allowed)	<u>N/A</u>	<u>                    </u>	<input type="radio"/>	<input type="radio"/>	<u>                    </u>
c. Handicapped 12'x18' (1 to 50 required)	<u>N/A</u>	<u>                    </u>	<input type="radio"/>	<input type="radio"/>	<u>                    </u>
Total	<u>N/A</u>	<u>                    </u>	<input type="radio"/>	<input type="radio"/>	<u>                    </u>
d. Truck load berths 12'x35'x14' clr.	<u>N/A</u>	<u>                    </u>	<input type="radio"/>	<input type="radio"/>	<u>                    </u>
<b>7. Access/Egress</b>					
a. No. of curb cuts	<u>1</u>	<u>2</u>	<input type="radio"/>	<input checked="" type="radio"/>	<u>6</u>
b. Width of curb cuts	<u>24'</u>	<u>25'</u>	<input type="radio"/>	<input type="radio"/>	<u>                    </u>
c. Distance from intersection	<u>                    </u>	<u>110'</u>	<input type="radio"/>	<input type="radio"/>	<u>                    </u>
d. Vision clearance	<u>20'</u>	<u>50'</u>	<input checked="" type="radio"/>	<input type="radio"/>	<u>                    </u>
e. Clear travel lane width	<u>24'</u>	<u>16'</u>	<input type="radio"/>	<input checked="" type="radio"/>	<u>                    </u>
f. Pavement width	<u>24'</u>	<u>25'</u>	<input checked="" type="radio"/>	<input type="radio"/>	<u>                    </u>
g. Rail access	<u>N/A</u>	<u>                    </u>	<input type="radio"/>	<input type="radio"/>	<u>                    </u>
<b>8. Open Space/Slope Protection</b>					
a. Existing vegetation protected			<input type="radio"/>	<input type="radio"/>	<u>                    </u>
b. Slopes over 20% to 30% impervious coverage			<input type="radio"/>	<input type="radio"/>	<u>N/A</u>
c. River and stream corridors protected			<input type="radio"/>	<input type="radio"/>	<u>N/A</u>
d. Adequate erosion control provided			<input type="radio"/>	<input type="radio"/>	<u>N/A</u>
<b>C. Other Planning Considerations</b>					
1. Outside storage area provided/screening			<input type="radio"/>	<input type="radio"/>	<u>DRP</u>
2. Adequate screenage of mechanical equipment			<input type="radio"/>	<input type="radio"/>	<u>DRP</u>
3. Safety/crime prevention			<input type="radio"/>	<input type="radio"/>	<u>DRP</u>
a. Location of addressing			<input type="radio"/>	<input type="radio"/>	<u>DRP</u>
b. Natural surveillance			<input type="radio"/>	<input type="radio"/>	<u>DRP</u>
c. Type of exterior lighting			<input type="radio"/>	<input type="radio"/>	<u>DRP</u>

**D. Public Works Considerations**

**1. Streets**

	Right-of-Way			Pavement Width		
	Existing /New	CIP Std	Prop.	Existing	CIP Std	Prop.
a. Public streets						
Name <u>WILSONVILLE RD</u>	<u>EXIST.</u>	<u>ARTERIAL</u> <u>60'</u>	<u>60'</u>	_____	_____	_____
<u>PARKWAY AVE</u>	<u>EXIST</u>	<u>COLLECTOR</u> <u>60'</u>	<u>60'</u>	_____	_____	_____

**b. Traffic Impact Analysis**

Name	Existing Capacity	Existing Volumes	Projected Trip Generation			Adequate		Finding
			Phase One	Level of Service	All Phases	Yes	No	
<u>WILSONVILLE RD.</u>	_____	_____	_____	_____	_____	<input checked="" type="radio"/>	<input type="radio"/>	_____
<u>PARKWAY AVE.</u>	_____	_____	_____	_____	_____	<input checked="" type="radio"/>	<input type="radio"/>	_____

Adequate to serve  
Yes No Finding

- c. Proposed streets provide for a continuation of existing or proposed principle streets  Yes  No \_\_\_\_\_
- d. Consistent with minimum street width standards  Yes  No \_\_\_\_\_
- e. Conforms to street design standards set forth in Section 4.167 W.C.  Yes  No \_\_\_\_\_
- f. Street names are provided consistent with city and fire district standards.  Yes  No \_\_\_\_\_

