

AMENDED AGENDA

**WILSONVILLE CITY COUNCIL MEETING
APRIL 21, 2014
7:00 P.M.**

**CITY HALL
29799 SW TOWN CENTER LOOP
WILSONVILLE, OREGON**

Mayor Tim Knapp

Council President Scott Starr
Councilor Susie Stevens

Councilor Richard Goddard
Councilor Julie Fitzgerald

CITY COUNCIL MISSION STATEMENT

To protect and enhance Wilsonville's livability by providing quality service to ensure a safe, attractive, economically vital community while preserving our natural environment and heritage.

Executive Session is held in the Willamette River Room, City Hall, 2nd Floor

- 5:00 P.M. EXECUTIVE SESSION [15 min.]**
A. Pursuant to ORS 192.660(2)(f) Exempt Public Records
ORS 192.660(2)(h) Litigation; and ORS 192.660(2)(e) Real Property
- 5:15 P.M. REVIEW OF AGENDA [5 min.]**
- 5:20 P.M. COUNCILORS' CONCERNS [5 min.]**
- 5:25 P.M. PRE-COUNCIL WORK SESSION**
- A. Basalt Creek Concept Plan Update (Mangle) [15 min.]
B. Frog Pond/Advance Road Update (Mangle) [15 min.]
C. Chapter 10 Code Amendment Leash Law (Kohlhoff) [10 min.]
D. Report on Joint MPAC/JPAC Retreat Discussion of
Climate Smart Communities (Lashbrook) [5 min.]
- 6:50 P.M. ADJOURN**

CITY COUNCIL MEETING

The following is a summary of the legislative and other matters to come before the Wilsonville City Council a regular session to be held, Monday, April 21, 2014 at City Hall. Legislative matters must have been filed in the office of the City Recorder by 10 a.m. on April 8, 2014. Remonstrances and other documents pertaining to any matters listed in said summary filed at or prior to the time of the meeting may be considered therewith except where a time limit for filing has been fixed.

- 7:00 P.M. CALL TO ORDER**
A. Roll Call
B. Pledge of Allegiance

4/21/2014 11:19 AM Last Updated

- C. Motion to approve the following order of the agenda and to remove items from the consent agenda.

7:05 P.M. MAYOR'S BUSINESS

- A. Recognize Dick Spence for Community Volunteering
- B. Upcoming Meetings

7:10 P.M. COMMUNICATIONS

- A. Imagination Library Update (staff – Duke)
- B. Earth Day Proclamation (staff – Rappold)

7:25 P.M. CITIZEN INPUT & COMMUNITY ANNOUNCEMENTS

This is an opportunity for visitors to address the City Council on items *not* on the agenda. It is also the time to address items that are on the agenda but not scheduled for a public hearing. Staff and the City Council will make every effort to respond to questions raised during citizens input before tonight's meeting ends or as quickly as possible thereafter. Please limit your comments to three minutes.

7:30 P.M. COUNCILOR COMMENTS, LIAISON REPORTS & MEETING ANNOUNCEMENTS

- A. Council President Starr – (*Park & Recreation Advisory Board Liaison*)
- B. Councilor Goddard – (*Library Board Liaison*)
- C. Councilor Fitzgerald – (*Development Review Panels A & B Liaison*)
- D. Councilor Stevens – (*Planning Commission; CCI; Wilsonville Seniors Liaison*)

7:40 P.M. PUBLIC HEARING

- A. **Ordinance No. 737** – 1st reading
An Ordinance Of The City Of Wilsonville Amending Chapter 10 Of The Wilsonville Code By Adding Section 10.240 Control Of Dogs And Amending Section 10.430 Penalties.
(staff – Kohlhoff)

8:00 P.M. CONTINUING BUSINESS

- A. **Ordinance No. 735** – 2nd reading
An Ordinance Amending City Of Wilsonville Miscellaneous Code Provisions To Prohibit Smoking At Or Within Twenty Feet Of A Bus Stop Or Transit Shelter. (Staff – Lashbrook)
- B. **Ordinance No. 738** – 2nd reading
An Ordinance Of The City Of Wilsonville Approving A Comprehensive Plan Map Amendment From Residential 0 – 1 Du/Ac To Residential 4 – 5 Du/Ac On 1.79 Acres Comprising Tax Lot 5000 Of Section 13BA, T3S, R1W, Clackamas County, Oregon; Renaissance At Canyon Creek II; Renaissance Development, Applicant. (staff – Wheeler)
- C. **Ordinance No. 739** – 2nd reading
An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The

Residential Agricultural - Holding (Ra-H) Zone To The Planned Development Residential - 3 (PDR-3) Zone On 1.79 Acres Comprising Tax Lot 5000 Of Section 13BA, T3S, R1W, Clackamas County, Oregon. Renaissance Development Corp., Applicant. (staff – Wheeler)

D. **Ordinance No. 740** –2nd reading
An Ordinance Of The City Of Wilsonville Declaring A Moratorium On Medical Marijuana Facilities, And Declaring An Emergency. (staff – Kohlhoff)

E. **Resolution No. 2456**
Resolution To Issue An Order By The City Council Approving The Appeal Of The Stage II Final Plan Revision, Site Design Review, And Master Sign Plan Revision And Sign Waiver Of A New 450 Square Foot Drive-Thru Coffee Kiosk At The Corner Of 95th Avenue And Boones Ferry Road. The Subject Site Is Located On Tax Lot 302 Of Section 2DB, T3S, R1W, Washington County, Oregon. Applicant/ Appellant/Owner Wilsonville Devco, LLC. Application Nos. DB 13-0046, DB 13-0047, And DB 13-0048. (Staff – Pauly)

8:30 P.M. NEW BUSINESS

A. **Resolution No. 2466**
A Resolution Of The City Of Wilsonville Authorizing A Development Agreement For Canyon Creek Road Extension South Project From Boeckman Road To Vlahos Drive Between The Urban Renewal Agency Of The City Of Wilsonville, The City Of Wilsonville, And Mentor Graphics Corporation. (staff – Kohlhoff)

8:45 P.M. CITY MANAGER'S BUSINESS

A. Council Goals Quarterly Update

8:55 P.M. LEGAL BUSINESS

9:00 P.M. ADJOURN

AN URBAN RENEWAL AGENCY MEETING WILL IMMEDIATELY FOLLOW

Time frames for agenda items are not time certain (i.e. Agenda items may be considered earlier than indicated. The Mayor will call for a majority vote of the Council before allotting more time than indicated for an agenda item.) Assistive Listening Devices (ALD) are available for persons with impaired hearing and can be scheduled for this meeting if required at least 48 hours prior to the meeting. The city will also endeavor to provide the following services, without cost, if requested at least 48 hours prior to the meeting:-Qualified sign language interpreters for persons with speech or hearing impairments. Qualified bilingual interpreters. To obtain services, please contact the City Recorder, (503)570-1506 or king@ci.wilsonville.or.us

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B. Chamber of Commerce Visitor Kiosk Request (staff – Cosgrove)

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**CITY COUNCIL MEETING
STAFF REPORT**

Meeting Date: April 21, 2014	Subject: Basalt Creek Concept Plan Update Staff Member: Katie Mangle Department: Community Development	
Action Required <input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda	Advisory Board/Commission Recommendation <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments: 	
Staff Recommendation: N/A		
Recommended Language for Motion: N/A		
PROJECT / ISSUE RELATES TO:		
<input checked="" type="checkbox"/> Council Goals/Priorities 11. Economic Development c) Complete and adopt Basalt Creek industrial area concept plan in the next 18 to 24 months.	<input type="checkbox"/> Adopted Master Plan(s)	<input type="checkbox"/> Not Applicable

ISSUE BEFORE COUNCIL:

Council review and discussion of the Basalt Creek Partnering Agreement and Process Diagram (see Attachment 1), which includes changes suggested by Council in January when it endorsed the overall Agreement. The Agreement outlines how the cities of Tualatin and Wilsonville will generally approach decision-making and public involvement for the project. The Public Involvement Plan for the project (see Attachment 2) provides detail and strategy for how the public will be involved and informed in the processes.

EXECUTIVE SUMMARY:

The cities of Wilsonville and Tualatin are collaborating on a project to plan for the future of Basalt Creek, the unincorporated area between the two cities. Metro included this land in the Urban Growth Boundary to help meet the industrial and residential land demand in the region for the next 20 years. Accordingly, the Cities have agreed to create a plan that provides an orderly guide for future growth. Specifically, the Concept Plan will address a variety of factors including:

- Future city limit lines between the Cities of Tualatin and Wilsonville
- Land uses including industrial, residential, parks, trails, and greenways
- Transportation network and system of connections for automobiles and pedestrians
- Provision of urban services such as water, sanitary sewer, and stormwater

As outlined in the Partnering Agreement, the City Councils will play an active role in guiding the work during this project. The City Councils will meet jointly at key milestones to make decisions and guide the project. Staff will also work with each Council separately to keep members informed of community input, technical information, and alternatives.

Engagement with the affected property owners, as well as the business and residential communities, will be essential to creating a successful plan. The Public Involvement Plan outlines the project’s public engagement approach, including specific strategies for reaching different audiences.

EXPECTED RESULTS:

The purpose of the Partnering Agreement is to identify the roles and responsibilities of the project partners and establish a unified decision-making structure for carrying out the project. Additionally, the Agreement lays out the general approach to stakeholder and citizen involvement that the project will employ over the next 18 months.

The Public Involvement Plan is a living document that can be adjusted throughout the project if needed. The project team is beginning to implement the plan, starting with a re-design of the project website.

TIMELINE:

The project is expected to take 18 months to two years to complete.

CURRENT YEAR BUDGET IMPACTS:

The City of Tualatin received approximately \$350K from Metro’s Construction Excise Tax (CET) grant program to perform concept planning. For City of Wilsonville staff time, approximately \$10,000 is expected from the grant, and \$80,000 was approved for the project through the supplemental budget processes.

FINANCIAL REVIEW / COMMENTS:

Reviewed by: CAR Date: 4/14/14

Supplemental #1 allocated \$25,000 to the project and Supplemental #2 allocated an additional

\$55,000.

LEGAL REVIEW / COMMENT:

Reviewed by: MEK _____ Date: 4/10/2014 _____

Legal comment was previously provided to Planner Mangle and incorporated into the Partnership Agreement. Approved as to form.

COMMUNITY INVOLVEMENT PROCESS:

The Public Involvement Plan outlines how the cities will develop and use a variety of tools and approaches to inform and engage with property owners and the public.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY (businesses, neighborhoods, protected and other groups):

One of the expected outcomes of the Basalt Creek Concept Plan project is to establish the future boundary between the cities of Wilsonville and Tualatin. The Basalt Creek area is important for the long-term growth of Wilsonville's industrial base and the associated employment opportunities. Growth in the Basalt Creek area will affect industrially-zoned properties in the Coffee Creek area, and it is important to solicit the involvement of representatives from this area.

ALTERNATIVES: None at this time.

CITY MANAGER COMMENT:

ATTACHMENTS

- A. Final Partnering Agreement and Process Diagram
- B. Basalt Creek Public Involvement Plan

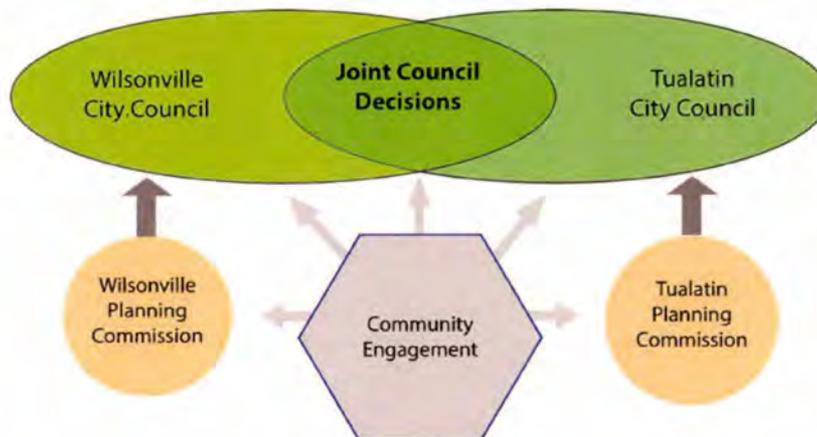


Basalt Creek Concept Plan Project Partnering Agreement

Purpose

The purpose of this agreement is to identify the roles and responsibilities of the Basalt Creek Concept Plan project partners. Specifically, it highlights the duties of the multiple stakeholder groups and the two City Councils. In July 2010, the Cities of Tualatin and Wilsonville entered into a Memorandum of Understanding which outlined their commitment to work collaboratively to create a land use concept plan. This document furthers that agreement with additional detail regarding the process to finalize the Basalt Creek Concept Plan.

Decision-making Structure



The cities will undertake the planning process both through meetings of existing public bodies and through specially-scheduled meetings and workshops with the public and stakeholders. In notice and conduct of all public meetings for the project, staff members will follow Oregon Public Meetings Law (ORS 192.610 -192.690).

Roles & Responsibilities:

Council Subcommittee – Two elected officials for each city will serve on this subcommittee to outline and further refine the process for this project. This group will be charged with two primary tasks: 1) establish a decision making framework; and 2) identify community engagement techniques to be used throughout the project. It is envisioned that the subcommittee will meet on a limited basis at the beginning of the project to accomplish these tasks.

*Joint City Councils*¹ – The Tualatin and Wilsonville City Councils will be the ultimate decision-making body for the final Basalt Creek Concept Plan. Both City Councils will be tasked with approving the guiding principles, selecting the preferred land use scenario which will also include the provision of public services, identifying future jurisdictional boundaries, and approving the final Basalt Creek Concept Plan.

Tualatin City Councilⁱⁱ – While the final plan will be approved jointly by both City Councils, it is recognized that there will be some issues that require greater input from the City of Tualatin. Specifically, measures, ordinances, and resolutions to amend the Tualatin Development Code to implement the final plan will be made by the Tualatin City Council. The Tualatin City Council will receive periodic check-ins from staff throughout the planning process.

Wilsonville City Councilⁱⁱⁱ – While the final plan will be approved jointly by both City Councils, it is recognized that there will be some issues that require greater input from the City of Wilsonville. Specifically, measures, ordinances, and resolutions to amend the Wilsonville Development Code and Comprehensive Plan to implement the final plan will be made by the Wilsonville City Council. The Wilsonville City Council will receive periodic check-ins from staff throughout the planning process.

Tualatin Planning Commission^{iv} – The role of the Tualatin Planning Commission will be to consider input gathered through community engagement and from the Agency Review Team to further recommendations to the Tualatin and Wilsonville City Councils. In addition, they will serve in their advisory capacity to amend the Tualatin Community Plan Map to implement the final Basalt Creek Concept Plan.

Wilsonville Planning Commission^v – The role of the Wilsonville Planning Commission will be to consider input gathered through community engagement and from the Agency Review Team to further recommendations to the Tualatin and Wilsonville City Councils. In addition, they will serve in their advisory capacity to amend the Wilsonville Development Code and Comprehensive Plan to implement the final Basalt Creek Concept Plan.

Community Engagement^{vi} – Throughout the process, development of the Basalt Creek Concept Plan will be informed through a variety of community engagement opportunities that will be described in detail in the Public Involvement Plan (PIP) for the project. Engagement opportunities are expected to include interviews, focus groups, public workshops, and online survey and comment opportunities. Input gathered through community engagement will be shared with the two Planning Commissions and City Councils.

Agency Review Team^{vii} – In addition to being informed through community engagement, the Basalt Creek Concept Plan process will be assisted by the Agency Review Team, whose primary role will be to advise staff members of both cities about regulatory and planning compliance. Input gathered from this group will be included in regular updates to the Planning Commissions and City Councils. Involvement in this group will be essential for some key agencies that need to approve or agree with the concept plan, while other agencies will be invited to participate in the planning process when their advice is needed on specific issues. The Agency Review Team will include members from the following organizations:

- Essential Agencies
 - Metro
 - ODOT
 - Tualatin Valley Fire & Rescue
 - Washington County
 - Bonneville Power Administration
- Invited Agencies
 - City of Sherwood
 - City of Tualatin (Departments other than Community Development/Planning)
 - City of Wilsonville (Departments other than Community Development/Planning)
 - Clackamas County
 - Clean Water Services
 - Portland General Electric

- Sherwood School District
- SMART
- Tigard/Tualatin School District
- Tri-Met
- Wilsonville / West-Linn School District

Major agreements will be discussed at meetings, but some elements or decisions for moving forward with technical work may be made outside of meetings. As appropriate, the Agency Review Team will be consulted with and informed. As requested, additional staff from each agency will be copied on communications for meetings, review of materials, and general coordination where other related area projects may be involved.

Tualatin and Wilsonville Staff Members^{viii} – Staff members from the cities will keep others informed during this process and coordinate information that is distributed to the community. Any information that will be distributed publicly for the Basalt Creek Concept Plan will be reviewed by one key staff member from each of the cities. This will ensure the cities are prepared to field questions that may be raised by the public.

Process Schedule

The process diagram in Attachment A outlines key milestones and deliverables in the project.

Process and Protocols/Communications/Commitments

Meeting Ground Rules (all meetings):

- Notify staff if not able to attend a meeting or will be late.
- Read materials in advance.
- Provide comments on draft meeting materials that are distributed in advance of meetings for comment.
- Treat everyone with respect.
- Listen carefully with the intent of understanding.
- Let others finish before speaking.
- Share the air– let others speak once before speaking twice.
- Raise issues honestly, clearly and early in the process.
- Express concerns or issues; silence on an issue will be understood to mean agreement.
- Focus questions and comments on the subject at hand and stick to the agenda.
- When discussing events or issues of the past, apply them productively to the present discussion.
- Collaborate with other group members – seek to find common ground.
- Put cell phones on silent mode.
- Participate!

End meetings on time. If agenda items cannot be completed on time, groups members will decide if the meeting should be extended, if an additional meeting should be scheduled, or if the issue will be dealt with in another way (subgroup, email, etc.).

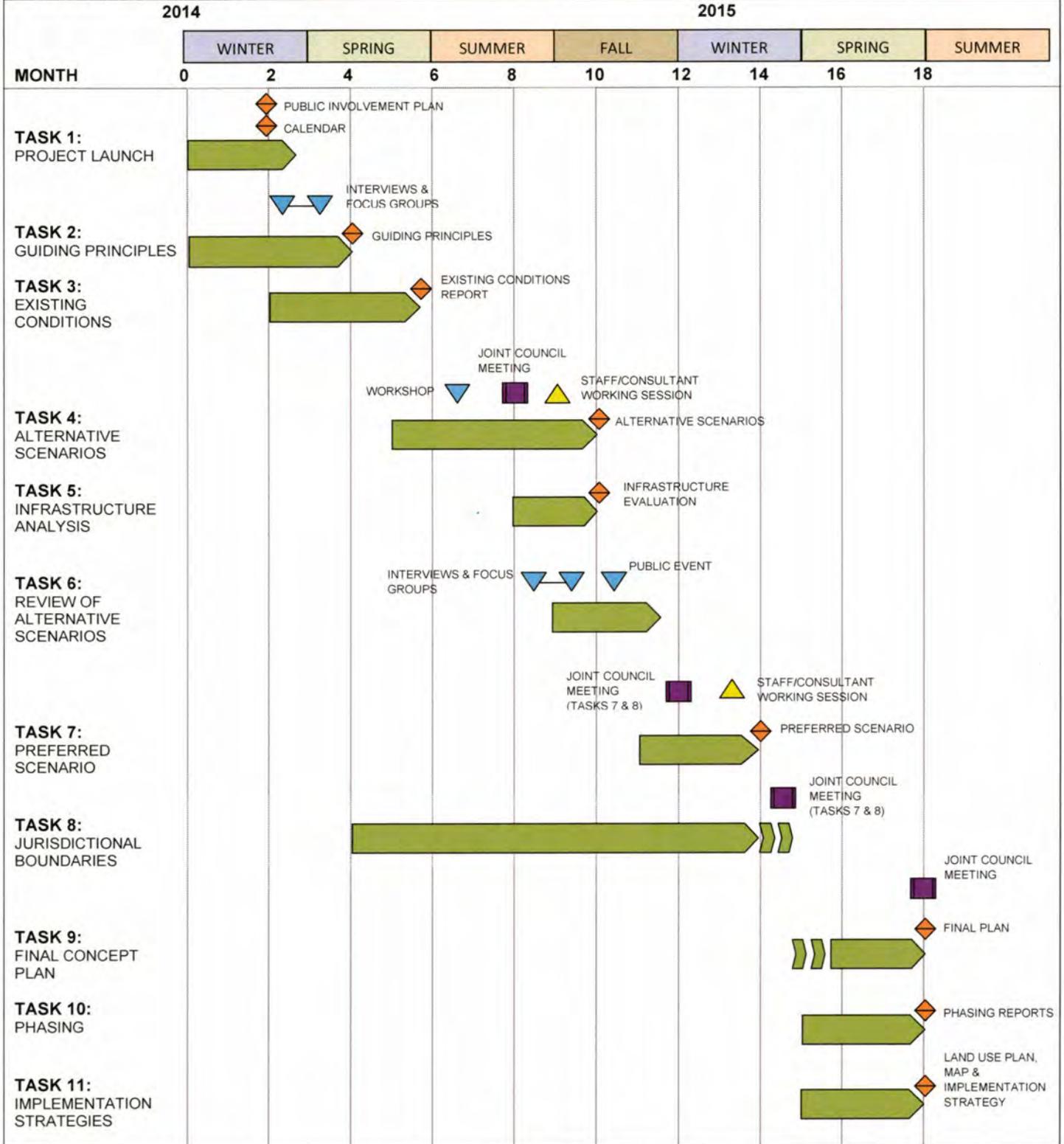
ⁱ Staff members will follow Oregon Public Meetings Law (ORS 192.610 -192.690) in notice and conduct of public meetings for the project.

ⁱⁱ Ibid.

iii Ibid.
iv Ibid.
v Ibid.
vi Ibid.
vii Ibid.
viii Ibid.

ATTACHMENT A

PROCESS DIAGRAM *1



- PRODUCT
- JOINT COUNCIL MEETING
- STAFF/CONSULTANT WORKING SESSION
- COMMUNITY ENGAGEMENT

*1 Assumes regular individual City Council updates throughout the concept planning process. Timing of meetings and product deliverables is subject to modification as needed.

Public Involvement Plan
Basalt Creek Concept Plan
April 2014

OVERVIEW

This document outlines the Public Involvement Plan for the Basalt Creek Concept Plan and includes in detail the outreach, education and communication services that the project team, comprised of the Fregonese Associates Team (FA Team) and staff from Tualatin and Wilsonville, will use to engage the public and stakeholders in development of the Concept Plan. The FA team will work closely with cities of Tualatin and Wilsonville Project Management Team (PMT) to coordinate and develop a transparent planning process based on the best available data, including meaningful public engagement strategies to prioritize critical issues. The FA Team will communicate clear and realistic growth scenarios and ultimately develop consensus around an achievable preferred land use strategy.

This memo is organized around four *major tasks*:

- I. Engagement Materials
- II. Targeted Stakeholder Outreach
- III. Public Events and Online Surveys
- IV. Informational Updates & Announcements

Within each of the major tasks, *task deliverables* from the detailed scope of work are included and outlined in detail. For each *task deliverable*, the Public Involvement Strategy includes the following information:

- **Description and Purpose**
Describes the purpose of the deliverable to provide context for the activity and its relationship to the overall project
- **Materials**
Each task deliverable may contain one or more than one set of materials, which will be identified in this section
- **Roles**
Anticipated roles are identified for the PMT and FA Team within each task

Roles and Responsibilities Framework

- The **Fregonese Associates Team** (FA Team) refers to the prime project consultant, Fregonese Associates, and includes the sub-consultants CH2M Hill (CH2M), Leland Consulting Group (LCG),

and DKS Associates (DKS), collectively referred to in this document as the FA Team. As the prime consultant, Fregonese Associates staff will lead the consultant team, working as the point of contact for the PMT, identifying methods and analysis approach, developing the outreach strategy, and managing the project timeline based on the agreed-upon work program.

- **Project Management Team (PMT)** consists of the project managers from the Cities of Tualatin and Wilsonville. The project managers from each city will make decisions as a team and communicate with the FA Team as one decision-making entity. To streamline the revision process throughout the project, the FA Team requests that all feedback is consolidated through the PMT. Once established, the agreed-upon deadlines for review must be met to keep the project on schedule. The PMT will manage the process of keeping staff from their respective individual cities informed during plan development. The PMT will also coordinate information distributed to the community. Any information distributed publicly for the Basalt Creek Concept Plan will be reviewed in advance by the PMT.
- The **Agency Review Team (ART)** is tasked with the primary role of advising staff members of both cities about regulatory and planning compliance. Input gathered from the ART will be included in regular staff updates to the Planning Commissions and City Councils. Involvement in this group will be required for some key agencies that need to approve or agree with the concept plan, while other agencies will be invited to participate in the planning process when their advice is needed on specific issues. The ART will include members from the following organizations:
 - Essential Agencies
 - Metro
 - ODOT
 - Tualatin Valley Fire & Rescue
 - Washington County
 - Bonneville Power Administration
 - Invited Agencies
 - City of Sherwood
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Major agreements will be discussed at meetings, but some elements or decisions for moving forward with technical work may be made outside of team meetings. As appropriate, the ART

will be consulted with and informed. As requested, additional staff from each agency will be copied on communications for meetings, review of materials, and general coordination.

- **Joint Council** refers to Council Meetings involving Councils from both the City of Tualatin and the City of Wilsonville. The Tualatin and Wilsonville City Councils will be the ultimate decision-making body for the final Basalt Creek Concept Plan. Both City Councils are tasked with approving the guiding principles, selecting the preferred land use scenario (which will also include the provision of public services), identifying future jurisdictional boundaries, and approving the Final Basalt Creek Concept Plan.
- The **Tualatin City Council** and the **Wilsonville City Council** will convene independently to review and discuss issues that require greater input from their respective City Councils. Specifically, measures, ordinances, and resolutions to amend the individual Cities' Codes will be needed to implement the final plan. The Tualatin City Council and the Wilsonville City Council will receive regular briefings from their respective staff throughout the planning process.
- The role of the **Tualatin Planning Commission** and the role of the **Wilsonville Planning Commission** will be to consider input gathered through community engagement and from the ART and make recommendations to their respective City Councils. In addition, they will serve in their advisory capacity to respectively amend the Tualatin Community Plan Map and the Wilsonville Development Code and Comprehensive Plan to implement the final Basalt Creek Concept Plan.

Revision Process

For all deliverables there will generally be two rounds of review and document editing, with approximately one week for each round (one week for the PMT to review an initial draft, and another week for the consultant to make revisions and submit to PMT for final comments and edits). This timeframe, however, is general. The exact timeframe for the revision process of each deliverable will be determined on a case-by-case basis according to the level of complexity and lead time necessitated by respective public meeting laws of each City. For example, materials for use at Individual and Joint Council meetings must be submitted to city recorders' offices at least one week in advance of the meeting date. In some cases, the PMT may need more than one week to submit comments to the consultant, as they will be coordinating and consolidating comments between the Cities of Wilsonville and Tualatin.

Public Involvement Strategy Goals

The Cities of Tualatin and Wilsonville are committed to public involvement that:

- Provides early and ongoing opportunities for stakeholders to raise issues and concerns
- Facilitates equitable and constructive communication between the public and project team
- Empowers residents to become involved with the project
- Encourages participation with other planning efforts in both cities
- Provides the public with balanced and objective information to help them understand the problem, alternatives, opportunities and solutions

- Offers alternative accommodations to encourage participation of all stakeholders regardless of race, ethnicity, age, disability, income, or primary language
- Builds on existing communication networks and resources of both cities

Types of Involvement

The following categories can be used to group public participation activities by depth of engagement. A table below organizes these activities by stakeholder group, while the “Communication Methods” section presents the same information, organized by milestones. It is important to note that many outreach activities can achieve multiple levels of engagement, depending on the activity objective, design, and contextual factors.

Informing

This level of participation will focus on educating and informing all interested parties (even those who are just peripherally interested) about the project background, status updates, public events and participation opportunities and major milestones and decision points. The level of technical detail about a given topic will be tailored to be audience-appropriate. For example, the level of detail about environmental constraints analysis methodology will be greater at an ART meeting than at a public open house, because ART members are staff or regulating and enforcing agencies. However, more detailed information will often be made available to the public should a reasonable request for it be made. Informing is the most broadly used level of engagement in many cases because it is a precursor to higher levels of engagement and must reach a large number of stakeholders.

Consultation

Consultation with stakeholders entails asking them to provide input on the goals, alternatives and plan. This level of engagement is critical for identifying major issues and concerns among particular stakeholder groups as well as the general public. Different opportunities for providing input will be designed to be appropriate for a range of stakeholders. In essence, this level involves “checking in” with stakeholders to say, “did we get it right?” Surveys and open houses can achieve this level of engagement, among others.

Participation

Participation requires that stakeholders are helping to define and shape project goals, evaluating options and alternatives, and possibly helping to shape recommendations to be included in the plan. Public meetings, workshops, or work sessions can achieve this level of engagement.

Collaboration

Stakeholders help to craft alternatives in collaborative engagement activities. It involves a high level of project detail and usually long-term commitment to reviewing background documents. Technical experts as well as elected officials and decision-makers are commonly leaned upon to perform these duties, though citizen advisory committees and stakeholder group representatives may also contribute substantial efforts. The audience for this level of engagement includes stakeholders who have a higher

level of interest in the project and those who will be interested and impacted by the outcomes of the project.

Partnership

The most engaged level of participation, partnership entails shared responsibility for developing and implementing solutions, as well as decision-making authority. This level of engagement frequently occurs at the institutional level, with public agencies and elected bodies, as well as private-sector representatives, cooperating to agree upon and apply solutions to realize the best possible outcomes for the public interest. The City Councils of Tualatin and Wilsonville will have the final decision making authority for the project. Informed by the input from the public workshop and staff, the City Councils will review information and make their recommendations.

Communication Methods

The project team will utilize online and print communication methods to inform stakeholders about public events and opportunities to participate in the development of the plan. The following list identifies public activities and the expected communication methods which will be used to advertise these activities and events.

Council meetings for either City:

- Community calendars for individual cities
- Basalt Creek project website

Public workshop and open house announcements, including online surveys:

- Community Calendars for both Cities
- City of Tualatin and City of Wilsonville Facebook pages
- Basalt Creek Twitter feed
- Basalt Creek project website
- Press releases to local media

Release of draft plan document for review:

- City of Tualatin and City of Wilsonville Facebook pages
- Basalt Creek Twitter feed
- Basalt Creek project website
- Press releases to local media

Release of final plan document for review:

- City of Tualatin and City of Wilsonville Facebook pages
- Basalt Creek Twitter feed
- Basalt Creek project website
- Press releases to local media

STAKEHOLDER GROUP	OUTREACH ACTIVITY	PROJECT TOPICS	PARTICIPATION LEVEL				
			Partner	Collaborate	Involve	Consult	Inform
Property Owners	1. Focus group	Project background, Existing conditions, Guiding principles, Alternative scenarios			X		X
	2. One-on-one interviews	Project background, Existing conditions, Guiding principles, Alternative Scenarios				X	X
	3. Online Survey	Project background, Existing conditions, Guiding principles, Alternative Scenarios				X	X
Business Owners	1. One-on-one interviews	Project background, Existing conditions, Guiding principles, Alternative Scenarios				X	
	2. Online Survey	Project background, Existing conditions, Guiding principles, Alternative Scenarios				X	X
Developers	1. Focus group	Project background, Existing Conditions, Development opportunities & barriers				X	X
Residents	1. One-on-one interviews	Existing conditions, Guiding principles, Alternative Scenarios				X	X
	2. Online Survey	Project background, Existing conditions, Guiding principles, Alternative Scenarios				X	X
General Public	1. Project website	Project background, Project Calendar, Project FAQ, Public event announcements/reminders, Online survey link, Comment form					X
	2. Posted flyers	Workshop & open house announcements/reminders					X
	3. Email	Project updates, Public event announcements/reminders, Online survey link, Link to comment form, Results of public events, results of Elected Officials and Agency decision points, Link to Concept Plan draft, Link to final Concept Plan					X
	4. Facebook/Twitter	Link to project website, Brief project updates, Link to Online Survey, Link to online comment form, Public event announcements/reminders, Results of open houses & Workshops, Results of elected officials' and public agency decision points, Link to draft Concept Plan, Link to final Concept Plan					X
	5. Newsletters	Project background, Project updates, Public event announcements/reminders, Results of public events, Results of Elected officials and public agency decision points					X
	6. Online Survey	Project background, Existing conditions, Guiding principles, Alternative Scenarios				X	
	7. Online Comment fom	All				X	
Informed Public	1. Open House	Alternative scenarios, Draft preferred scenario		X			
	2. Workshop	Project background, Existing conditions, Guiding principles, Alternative scenarios		X			
	3. Draft Review	Draft preferred scenario		X			
	4. Public Hearings	Final preferred scenario, Jurisdictional boundary			X		
Hard-to-reach Groups	1. Phone calls	Project background, Public event announcements/reminders					X
	2. Mailers	Project background, Public event announcements/reminders					X
	3. Multi-lingual materials	Project background, Public event announcements/reminders					X
Elected Officials	1. Informational briefings	Project updates, Public feedback, Major milestones (existing conditions, draft and preferred scenarios), Preparation for decision points					X
	2. Work sessions	Concept plan discussion, Jurisdictional boundary discussion		X			
	3. Draft review	Jurisdictional boundary, Finalconcept plan		X			
	4. Plan acceptance	Jurisdictional boundary, Finalconcept plan	X				
Non-profits, schools, religious and advocacy groups	1. Email	Project updates, Public event announcements/reminders, Online survey link, Link to comment form, Results of public events, results of Elected Officials and Agency decision points, Link to Concept Plan draft, Link to final Concept Plan					X
	2. One-on-one interview	Existing conditions, Guiding principles, Alternative scenarios				X	
	3. Open House	Alternative scenarios, Draft preferred scenario			X		
	4. Workshop	Project background, Existing conditions, Guiding principles, Alternative scenarios			X		
Media	1. Press releases	Project updates, Public event announcements/reminders, Online survey link, Link to comment form, Results of public events, results of Elected Officials and Agency decision points, Link to Concept Plan draft, Link to final Concept Plan					X

I. OUTREACH MATERIALS

Deliverables

1. General Milestone Calendar
2. Project Branding (Logo)
3. Stakeholder Contact List
4. Periodic Email Updates
5. Press Releases
6. Newsletter Articles
7. Materials for Project Website
8. Social Media

1. General Milestone Calendar

Description and Purpose

A milestone calendar will be created to communicate an overview of the project process and timeline to the general public, key stakeholders and decision makers. The General Milestone Calendar will be an attractive, easy-to-understand flow diagram communicating the timing and sequence of major project milestones, public engagement opportunities and decision points. This graphic will be utilized in print, online and in presentations.

The purpose of a general milestone calendar is to:

- a) Facilitate public understanding of the general flow and sequencing of project tasks
- b) Alert the public, key stakeholders and decision makers in advance of critical junctures where their input is needed, including but not limited to:
 - a. Public meetings and events
 - b. Review/comment periods for draft concepts and documents
- c) Communicate updates in the timing or sequencing of key milestones

Materials

Key dates to show on the General Milestone Calendar will include but not be limited to the following:

- ART meetings
- Joint Council Meetings
- Planning Commission Meetings
- Development of Guiding Principles
- Existing Conditions Report
- Public Workshop
- Development of Alternative Scenarios
- Public Open House

- Development of Final Plan
- Plan Acceptance Decision
- Availability of draft jurisdictional boundary memo for public review (review/comment period)

Roles

Project Management Team

- Review and provide feedback on General Milestone Calendar
- Distribute the final General Milestone Calendar to agency leads and other decision makers

FA Team

- Design the Draft General Milestone Calendar
- Integrate comments and feedback
- Deliver final Calendar (electronic format) to the PMT and upload to project webpage

2. Project Branding

Description & Purpose

The FA Team will develop a project logo which will be used on all outreach materials, reports and the website to create and reinforce the project identity. The purpose of branding is to establish a recognizable identity for the project. The FA Team will provide web and print-ready formats of the final logo to the PMT. File formats will include JPEG, Adobe Illustrator and PNG.

Materials

A project logo and associated graphics will include attractive, easy-to-understand visual elements that reinforce agreed-upon guiding principles and project priorities.

Roles

PMT

- Provide feedback on the project logo

FA Team

- Design project logo
- Distribute a web- and print-ready version of the logo for use by the PMT; upload and incorporate into project website
- Incorporate the project logo in PowerPoint presentations, outreach materials, reports and the project website materials

3. Interested Persons Contact List

Description & Purpose

The FA Team will collaborate with the City of Tualatin and City of Wilsonville to effectively utilize the existing contact list of interested persons. Stakeholders on the contact list will receive periodic email updates corresponding to major project milestones, including notices of public events. The stakeholder contact list will be managed by the City of Tualatin and used to send project update messages via email.

Materials

The master contact list will include names, email addresses, phone numbers, and addresses of stakeholders. This contact list should also track stakeholder types (i.e. property owner, business owner, resident) and organizational affiliations. The contact list can be used to track additional stakeholder information, such as identifying interview candidates, focus group members, or workshop attendees.

The contact list should include but not be limited to the following:

- Property Owners and Neighbors
- Other residents and tenants
- Tualatin Community Representatives (CIOs)
- Wilsonville Community Representatives
- Tualatin Business Representatives
- Wilsonville Business Representatives
- Westside Economic Alliance Representatives
- Horizon School Representatives
- Agency Review Team
- Stakeholder Interviewees

Roles

PMT

- Collect new contact information from stakeholders by providing and collecting sign-in sheets at the public workshop and open house
- Manage and update master email distribution list
- Reach out to community groups to request permission to add their members to the outreach contact list
- Protect the addresses and privacy of individuals on the contact list
- Provide the FA Team with existing project email distribution lists. May necessitate merging of lists between organizations

FA Team

- Protect the addresses and privacy of individuals on the contact list
- Provide PMT with access to contact information collected through online surveys

4. Email Updates

Description & Purpose

The purpose of on-going communications via email (using the Interested Persons contact list described above) is to highlight positive momentum toward achieving community goals. Email updates will be sent to the email distribution list described above to communicate project milestones and to notify stakeholders of the public workshop, open house, online surveys, online public draft documents, etc, as needed.

Materials

General project updates may include, but not be limited to the following information:

- Status of the project in relation to the General Milestone Calendar
- Upcoming opportunities for public engagement
- Links to results and images from recent outreach activities
- Links to the online surveys
- Links to the project webpage
- Public availability of draft or final documents
- Outcomes of Joint Council meetings or major decision points
- Contact information for project management

Roles

PMT

- Establish a PMT strategy for review of email content
- Review and approve a template for email updates
- Review and approve content for email updates
- Establish a project email address and contact for email blasts

FA Team

- Prepare an email template in Mailchimp (or similar service) to manage messaging to email distribution list
- Prepare content for email updates in consultation with the PMT
- Send email blasts prior to public meetings and at key milestones, once content is approved by PMT

5. Press Releases

Description & Purpose

Project press releases will be issued jointly by the City of Tualatin and the City of Wilsonville on project-branded letterhead to reach local and regional media contacts at key milestones. The City of Tualatin, City of Wilsonville and the FA Team will jointly prepare and review press releases prior to issuing them.

Each City will send the releases to their local media contacts and they will also be shared with regional media contacts via the FlashAlert Newswire (www.flashalert.net). Press releases will also be shared via the project's Twitter account, each City's Facebook page, and each City's website. Each press release will have two contacts—one from the City of Tualatin and the other from the City of Wilsonville. The FA Team will post the press releases on the project website.

Materials

Press releases will be posted on each City's websites, Facebook pages, project-specific Twitter feed, and on the Basalt Creek project website.

Roles

PMT

- Draft press releases at key project milestones
- Review, edit and approve content
- Issue press releases to local and regional media contacts
- Post press releases to project Twitter feed, City Facebook pages, City websites, and the project website.
- The project contacts for each City will respond to media inquiries in a timely manner and report back to the PMT
- Media coverage will be shared on the project-specific Twitter feed

FA Team

- In coordination with the PMT, draft and edit press releases and post press releases and media coverage to project website

6. Newsletter Articles

Description & Purpose

Both the City of Tualatin and the City of Wilsonville have monthly newsletters that are mailed to their residents. Each City will be independently responsible for drafting and running articles in their newsletter at key milestones throughout the project. These articles may be based on the project press releases, but also may include information about upcoming meetings and other related content.

Materials

Newsletter articles will be run in each City's newsletter at key milestones throughout the project.

Roles

PMT

- Draft articles at key milestones based on press releases or other content
- Review, edit and approve articles
- Run and distribute articles in each City's monthly newsletter and on the project website

FA Team

- In coordination with the PMT draft and edit articles and post to project website

7. Materials for Project Website

Description & Purpose

The existing project website will be utilized to provide project information such as background, objectives, milestones, and key engagement opportunities, as well as a venue to post draft and final documents for public review.

The overarching goals of the project website are distributing information to the public and key stakeholders and gathering their feedback at decision making points. The website should include the following:

- Project background and timeline
- Updates on milestones and key decision points
- Announcements of public involvement opportunities
- Results of outreach efforts
- Downloadable PDFs of website content and other engagement materials including project background and timeline, event announcements, etc.
- Links to the project's Facebook page and Twitter feed, as well as other relevant projects such as the SW Tualatin Concept Plan, Coffee Creek, 124th, Boones Ferry Road, etc.

Materials

The FA Team will update, manage and provide text and images for website updates to the PMT corresponding to key milestones and decision points, public involvement opportunities, and draft and final documents as identified in this Public Involvement Plan. These updates will be tracked on a detailed (internal) Project Team Timeline and coordinated on an as needed basis.

Roles

PMT

- Review, edit and approve website content
- Provide and host website URL
- Prepare and update a FAQ about the project

FA Team

- Provide initial review of the website structure and content and implement any changes or additions with PMT oversight
- Establish an RSS feed on the project website
- Provide draft and finalized content updates including PDFs, text and graphics to the PMT for approval

- Coordinate email blasts and website updates
- Manage and upload new materials for the website that are included as part of the Public Involvement Plan

8. Social Media

Description & Purpose

Facebook page and Twitter feeds will provide another means for stakeholders to stay connected with the project progress. The Cities of Tualatin and Wilsonville will utilize their existing Facebook pages and Twitter feeds to provide Basalt Creek Plan updates and links to the Basalt Creek webpage including notices of public events and when new material is posted to the Basalt Creek project website. Posts will be added throughout the project at major milestones and as there are noteworthy updates to report. The City of Wilsonville will also develop a twitter feed specific to the Basalt Creek project which will help further advance public information and guide interested parties to the Basalt Creek Website.

Materials

Facebook and Twitter content posted to City sites and a Basalt Creek specific Twitter feed.

Roles

PMT

- Create brief, periodic Facebook and Twitter posts
- Review, edit and approve content
- Post content to Facebook and Twitter
- Content for updates will be generated by the PMT in collaboration with the FA Team.

FA Team

- In coordination with the PMT generate content and provide advice for Facebook and Twitter posts

II. TARGETED STAKEHOLDER OUTREACH

Task Deliverables

1. Interviews
2. Stakeholder Groups
3. Agency Review Team (ART)
4. Planning Commission Briefings
5. Individual Council Information Sessions
6. Joint Council Decision Information Sessions

1. Interviews

Description & Purpose

The purpose of stakeholder interviews is to gain a better understanding of stakeholder goals and interests. These meetings will serve to highlight key issues of concern within the planning area, and other issues that relate to development and implementation of a project vision for the concept plan. These interviews will likely take place within the first six months of the project.

The FA Team will interview a selection of four community members, property, and business owners and other stakeholders identified by the PMT, selected from the following community groups:

- Property and business owners in Basalt Creek
- Community representatives from both Cities
- Residents of Basalt Creek
- Business owners/ representatives from both cities
- Westside Economic Alliance
- Horizon Church

Materials

Materials will include an interview guide with general interview questions and topic areas for discussion.

Roles

PMT

- Identify interview candidates
- Make initial contact with interview candidates, assess willingness to participate
- Identify priority questions and topic areas to discuss with interviewees
- Help identify and secure locations for interviews

FA Team

- Identify interview candidates in partnership with the PMT
- Review list of interview candidates with PMT
- Lead and facilitate the stakeholder interview discussions
- Create and print maps to guide interview conversations
- Keep a written record of interview conversations
- Provide notes of interview findings to the PMT

2. Focus Group Meetings

Description & Purpose

Focus group meetings will be conducted with 6-7 participants and will be based on an open discussion format facilitated by the FA Team. These meetings will serve to highlight key issues of concern within the planning area, and other issues that relate to development and implementation of a project vision

for the concept plan. These meetings should take place within the first six months of the project. The FA Team proposes to conduct two focus groups meetings, one with developers and one with key property owners. Focus group member candidates will be identified through collaborative efforts between the FA Team and the PMT.

Focus Group #1: Developer Roundtable

The Developer Roundtable is a forum which will be used to gather valuable information related to general and specific development opportunities and barriers in Basalt Creek. Involving developers at the local and regional level will help characterize and contextualize development potential and constraints in the area.

Focus Group #2: Property Owner Meeting

The Property Owner Meeting is a stakeholder meeting for a small group with 6-7 property owners from the area (preferably a mix of both commercial and residential property owners). This meeting will provide a forum to learn about property owner priorities, concerns and suggestions for the future of Basalt Creek.

Materials

A short presentation will be made to both groups on the overall project. Materials will include a facilitator's guide including questions and topic areas for discussion.

Roles

PMT

- Identify stakeholder group candidates
- Work with the FA Team to expand and revise list
- Make initial contact with candidates, assess willingness to participate
- Identify priority questions and topic areas to discuss
- Identify and reserve meeting locations
- Track responses and confirm attendance of invitees

FA Team

- Identify stakeholder group candidates, advise on developers to include
- Work with the PMT to expand and revise list
- Develop a facilitators guide
- Lead and facilitate the stakeholder group discussions
- Create and print maps to guide conversations
- Keep a written record of group discussions
- Provide meeting notes to PMT

3. Agency Review Team (ART)

Description & Purpose

An Agency Review Team (ART) will be formed to guide the development of the Concept Plan. The primary role of the ART is to advise the project team about regulatory and planning compliance. The ART will consist of representatives from regulatory agencies identified in the "Roles and Responsibilities Framework" section at the beginning of this document. They will meet preceding major project milestones to provide technical input for Concept Plan development.

Materials

For all ART meetings:

- Meeting agenda
- Materials/documents for review
- PowerPoint presentations
- Presentation technology (projector, screen, etc.)

Roles

ART members

- Provide guidance to project team on specific technical questions and issues
- Act as liaisons to their own agencies
- Review and provide feedback on draft concept plan

PMT

- Identify and invite individuals to join the ART
- Distribute meeting agenda and meeting materials to ART members prior to meetings
- Keep the official written record of meetings including attendees, notes, comments, outcomes and next steps
- Write and distribute meeting summaries to ART members
- Provide space and printed materials for meetings
- Provide periodic updates on feedback from the ART to the Planning Commission and City Councils

FA Team

- Create meeting agendas
- Facilitate meeting discussions, which may include short presentations
- Create meeting materials to support agenda
- Provide PMT with FA team notes to support the development of the official written record

4. Planning Commission Briefings

Description & Purpose

Planning Commission Briefings are intended to provide project updates to the Cities individual Planning Commissions prior to major decision points to identify any issues and gather feedback from the Commissions. These briefings will include, at a minimum:

- Project Updates
- Concept Plan Discussion
- Jurisdictional Boundary Discussion
- Concept Plan Acceptance

Briefings to the Planning Commissions will take place prior to Individual Council briefings. The Planning Commission engagement is important to set the stage for future comprehensive plan amendments and other planning actions that will happen within each jurisdiction as a result of the concept plan acceptance.