**2. Sidewalk and Pathway Standards**

- a. Pathways are provided consistent with pathway master plan and design standards (Section 4.168 W.C.)  Yes  No \_\_\_\_\_

- 3. Public Water Line size 12" Distance from site WILSONVILLE PARKWAY  Yes  No \_\_\_\_\_
- 4. Sanitary Sewer Line size 15" Distance from site THERMOT PROPERTY  Yes  No \_\_\_\_\_

**5. Storm Drainage**

- a. Drainage basin:  Seely  Boeckman  Willamette
- b. Number of catch basins \_\_\_\_\_
- c. Nearest culver/ditch 25' ft. size/ditch 12" in.  Yes  No \_\_\_\_\_
- d. On-site retention  Yes  No, storage capacity  Yes  No \_\_\_\_\_

- 6. The public facilities existing and proposed improvements comply with CIP.  Yes  No \_\_\_\_\_

**F. Previous approval actions and applicable conditions or approvals**

- 1. Zoning  Yes  No File No. \_\_\_\_\_ See finding \_\_\_\_\_
- 2. DRB  Yes  No File No. \_\_\_\_\_ See finding \_\_\_\_\_
- 3. P.C.  Yes  No File No. \_\_\_\_\_ See finding \_\_\_\_\_

### SUPPLEMENTAL FINDINGS

1. The proposed development will consist of moving the small building currently located on the Burger King property (used as a beauty shop) to the southeast corner of Wilsonville Road and Parkway Avenue. The site where the building is proposed to be located is owned by the State (ODOT). The application for Planning Commission review has been processed without final approval by the property owner (the State) in order to save the building which will otherwise be demolished because of the Burger King development which will be underway in the next month or so. Refer to proposed Condition no. 1.
2. The subject property is designated commercial on the Comprehensive Plan.
3. The City zoning map does not assign a specific zone to the subject property because it is in an area which is shown as public right-of-way. Typically, the public right-of-way is not assigned a specific zone. In the past, where zoning of a public right-of-way has been questioned, it has been determined that the zone extends to the center line of the adjacent street.

In this case, the adjacent property is zoned RA-1. However, because of the extent of interpretation required, the staff recommends that the Planning Commission recommend to the City Council that the property be zoned RA-1 and that the City Council hold a public meeting and go through the process of clearly establishing the zone.

4. Because the subject property is part of the public right-of-way, there is no current accurate survey of the parcel size. The property is not listed as a tax lot. The estimate of .43 acres is based on a calculation of the area inside (south and east) of the sidewalk and north of the property lines of Tax Lots 100 and 101.
5. The plan as proposed indicates two access points, one onto Parkway Avenue and one onto Wilsonville Road. The City has made a concerted effort in the past to control access onto Wilsonville Road. After a discussion with the Public Works Director, he has recommended that access be limited to Parkway Avenue.

### CONDITIONS OF APPROVAL

The following Conditions of Approval are hereby adopted by the Planning Commission to insure completion of the project in compliance with the Comprehensive Plan and Wilsonville Code.

1. The applicant shall provide a letter or permit to the City from the State granting approval for use of the site prior to the issuance of any Building Permits.
2. The approval is contingent upon the City Council approving the RA-1 zoning.
3. The building, upon relocation, must comply with the applicable provisions of the Uniform Building Code.
4. The applicant shall submit details for review by the Design Review Board.
5. The development shall comply with all the requirements of the Tualatin Rural Fire Protection District.
6. The applicant shall obtain Public Works Permits and comply with requirements of the Public Works Director.
7. That temporary access onto Wilsonville Road be limited to right-turn in, right-turn-out only, until the west side of the Teufel property is completed.
8. All signs shall be reviewed and approved by the Design Review Board.

### 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. Chapter 4 of the Wilsonville Code.
3. Applicant's submittal documents.  
Proposed Site Plan



CITY OF



P.O. Box 220 / Wilsonville, Oregon 97070  
503 / 682-1011

PLANNING COMMISSION MINUTES

November 12, 1985  
Wilsonville City Hall

Members present: Stan Maves, Helen Burns, Bob Dant and Mike Williams  
Members absent: Marian Wiedemann, Arland Andersen and Lew Hendershott  
Staff present: Ben Altman and Judee Emison  
Legal Counsel: Beth Marks

Chairman Williams called the meeting to order at 7:09 p.m.