Materials

Meeting agendas will be developed to focus on gathering feedback and information from the Planning Commissions including:

1. Jurisdictional Boundaries Recommendation
2. Draft Preferred Scenario
3. Draft Concept Plan

Roles

PMT

- Schedule briefings
- Create meeting agendas
- Keep written record of meetings and provide FA Team with meeting notes

FA Team

- Provide feedback on meeting agenda

5. Individual Council Information Briefings

Description & Purpose

Individual Council briefings are intended to provide project updates at key points throughout the planning process. Briefings will include:

- Project updates
- Discussions about major milestones (Existing Conditions, draft and preferred scenarios)
- Identification of Council concerns and gathering feedback to inform the concept planning process

- Preparation of Council members for upcoming Joint Council decisions points

The FA Team assumes that PMT staff will brief their Councils as the project progresses. Individual Council update sessions with the FA Team will focus on building the capacity of each Council to make informed decisions when Joint Council action is required. The staff of each City will present materials to the Individual Councils.

Materials

Meeting agendas will mirror major project elements that require a more detailed level of understanding among the Councils. Detailed briefings will allow Councils to validate project direction and provide guidance to the PMT and FA Team. Following are the suggested meeting topics for the FA Team to present to each Council for their input:

1. Draft Existing Conditions
2. Draft Alternative Scenarios
3. Draft Preferred Scenarios

Roles

PMT

- Schedule informational briefings (3 presentations to each Council with FA present; 6 meetings total)
- Keep written record of meetings and provide FA Team with meeting notes

FA Team

- Attend meetings and present to Councils (or provide materials for PMT staff to present)
- Provide PowerPoint presentation or other written materials in advance, consistent with the individual cities' requirements

6. Joint Council Decision Information Sessions

Description & Purpose

The Joint Council meetings will include informational presentations, facilitated discussions, and action regarding key decision points. There are four key decision points:

- Adoption of Guiding Principles and Review of Existing Conditions
- Decision on a Preferred Scenario
- Decision on Jurisdictional Boundaries
- Approval of Concept Plan

These meetings will be critical for Joint Council decision-making. The FA Team will collaborate with the PMT to determine which content to present. The FA Team will develop presentations to illustrate the evolution of the project process and provide key data and information critical to relevant decision

points. The Individual Council briefings will be coordinated with Joint Council meetings to deliver information in an efficient manner conducive to informed and effective decision-making.

In addition to meetings focused on the four key decision points, the FA Team will participate and lead a discussion with the Joint Council to elicit feedback for the development of the final concept plan and jurisdictional boundaries. These meetings will serve as informative discussion sessions to guide concept plan development, as well as a decision on a jurisdictional boundary. These sessions will cover:

- Alternative scenarios. The FA Team will present findings from the alternative scenarios, organized by relationship to Guiding Principles. The FA Team will facilitate a discussion of alternatives and solicit feedback. This feedback will be used to craft a preferred scenario oriented toward adoption by the Joint Council.
- Draft Preferred Scenario. The FA Team will present the draft preferred scenario. The Joint Council will have the opportunity to provide feedback on the direction of the preferred scenario. This will build on previous efforts to ensure key issues and concerns related to the concept plan are addressed.

The FA Team will collaborate with the PMT to determine the most effective methods for gathering Joint Council feedback. Methods may include instant polling questions and/or facilitated discussions.

Materials

For each Joint Council meeting:

- Meeting agenda
- PowerPoint presentation
- Background documents
- Key discussion questions and instant polling (if used)

Roles

PMT

- Schedule Joint Council meetings (up to 6)
- Keep a written record of the meetings and provide FA Team with meeting notes

FA Team

- Draft and revise presentations for meetings
- Present key materials and facilitate discussions, as needed
- Integrate Joint Council feedback into preferred scenario and subsequent revisions

V. PUBLIC EVENTS & ONLINE SURVEYS

Deliverables

1. Public Workshop
2. Public Open House
3. Online Surveys

1. Public Workshop

Description & Purpose

The FA Team will work with the PMT to design and run a public workshop that will inform the creation of a range of scenarios. We will understand stakeholder priorities through instant polling and a mapping exercise. The workshop will also inform stakeholders about the project objectives and background (through the brief presentation at the outset). Subsequent activities will be aimed at eliciting feedback about the community's vision for the Basalt Creek area. This feedback will help clarify priorities for the concept plan and inform the development of alternative scenarios.

Workshop Format

Group Presentation

The meeting will start with a brief PowerPoint Presentation from the PMT and the FA Team. The presentation will cover the planning process from start to finish, and include a description of project goals, activities and guiding principles. A project timeline with key public involvement dates will be shared with participants.

Instant Polling

The group presentation will transition into a set of 10 – 20 instant polling questions, which will ask stakeholders to respond to multiple choice questions about their priorities for the project. The polling results will be collected using clickers – remote devices that send instant polling results to the computer of the presenter. The tallied results can be shown immediately on the screen for all the audience to see. The FA Team will work with the PMT to develop the instant polling questions.

Example questions may include:

- Of these listed ideas, which is the most important for the future of Basalt Creek?
- Which is the least important?

To what extent do you agree or disagree with the following statements? (Scale of 1-5)

- Conservation is the top priority
- Economic development is the top priority
- Balance between conservation and development is the top priority

Mapping Exercise

The FA Team will utilize a custom map-based exercise to gather information on community aspirations for future land uses, multimodal transportation network, employment, parks and open spaces. Following the group presentation and instant polling exercise participants will divide into small groups to perform a collaborative mapping exercise. Each group will be facilitated by a FA Team/PMT member, with assistance from other project team staff. Participants will work together in small groups using maps and icons representing future development and transportation investments. The FA Team will use the Envision Tomorrow (ET) suite of planning tools to digitize and analyze maps and comments from the public workshop to uncover themes and unique solutions to guide the scenario development and the development of a final concept plan and vision for the planning area.

Materials

- PowerPoint presentation, including project background, objectives and timeline
- Instant Polling questions – responding to suggested guiding principles, prioritizing future policies and actions for Basalt Creek area
- Basemap – Basalt Creek project area chipsets for mapping activity
- Additional materials on boards in the meeting room as defined by FA Team and PMT
- Event flyer
- Event email announcement
- Agenda
- Sign in sheet
- Instant polling clickers and TurningPoint software
- Facilitator instructions
- Scissors, markers, and pens

Roles

PMT

- Identify and reserve a venue for the workshop
- Advertise workshop; print and distribute flyers announcing workshop
- Review workshop materials (workshop flyer and email announcement, agenda, presentation, instant polling questions, maps, chips)
- Assist and organize volunteers to serve as facilitators for the event
- Provide light refreshments

FA Team

- Produce agenda for workshop
- Produce marketing materials to advertise public open house approximately one month in advance of the event. Materials include email announcements, project website announcements, announcement flyer or postcard.
- Prepare workshop agenda

- Develop and revise presentation, including instant polling questions
- Present at workshop
- Facilitate workshop activities, including instant polling and mapping exercise

2. Public Open House

Description & Purpose

The public open house will provide participants with a comprehensive look at how each of the alternative scenarios performs, as measured against the project's evaluative criteria and guiding principles. General performance categories include transportation, housing choice, employment and infrastructure. In the brief Summary Presentation the FA Team will describe the project's public outreach and stakeholder engagement process and how public feedback was used to inform the development of the alternative scenarios.

The presentation will also briefly cover project background and objectives followed by a presentation of the alternative scenarios, accompanied by descriptions of how they each performed in different evaluative areas and indicators. The presentation will be followed by instant polling questions to understand people's preferences for different elements of each scenario, and the degree to which they support or do not support alternatives in the context of performance measures.

The FA Team will process and analyze results of the open house. Results will be communicated at ART meetings and informational Council meetings, as well as through email and website updates. Results will also be integrated into the Summary Presentation to be delivered at ART and Joint Council meetings.

Materials

- PowerPoint Presentation, including a brief description of the project background, description of each scenario and its outcomes relative to project guiding principles and projected impacts on transportation, housing choice, employment and infrastructure indicators.
- Instant Polling questions – responding questions about support or lack of support for different elements of different scenarios (the results of which will feed into the development of the preferred scenario)
- Event flyer
- Event email announcement
- Agenda
- Sign in sheet
- Instant Polling clickers & TurningPoint software

Roles

PMT

- Discuss open house approach
- Identify and secure location for open house

- Review open house content
- Provide staff to assist at open house
- Provide light refreshments
- Provide open house related updates to the Planning Commission and City Council
- Integrate workshop results into Summary Presentation on public outreach

FA Team

- Produce agenda for public open house
- Produce maps and other print materials for one public open house
- Produce marketing materials to advertise public open house approximately one month in advance of the event. Materials include email announcements, project website announcements, announcement flyer or postcard.
- Provide summaries of feedback (instant polling) from the open house event in PowerPoint

3. Online Surveys

Description & Purpose

The purpose of the online surveys will be to electronically replicate the engagement opportunity of the public workshops and in-person outreach events in order to engage a broader group of stakeholders. To the extent possible, the online survey will follow the presentation and include instant polling questions from the public workshop and open house. The online format will allow participants to click through the presentation at their own pace, and then to answer the same instant polling questions asked at the workshop and open house.

The analysis of the survey results will be integrated with the feedback from the public workshop and other outreach opportunities, and used as a guide both to develop scenarios and then to select or create a preferred scenario.

The online surveys will be designed to be user-friendly and straightforward. Each survey will be open for approximately two weeks following the public events. The FA Team will process and analyze results of the survey. Survey results will be communicated at ART meetings and informational Council meetings, as well as through email and website updates.

Materials

The FA Team will develop, conduct, and analyze the results from two online surveys. Links to the online surveys will be distributed to the stakeholder contact list via email as well as posted on the project website. Materials will include an online version of the workshop presentation, a survey posted to the project website, and a summary of survey results in PowerPoint presentation slide format.

Roles

PMT

- Provide a list of initial ideas for survey content
- Review, edit and approve website content

FA Team

- Draft survey
- Incorporate edits from PMT
- Convert the survey into an online format and include on the project website
- Email survey link to stakeholder contact list
- Collect survey results
- Organize survey results into a summary
- Provide survey results summary to City Staff and present results to the ART; staff will present at individual Council sessions

**CITY COUNCIL MEETING
STAFF REPORT**

Meeting Date: April 21, 2014	Subject: Frog Pond Planning Project Update Staff Member: Katie Mangle Department: Community Development	
Action Required	Advisory Board/Commission Recommendation	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda	<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable	Comments:
Staff Recommendation: N/A		
Recommended Language for Motion: N/A		
PROJECT / ISSUE RELATES TO:		
<input checked="" type="checkbox"/> Council Goals/Priorities Thoughtful Land Use 5.a. Complete a formal concept plan for Advance Road and Frog Pond Residential Areas. 7.b. Plan for successful integration of our existing living, working, and playing areas in existing planned development through TSP adoption, the launching of concept planning, and CIP.	<input type="checkbox"/> Adopted Master Plan(s)	<input type="checkbox"/> Not Applicable

ISSUE BEFORE COUNCIL:
Frog Pond Project review and update.

EXECUTIVE SUMMARY:

The City of Wilsonville is embarking on a process to plan for Wilsonville's next neighborhoods on the eastern edge of Wilsonville. Planning for the area will define expectations for the types of buildings, land uses, transportation facilities, parks, and utilities that will be developed over time.

The land on the west side of Stafford Road is already included in the regional Urban Growth Boundary (UGB). A concept plan is required for this land before it can annex to the City and develop. With the exception of the School District site, which also is in the UGB, the land on the east side of Stafford has been designated as a regional Urban Reserve. A concept plan is required for this area before the City can nominate it to be added to the Urban Growth Boundary.

Over the next year, the City will create a plan for future development of the whole area. This broad plan will define the mix of land uses; general location of schools, parks, and natural areas, water quality and ecosystem protection, multimodal transportation, public facilities, and financial feasibility of future development.

Tasks currently underway include:

- Drafting a Public Involvement Plan
- Developing a detailed project schedule
- Site Analysis - Mapping and describing existing site conditions, opportunities, and constraints
- Conducting interviews with property owners and residents of nearby Wilsonville neighborhoods
- Conducting interviews with developers who are familiar with Wilsonville
- Forming a Technical Advisory Committee of affected agencies and service providers
- Forming a Task Force, an advisory committee of diverse representatives, to provide advice and feedback on key issues for consideration by the Planning Commission and City Council. To ensure a diverse range of voices influence key policy choices, people with specific interests and expertise will be recruited to join the Task Force, including representation of the following categories
 - 4-6 Property owners, including representatives of each sub-area
 - 4-6 Wilsonville residents, including some who also work in Wilsonville
 - 1-2 rural area property owners or residents, representing interests of people outside the study area but affected by new development
 - 3 Planning Commissioners
 - One City Councilor

Upcoming key tasks include:

- First meeting of the Task Force in May to discuss the site analysis and define the vision statement for the area

EXPECTED RESULTS:

This project will plan for connected, quality residential neighborhoods, which are the building blocks for all healthy cities. It is anticipated that this project will incorporate Wilsonville’s existing leading-edge practices such as high quality design, tree preservation, integration of parks, open space, stormwater management, and walkable connectivity.

TIMELINE:

The deadline for the City to complete a concept plan for the sub-area that is already in the Urban Growth Boundary is December 2015. The deadline for the City to complete a concept plan for the sub-area that is currently Urban Reserve is March 2015 to be considered for the next round of regional urban growth boundary decisions.

The project schedule is driven by the milestones defined in the City’s Intergovernmental Agreement with Metro accepting the grant that is funding the project. The City has committed to meeting the following key deadlines for the first phase of the project:

- Public Involvement Plan and Site Analysis April 31, 2014
- Selection of one development alternative October 31, 2014
- Final Concept Plan April 30, 2015

Once a detailed project schedule is complete, staff will propose amendments to the IGA that adjust the milestone schedule to meet the needs of the project.

CURRENT YEAR BUDGET IMPACTS:

Metro awarded the City of Wilsonville a \$341,000 grant for this project. The City has committed to provide an \$80,000 cash match (funded through SDCs) and dedicate significant staff resources to the project.

FINANCIAL REVIEW / COMMENTS:

Reviewed by: _____ CAR _____ Date: ___4/14/14_____

Supplemental budget adjustments have been approved for this fiscal year.

LEGAL REVIEW / COMMENT:

Reviewed by: MEK _____ Date: 4/14/2014 _____

NA

COMMUNITY INVOLVEMENT PROCESS:

The proposed approach to public involvement is to use many tools to reach stakeholders and the broader community, and scale the effort to the specific characteristics of each group. Existing property owners will be a key stakeholder group, and all have been contacted by City staff regarding this concept planning work.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY

By leading the planning effort, the City will balance community interests with feasibility of implementation. The project will resolve questions related to design, infrastructure, and land uses that will make it more likely that the Frog Pond area will be ready for development when the

market is ready to support it.

ALTERNATIVES:

None at this time.

CITY MANAGER COMMENT:

ATTACHMENTS

N/A

Memorandum

Date: April 16, 2014

To: Mayor Knapp and City Council

Copies: Bryan Cosgrove, City Manager
Nancy Kraushaar, Community Development Director

From: Stephan A. Lashbrook, Transit Director

Subject: Update on Metro Climate Smart Communities Scenarios Project

Metro conducted the first of two half-day retreats with members and alternates of MPAC (Metro Policy Advisory Committee) and JPACT (Joint Policy Advisory Committee on Transportation) on Friday, April 11. Mayor Knapp attended as a JPACT alternate, along with Nancy Kraushaar and myself, as observers.

You may recall that the Climate Smart Communities project was the result of a legislative mandate to Metro from a state law passed in 2009, focused on finding ways to reduce greenhouse gas (GHG) emissions from cars and light trucks by 2035. Over the last couple of years, this project has evolved to the point where three basic scenarios have been identified and studied. They have been summarized as:

Scenario A – “Recent Trends” – based on the implementation of all local land use and transportation plans throughout the region, to the extent possible with existing revenue levels;

Scenario B – “Adopted Plans with increased revenue” – envisions the full implementation of local plans, plus the Regional Transportation Plan, with increased revenue; and

Scenario C – “New Plans and Policies” – includes increased funding to achieve a greater reduction of GHGs.

Metro also identified six primary focus areas where increased investments could help to achieve the various scenarios. These are:

1. Transit;
2. Technology;
3. Travel Information Programs;
4. Planned Active Transportation Network;
5. Planned Street and Highway Network; and
6. Parking Management.

At the joint MPAC/JPACT meeting, the members and alternates were asked to vote on which of the above six things should receive the most investment in implementation. The two attached bar graphs show the totals of their responses (page 22) and the differences in voting between

MPAC members/alternates and JPACT members/alternates (page 23). It may be helpful to note that JPACT includes individuals who are more “transportation focused” than MPAC. Please note that these graphs show the three scenarios on the vertical axis and the six focus areas on the horizontal. A high number on the vertical indicates that the respondents favored actions which were more in tune with Scenario C, while a low number indicates more support for Scenario A. In fact, most of the votes fell somewhere close to Scenario B.

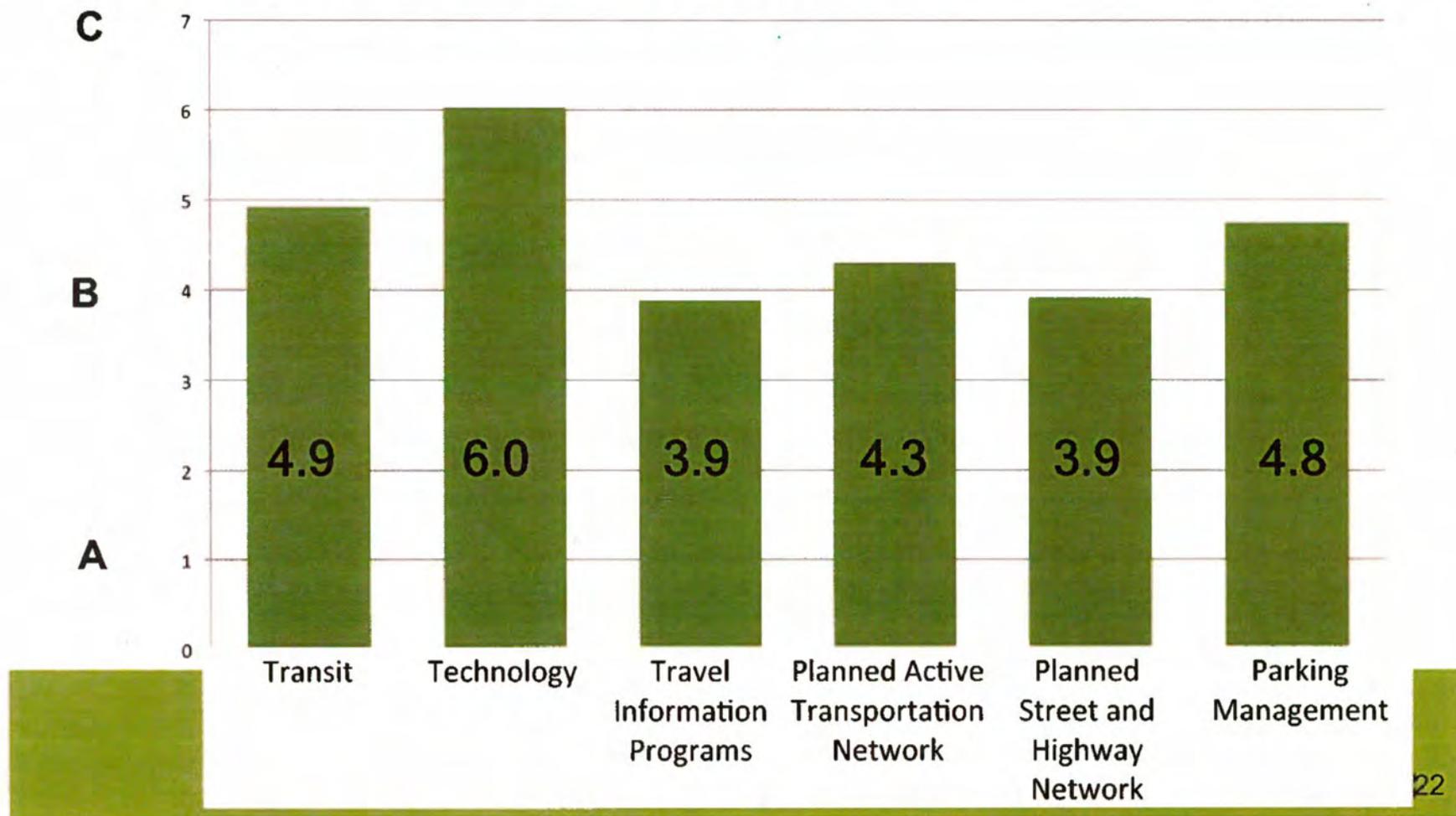
All of this is still “preliminary” until the two groups reconvene on May 30 to talk about how these steps may be funded. Staff will have more to report after that meeting.

A link to the Climate Smart study guide is:

[http://rim.oregonmetro.gov/webdrawer/rec/271465/view/General%20Administrative%20Records%20\(GAR\)%20-%20Advisory%20Committee%20Records%20-%20All%20Other%20Records%20-%20Joint%20MPACJPACT;%20CSC.PDF](http://rim.oregonmetro.gov/webdrawer/rec/271465/view/General%20Administrative%20Records%20(GAR)%20-%20Advisory%20Committee%20Records%20-%20All%20Other%20Records%20-%20Joint%20MPACJPACT;%20CSC.PDF)

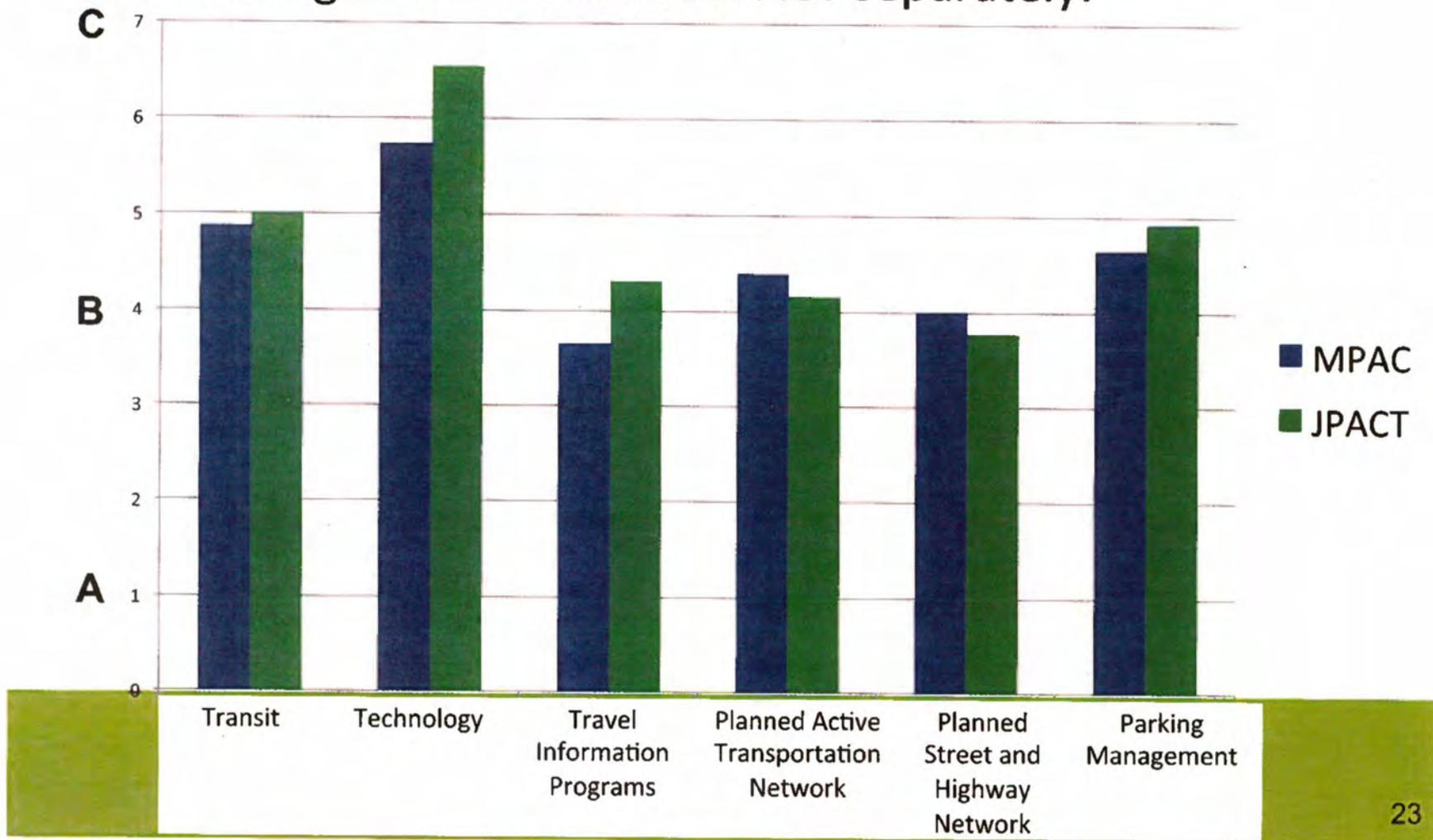
Preferences for Scenarios A, B, C And In-Between Scenarios

Averages of all respondents (mean):



Preferences for Scenarios A, B, C And In-Between Scenarios

Averages for MPAC and JPACT separately:



CITY COUNCIL ROLLING SCHEDULE
Board and Commission Meetings 2014-15

APRIL

DATE	DAY	TIME	MEETING	LOCATION
4/21	Monday	7 p.m.	City Council Meeting	Council Chambers
4/23	Wednesday	6:30 p.m.	Library Board	Library
4/28	Monday	6:30 p.m.	DRB Panel B	Council Chambers
4/29	Tuesday	6:30 p.m.	DRB Panel A Special Meeting <i>Tentative</i>	Council Chambers

COMMUNITY EVENTS

Wastewater Treatment Plant Dedication

Date: 4/24/2014 2:00 PM - 3:00 PM

Location: Wastewater Treatment Plant
9275 SW Tauchman Road

Tourism Strategy Development Task Force Meeting

Date: 4/24/2014 6:00 PM - 8:00 PM

Location: City Hall - Willamette River Room, 2nd floor

R.V. Short Fir State Heritage Tree Dedication

Date: 5/9/2014 1:00 PM - 2:00 PM

Location: Park at Merryfield

W.E.R.K. Day

Date: 5/10/2014 8:00 AM - 1:00 PM

Location: Meet at the Community Center
7965 SW Wilsonville Road
Wilsonville , Oregon 97070

**CITY COUNCIL MEETING
STAFF REPORT**

Meeting Date: April 21, 2014	Subject: 2014 Earth Day Proclamation Staff Member: Kerry Rappold Department: CD/Natural Resources Program	
Action Required <input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input checked="" type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda	Advisory Board/Commission Recommendation <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments: 	
Staff Recommendation: Proclamation declaring April 22, 2014 as "Earth Day".		
Recommended Language for Motion: N/A		
PROJECT / ISSUE RELATES TO: <i>[Identify which goal(s), master plans(s) issue relates to.]</i>		
<input type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)	<input checked="" type="checkbox"/> Not Applicable

ISSUE BEFORE COUNCIL: Recognition of 2014 Earth Day.

EXECUTIVE SUMMARY: This year marks the 44th anniversary of Earth Day. Earth Day is a day that is intended to inspire awareness and appreciation for the Earth's natural environment. Over a billion people in 190 countries participate in Earth Day events.

The Natural Resources Program encourages local residents to become a "steward" to the planet, and learn about the importance of understanding and protecting our natural resources.

EXPECTED RESULTS: To raise the awareness of community residents and foster a sense of stewardship for the planet.

TIMELINE: N/A

CURRENT YEAR BUDGET IMPACTS: N/A

FINANCIAL REVIEW / COMMENTS: N/A

Reviewed by: _____ CAR _____ Date: __ 4/8/14 __

LEGAL REVIEW / COMMENT: N/A

Reviewed by: _MEK_____ Date: 4/9/2014

NA

COMMUNITY INVOLVEMENT PROCESS: The public is invited to participate in Earth Day events.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY: Earth Day is meant to inspire the public to take better care of the planet and learn to take pride in the environment.

ALTERNATIVES: N/A

CITY MANAGER COMMENT:

ATTACHMENTS

A. 2014 Earth Day Proclamation

CITY OF WILSONVILLE

2014 Earth Day Proclamation



WHEREAS, Earth Day began in 1970 as a long term endeavor to build a planet that would be healthy, prosperous, and viable; and

WHEREAS, Earth Day is celebrated around the globe by people of all backgrounds, faiths and nationalities; and

WHEREAS, community members of all ages can contribute to building a healthy society through the wise use and protection of our natural resources, including our air, water, and natural habitats; and

WHEREAS, Wilsonville has always recognized the importance of protecting, conserving, and restoring our natural resources, thus creating a livable and vibrant community.

NOW, THEREFORE, I, Tim Knapp, Mayor of the City of Wilsonville, do hereby proclaim April 22, 2014 as

EARTH DAY 2014

and pledge the City's support and invite all Wilsonville residents, businesses, civic groups, government, and other organizations to participate in celebratory and educational activities.

Dated this 21st day of April 2014

Tim Knapp, Mayor

**CITY COUNCIL MEETING
STAFF REPORT**

Meeting Date: March 17, 2014	Subject: Ordinance No. 737 Dog Control Staff Member: Barbara Jacobson and Chief Jeff Smith Department: Legal	
Action Required <input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input checked="" type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda	Advisory Board/Commission Recommendation <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments: 	
Staff Recommendation: N/A		
Recommended Language for Motion: I move to approve Ordinance No. 737 on first reading.		
PROJECT / ISSUE RELATES TO: <i>[Identify which goal(s), master plans(s) issue relates to.]</i>		
<input type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)	<input checked="" type="checkbox"/> Not Applicable

ISSUE BEFORE COUNCIL:

The issue before City Council is consideration of Ordinance No. 737, an ordinance relating to dog control on public property.

EXECUTIVE SUMMARY:

The City has received several citizen complaints concerning dogs running at large, particularly on public sidewalks, causing a concern of danger to children and other pets in particular. As currently written, **Section 10** only addresses vicious animals at large (**Section 10.220**). The proposed amendment would add a **Section 10.240** to require that all dogs within the City limits

must be kept on a leash at all times while on public property (excluding in posted off leash dog park areas and excluding working animals). The Section also prohibits dogs from being allowed to run loose on private property without owner permission and incorporates the Clackamas County Dog Control Ordinance by reference. Finally Section **10.430(1)** is amended to allow for a lower graduated fine and penalty for violations of proposed **Section 10.240(1)**. Standard penalty provisions continue to apply for the remainder of **Section 10**.

In 2006, the City adopted the Clackamas County Dog Control Ordinance pursuant to Resolution 1977 but, unfortunately, due to funding constraints, there is insufficient County staff available to enforce the County Ordinance in Wilsonville. Therefore, **Section 10.240** now gives Wilsonville law enforcement officers the authority to cite dog-at-large violations of the proposed **Section 10.240** directly into Wilsonville Municipal Court. The proposed **Section 10.240** also sets forth other key provisions of the Clackamas County Dog Control Ordinance and generally incorporates the entire Ordinance by reference, thereby making all of those provisions part of the Wilsonville City Code and allowing their enforcement by our own municipal court, rather than having to refer violations to Clackamas County. To give citizens time to become aware of the City's intent to enforce the law as it pertains to off-lease dogs, a reduced penalty is being proposed and the Police Chief has stated that the deputies will be instructed to start with warnings and education of the public before issuing any fines.

EXPECTED RESULTS:

The proposed Ordinance is expected to reduce the number of dogs at large within the City of Wilsonville and thereby better protect the health and safety of the community, including both people and animals.

TIMELINE:

Immediate.

CURRENT YEAR BUDGET IMPACTS:

None.

FINANCIAL REVIEW / COMMENTS:

Reviewed by: CAR Date: 3/4/14

LEGAL REVIEW / COMMENT:

Reviewed by: MEK Date: 3/3/14

The legal department provided the ordinance in concert with the Assistant City Manager and Chief of Police.

COMMUNITY INVOLVEMENT PROCESS:

None. Proposed Ordinance changes are, however, based on public complaints to City Hall.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY (businesses, neighborhoods, protected and other groups): The goal is that this Ordinance will help to make the community a safer place for people and pets.

ALTERNATIVES:

The Council has the following options for consideration of this Ordinance:

- 1) To approve Ordinance No. 737, as written;
- 2) To not approve Ordinance No. 737, and request specific changes to the ordinance for future agenda;
- 3) To not approve Ordinance No. 737, leaving current code as written.

Option 1 is the recommended option based on citizen complaints and lack of enforcement of the County Dog Control Ordinance by Clackamas County due to funding cutbacks. It will give Wilsonville officers the ability to educate the public and to enforce the Ordinance in Wilsonville Municipal Court if education fails.

CITY MANAGER COMMENT:**ATTACHMENTS**

- A. Ordinance No. 737

ORDINANCE NO. 737

AN ORDINANCE OF THE CITY OF WILSONVILLE AMENDING CHAPTER 10 OF THE WILSONVILLE CODE BY ADDING SECTION 10.240 CONTROL OF DOGS AND AMENDING SECTION 10.430 PENALTIES

WHEREAS, it is in the interest of public safety and animal welfare that a new **Section 10.240 Dog Control** be added to the Wilsonville City Code and amending **Section 10.430 Penalties**.

WHEREAS, Pursuant to Resolution No. 1977, the City granted approval to Clackamas County to administer the County's Dog Control and Licensing Ordinance within the City; and

WHEREAS, the foregoing consent remains in place but, due to funding constraints, Clackamas County does not have personnel to administer said Ordinance; and

WHEREAS, numerous citizen complaints have been made regarding safety for both people and pets due to dogs being allowed to roam off leash, at large, or unsupervised within public areas of the City; and

WHEREAS, numerous citizen complaints have also been made regarding dog owners' failure to pick up and properly dispose of their dog's fecal discharge materials within public areas of the City; and

WHEREAS, to promote good safe relationships between people and pets by avoiding confrontations between citizens; and

WHEREAS, to assist Wilsonville law enforcement officers in educating the public and in enforcing responsible dog control, as warranted, the City believes it in the best interest of the public to enact its own specific Ordinance regarding the prohibition of off leash and at large dogs within all public areas of the City, except as set forth herein, and to require owners to clean up after their dogs.

NOW THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

1. **Chapter 10 ANIMALS** is hereby amended by adding the following:

"Section 10.240 Control of Dogs.

(1) Except as expressly provided herein, it is unlawful to permit or allow a dog to be off leash or at large on or in any public street, park or other public property

within the City of Wilsonville. Dogs may be allowed off leash in the following circumstances only:

(a) Within a posted off leash area, as long as under the direction and control of their owner or another person in control of the dog, so long as the dog is not known to be a dangerous or vicious dog.

(b) Working dogs, including but not limited to guide dogs and service dogs recognized as such by State law, so long as the dog is wearing a locating device and is within the near vicinity of the person in control of the dog.

(2) It is unlawful for a dog owner to fail to pick up fecal excrement deposited by the dog owner's dog on public property. For purposes of this subsection "dog owner" shall mean the person having control of the dog at the time of deposit, whether or not the actual legal owner of the dog.

(3) It is unlawful to permit a dog to be unrestrained in an open portion of a vehicle, such as the back of a pick-up truck, or to be tethered in a vehicle in a way that is dangerous to the dog or to traffic.

(4) It is unlawful to leave a dog unattended in a motor vehicle at any location under such condition as may endanger the health or well-being of the dog, including but not limited to dangerous temperature, lack of food, water or attention.

(5) Additional provisions concerning Control of Dogs, as set forth in Clackamas County Code Chapter 5.01, will continue to apply, are enforceable within the City, and are incorporated by reference herein."

2. **Section 10.430(1)** is amended to add reference to **Section 10.240(1)**, to now read as follows:

"(1) Any person who violates the provisions of *WC 10.240(1)*, *WC 10.240(2)* *WC 10.410* or *WC 10.425* shall be punished as follows:"

(Penalties for any violations of **Sections 10.240(3) through (5)** remain governed by **Section 10.530 Penalties.**)

3. The City Recorder is directed to amend Wilsonville Code **Section 10**, as approved above, and to make such format, style, and conforming changes to match the format and style of the Animal section of the Wilsonville Code.

4. Except as set forth above, **Section 10** of the Wilsonville City Code remains in full force and effect, as written.

SUBMITTED to the Wilsonville City Council and read for the first time at a meeting thereof on the 21st day of April, 2014, and scheduled for second reading on _____, commencing at the hour of 7 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the ____ day of _____, 2014, by the following votes: Yes: ____ No: ____

Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this ____ day of _____, 2014.

TIM KNAPP, MAYOR

SUMMARY OF VOTES:

Mayor Knapp
Council President Starr
Councilor Goddard
Councilor Fitzgerald
Councilor Stevens



**CITY COUNCIL MEETING
STAFF REPORT**

*Ord
Further
revised
4/21/14*

Meeting Date: April 21, 2014		Subject: Ordinance No. 737 Dog Control	
		Staff Member: Barbara Jacobson and Chief Jeff Smith	
		Department: Legal	
Action Required		Advisory Board/Commission Recommendation	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input checked="" type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input checked="" type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable	
		Comments:	
Staff Recommendation: N/A			
Recommended Language for Motion: I move to approve Ordinance No. 737 on first reading.			
PROJECT / ISSUE RELATES TO: <i>[Identify which goal(s), master plans(s) issue relates to.]</i>			
<input type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)	<input checked="" type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

The issue before City Council is as follows: The City has received several citizen complaints concerning dogs running at large, particularly on public sidewalks, causing a concern of danger to children and other pets in particular. There have also been complaints about dog owners failing to pick up after their dogs, commonly referred to as "poop scooping." As currently written, **Section 10** only addresses vicious animals at large (**Section 10.220**). The proposed amendment would add a **Section 10.240** to require that all dogs within the City limits must be kept on a leash at all times while on public property (excluding in posted off leash dog park areas and excluding working animals) and that owners pick up and properly dispose of dog poop on

public property. The Section also incorporates the Clackamas County Dog Control Ordinance by reference. Finally, Section **10.430(1)** is amended to allow for a lower graduated fine and penalty for violations of proposed **Section 10.240(1)**. Standard penalty provisions continue to apply for the remainder of **Section 10**.

EXECUTIVE SUMMARY:

In 2006, the City adopted the Clackamas County Dog Control Ordinance pursuant to Resolution No. 1977 but, unfortunately, due to funding constraints, there is insufficient County staff available to enforce the County Ordinance in Wilsonville. Therefore, **Section 10.240** now gives Wilsonville law enforcement officers the authority to cite dog-at-large violations and failure to clean-up violations of the proposed **Section 10.240** directly into Wilsonville Municipal Court. The proposed **Section 10.240** also sets forth other key provisions of the Clackamas County Dog Control Ordinance and generally incorporates the entire Ordinance by reference, thereby making all of those provisions part of the Wilsonville City Code and allowing their enforcement by our own municipal court, rather than having to refer violations to Clackamas County. To give citizens time to become aware of the City's intent to enforce the law as it pertains to off-lease dogs and "poop scooping," a reduced penalty is being proposed and the Police Chief has stated that the deputies will be instructed to start with warnings and education of the public before issuing any fines.

EXPECTED RESULTS:

The proposed Ordinance is expected to reduce the number of dogs at large within the City of Wilsonville and thereby better protect the health and safety of the community, including both people and animals.

TIMELINE:

Immediate.

CURRENT YEAR BUDGET IMPACTS:

None.

FINANCIAL REVIEW / COMMENTS:

Reviewed by: CAR Date: 3/4/14

LEGAL REVIEW / COMMENT:

Reviewed by: MEK Date: 3/3/14

The legal department provided the ordinance in concert with the Assistant City Manager and Chief of Police.

COMMUNITY INVOLVEMENT PROCESS:

None. Proposed Ordinance changes are, however, based on public complaints to City Hall.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY (businesses, neighborhoods, protected and other groups): The goal is that this Ordinance will help to make the community a cleaner and safer place for people and pets.

ALTERNATIVES:

The Council has the following options for consideration of this Ordinance:

- 1) To approve Ordinance No. 737, as written;
- 2) To not approve Ordinance No. 737, and request specific changes to the ordinance for future agenda;
- 3) To not approve Ordinance No. 737, leaving current code as written.

Option 1 is the recommended option based on citizen complaints and lack of enforcement of the County Dog Control Ordinance by Clackamas County due to funding cutbacks. It will give Wilsonville officers the ability to educate the public and to enforce the Ordinance in Wilsonville Municipal Court if education fails.

CITY MANAGER COMMENT:

ATTACHMENTS

- A. Ordinance No. 737

ORDINANCE NO. 737

AN ORDINANCE OF THE CITY OF WILSONVILLE AMENDING CHAPTER 10 OF THE WILSONVILLE CODE BY ADDING SECTION 10.240 CONTROL OF DOGS AND AMENDING SECTION 10.430 PENALTIES

WHEREAS, it is in the interest of public safety and animal welfare that a new **Section 10.240 Dog Control** be added to the Wilsonville City Code and amending **Section 10.430 Penalties**.

WHEREAS, Pursuant to Resolution No. 1977, the City granted approval to Clackamas County to administer the County's Dog Control and Licensing Ordinance within the City; and

WHEREAS, the foregoing consent remains in place but, due to funding constraints, Clackamas County does not have personnel to administer said Ordinance; and

WHEREAS, numerous citizen complaints have been made regarding safety for both people and pets due to dogs being allowed to roam off leash, at large, or unsupervised within public areas of the City; and

WHEREAS, numerous citizen complaints have also been made regarding dog owners' failure to pick up and properly dispose of their dog's fecal discharge materials within public areas of the City; and

WHEREAS, to assist Wilsonville law enforcement officers, the City believes it in the best interest of the public to enact its own specific Ordinance regarding the prohibition of off leash and at large dogs within all public areas of the City, except as set forth herein, and to require owners to clean up after their dogs.

NOW THEREFORE, THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

1. **Chapter 10 ANIMALS** is hereby amended by adding the following:

"Section 10.240 Control of Dogs.

(1) Except as expressly provided herein, it is unlawful to permit or allow a dog to be off leash or at large on or in any public street, park or other public property within the City of Wilsonville. Dogs may be allowed off leash in the following circumstances only:

(a) Within a posted off leash area, as long as under the direction and control of their owner or another person in control of the dog, so long as the dog is not known to be a dangerous or vicious dog.

(b) Working dogs, including but not limited to guide dogs and service dogs recognized as such by State law, so long as the dog is wearing a locating device and is within the near vicinity of the person in control of the dog.

(2) It is unlawful for a dog owner to fail to pick up fecal excrement deposited by the dog owner's dog on public property. For purposes of this subsection "dog owner" shall mean the person having control of the dog at the time of deposit, whether or not the actual legal owner of the dog.

(3) It is unlawful to permit a dog to be unrestrained in an open portion of a vehicle, such as the back of a pick-up truck, or to be tethered in a vehicle in a way that is dangerous to the dog or to traffic.

(4) It is unlawful to leave a dog unattended in a motor vehicle at any location under such condition as may endanger the health or well-being of the dog, including but not limited to dangerous temperature, lack of food, water or attention.

(5) Additional provisions concerning Control of Dogs, as set forth in Clackamas County Code Chapter 5.01, will continue to apply, are enforceable within the City, and are incorporated by reference herein."

2. **Section 10.430(1)** is amended to add reference to **Section 10.240(1)**, to now read as follows:

"(1) Any person who violates the provisions of *WC 10.240(1)*, *WC 10.240(2)* *WC 10.410* or *WC 10.425* shall be punished as follows:"

(Penalties for any violations of **Sections 10.240(3) through (5)** remain governed by **Section 10.530 Penalties.**)

3. The City Recorder is directed to amend Wilsonville Code **Section 10**, as approved above, and to make such format, style, and conforming changes to match the format and style of the Animal section of the Wilsonville Code.

4. Except as set forth above, **Section 10** of the Wilsonville City Code remains in full force and effect, as written.

SUBMITTED to the Wilsonville City Council and read for the first time at a meeting thereof on the 21st day of April, 2014, and scheduled for second reading on _____, commencing at the hour of 7 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the ____ day of _____, 2014, by the following votes: Yes: _____ No: _____

Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this ____ day of _____, 2014.

TIM KNAPP, MAYOR

SUMMARY OF VOTES:

- Mayor Knapp
- Council President Starr
- Councilor Goddard
- Councilor Fitzgerald
- Councilor Stevens

ORDINANCE NO. 735

AN ORDINANCE AMENDING CITY OF WILSONVILLE MISCELLANEOUS CODE PROVISIONS TO PROHIBIT SMOKING AT OR WITHIN TWENTY FEET OF A BUS STOP OR TRANSIT SHELTER.

WHEREAS, the City Council has received information regarding the benefits of prohibiting smoking on City property, facilities and buildings; and

WHEREAS, City employees have received complaints from transit riders about people smoking at bus stops;

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

1. Wilsonville Code, Miscellaneous Provisions, § 10.000, is amended by adding the following subsection:

“(10.305) Smoking At, In, or Near Public Transit Stops or Shelters.

No person shall smoke tobacco or any other substance at, in, or within 20 feet of a transit stop or shelter. To the extent this smoke free zone extends into any city street or public way, any and all occupants of any fully enclosed vehicle driving through this smoke free zone are exempted from the provisions of this section.”

2. Wilsonville Code, subsection, § 10.430, Penalties subsection is amended by adding the following subsection (4):

“(4) Any person who is convicted of violating the provisions of WC 10.305 shall be punished as a violation pursuant to Section 1.012.”

SUBMITTED to the Wilsonville City Council and read for the first time at a regular meeting thereof on the 7th day of April 2014, and scheduled for a second reading at a regular meeting of the City Council on the 21st day of April, 2014, commencing at the hour of 7 p.m. at the Wilsonville City Hall.

Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the _____ day of April 2014, by the following votes:
Yes:-- No: --

Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this _____ day of _____, 2014.

TIM KNAPP, MAYOR

SUMMARY OF VOTES:

Mayor Knapp
Council President Starr
Councilor Goddard
Councilor Fitzgerald
Councilor Stevens

Secondhand Smoke (SHS) Facts

Secondhand Smoke Fact Sheets

- [Overview](#)
- [Health Effects: Children](#)
- [Health Effects: Adults](#)
- [Estimates of Secondhand Smoke Exposure](#)

- [Disparities in Secondhand Smoke Exposure](#)
- [References](#)
- [For Further Information](#)

Overview

Secondhand smoke is a mixture of gases and fine particles that includes—

- Smoke from a burning cigarette, cigar, or pipe tip,¹
- Smoke that has been exhaled or breathed out by the person or people smoking¹
- More than 7,000 chemicals, including hundreds that are toxic and about 70 that can cause cancer²

Most exposure to secondhand smoke occurs in homes and workplaces. Secondhand smoke exposure also continues to occur in public places such as restaurants, bars, and casinos and in private vehicles.³ Eliminating smoking in indoor spaces is the only way to fully protect nonsmokers from secondhand smoke exposure. Separating smokers from nonsmokers, cleaning the air, opening windows, and ventilating buildings does not eliminate secondhand smoke exposure.³

Health Effects: Children

In children, secondhand smoke causes the following:³

- Ear infections
- More frequent and severe asthma attacks
- Respiratory symptoms (e.g., coughing, sneezing, shortness of breath)
- Respiratory infections (i.e., bronchitis, pneumonia)
- A greater risk for sudden infant death syndrome (SIDS)

In children aged 18 months or younger, secondhand smoke exposure is responsible for—⁴

- An estimated 150,000–300,000 new cases of bronchitis and pneumonia annually
- Approximately 7,500–15,000 hospitalizations annually in the United States

Health Effects: Adults

In adults who have never smoked, secondhand smoke can cause heart disease and/or lung cancer.³

Heart Disease

- For nonsmokers, breathing secondhand smoke has immediate harmful effects on the cardiovascular system that can increase the risk for heart attack. People who already have heart disease are at especially high risk.^{3,5}
- Nonsmokers who are exposed to secondhand smoke at home or work increase their heart disease risk by 25–30%.³
- Secondhand smoke exposure causes an estimated 46,000 heart disease deaths annually among adult nonsmokers in the United States.⁶

Lung Cancer

- Nonsmokers who are exposed to secondhand smoke at home or work increase their lung cancer risk by 20–30%.³
- Secondhand smoke exposure causes an estimated 3,400 lung cancer deaths annually among adult nonsmokers in the United States.⁶

There is no risk-free level of contact with secondhand smoke; even brief exposure can be harmful to health.³

Estimates of Secondhand Smoke Exposure

When a nonsmoker breathes in secondhand smoke, the body begins to metabolize or break down the nicotine that was in the smoke. During this process, a nicotine byproduct called cotinine is created. Exposure to nicotine and secondhand smoke can be measured by testing saliva, urine, or blood for the presence of cotinine.³

Secondhand Smoke Exposure Has Decreased in Recent Years

- Measurements of cotinine have shown how exposure to secondhand smoke has steadily decreased in the United States over time.^{3,7}
 - During 1988–1991, approximately 87.9% of nonsmokers had measurable levels of cotinine.
 - During 1999–2000, approximately 52.5% of nonsmokers had measurable levels of cotinine.
 - During 2007–2008, approximately 40.1% of nonsmokers had measurable levels of cotinine.
- The decrease in exposure to secondhand smoke over the last 20 years is due to the growing number of laws that ban smoking in workplaces and public places, the increase in the number of households with smoke-free home rules, and the decreases in adult and youth smoking rates.^{8,9}

Many in the United States continue to be exposed to secondhand smoke⁷

- An estimated 88 million nonsmokers in the United States were exposed to secondhand smoke in 2007–2008.
- Children are at particular risk for exposure to secondhand smoke: 53.6% of young children (aged 3–11 years) were exposed to secondhand smoke in 2007–2008.
- While only 5.4% of adult nonsmokers in the United States lived with someone who smoked inside their home, 18.2% of children (aged 3–11 years) lived with someone who smoked inside their home in 2007–2008.