CONSIDERATION OF MINUTES

Mike Williams moved to approve the September 9 and October 14, 1985 Minutes. Helen Burns seconded the motion which passed 3-0-1 with Bob Dant abstaining.

PUBLIC HEARING

Conditional Use Permit to allow the Chamber of Commerce building to be moved onto State right-of-way property.

Ben Altman presented the Staff Report noting that the Public Works Department has proposed a right-turn only onto Wilsonville Road. He pointed out that on the long-range plan, there is a couplet planned through the Teufel property which will loop back to the south of the site. There is sewer and water available to the site and the Design Review Board will be looking at the landscaping.

Chairman Williams opened the public hearing.

John Ludlow noted that \$2,000 has been donated to help move the building and the City has waived all the fees. He noted it is imperative to allow right-turn only so as to keep the tourists in town, otherwise they would turn left and head for the Freeway.

Vern Lentz, Research Services, representing Tom Teufel, noted the Teufels were opposed to this. He suggested vacating the parcel

placing a zoning designation on it and proceeding from there. He felt the State should collect rent from it. Ben Altman noted they will be paying \$60 a month.

Chairman Williams closed the public hearing.

Chairman Williams noted if a curb cut is allowed onto Wilsonville Road, there will be three curb cuts very close together.

Eldon Edwards questioned how trailers and RVs would turn around in the parking lot.

Bob Dant stated he had a possible conflict of interest.

Beth Marks recommended granting a Temporary Permit now and have the Staff come back next month with a recommendation for zoning the property.

Chairman Williams moved to modify the Staff Report to allow the Wilsonville Chamber of Commerce a Temporary Permit of thirty (30) days to move the building onto the site with directions to Staff to have it brought up as the first Agenda item in December to determine the proper zoning of the property so as to preserve the proper nature of its use, with conditions attached regarding the right-turn-in, right-turn-out only, with the authorization as to when the Permit will expire. Helen Burns seconded the motion which passed 3-0-1 with Bob Dant abstaining.

#### PLANNER'S BUSINESS

##### Fox Chase II Resubmittal

Ben Altman explained he was looking for feedback regarding Section 4.139(6) and Section 4.188 of the Code allowing resubmittal for development plans.

Section 4.139(6) - Planned Developments - states no application can be submitted for one year by the same applicant for the same area.

Section 4.188 - Zone Changes and Amendments - states no application shall be received for one year for substantially the same property and the same rezoning, unless one or more of the following: (1) New evidence, (2) A substantial change in circumstances, or (3) a mistake was made in the previous hearings.

It was the consensus of the Commission to add language regarding the Planning Commission or City Council finding good cause before being able to resubmit plans for the same property after being denied.

Meeting was adjourned at 8:07 p.m.