Disparities in Secondhand Smoke Exposure

Racial and Ethnic Groups

- Although declines in cotinine levels have occurred in all racial and ethnic groups, cotinine levels have consistently been found to be higher in non-Hispanic black Americans than in non-Hispanic white Americans and Mexican Americans.^{7,8,9} In 2007–2008:
 - 55.9% of non-Hispanic blacks were exposed to secondhand smoke.
 - 40.1% of non-Hispanic whites were exposed to secondhand smoke.
 - 28.5% of Mexican Americans were exposed to secondhand smoke.

Low Income

- Secondhand smoke exposure tends to be high for persons with low incomes: 60.5% of persons living below the poverty level in the United States were exposed to secondhand smoke in 2007–2008.⁷

Occupational Disparities

- Occupational disparities in secondhand smoke exposure decreased over the past two decades, but substantial differences in exposure among workers remain. African-American male workers, construction workers, and blue collar workers and service workers are among some of the groups who continue to experience particularly high levels of secondhand smoke exposure relative to other workers.¹⁰

Eliminating smoking in indoor spaces is the only way to fully protect nonsmokers from secondhand smoke exposure. Separating smokers from nonsmokers, cleaning the air, opening windows, and ventilating buildings does not eliminate secondhand smoke exposure.³

References

1. National Toxicology Program. **Report on Carcinogens, Twelfth Edition** . [PDF–7.74 MB] Research Triangle Park (NC): U.S. Department of Health and Human Sciences, National Institute of Environmental Health Sciences, National Toxicology Program, 2011 [accessed 2013 June 10].
2. U.S. Department of Health and Human Services. **A Report of the Surgeon General: How Tobacco Smoke Causes Disease: What It Means to You**. Atlanta: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2010 [accessed 2013 June 10].
3. U.S. Department of Health and Human Services. **The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General**. Atlanta: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, Coordinating Center for Health Promotion, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2006 [accessed 2013 June 10].

4. United States Environmental Protection Agency. **Respiratory Health Effects of Passive Smoking: Lung Cancer and Other Disorders**. [PDF-3.90 MB]. Washington: U.S. Environmental Protection Agency, Office of Research and Development, Office of Health and Environmental Assessment, 1992 [accessed 2013 June 10].
5. Institute of Medicine. **Secondhand Smoke Exposure and Cardiovascular Effects: Making Sense of the Evidence**. [PDF-707.47 KB]. Washington: National Academy of Sciences, Institute of Medicine, 2009 [accessed 2013 June 10].
6. Centers for Disease Control and Prevention. **Smoking-Attributable Mortality, Years of Potential Life Lost, and Productivity Losses—United States, 2000–2004**. Morbidity and Mortality Weekly Report 2008;57(45):1226–8 [accessed 2013 June 10].
7. Centers for Disease Control and Prevention. **Vital Signs: Nonsmokers' Exposure to Secondhand Smoke—United States, 1999–2008**. Morbidity and Mortality Weekly Report 2010;59(35):1141–6 [accessed 2013 June 10].
8. Pirkle JL, Bernert JT, Caudill SP, Sosnoff CS, Pechacek TF. **Trends in the Exposure of Nonsmokers in the U.S. Population to Secondhand Smoke: 1988–2002**. Environmental Health Perspectives 2006;114(6):853–8 [accessed 2013 June 10].
9. Centers for Disease Control and Prevention. **Fourth National Report on Human Exposure to Environmental Chemicals**. [PDF-6.36 MB] Atlanta: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Environmental Health, 2009 [accessed 2013 June 10].
10. Arheart KL, Lee DJ, Dietz NA, Wilkinson JD, Clark III JD, LeBlanc WG, Serdar B, Fleming LE. **Declining Trends in Serum Cotinine Levels in U.S. Worker Groups: The Power of Policy**. Journal of Occupational and Environmental Medicine 2008;50(1):57–63 [cited 2013 June 10].

For Further Information

Centers for Disease Control and Prevention
National Center for Chronic Disease Prevention and Health Promotion
Office on Smoking and Health
E-mail: tobaccoinfo@cdc.gov
Phone: 1-800-CDC-INFO

Media Inquiries: Contact CDC's Office on Smoking and Health press line at 770-488-5493.

ORDINANCE NO. 738

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A COMPREHENSIVE PLAN MAP AMENDMENT FROM RESIDENTIAL 0 – 1 DU/AC TO RESIDENTIAL 4 – 5 DU/AC ON 1.79 ACRES COMPRISING TAX LOT 5000 OF SECTION 13BA, T3S, R1W, CLACKAMAS COUNTY, OREGON; RENAISSANCE AT CANYON CREEK II; RENAISSANCE DEVELOPMENT, APPLICANT.

RECITALS

WHEREAS, Renaissance Development Corp. (“Applicant”), acting in behalf of James Dillon and Debra Gruber (“Owners”) of the real property legally shown and described on **Exhibit A**, Attachments 1 and 2, attached hereto and incorporated by reference herein (“Property”), has made a development application requesting, among other things, a Comprehensive Plan Map Amendment of the Property; and

WHEREAS, the City of Wilsonville Planning Staff analyzed the request and prepared a staff report, finding that the application met the requirements for a Comprehensive Plan Map Amendment and recommending approval of the Comprehensive Plan Map Amendment, attached hereto as **Exhibit B**, and incorporated by reference herein, which staff report was presented to the Development Review Board (DRB) on March 10, 2014; and

WHEREAS, the DRB Panel A held a public hearing on the application for a Comprehensive Plan Map Amendment (DB13-0050) and other related development applications (DB13-0051, DB13-0052, DB13-0053, DB13-0054, DB13-0055, DB13-0056 and DB13-0057) on March 10, 2014, and after taking public testimony, receiving exhibits, and giving full consideration to the matter, adopted Resolution No. 271, attached hereto as **Exhibit C**, and incorporated by reference herein; and

WHEREAS, Resolution No. 271 recommends that the City Council approve the Applicant’s request for a Comprehensive Plan Map Amendment (Case File DB13-0050), approve all other related applications within DRB jurisdiction, and adopt the staff report with its modified findings, recommendations, and conditions, all as placed on the record, contingent upon City Council approval of the Comprehensive Plan Map Amendment, Resolution No. 271 authorizes the Planning Director to issue approvals to the Applicant consistent with the amended staff report, as adopted by DRB Panel A; and,

WHEREAS, on April 7, 2014, the Wilsonville City Council held a public hearing regarding the above described matter, wherein the City Council considered the full public record made before the Development Review Board, including the staff report, which record was incorporated into the City Council public hearing record, took public testimony, and, upon deliberation, concluded that the proposed Comprehensive Plan Map Amendment meets the applicable approval criteria under the City of Wilsonville Development Code, as summarized in the staff report.

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

Section 1. Findings. The City Council adopts, as findings and conclusions, the forgoing recitals and the staff report, as contained in the record of the above-described DRB hearing, and incorporates them by reference herein as if fully set forth.

Section 2. Order. The City of Wilsonville Comprehensive Plan Map is hereby amended by Comprehensive Plan Map Order DB13-0050, attached hereto as **Exhibit A**, from Residential 0 – 1 dwelling units per acre (du/ac) to Residential 4 – 5 dwelling units per acre (du/ac).

SUBMITTED to the Wilsonville City Council and read for the first time at a regular meeting thereof on the 7th day of April, 2014, commencing at the hour of 7 p.m., at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon, and scheduled for the second and final reading at the same hour and place on April 21, 2014.

Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the ____ day of _____, 2014, by the following votes: Yes: _____ No: _____

Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this ____ day of _____, 2014.

TIM KNAPP, MAYOR

SUMMARY OF VOTES:

Mayor Knapp
Councilor Starr
Councilor Goddard
Councilor Fitzgerald
Councilor Stevens

Attachments:

Exhibit A: Comprehensive Plan Order DB13-0050
Attachment 1 - Map Depicting Plan Amendment
Attachment 2 - Legal Description
Exhibit B: DRB Staff Report DB13-0050 et seq
Exhibit C: DRB Resolution No. 271

**BEFORE THE CITY COUNCIL OF THE
CITY OF WILSONVILLE, OREGON
Renaissance at Canyon Creek II**

In the Matter of an Application of)
SRA Design Group, LLC, Agent for)
Renaissance Development Corp., Applicant,)
Acting in behalf of Owners James Dillon)
and Debra Gruber, for a Comprehensive)
Plan Map Amendment as incorporated in)
the City of Wilsonville Comprehensive Plan)

**COMPREHENSIVE PLAN ORDER
NO. DB13-0050**

The above-entitled matter is before the Council to consider the application of DB13-0050, for a Comprehensive Plan Map Amendment and Order, amending the Comprehensive Plan Map as incorporated in the Comprehensive Plan.

The Council finds that the subject property ("Property"), legally described and shown on Attachments 1 and 2, has heretofore appeared on the City of Wilsonville Comprehensive Plan Map as Residential 0 – 1 dwelling units per acre.

The Council having heard and considered all matters relevant to the application for a Comprehensive Plan Map Amendment, including the Development Review Board record and recommendation, finds that the application should be approved.

THEREFORE IT IS HEREBY ORDERED that the Property, consisting of 1.79 acres of Tax Lot 5000 of Section 13BA, T3S, R1W, as more particularly shown in the Comprehensive Plan Map Amendment, Attachment 1 and described in Attachment 2 is hereby amended to Residential 4 – 5 du/ac. The foregoing re-designation is hereby declared an amendment to the Wilsonville Comprehensive Plan Map and shall appear as such from and after entry of this Order.

Dated this _____ day of _____, 2014.

TIM KNAPP, MAYOR

APPROVED AS TO FORM:

Michael E. Kohlhoff, City Attorney

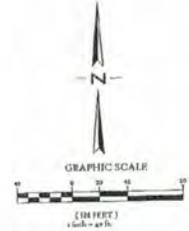
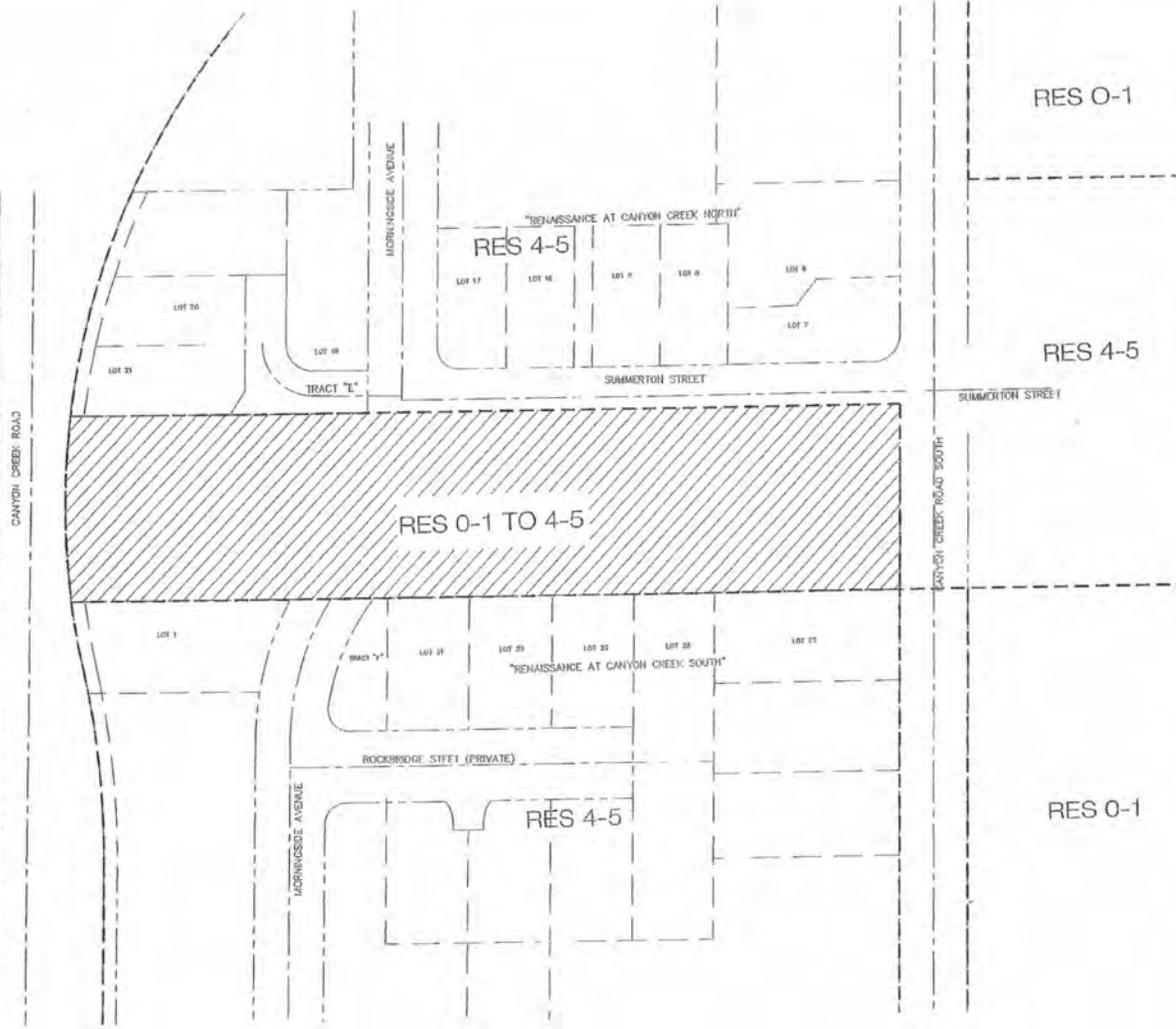
ATTEST:

Sandra C. King, MMC, City Recorder

Attachment 1: Map depicting Comprehensive Plan Map Amendment

Attachment 2: Legal Description

INDUSTRIAL



LEGEND
 PROPOSED COMP PLAN
 RES 0-1 TO 4-5



COMP PLAN MAP
CANYON CREEK II
 38325 SW OLD CANYON CREEK ROAD
 CLACKAMAS COUNTY, OREGON

DESIGNED BY: _____	DATE: _____	BY: _____
DRAWN BY: _____	DATE: _____	REVISION: _____
REVIEWED BY: _____	DATE: _____	DATE: _____
PROJECT NO. _____	SCALE: _____	DATE: _____
SHEET: 2A	OF: 6	
PROJECT: CANYON CREEK II	NO.: 10-09	
TYPE: PLANNED		



SFA Design Group, LLC

STRUCTURAL | CIVIL | LAND USE PLANNING | SURVEYING

9020 SW Washington Square Dr. • Suite 505 • Portland, Oregon 97223
P: 503-641-8311 • F: 503-643-7905 • www.sfadg.com

**COMPREHENSIVE PLAN & ZONE MAP AMENDMENTS
CANYON CREEK II (DB13-0050 & DB13-0051)
Tax Lot 5000 Description (3 1W 13BA)
Bridle Trail Ranchetts**

SFA Job No. 106-016

March 12, 2014

A portion of Lot 15 of "Bridle Trail Ranchetts" located in the Northwest one-quarter of Section 13, Township 3 South, Range 1 West of the Willamette Meridian, City of Wilsonville, Clackamas County, Oregon being more particularly described as follows:

Beginning at the Southeast corner of the plat "Renaissance at Canyon Creek North", said corner located on the West right-of-way line of Canyon Creek Road; thence South $01^{\circ}45'05''$ West along said right-of-way line 130.19 feet to the North line of "Renaissance at Canyon Creek South"; thence leaving said right-of-way line North $88^{\circ}54'40''$ West along the North line of said plat 606.07 feet to the most northerly Northwest corner of Tract "A" of said plat; thence leaving said North plat line, 130.44 feet tracing a non-tangent 527.00 foot radius curve concave easterly, through a central angle of $14^{\circ}10'54''$, said curve having a chord bearing North $00^{\circ}48'19''$ East, 130.11 feet to the most southerly Southwest corner of Tract "F" of the plat "Renaissance at Canyon Creek North"; thence South $88^{\circ}55'04''$ East along the South line of "Renaissance at Canyon Creek North" 608.22 feet to said Northeast corner thereof and the Point of Beginning.

Containing approximately 79,365 square feet more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

A handwritten signature in cursive script that reads "Michael H. Harris".

OREGON
JULY 11, 2000
MICHAEL H. HARRIS
57863

VALID UNTIL 6-30-15



RIGHT-OF-WAY DEDICATION
PER WARRANTY DEED RECORDED
APRIL 20, 2005 (FEE NO. 2005-035448)

RIGHT-OF-WAY
DEDICATION DETAIL

RIGHT-OF-WAY DEDICATION
PER WARRANTY DEED RECORDED
APRIL 20, 2005 (FEE NO. 2005-035448)

S88°55'05"E 3.05'

CANYON CREEK ROAD

130.11'
N01°44'30"E

TRACT F

"RENAISSANCE AT CANYON
CREEK NORTH"
21

SE CORNER OF RIGHT-OF-WAY
DEDICATION PER "RENAISSANCE
AT CANYON CREEK NORTH"

L=130.44'
R=527.00'
D=14°10'54"
C=S00°48'19"W
130.11'

NE CORNER OF RIGHT-OF-WAY
DEDICATION PER "RENAISSANCE
AT CANYON CREEK SOUTH"

N88°54'40"W 5.13'

"RENAISSANCE AT CANYON
CREEK SOUTH"
1

"RENAISSANCE AT CANYON CREEK NORTH"

6

20

18

17

16

9

8

7

21

TRACT "E"

MORNINGSIDE
AVENUE

608.22'
S88°55'04"E

SUMMERTON STREET

CANYON CREEK ROAD

SEE RIGHT-OF-WAY
DEDICATION DETAIL ABOVE

"BRIDLE TRAIL RANCHETTS"

PORTION OF LOT 15
RES 0-1 TO 4-5

POINT OF BEGINNING
SE CORNER OF "RENAISSANCE
AT CANYON CREEK NORTH"

S01°45'05"W 130.19'

CANYON CREEK ROAD SOUTH

1

TRACT "F"

N88°54'40"W
606.07'

31

30

29

28

27

"RENAISSANCE AT CANYON CREEK SOUTH"

ROCKBRIDGE STEET (PRIVATE)

COMPREHENSIVE PLAN MAP AMENDMENT

TAX LOT 5000 - 3 1W 13BA

LOT 15 OF "BRIDLE TRAIL RANCHETTS"
CANYON CREEK II 0813-0050

SCALE:
NTS

DATE:
03/20/2014

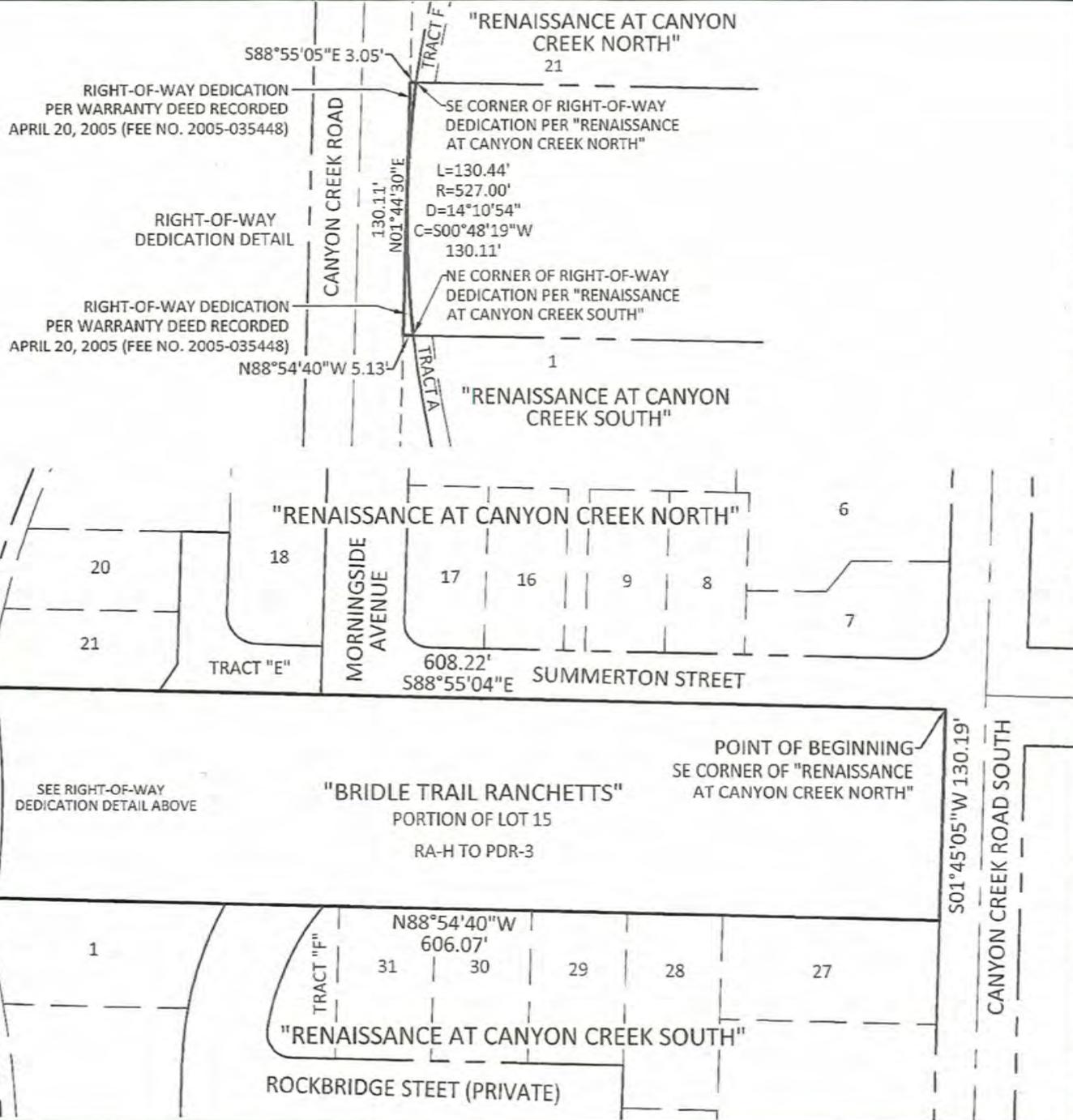
SFA JOB NO.:
106-016

SFA Design Group, LLC

STRUCTURAL | CIVIL | LAND USE PLANNING | SURVEYING
9020 SW Washington Square Dr. • Suite 505 • Portland, Oregon 97223

Phone 503.641.8311 Fax 503.643.7905





SFA JOB NO: 106-016	DATE	03/20/2014	SCALE	NTS
	ZONE MAP AMENDMENT			
TAX LOT 5000 - 3 1W 13BA LOT 15 OF 'BRIDLE TRAIL RANCHETTS' CANYON CREEK II 0813-0051				
SFA Design Group, LLC STRUCTURAL CIVIL LAND USE PLANNING SURVEYING 9020 SW Washington Square Dr. • Suite 505 • Portland, Oregon 97223 Phone 503.641.8311 Fax 503.643.7905				





First American

First American Title Company of Oregon
121 SW Morrison St, Fl 3
Portland, OR 97204
Phn - (503)222-3651 (800)929-3651
Fax - (877)242-3513

Order No.: 7000-1983686
November 27, 2012

FOR QUESTIONS REGARDING YOUR CLOSING, PLEASE CONTACT:

GLORIA MILLER, Escrow Officer/Closer
Phone: (503)350-5005 - Fax: (866)656-1602- Email: gmiller@firslam.com
First American Title Company of Oregon
5335 SW Meadows Rd #100, Lake Oswego, OR 97035

FOR ALL QUESTIONS REGARDING THIS PRELIMINARY REPORT, PLEASE CONTACT:

James J. Welch, Title Officer
Toll Free: (800)929-3651 - Direct: (503)795-7669 - Fax: (877)242-2911 - Email: jwelch@firslam.com

2nd Supplemental Preliminary Title Report

County Tax Roll Situs Address: 28325 SW Canyon Creek Road S, Wilsonville, OR 97070

Proposed Insured Lender: TBD

2006 ALTA Owners Standard Coverage	Liability \$	550,000.00	Premium \$	1,425.00
2006 ALTA Owners Extended Coverage	Liability \$		Premium \$	
2006 ALTA Lenders Standard Coverage	Liability \$		Premium \$	
2006 ALTA Lenders Extended Coverage	Liability \$		Premium \$	
Endorsement			Premium \$	
Govt Service Charge			Cost \$	25.00
City Lien/Service District Search			Cost \$	
Other			Cost \$	

We are prepared to issue Title Insurance Policy or Policies in the form and amount shown above, insuring title to the following described land:

THE NORTH 130 FEET OF LOT 15, BRIDLE TRAIL RANCHETTES, IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF WILSONVILLE BY THAT CERTAIN WARRANTY DEED RECORDED APRIL 20, 2005 AS FEE NO. 2005035448.

and as of October 22, 2012 at 8:00 a.m., title to the fee simple estate is vested in:

James W. Dillon and Debra Ann Gruber, as tenants in common

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and the following:

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

The exceptions to coverage 1-5 inclusive as set forth above will remain on any subsequently issued Standard Coverage Title Insurance Policy.

In order to remove these exceptions to coverage in the issuance of an Extended Coverage Policy the following items are required to be furnished to the Company; additional exceptions to coverage may be added upon review of such information:

- A. Survey or alternative acceptable to the company
 - B. Affidavit regarding possession
 - C. Proof that there is no new construction or remodeling of any improvement located on the premises. In the event of new construction or remodeling the following is required:
 - i. Satisfactory evidence that no construction liens will be filed; or
 - ii. Adequate security to protect against actual or potential construction liens;
 - iii. Payment of additional premiums as required by the Industry Rate Filing approved by the Insurance Division of the State of Oregon
6. Taxes for the year 2012-2013
- | | | |
|--------------------|----|---|
| Tax Amount | \$ | 4,186.67 |
| Unpaid Balance: | \$ | 4,186.67, plus interest and penalties, if any |
| Code No.: | | 003-027 |
| Map & Tax Lot No.: | | 31W13BA05000 |
| Property ID No.: | | 00806827 |
7. City liens, if any, of the City of Wilsonville.

Note: There are no liens as of October 29, 2012. All outstanding utility and user fees are not liens and therefore are excluded from coverage.

8. Easement, including terms and provisions contained therein:
Recording Information: April 20, 2005 as Fee No. 2005 035449
In Favor of: City of Wilsonville, a municipal corporation
For: Public utility

- END OF EXCEPTIONS -

NOTE: We find no matters of public record against Stone Bridge Homes NW, LLC that will take priority over any trust deed, mortgage or other security instrument given to purchase the subject real property as established by ORS 18.165.

NOTE: According to the public record, the following deed(s) affecting the property herein described have been recorded within 24 months of the effective date of this report: NONE

**THANK YOU FOR CHOOSING FIRST AMERICAN TITLE!
WE KNOW YOU HAVE A CHOICE!**

RECORDING INFORMATION	
Filing Address:	Clackamas County 2051 Kaen Road Oregon City, OR 97045
Recording Fees:	\$ 5.00 E-Recording per document \$ 5.00 per page \$ 5.00 per page (GIS Fee) \$ 10.00 per document (Public Land Corner Preservation Fund) \$ 11.00 per document (OLIS Assessment & Taxation Fee) \$ 17.00 per document (Oregon Housing Alliance Fee) \$ 5.00 for each additional document title \$ 20.00 non-standard fee



First American Title Insurance Company

SCHEDULE OF EXCLUSIONS FROM COVERAGE

ALTA LOAN POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

ALTA OWNER'S POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risks 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

SCHEDULE OF STANDARD EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

NOTE: A SPECIMEN COPY OF THE POLICY FORM (OR FORMS) WILL BE FURNISHED UPON REQUEST

TI 149 Rev. 7-22-08



**First American
Title Company of Oregon**

Property Information Department
121 SW Morrison Street Suite 300 - Portland, OR 97204
Phone: 503.219.TRIO (8746) Fax: 503.790.7872
Email: pld.portland@firstam.com
Today's Date : 12/28/2012

OWNERSHIP INFORMATION

Owner	: Dillon James W	Ref Parcel Number	: 31W13BA05000
Co Owner	:	Parcel Number	: 00806827
Site Address	: 28325 SW Canyon Creek Rd Wilsonville 97070	T: 03S R: 01W S: 13 Q: NW QQ: NE	
Mail Address	: 4620 E Russell Rd Colbert Wa 99005	County	: Clackamas (OR)
Taxpayer	: Dillon James W	Telephone	:

PROPERTY DESCRIPTION

Map Page & Grid : 715 F6
Census Tract : 244.00 Block: 3
Improvement Type : 131 Sgl Family,R1-3,1-Story
Subdivision/Plat : Bridle Trail Ranchetts
Neighborhood : City of Wilsonville
Land Use : 101 Res,Residential Land,Improved
Legal : 1147 BRIDLE TRAIL RANCHETTS PT LT
: 15
:

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$178,920
Mkt Structure : \$100,020
Mkt Total : \$278,940
% Improved : 36
11-12 Taxes : \$4,039.07
Exempt Amount :
Exempt Type :
Levy Code : 003027
Millage Rate : 18.7129
M50AssdValue : \$215,844

PROPERTY CHARACTERISTICS

Bedrooms	: 3	Building SF	: 1,012	BldgTotSqFt	: 1,012
Bathrooms	: 1.50	1st Floor SF	: 1,012	Lot Acres	: 1.82
Full Baths	: 1	Upper Finished SF	:	Lot SqFt	: 79,284
Half Baths	: 1	Finished SF	: 1,012	Garage SF	: 484
Fireplace	: Single Fireplce	Above Ground SF	: 1,012	Year Built	: 1967
Heat Type	: Forced Air-Gas	Upper Total SF	:	School Dist	: 003
Floor Cover	: Carpet	UnFinUpperStorySF	:	Foundation	: Concrete
Stories	: 1	Basement Fin SF	:	Roof Type	: Wood Shake Med
Int Finish	: Drywall	Basement Unfin SF	:	Roof Shape	: Gable
Ext Finsh	: Aluminum	Basement Total SF	:		

TRANSFER INFORMATION

Owner Name(s)	Sale Date	Doc#	Sale Price	Deed Type	Loan Amount	Loan Type
:Dillon James W	:09/05/2008	008-062101	:	:Bargain &	:	:
:Dillon Virginia Trustee	:09/01/1998	0098-92591	:	:Grant De	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.



Clackamas County
 Department of Assessment and Taxation
 150 Beaver Creek Rd
 Oregon City, Oregon 97045
 503-655-8671

Property Account Summary

Parcel Number	00806827	Situs Address	28325 SW CANYON CREEK RD S , WILSONVILLE, OR 97070
---------------	----------	---------------	--

General Information	
Alternate Property #	31W13BA05000
Property Description	1147 BRIDLE TRAIL RANCHETTS PT LT 15
Property Category	Land &/or Buildings
Status	Active, Locally Assessed
Tax Code Area	003-027
Remarks	

Tax Rate	
Description	Rate
Taxable Fire District Value	1.9145
Taxable Value	16.9173

Property Characteristics	
Neighborhood	15751: City of Wilsonville 100, 101
Land Class Category	101: Residential land improved
Building Class Category	13: Single family res, class 3
Year Built	1967
Change property ratio	1XX

Related Properties	
No Values Found	

Parties			
Role	Percent	Name	Address
Taxpayer	100	DILLON JAMES W	4620 E RUSSELL RD, COLBERT, WA 99005
Owner	100	DILLON JAMES W	4620 E RUSSELL RD, COLBERT, WA 99005
Owner	100	GRUBER DEBRA ANN	NO MAILING ADDRESS, AVAILABLE,

Property Values					
Description	2012	2011	2010	2009	2008
AVR Total	222,319	215,844	209,557	203,453	197,527
Exempt					15,914
TVR Total	222,319	215,844	209,557	203,453	181,613
Real Mkt Land	181,305	178,920	192,038	215,894	237,364
Real Mkt Bldg	100,590	100,020	108,940	122,850	136,840
Real Mkt Total	281,895	278,940	300,978	338,744	374,204
M5 Mkt Land	181,305	178,920	192,038	215,894	237,364
M5 Mkt Bldg	100,590	100,020	108,940	122,850	136,840
M5 SAV	0	0	0	0	0
SAVL (MAV Use Portion)					
MAV (Market Portion)	222,319	215,844	209,557	203,453	197,527
Mkt Exception	0	0	0	0	0

AV Exception	o	o	o	o	o
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Active Exemptions

No Exemptions Found

Events

Effective Date	Entry Date-Time	Type	Remarks
09/05/2008	2008-09-10 15:20:00.000	Recording Processed	Property Transfer Filing No.: 181139, Bargain & Sale, Recording No.: 2008-062101 09/05/2008 by LAURIEB
09/05/2008	2008-09-10 15:20:00.000	Taxpayer Changed	Property Transfer Filing No.: 181139 09/05/2008 by LAURIEB
05/09/2005	2005-05-09 09:35:00.000	Seg/Merge Initiated	SM050528 EFFECTIVE 2005-06: PT TO ROAD BY 2005-035448; AFTER 01/01/2005 by LAURIEB
05/09/2005	2005-05-09 09:35:00.000	Seg/Merge Completed	Parent in Seg/Merge SM050528, Effective: 01/02/2004 by LAURIEB
03/17/2003	2003-03-17 12:44:00.000	The situs address has changed	by LINDAPET
07/01/1999	1999-07-01 12:00:00.000	Ownership at Conversion	Bargain and Sale: 98-92591, 9/1/98, \$ 0

Taxes

Tax Year	Category	TCA/District	Charged	Minimum	Balance Due	Due Date
1993	Property Tax Principal	003-027	2,213.80	0.00	0.00	11/15/1993
1994	Property Tax Principal	003-027	2,200.89	0.00	0.00	11/15/1994
1995	Property Tax Principal	003-027	2,179.51	0.00	0.00	11/15/1995
1996	Property Tax Principal	003-027	2,274.62	0.00	0.00	11/15/1996
1997	Property Tax Principal	003-027	2,122.99	0.00	0.00	11/15/1997
1998	Property Tax Principal	003-027	2,388.84	0.00	0.00	11/15/1998
1999	Property Tax Principal	003-027	2,277.25	0.00	0.00	11/15/1999
2000	Property Tax Principal	003-027	2,491.89	0.00	0.00	11/15/2000
2001	Property Tax Principal	003-027	2,639.47	0.00	0.00	11/15/2001
2002	Property Tax Principal	003-027	2,908.02	0.00	0.00	11/15/2002
2003	Property Tax Principal	003-027	2,876.95	0.00	0.00	11/15/2003
2004	Property Tax Principal	003-027	2,952.74	0.00	0.00	11/15/2004
2005	Property Tax Principal	003-027	3,044.44	0.00	0.00	11/15/2005
2006	Property Tax Principal	003-027	3,055.91	0.00	0.00	11/15/2006
2007	Property Tax Principal	003-027	3,216.36	0.00	0.00	11/15/2007
2008	Property Tax Principal	003-027	3,269.75	0.00	0.00	11/15/2008
2009	Property Tax Principal	003-027	3,801.23	0.00	0.00	11/15/2009
2010	Property Tax Principal	003-027	3,933.90	0.00	0.00	11/15/2010
2011	Property Tax Principal	003-027	4,039.07	0.00	0.00	11/15/2011
2012	Property Tax Principal	003-027	4,186.67	0.00	0.00	11/15/2012
TOTAL Due as of 2012/12/28					0.00	

Receipts

Date	Receipt	Amount Applied	Amount Due	Tendered	Change
2012/11/05	3296371	4,186.67	4,186.67	4,061.07	0.00
2011/11/02	3090779	4,039.07	4,039.07	3,917.90	0.00
2010/11/09	2935777	3,933.90	3,933.90	3,815.88	0.00
2009/10/29	2684669	3,801.23	3,801.23	3,687.19	0.00
2008/11/14	2575483	3,269.75	3,269.75	3,171.66	0.00
2007/10/29	2289305	3,216.36	3,216.36	3,119.87	0.00
2006/11/17	2200792	3,055.91	3,055.91	2,964.23	0.00
2005/11/21	2028503	3,044.44	3,044.44	2,953.11	0.00
2004/11/15	1802965	2,952.74	2,952.74	2,864.16	0.00
2003/11/12	1587072	2,876.95	2,876.95	2,790.64	0.00
2002/11/14	1413527	2,908.02	2,908.02	2,820.78	0.00
2001/11/06	1190608	2,639.47	2,639.47	2,560.29	0.00

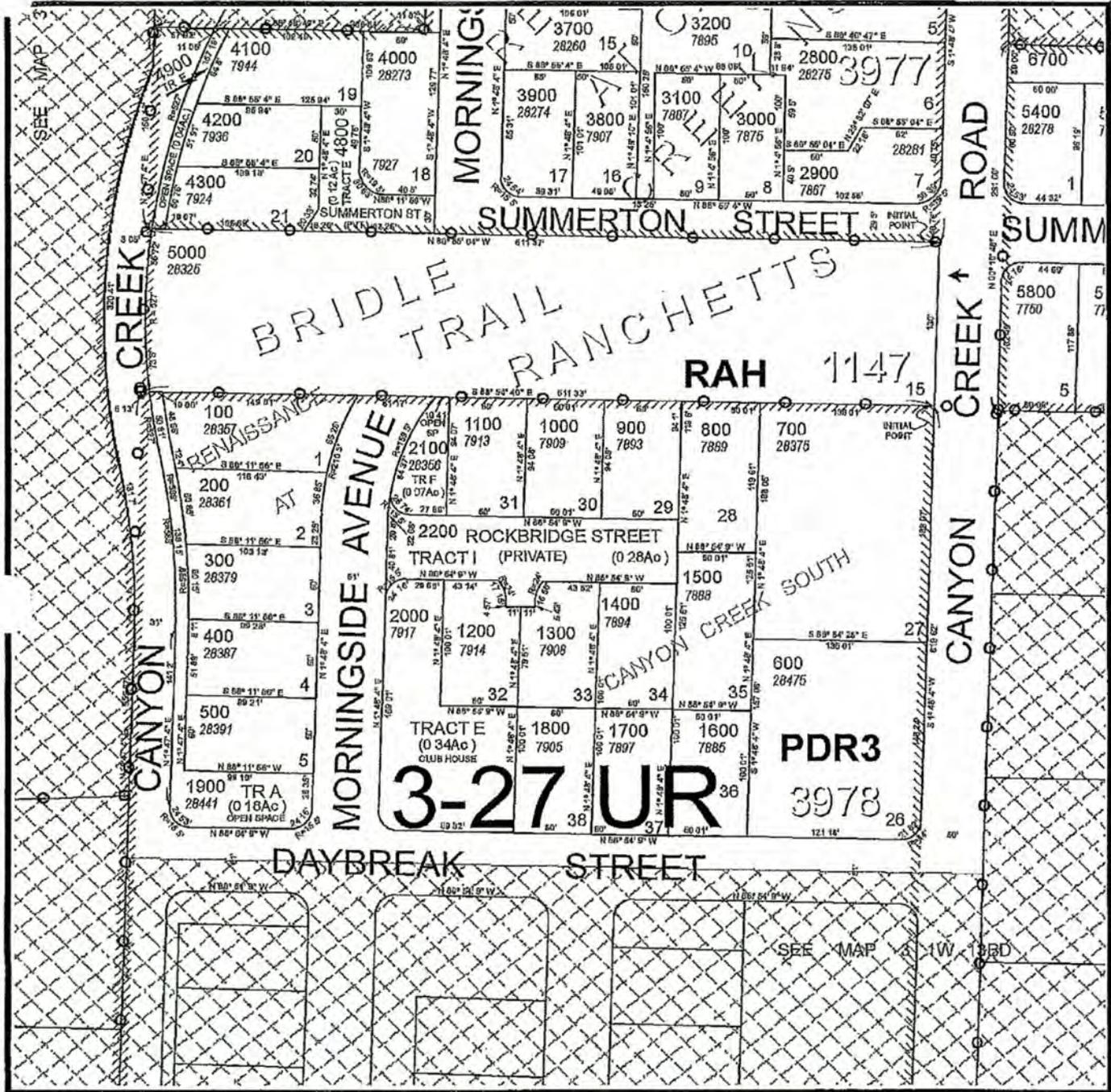
2000/11/09	1033821	2,491.89	2,491.89	2,417.13	0.00
1999/11/16	879112	2,277.25	2,277.25	2,208.93	0.00
1998/11/15	517528	2,388.84	2,388.84	2,317.17	0.00
1997/11/15	517527	2,122.99	2,122.99	2,059.30	0.00
1996/11/15	517526	2,274.62	2,274.62	2,206.38	0.00
1995/11/15	517525	2,179.51	2,179.51	2,114.12	0.00
1994/11/15	517524	2,200.89	2,200.89	2,134.86	0.00
1993/11/15	517523	2,213.80	2,213.80	2,147.39	0.00

Sales History					
Transfer Date	Recording Number	Sale Amount	Deed Type	Grantee	Grantor
08/22/2008	2008-062101	0	S	DILLON JAMES W	DILLON VIRGINIA TRUSTEE
09/01/1998	1998-092591	0			

Property Details							
Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths
1,012	0 X 0	1967	38	1.0	3	1	1

Developed by ASIX, Incorporated.
 @2005 All rights reserved.
 Version 1.0.3357.16890

Reference Parcel #: 31W13BA05000



First American
Title Company of Oregon

Property Information Department
121 SW Morrison Street Suite 300 Portland, OR 97204
Phone: 503.219.TRIO (8746) Fax: 503.790.7872
Email: pld.portland@firstam.com

THIS MAP IS PROVIDED AS A CONVENIENCE IN LOCATING PROPERTY. FIRST AMERICAN TITLE COMPANY OF OREGON ASSUMES NO LIABILITY FOR ANY VARIATIONS AS MAY BE DISCLOSED BY AN ACTUAL SURVEY

2008

After recording, return to:
Michael D. Williams
1515 S.W. 5th, Ste. 844
Portland, OR 97201

Clackamas County Official Records
Sherry Hall, County Clerk

2008-062101



\$36.00

01245429200800621010020029

09/05/2008 11:43:16 AM

D-D Cnt=1 Stn=9 JANISKEL
\$10.00 \$10.00 \$16.00

All tax statements to:
James W. Dillon
3175 NE Fremont
Portland, Or 97220-5273

Tax ID , Assessor Nos:

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS that **JAMES W. DILLON, SUCCESSOR TRUSTEE OF THE VIRGINIA A. DILLON TRUST UNDER AGREEMENT DATED AUGUST 24, 1998**, Grantor, for the consideration hereinafter stated, do hereby grant, bargain, sell and convey to **JAMES W. DILLON and DEBRA ANN GRUBER**, as tenants in common, Grantee, and to Grantees' heirs, successors, and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in Clackamas County, Oregon, legally described as:

The North 130 feet of Lot 15, BRIDLE TRAIL RANCHETTES

Subject to liens, encumbrances, easements and restrictions of record.

To have and to hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

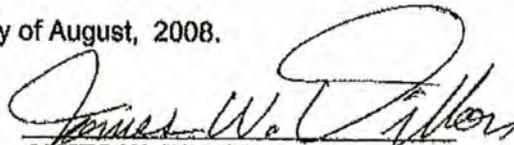
The true consideration for this conveyance is \$-0-. (Transfer of Inheritance)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR

1- BARGAIN AND SALE DEED

FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

DATED this 22 day of August, 2008.


JAMES W. DILLON

STATE OF OREGON)
) ss.
County of Multnomah)

This instrument was acknowledged before me on August 22nd, 2008, by
JAMES W. DILLON , TRUSTEE..




Notary Public for Oregon
My commission expires: Dec 18th, 2011

2- BARGAIN AND SALE DEED

②

CITY COUNCIL STAFF REPORT

**WILSONVILLE PLANNING DIVISION
QUASI - JUDICIAL PUBLIC HEARING
*Renaissance at Canyon Creek II***

Public Hearing Date: April 7, 2014
Application Number: DB13-0050 (Comp. Plan Map Amendment)
Property Owner: James Dillon and Debra Gruber
Applicant: Renaissance Development Corp.

REQUEST: SFA Design Group, LLC, acting as agent for Renaissance Development Corp., Applicant, proposes the development of eight (8) residential lots in one phase, along with associated site improvements, for the property located east of SW Canyon Creek Road (arterial), south of SW Summerton Street, and west of SW Canyon Creek Road South.

The Applicant is proposing to change 1.79 acres in Residential 0 – 1 dwelling units per acre to a Comprehensive Plan Map designation of Residential 4 – 5 dwelling units per acre.

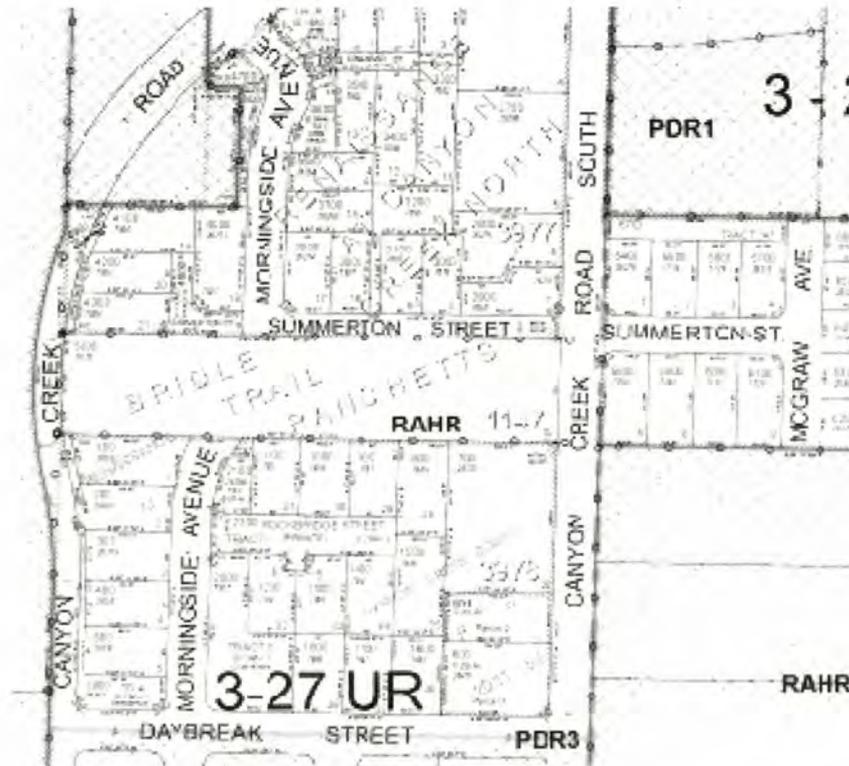
Current Comprehensive Plan Map Designation: Residential 0 – 1 du/ac
Proposed Comp. Plan Map Designation: Residential 4 – 5 du/ac

Current Zone Map Designation: Residential Agricultural - Holding Zone (RA-H).
Proposed Zone: Planned Development Residential – 3 (PDR-3); see proposed Ordinance No. 739.