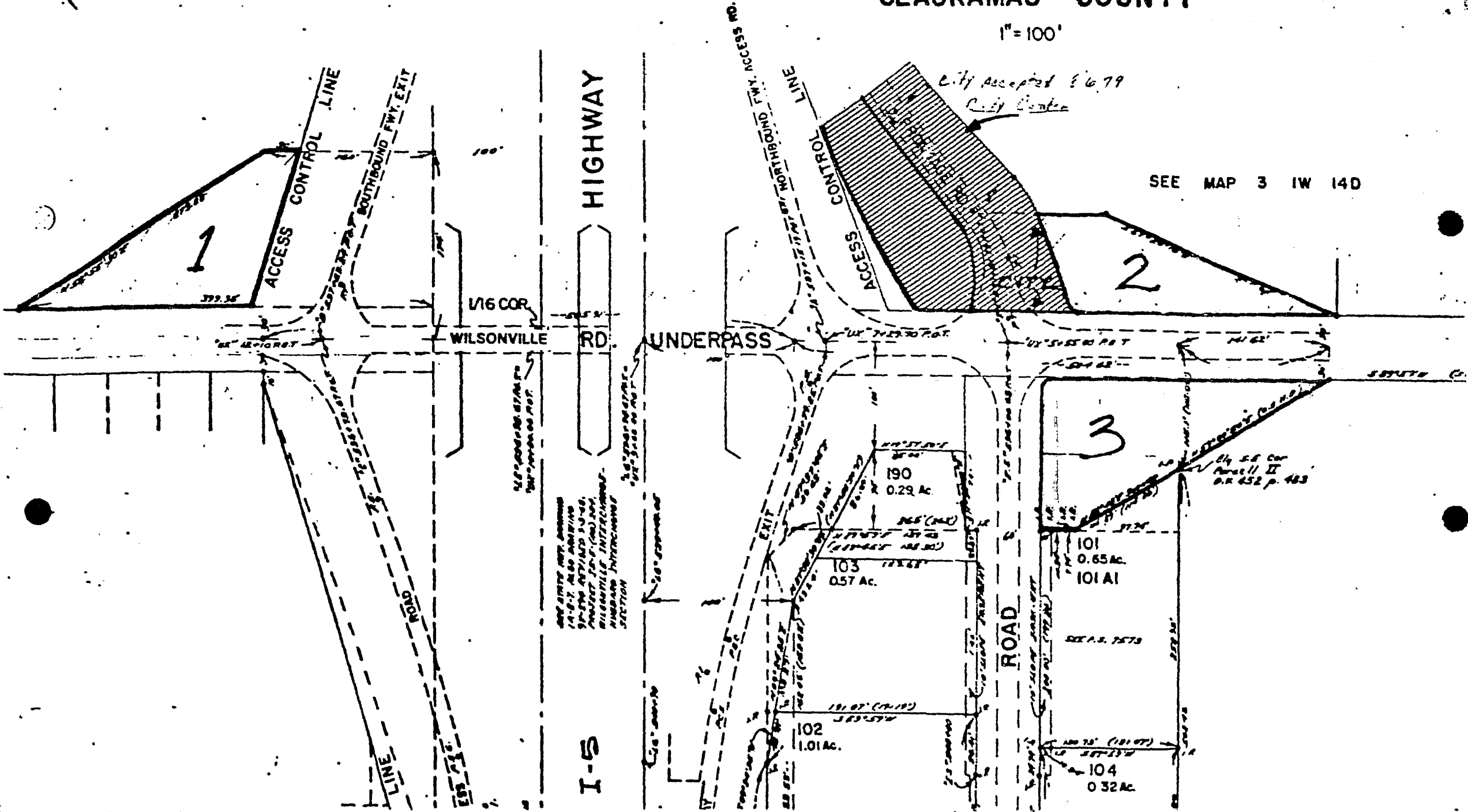
### LEGAL DESCRIPTION

A portion of the public right-of-way located in the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 23, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, State of Oregon. Beginning at a point 709.5 feet west of the Northeast corner of Section 23, said point being on the north section line of Section 23 and also the true point of beginning; hence S  $89^{\circ}59'$  W 160 feet more or less to a point identified by State stationing as "ux" 5+55.00 P.O.T.; hence S  $0^{\circ}3'30''$  E 172 feet more or less to a point parallel to the northern boundary of a tract of land identified in Public Survey 7573; hence easterly along a line including said boundary 62.58 feet more or less to an iron pipe; hence N  $58^{\circ}48'$  E, 278 feet more or less to a point on the south right-of-way line of Wilsonville Road (Market Road No. 12); hence perpendicular to said right-of-way line 30' more or less to a point on the aforementioned north section line of Section 23; hence 141.62' westerly along said section to the true point of beginning. Said portion of public right-of-way contains .43 acres more or less excluding portions reserved as public thoroughfare.

NE 1/4 NE 1/4 SEC. 23 T.3S. R.1W. W.M.  
 CLACKAMAS COUNTY

1" = 100'

SEE MAP 3 IW 140



SEE STATE MAP, BEARING  
 14-5-7, ALSO AMENDING  
 91-519, 91-519, 91-519, 91-519,  
 WILSONVILLE INTERCHANGE,  
 UNDERPASS INTERCHANGE  
 SECTION

City S.E. Cor  
 Parcel 101  
 D.R. 452 p. 483