STAFF RECOMMENDATION: Approve the application with no conditions of approval.

Location: 28325 SW Canyon Creek Road South. The property lies east of SW Canyon Creek Road (arterial), south of SW Summerton Street, and west of SW Canyon Creek Road South. The subject property is more particularly described as being Tax Lot 5000 in Section 13BA; Township 3S; Range 1W; Clackamas County; Wilsonville, Oregon.

VICINITY MAP



APPLICABLE REVIEW CRITERIA:

Wilsonville Code Section(s)	Description
Sections 4.008-4.015	Application Process – Findings and Conditions
Section 4.100	Zoning - Purpose
Section 4.118 (as applicable)	Standards for All Planned Development Zones
Section 4.140	Planned Development Regulations
Section 4.198(.01)(A) through (D)	Comprehensive Plan Map Amendment

Other Planning Documents:
Storm Water Master Plan
Transportation Systems Plan
Comprehensive Plan.

Staff Reviewers: Blaise Edmonds, Manager of Current Planning.

BACKGROUND:

On August 23, 2004, Development Review Board approved 03 DB 43 for a 79-lot residential planned development (i.e., Renaissance at Canyon Creek). A companion Comprehensive Plan Map Amendment and Zone Map Amendment was approved by the City Council on September 20, 2004. Four of the nine approved phases have been constructed; more partitions are enabled, in order to achieve full build-out of the project.

The subject site was not a part of the approval of Renaissance at Canyon Creek, although the parcel’s development potential was accounted for during the review, illustrating compliance with code provisions in effect at that time. Despite the fact that some code provisions have been revised since then, the applicant proposes to implement most of the original concept for Tax Lot 5000.

On March 10, 2014, the Development Review Board considered the Applicant’s proposal for an eight (8) lot residential planned development (DB13-0050 et seq). The Board approved the project, and recommended that the City Council approve the proposed Comprehensive Plan Map Amendment and proposed Zone Map Amendment. Staff’s summary of the Applicant’s proposal begins next, below.

PROJECT SUMMARY:

A project narrative is provided by the applicant, found in Section 2 of Exhibit B1. The applicant’s narrative adequately describes the proposed application components, and provides proposed findings regarding applicable review criteria. Except where necessary to examine issues identified in this report, staff has relied upon the applicant’s submitted documents, rather than repeat their contents again here. The application component is described briefly, below:

Comprehensive Plan Map Amendment

The applicant proposes to amend the current Comprehensive Plan residential density range from 0 – 1 du/ac to 4 – 5 du/ac, to correspond with that of the previous Renaissance at Canyon Creek development.

On the basis of findings A1 through A17 this action recommends approval of the proposed Comprehensive Plan Map Amendment from Residential 0 – 1 du/ac to Residential 4 – 5 du/ac.

RECOMMENDATION:

DB13-0050: Comprehensive Plan Map Amendment

On the basis of findings A1 through A17, this action approves the proposed Comprehensive Plan Map Amendment from Residential 0 – 1 du/ac to Residential 4 – 5 du/ac.

EXHIBIT LIST

Note: The following exhibits are hereby entered into the public record by the Development Review Board in consideration of the current application, as submitted:

Staff Materials:

- A. Staff Report

Applicant's Written and Graphic Materials:

B1. Land Use application, date received December 19, 2013, and including:

Section	Item
1	Application
2	Compliance Report
3	Zone Change Legal Description
4	Arborist's Report, dated 11/5/2013
5	Storm Drainage Report, dated 11/15/2013
6	Title Report, dated 11/27/2012
7	Traffic Impact Report, dated 9/26/2013
8	Notice Mailing List, dated 10/30/2013
9	Preliminary Plat (and Preliminary Plans, reduced size; see list below) (7 9 drawings) [Amended by the DRB on 3/10/2014.]
10	Prior Approval

B2. Full Size Drawings/Plan Sheets:

Sheet No.	Sheet Title
1	Cover Sheet, Sheet Index, and Preliminary Plat
2	Comprehensive Plan Map Amendment/Zone Map Amendment
3	Existing Conditions
4	Preliminary Grading and Demolition Plan
5	Site and Utility Plan
6	Aerial Photo
7	Comprehensive Plan Map [Amended by the DRB on 3/10/2014.]
8	Zone Map [Amended by the DRB on 3/10/2014.]
L1	Landscape Plan

C1. Letters (neither For nor Against): None submitted

C2. Letters (In Favor): None submitted

C3. Letters (Opposed): None submitted

D1. Staff Submittals

1. Memo from D. Walters; Building Plans Examiner; dated 2/26/2014
2. E-mail from S. Adams, Development Engineering Manager, with attachments; dated 2/26/2014
3. Comments from Public Works staff; dated 1/30/2014
4. Tax Map, 3S 1W Section 13BA; not dated
5. Tax Map, 3S 1W Section 13BA (relevant portion); not dated

FINDINGS OF FACT

1. Existing Site Conditions:

The subject site is comprised of one parcel, totaling 1.79 acres. The applicant has provided a site description in the project narrative (Section 2 of Exhibit B1). The subject property is currently zoned Residential Agricultural - Holding Zone (RA-H).

Surrounding Development: The adjacent land uses are as follows:

Compass Direction	Existing Use(s)
North	Residential Planned Development
East	Residential
South	Residential Planned Development
West	Vacant Industrial (Mentor Graphics)

Natural Characteristics:

The subject site contains gently-sloping terrain. A variety of evergreen and deciduous trees are scattered throughout the site. An existing house and accessory structures at 28325 SW Canyon Creek Road South (Tax Lot 5000) currently remain.

Streets:

The site abuts SW Canyon Creek Road (arterial) on the west, SW Summerton Street on the north, and SW Canyon Creek Road South on the east.

Previous Planning Applications Relevant to the subject property:

03 DB 43 (A – H)	Renaissance at Canyon Creek
AR13-0056	Venture Properties Interpretation

2. The applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.
3. Notice of the proposed project has been sent to the appropriate agencies involved in the review of public improvements. Comments and conditions of approval from the Building and Engineering Divisions, and Public Works comments were received and are incorporated into this staff report.
4. The statutory 120-day time limit applies to this application. The application was received on November 15, 2013. Additional materials were submitted on December 19, 2013. On January 31, 2014, staff conducted a completeness review, on which date the application was deemed complete. The City must render a final decision for the request, including any appeals, by May 31, 2014.

CONCLUSIONARY FINDINGS

The applicant's response findings to the applicable land development criteria and Comprehensive Plan goals, policies and implementation measures found in Section 2 of Exhibit B1, are hereby incorporated in this staff report as findings for the recommended action.

REQUEST 'A' – DB13-0050 COMPREHENSIVE PLAN MAP AMENDMENT

CONCLUSIONARY FINDINGS FOR REQUEST (A):

Comprehensive Plan – Comprehensive Plan Changes

Pages 7 through 10 of the City of Wilsonville's Comprehensive Plan updated April, 2013, provide the following procedure for amending the Comprehensive Plan:

Who May Initiate Plan Amendments

A1. The subject property owners through their authorized agent (the applicant) have made application to modify the Comprehensive Plan map designation for their property from 0-1 du/ac to 4-5 du/ac.

Application for Plan Amendment

A2. The applicant has met all applicable filing requirements for a Comprehensive Plan Map amendment.

Consideration of Plan Amendment

A3. The Planning Division received the application on November 11, 2013. Staff met with the applicant subsequent to the submittal of the application to discuss the completeness of the application and perceived deficiencies of the application. The Planning Division received revised plans on December 19, 2013. The application was deemed complete on January 31, 2014.

A4. The findings and recommended conditions of approval adopted by the Development Review Board in review of the application to modify the Comprehensive Plan Map designation will be forwarded as a recommendation to the City Council.

Standards for Development Review Board and City Council Approval of Plan Amendments (page 8 of the Comprehensive Plan):

- a. **The proposed amendment is in conformance with those portions of the Plan that are 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 following factors have been adequately addressed in the proposed amendment:**

Suitability of the various areas for particular land uses and improvements;

Land uses and improvements in the area;

Trends in land improvement;

Density of development;

Property values;

Needs of economic enterprises in the future development of the area;

**Transportation access;
Natural resources; and
Public need for healthful, safe and aesthetic surroundings and conditions.**

e. Proposed changes or amendments to the Comprehensive Plan do not result in conflicts with applicable Metro requirements.

A5. At the writing of this report, the applicant has satisfied Plan requirements of citizen involvement.

A6. Policy 4.1.4 and Implementation Measures 4.1.4.f, 4.1.4.l, and 4.1.4.p of the Comprehensive Plan speak to the City's desire to see the development of housing that is affordable to and serves employees working in the City. The proposed project would provide an incremental net increase of seven (7) new single-family homes within the City.

A7. The applicant has not provided findings relative to affordability of the homes in the project.

A8. The traffic study completed for this project (Section 7 of Exhibit B1), indicating that the proposed entry streets provide sufficient access for emergency vehicles and comply with the traffic level of service requirements of the Development Code and the Transportation Systems Plan.

A9. The property within the proposed project site is currently large lot, which includes a single-family home that was developed on what was rural residential land. The proposed project is currently surrounded by higher density, single-family homes on the south, east and west sides. Implementation Measures 4.1.4.b, d, and o speak to the City's desire to see a diversity of housing types and affordability. The applicant's proposal would provide eight (8) new homes, adding to the diversity of single family home choices in the City. Through the conditions of approval proposed by staff, the project could be adequately served with urban services and would minimize off-site impacts.

A10. Metro's Functional Plan limits cul-de-sac lengths and the distance between local roads. The applicant has provided findings addressing these concerns (Section 2 of Exhibit B1).

Public Notice

A11. Public Notice of the March 10, 2014, Development Review Board public hearing regarding this application was mailed and posted on February 18, 2014. A notice regarding the April 7, 2014, City Council will follow.

Wilsonville Development Code (WC) – Comprehensive Plan Changes

Subsection 4.198(.01) of the Development Code stipulates, "Proposals to amend the Comprehensive Plan, or to adopt new elements or sub-elements of the Plan, shall be subject to the procedures and criteria contained in the Comprehensive Plan. Each such amendment shall include findings in support of the following:

Approval Criterion A: "That the proposed amendment meets a public need that has been identified;"

A12. The adjoining Renaissance at Canyon Creek subdivision is designated on the Comprehensive Plan as Residential 4 - 5 dwelling units per acre which is medium residential density. The "Residential Development" portion of the Comprehensive Plan (Policy 4.1.4) identifies the need for additional housing within the City to serve housing and economic needs of residents and employees working within the City.

The March 2012 Development Summary completed by the City indicates that approximately 23% of 4,502 acres of land within the City is zoned Planned Development Residential (PDR).

City Wide Housing Units

Type	New	YTD	Total
Apartment	0	0	4591
Condominium	0	0	563
Duplex	0	0	68
Mobile Homes	0	0	20
Mobile Home park	0	0	143
Single Family	21	21	3696
Totals	21	21	9081

On the basis of the above inventory there are 56.75% multi-family (including 563 condominiums), 41.5% single-family (including 68 duplexes) and 1.75% mobile homes. Adjusting the housing units to include the recently approved Brenchley Estates - North project comprising 320 apartment units and 39 single-family units, the revised housing unit split is 58.4% multi-family, 40.3% single family and 1.3% mobile homes. The proposed 15 apartment unit project would increase the percentage of land in PDR zoning and apartment units by a negligible amount. The proposed project would increase the percentage of land in PDR zoning and the number of additional single-family houses by a negligible amount.

Though the City has historically through an older version of the Comprehensive Plan sought to achieve 50 percent in single-family houses, 40 percent in multi-family units and 10 percent in manufactured houses at mobile home parks those percentages the Comprehensive Plan no longer has a stated goal of maintaining those percentages. The Comprehensive Plan was revised in its entirety by City Council Ordinance No. 517 on October 16, 2000. Housing is now determined by density ranges in Table 1 in Finding B2 for each mapped zoning district. Residential development must also be balanced with Policy 4.1.4 and its implementation measures that seek to “provide opportunities for a wide range of housing types, sizes, and densities at prices and rent levels to accommodate people who are employed in Wilsonville.” In the near future, multi-family and single-family housing percentages will become more balanced with the construction of Tonquin Woods (27 homes); Tonquin Woods 2 (168 homes); Copper Creek (21 homes); Jory Trail at the Grove (30 homes); Brenchley Estates – North (27 homes); Retherford Meadows (88 homes); SAP-East, Phase 3 (185 homes) and Willamette Landing (33 homes), for total 579 homes.

Approval Criterion B: “That the proposed amendment meets the identified public need at least as well as any other amendment or change that could reasonably be made;”

A13. The current Comprehensive Plan designation for the subject properties is Residential with a density range of 0-1 dwelling units per acre. The Zoning Map identifies the subject properties as Residential Agricultural – Holding (RA-H). The Planned Development Regulations of the Development Code require that the subdivision of properties such as the subject properties (over two acres) result in a Planned Development community. The applicant proposes a net density of 5.16 dwelling units per acre. The Comprehensive Plan allows a range of densities from 0-1 dwelling units per acre to over 20 dwelling units per acre. The properties to the north, south, and east of the proposed project are designated residential on the Comprehensive Plan Map of the City. The subject property has a Comprehensive Plan

designation of 'Residential' with a density of 0-1 dwelling units per acre, while the properties to the north, south and east have a designation of 4-5 dwelling unit per acre. It is appropriate to continue to designate these properties as Residential. In addition, the proposed subdivision has similarities in site density and housing product to other subdivisions nearby such as Renaissance at Canyon Creek, Wilsonville Meadows and Landover subdivisions, making the proposed transitional density of 4-5 du/ac appropriate. Comparisons to the single family density of Wilsonville Meadows need to consider the overall density of the project that includes multi-family projects such as Berkshire Court and Hathaway Village that are part of the overall master plan.

Approval Criterion C: "That the proposed amendment supports applicable Statewide Planning Goals, or a Goal exception has been found to be appropriate;"

A14. With the implementation of the proposed conditions of approval, the project supports the applicable Statewide Planning Goals.

Approval Criterion D: "That the proposed change will not result in conflicts with any portion of the Comprehensive Plan that is not being amended."

A15. The applicant is requesting an amendment of the Comprehensive Plan Map for the subject properties. The applicant does not propose to modify or amend any other portion of the Comprehensive Plan or Plan Map.

METRO'S URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN

A16. Title 1 of the Urban Growth Management Functional Plan (UGMFP) requires 80% Maximum density at build-out of any particular parcel. With the rewrite of the City's Development Code in November 2000, the lower end of the planned density range was increased to reflect this 80% requirement. The applicant is requesting a zone change to Planned Development Residential (PDR-3), which corresponds to a Comprehensive Plan Map density of 4-5 dwelling units per acre.

SUMMARY FINDING FOR REQUEST (A):

A17. The applicant's proposed Comprehensive Plan Map Amendment meets all applicable requirements, and its approval may be recommend to the City Council.

March 13, 2014

DEVELOPMENT REVIEW BOARD PANEL A

**DEVELOPMENT REVIEW BOARD NOTICE OF DECISION AND
RECOMMENDATION TO CITY COUNCIL**

Project Name: Renaissance at Canyon Creek II Subdivision

Case Files: DB13-0050 (A) Comprehensive Plan Map Amendment
DB13-0051 (B) Zone Map Amendment
DB13-0052 (C) Stage I Preliminary Plan
DB13-0053 (D) Stage II Final Plan
DB13-0054 (E) Waiver
DB13-0055 (F) Tentative Subdivision Plat
DB13-0056 (G) Site Design Review
DB13-0057 (H) Type 'C' Tree Plan

Property Owners: James Dillon and Debra Gruber

Applicant: Renaissance Development

**Applicant's
Representative:** SFA Design Group LLC

**Property
Description:** Tax Lots 5000 of Section 13BA; T3S R1W; Clackamas County;
Wilsonville, Oregon.

Location: 28325 SW Canyon Creek Road South

On March 10, 2014, at the meeting of the Development Review Board Panel A, the following action was taken on the above-referenced proposed development applications:

Requests A and B: The DRB has forwarded a recommendation of approval to the City Council. *A Council hearing date is scheduled for Monday, April 7, 2014 to hear these items.*

Requests C, D, E, F, G and H:
Approved, together with conditions of approval.
These approvals are contingent upon City Council's approval of Requests A and B.

An appeal of Requests C, D, E, F, G and H to the City Council by anyone who is adversely affected or aggrieved, and who has participated in this hearing, orally or in writing, must be filed with the City Recorder within fourteen (14) calendar days of the mailing of this Notice of Decision. *WC Sec. 4.022(.02)*. A person who has been mailed this written notice of decision cannot appeal the decision directly to the Land Use Board of Appeals under *ORS 197.830*.

This decision has been finalized in written form and placed on file in the City records at the Wilsonville City Hall this 13th day of March 2014 and is available for public inspection. The decision regarding Requests C, D, E, F, G and H shall become final and effective on the fifteenth (15th) calendar day after the postmarked date of this written Notice of Decision, unless appealed or called up for review by the Council in accordance with *WC Sec. 4.022(.09)*.

Written decision is attached

For further information, please contact the Wilsonville Planning Division at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon 97070, or phone 503-682-4960.

Attachments: DRB Resolution No. 271, including adopted staff report with conditions of approval.

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 271**

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL OF A COMPREHENSIVE PLAN MAP AMENDMENT FROM RESIDENTIAL 0-1 DU/AC TO RESIDENTIAL 4-5 DU/AC AND A ZONE MAP AMENDMENT FROM RA-H TO PDR-3 AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE I PRELIMINARY PLAN, STAGE II FINAL PLAN, WAIVER, TENTATIVE SUBDIVISION PLAT, SITE DESIGN REVIEW AND TYPE 'C' TREE PLAN FOR DEVELOPMENT OF EIGHT (8) RESIDENTIAL LOTS. THE SUBJECT 1.79 ACRE PROPERTY IS LOCATED ON TAX LOT 5000 OF SECTION 13BA, T3S, R1W, CLACKAMAS COUNTY, OREGON. SFA DESIGN GROUP - REPRESENTATIVE FOR RENAISSANCE DEVELOPMENT - APPLICANT.

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 of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared staff report on the above-captioned subject dated March 3, 2014, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on March 10, 2014, at which time exhibits, together with findings and public testimony were entered into the public record, and

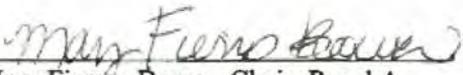
WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and

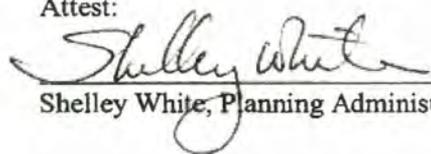
WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board Panel A of the City of Wilsonville recommends that the City Council approve a Comprehensive Plan Map Amendment a Zone Map Amendment (Case Files DB13-0050 and DB13-0051), approve a Stage I Preliminary Plan, Stage II Final Plan, Waiver, Tentative Subdivision Plat, Site Design Review and Type 'C' Tree Plan, and does hereby adopt the staff report attached hereto as Exhibit A1 with modified findings, recommendations and conditions placed on the record herein and authorizes the Planning Director to issue approvals consistent with said recommendations for Case File(s):

- DB13-0050 (A) Comprehensive Plan Map Amendment**
- DB13-0051 (B) Zone Map Amendment**
- DB13-0052 (C) Stage I Preliminary Plan**
- DB13-0053 (D) Stage II Final Plan**
- DB13-0054 (E) Waiver**
- DB13-0055 (F) Tentative Subdivision Plat**
- DB13-0056 (G) Site Design Review**
- DB13-0057 (H) Type 'C' Tree Plan**

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 10th day of March 2014 and filed with the Planning Administrative Assistant on March 13, 2014. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per *WC Sec 4.022(.09)* unless appealed per *WC Sec 4.022(.02)* or called up for review by the council in accordance with *WC Sec 4.022(.03)*.


Mary Fierros-Bower, Chair, Panel A
Wilsonville Development Review Board

Attest:

Shelley White, Planning Administrative Assistant

ORDINANCE NO. 739

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE RESIDENTIAL AGRICULTURAL - HOLDING (RA-H) ZONE TO THE PLANNED DEVELOPMENT RESIDENTIAL - 3 (PDR-3) ZONE ON 1.79 ACRES COMPRISING TAX LOT 5000 OF SECTION 13BA, T3S, R1W, CLACKAMAS COUNTY, OREGON. RENAISSANCE DEVELOPMENT CORP., APPLICANT.

RECITALS

WHEREAS, Renaissance Development Corp. ("Applicant"), acting in behalf of James Dillon and Debra Gruber ("Owners") of real property legally shown and described on **Exhibit A**, Attachments 1 and 2, attached hereto and incorporated by reference herein ("Property"), has made a development application requesting, among other things, a Zone Map Amendment of the Property; and

WHEREAS, the City of Wilsonville Planning Staff analyzed the request and prepared a staff report, finding that the application met the requirements for a Zone Map Amendment and recommending approval of the Zone Map Amendment, attached hereto as **Exhibit B**, and incorporated by reference herein, which staff report was presented to the Development Review Board on March 10, 2014; and,

WHEREAS, the Development Review Board Panel 'A' held a public hearing on the application for a Zone Map Amendment (DB13-0051) and other related development applications (DB13-0050, DB13-0052, DB13-0053, DB13-0054, DB13-0055, DB13-0056 and DB13-0057) on March 10, 2014, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 271, attached hereto as **Exhibit C**, and incorporated by reference herein, which recommends that the City Council approve a request for a Zone Map Amendment (Case File DB13-0051); approves all other related applications; adopts the staff report with modified findings, recommendations, all as placed on the record at the hearing; and contingent upon City Council approval of the Zone Map Amendment, authorizes the Planning Director to issue approvals to the Applicant consistent with the amended staff report, as adopted by DRB Panel A; and,

WHEREAS, on April 7, 2014, the Wilsonville City Council held a public hearing regarding the above described matter, wherein the City Council considered the full public record made before the Development Review Board, including the staff report, which record was incorporated into the City Council public hearing record, took public testimony, and, upon deliberation, concluded that the proposed Zone Map Amendment meets the applicable approval criteria under the City of Wilsonville Development Code.

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

Section 1. Findings. The City Council adopts, as findings and conclusions, the forgoing recitals and the staff report, as contained in the record of the above-described DRB hearing, and incorporates them by reference herein, as if fully set forth.

Section 2. Order. The official City of Wilsonville Zone Map is hereby amended by Zoning Order DB13-0051, attached hereto as **Exhibit A**, from Residential Agricultural - Holding Zone (RA-H) Zone to Planned Development Residential - 3 (PDR-3) Zone.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on the 7th day of April 2014, and scheduled for the second and final reading on April 21, 2014, commencing at the hour of 7 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the ____ day of _____, 2014, by the following votes: Yes: _____ No: _____

Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this ____ day of _____, 2014.

TIM KNAPP, MAYOR

SUMMARY OF VOTES:

Attachments:

Exhibit A – Zoning Order DB13-0051

Attachment 1 – Map Depicting Zone Amendment

Attachment 2 – Legal Description

Exhibit B – Zone Map Amendment Findings (DRB Staff Report DB13-0050 et seq)

Exhibit C – DRB Resolution No. 271

**BEFORE THE CITY COUNCIL OF THE
CITY OF WILSONVILLE, OREGON
Renaissance at Canyon Creek II**

In the Matter of an Application of)
SRA Design Group, LLC, Agent for)
Renaissance Development Corp., Applicant,)
Acting in behalf of Owners James Dillon)
and Debra Gruber, Rezoning of Land and)
Amendment of the City of Wilsonville)
Zoning Map Incorporated in Section 4.102)
of the Wilsonville Code.)

ZONING ORDER NO. DB13-0051

The above-entitled matter is before the Council to consider the application of DB13-0051, for a Zone Map Amendment and an Order, amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code.

The Council finds that the subject property ("Property"), legally shown and described on Attachments 1 and 2, has heretofore appeared on the City of Wilsonville Zoning Map as Residential Agricultural - Holding Zone (RA-H).

The Council having heard and considered all matters relevant to the application for a Zone Map Amendment, including the Development Review Board record and recommendation, finds that the application should be approved.

THEREFORE IT IS HEREBY ORDERED that the Property, consisting of 1.79 acres of Tax Lot 5000 of Section 13BA, T3S, R1W, as more particularly shown in the Zone Map Amendment Map, Attachment 1, and described in Attachment 2, is hereby rezoned to Planned Development Residential - 3 (PDR-3). The foregoing rezoning is hereby declared an amendment to the Wilsonville Zoning Map (Section 4.102 WC) and shall appear as such from and after entry of this Order.

Dated this _____ day of _____, 2014.

TIM KNAPP, MAYOR

APPROVED AS TO FORM:

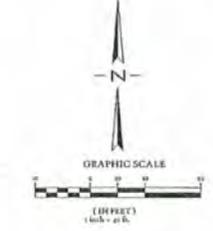
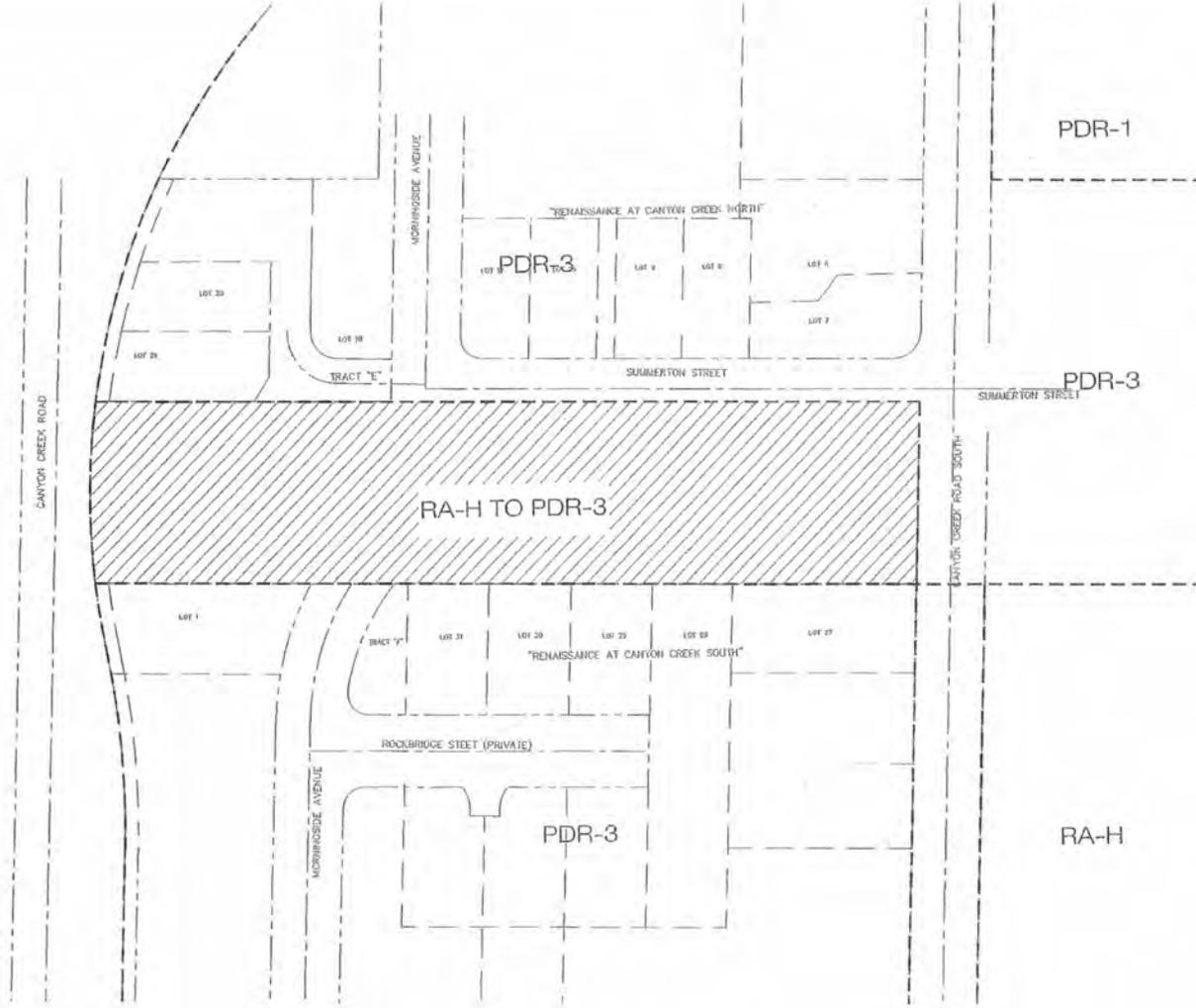
Michael E. Kohlhoff, City Attorney

ATTEST:

Sandra C. King, CMC, City Recorder

Attachment 1: Map depicting Zone Map Amendment
Attachment 2: Legal Description

RAHI



LEGEND
 PROPOSED ZONE CHANGE
 RA-H TO PDR-3



ZONE MAP
CANYON CREEK II
 38325 SW OLD CANYON CREEK ROAD
 CLACKAMAS COUNTY, OREGON

NO.	DATE	REVISION	BY

DRAWN BY	DATE	SCALE
PROJECT NO.	DATE	DATE

PROJECT	CANYON CREEK II
NO.	02-20



SFA Design Group, LLC

STRUCTURAL | CIVIL | LAND USE PLANNING | SURVEYING
9020 SW Washington Square Dr. • Suite 505 • Portland, Oregon 97223
P: 503-641-8311 • F: 503-643-7905 • www.sfadg.com

COMPREHENSIVE PLAN & ZONE MAP AMENDMENTS CANYON CREEK II (DB13-0050 & DB13-0051) Tax Lot 5000 Description (3 1W 13BA) Bridle Trail Ranchetts

SFA Job No. 106-016
March 12, 2014

A portion of Lot 15 of "Bridle Trail Ranchetts" located in the Northwest one-quarter of Section 13, Township 3 South, Range 1 West of the Willamette Meridian, City of Wilsonville, Clackamas County, Oregon being more particularly described as follows:

Beginning at the Southeast corner of the plat "Renaissance at Canyon Creek North", said corner located on the West right-of-way line of Canyon Creek Road; thence South 01°45'05" West along said right-of-way line 130.19 feet to the North line of "Renaissance at Canyon Creek South"; thence leaving said right-of-way line North 88°54'40" West along the North line of said plat 606.07 feet to the most northerly Northwest corner of Tract "A" of said plat; thence leaving said North plat line, 130.44 feet tracing a non-tangent 527.00 foot radius curve concave easterly, through a central angle of 14°10'54", said curve having a chord bearing North 00°48'19" East, 130.11 feet to the most southerly Southwest corner of Tract "F" of the plat "Renaissance at Canyon Creek North"; thence South 88°55'04" East along the South line of "Renaissance at Canyon Creek North" 608.22 feet to said Northeast corner thereof and the Point of Beginning.

Containing approximately 79,365 square feet more or less.

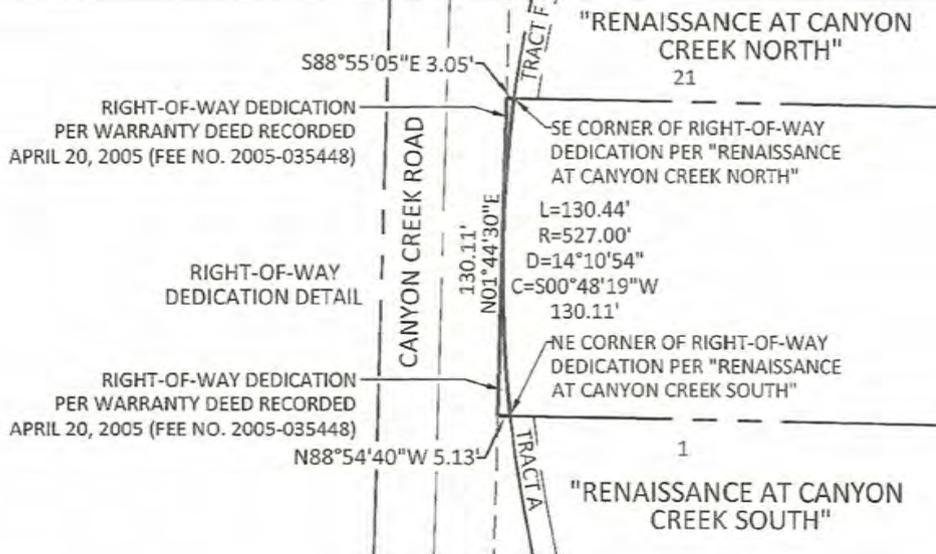
REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 11, 2000
MICHAEL H. HARRIS
57863

VALID UNTIL 6-30-15



CANYON CREEK ROAD



S01°45'05"W 130.19'

CANYON CREEK ROAD SOUTH

SFA JOB NO: 106-016	DATE: 03/20/2014	SCALE: NTS	ZONE MAP AMENDMENT
SFA Design Group, LLC STRUCTURAL CIVIL LAND USE PLANNING SURVEYING 9020 SW Washington Square Dr. • Suite 505 • Portland, Oregon 97223 Phone 503.641.8311 Fax 503.643.7905			TAX LOT 5000 - 3 1W 13BA LOT 15 OF "BRIDLE TRAIL RANCHETTS" CANYON CREEK II 0813-0051





First American

First American Title Company of Oregon
121 SW Morrison St, FL 3
Portland, OR 97204
Phn - (503)222-3651 (800)929-3651
Fax - (877)242-3513

Order No.: 7000-1983686
November 27, 2012

FOR QUESTIONS REGARDING YOUR CLOSING, PLEASE CONTACT:

GLORIA MILLER, Escrow Officer/Closer
Phone: (503)350-5005 - Fax: (866)656-1602- Email: gmiller@firstam.com
First American Title Company of Oregon
5335 SW Meadows Rd #100, Lake Oswego, OR 97035

FOR ALL QUESTIONS REGARDING THIS PRELIMINARY REPORT, PLEASE CONTACT:

James J. Welch, Title Officer
Toll Free: (800)929-3651 - Direct: (503)795-7669 - Fax: (877)242-2911 - Email: jwelch@firstam.com

2nd Supplemental Preliminary Title Report

County Tax Roll Situs Address: 28325 SW Canyon Creek Road S, Wilsonville, OR 97070

Proposed Insured Lender: TBD

2006 ALTA Owners Standard Coverage	Liability \$	550,000.00	Premium \$	1,425.00
2006 ALTA Owners Extended Coverage	Liability \$		Premium \$	
2006 ALTA Lenders Standard Coverage	Liability \$		Premium \$	
2006 ALTA Lenders Extended Coverage	Liability \$		Premium \$	
Endorsement			Premium \$	
Govt Service Charge			Cost \$	25.00
City Lien/Service District Search			Cost \$	
Other			Cost \$	

We are prepared to Issue Title Insurance Policy or Policies in the form and amount shown above, insuring title to the following described land:

THE NORTH 130 FEET OF LOT 15, BRIDLE TRAIL RANCHETTES, IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF WILSONVILLE BY THAT CERTAIN WARRANTY DEED RECORDED APRIL 20, 2005 AS FEE NO. 2005035448.

and as of October 22, 2012 at 8:00 a.m., title to the fee simple estate is vested in:

James W. Dillon and Debra Ann Gruber, as tenants in common

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and the following:

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

The exceptions to coverage 1-5 inclusive as set forth above will remain on any subsequently issued Standard Coverage Title Insurance Policy.

In order to remove these exceptions to coverage in the issuance of an Extended Coverage Policy the following items are required to be furnished to the Company; additional exceptions to coverage may be added upon review of such information:

- A. Survey or alternative acceptable to the company
 - B. Affidavit regarding possession
 - C. Proof that there is no new construction or remodeling of any improvement located on the premises. In the event of new construction or remodeling the following is required:
 - i. Satisfactory evidence that no construction liens will be filed; or
 - ii. Adequate security to protect against actual or potential construction liens;
 - iii. Payment of additional premiums as required by the Industry Rate Filing approved by the Insurance Division of the State of Oregon
6. Taxes for the year 2012-2013
- | | | |
|--------------------|----|---|
| Tax Amount | \$ | 4,186.67 |
| Unpaid Balance: | \$ | 4,186.67, plus interest and penalties, if any |
| Code No.: | | 003-027 |
| Map & Tax Lot No.: | | 31W13BA05000 |
| Property ID No.: | | 00806827 |
7. City liens, if any, of the City of Wilsonville.

Note: There are no liens as of October 29, 2012. All outstanding utility and user fees are not liens and therefore are excluded from coverage.

8. Easement, including terms and provisions contained therein:
Recording Information: April 20, 2005 as Fee No. 2005 035449
In Favor of: City of Wilsonville, a municipal corporation
For: Public utility

- END OF EXCEPTIONS -

NOTE: We find no matters of public record against Stone Bridge Homes NW, LLC that will take priority over any trust deed, mortgage or other security instrument given to purchase the subject real property as established by ORS 18.165.

NOTE: According to the public record, the following deed(s) affecting the property herein described have been recorded within 24 months of the effective date of this report: NONE

**THANK YOU FOR CHOOSING FIRST AMERICAN TITLE!
WE KNOW YOU HAVE A CHOICE!**

RECORDING INFORMATION	
Filing Address:	Clackamas County 2051 Kaen Road Oregon City, OR 97045
Recording Fees:	\$ 5.00 E-Recording per document \$ 5.00 per page \$ 5.00 per page (GIS Fee) \$ 10.00 per document (Public Land Corner Preservation Fund) \$ 11.00 per document (OLIS Assessment & Taxation Fee) \$ 17.00 per document (Oregon Housing Alliance Fee) \$ 5.00 for each additional document title \$ 20.00 non-standard fee



First American Title Insurance Company

SCHEDULE OF EXCLUSIONS FROM COVERAGE

ALTA LOAN POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

ALTA OWNER'S POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risks 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

SCHEDULE OF STANDARD EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

NOTE: A SPECIMEN COPY OF THE POLICY FORM (OR FORMS) WILL BE FURNISHED UPON REQUEST

TI 149 Rev. 7-22-08



**First American
Title Company of Oregon**

Property Information Department
121 SW Morrison Street Suite 300 - Portland, OR 97204
Phone: 503.219.TRIO (8746) Fax: 503.790.7872
Email: pld.portland@firstam.com
Today's Date : 12/28/2012

OWNERSHIP INFORMATION

Owner	: Dillon James W	Ref Parcel Number	: 31W13BA05000
Co Owner	:	Parcel Number	: 00806827
Site Address	: 28325 SW Canyon Creek Rd Wilsonville 97070	T: 03S R: 01W S: 13 Q: NW QQ: NE	
Mail Address	: 4620 E Russell Rd Colbert Wa 99005	County	: Clackamas (OR)
Taxpayer	: Dillon James W	Telephone	:

PROPERTY DESCRIPTION

Map Page & Grid : 715 F6
Census Tract : 244.00 Block: 3
Improvement Type : 131 Sgl Family,R1-3,1-Story
Subdivision/Plat : Bridle Trail Ranchetts
Neighborhood : City of Wilsonville
Land Use : 101 Res,Residential Land,Improved
Legal : 1147 BRIDLE TRAIL RANCHETTS PT LT
: 15
:

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$178,920
Mkt Structure : \$100,020
Mkt Total : \$278,940
% Improved : 36
11-12 Taxes : \$4,039.07
Exempt Amount :
Exempt Type :
Levy Code : 003027
Millage Rate : 18.7129
M50AssdValue : \$215,844

PROPERTY CHARACTERISTICS

Bedrooms	: 3	Building SF	: 1,012	BldgTotSqFt	: 1,012
Bathrooms	: 1.50	1st Floor SF	: 1,012	Lot Acres	: 1.82
Full Baths	: 1	Upper Finished SF	:	Lot SqFt	: 79,264
Half Baths	: 1	Finished SF	: 1,012	Garage SF	: 484
Fireplace	: Single Fireplce	Above Ground SF	: 1,012	Year Built	: 1967
Heat Type	: Forced Air-Gas	Upper Total SF	:	School Dist	: 003
Floor Cover	: Carpet	UnFinUpperStorySF	:	Foundation	: Concrete
Storles	: 1	Basement Fin SF	:	Roof Type	: Wood Shake Med
Int Finish	: Drywall	Basement Unfin SF	:	Roof Shape	: Gable
Ext Finsh	: Aluminum	Basement Total SF	:		

TRANSFER INFORMATION

Owner Name(s)	Sale Date	Doc#	Sale Price	Deed Type	Loan Amount	Loan Type
:Dillon James W	:09/05/2008	008-062101	:	:Bargain &	:	:
:Dillon Virginia Trustee	:09/01/1998	0098-92591	:	:Grant De	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.



Clackamas County
 Department of Assessment and Taxation
 150 Beaver Creek Rd
 Oregon City, Oregon 97045
 503-655-8671

Property Account Summary

Parcel Number	00806827	Situs Address	28325 SW CANYON CREEK RD S , WILSONVILLE, OR 97070
---------------	----------	---------------	--

General Information	
Alternate Property #	31W13BA05000
Property Description	1147 BRIDLE TRAIL RANCHETTS PT LT 15
Property Category	Land &/or Buildings
Status	Active, Locally Assessed
Tax Code Area	003-027
Remarks	

Tax Rate	
Description	Rate
Taxable Fire District Value	1.9145
Taxable Value	16.9173

Property Characteristics	
Neighborhood	15751: City of Wilsonville 100, 101
Land Class Category	101: Residential land improved
Building Class Category	13: Single family res, class 3
Year Built	1967
Change property ratio	1XX

Related Properties	
No Values Found	

Parties			
Role	Percent	Name	Address
Taxpayer	100	DILLON JAMES W	4620 E RUSSELL RD, COLBERT, WA 99005
Owner	100	DILLON JAMES W	4620 E RUSSELL RD, COLBERT, WA 99005
Owner	100	GRUBER DEBRA ANN	NO MAILING ADDRESS, AVAILABLE,

Property Values					
Description	2012	2011	2010	2009	2008
AVR Total	222,319	215,844	209,557	203,453	197,527
Exempt					15,914
TVR Total	222,319	215,844	209,557	203,453	181,613
Real Mkt Land	181,305	178,920	192,038	215,894	237,364
Real Mkt Bldg	100,590	100,020	108,940	122,850	136,840
Real Mkt Total	281,895	278,940	300,978	338,744	374,204
M5 Mkt Land	181,305	178,920	192,038	215,894	237,364
M5 Mkt Bldg	100,590	100,020	108,940	122,850	136,840
M5 SAV	0	0	0	0	0
SAVL (MAV Use Portion)					
MAV (Market Portion)	222,319	215,844	209,557	203,453	197,527
Mkt Exception	0	0	0	0	0

AV Exception	o	o	o	o	o
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Active Exemptions

No Exemptions Found

Events

Effective Date	Entry Date-Time	Type	Remarks
09/05/2008	2008-09-10 15:20:00.000	Recording Processed	Property Transfer Filing No.: 181139, Bargain & Sale, Recording No.: 2008-062101 09/05/2008 by LAURIEB
09/05/2008	2008-09-10 15:20:00.000	Taxpayer Changed	Property Transfer Filing No.: 181139 09/05/2008 by LAURIEB
05/09/2005	2005-05-09 09:35:00.000	Seg/Merge Initiated	SM050528 EFFECTIVE 2005-06: PT TO ROAD BY 2005-035448; AFTER 01/01/2005 by LAURIEB
05/09/2005	2005-05-09 09:35:00.000	Seg/Merge Completed	Parent in Seg/Merge SM050528, Effective: 01/02/2004 by LAURIEB
03/17/2003	2003-03-17 12:44:00.000	The situs address has changed	by LINDAPET
07/01/1999	1999-07-01 12:00:00.000	Ownership at Conversion	Bargain and Sale: 98-92591, 9/1/98, \$ 0

Taxes

Tax Year	Category	TCA/District	Charged	Minimum	Balance Due	Due Date
1993	Property Tax Principal	003-027	2,213.80	0.00	0.00	11/15/1993
1994	Property Tax Principal	003-027	2,200.89	0.00	0.00	11/15/1994
1995	Property Tax Principal	003-027	2,179.51	0.00	0.00	11/15/1995
1996	Property Tax Principal	003-027	2,274.62	0.00	0.00	11/15/1996
1997	Property Tax Principal	003-027	2,122.99	0.00	0.00	11/15/1997
1998	Property Tax Principal	003-027	2,388.84	0.00	0.00	11/15/1998
1999	Property Tax Principal	003-027	2,277.25	0.00	0.00	11/15/1999
2000	Property Tax Principal	003-027	2,491.89	0.00	0.00	11/15/2000
2001	Property Tax Principal	003-027	2,639.47	0.00	0.00	11/15/2001
2002	Property Tax Principal	003-027	2,908.02	0.00	0.00	11/15/2002
2003	Property Tax Principal	003-027	2,876.95	0.00	0.00	11/15/2003
2004	Property Tax Principal	003-027	2,952.74	0.00	0.00	11/15/2004
2005	Property Tax Principal	003-027	3,044.44	0.00	0.00	11/15/2005
2006	Property Tax Principal	003-027	3,055.91	0.00	0.00	11/15/2006
2007	Property Tax Principal	003-027	3,216.36	0.00	0.00	11/15/2007
2008	Property Tax Principal	003-027	3,269.75	0.00	0.00	11/15/2008
2009	Property Tax Principal	003-027	3,801.23	0.00	0.00	11/15/2009
2010	Property Tax Principal	003-027	3,933.90	0.00	0.00	11/15/2010
2011	Property Tax Principal	003-027	4,039.07	0.00	0.00	11/15/2011
2012	Property Tax Principal	003-027	4,186.67	0.00	0.00	11/15/2012
TOTAL Due as of 2012/12/28					0.00	

Receipts

Date	Receipt	Amount Applied	Amount Due	Tendered	Change
2012/11/05	3296371	4,186.67	4,186.67	4,061.07	0.00
2011/11/02	3090779	4,039.07	4,039.07	3,917.90	0.00
2010/11/09	2935777	3,933.90	3,933.90	3,815.88	0.00
2009/10/29	2684669	3,801.23	3,801.23	3,687.19	0.00
2008/11/14	2575483	3,269.75	3,269.75	3,171.66	0.00
2007/10/29	2289305	3,216.36	3,216.36	3,119.87	0.00
2006/11/17	2200792	3,055.91	3,055.91	2,964.23	0.00
2005/11/21	2028503	3,044.44	3,044.44	2,953.11	0.00
2004/11/15	1802965	2,952.74	2,952.74	2,864.16	0.00
2003/11/12	1587072	2,876.95	2,876.95	2,790.64	0.00
2002/11/14	1413527	2,908.02	2,908.02	2,820.78	0.00
2001/11/06	1190608	2,639.47	2,639.47	2,560.29	0.00

2000/11/09	1033821	2,491.89	2,491.89	2,417.13	0.00
1999/11/16	879112	2,277.25	2,277.25	2,208.93	0.00
1998/11/15	517528	2,388.84	2,388.84	2,317.17	0.00
1997/11/15	517527	2,122.99	2,122.99	2,059.30	0.00
1996/11/15	517526	2,274.62	2,274.62	2,206.38	0.00
1995/11/15	517525	2,179.51	2,179.51	2,114.12	0.00
1994/11/15	517524	2,200.89	2,200.89	2,134.86	0.00
1993/11/15	517523	2,213.80	2,213.80	2,147.39	0.00

Sales History

Transfer Date	Recording Number	Sale Amount	Deed Type	Grantee	Grantor
08/22/2008	2008-062101	0	S	DILLON JAMES W	DILLON VIRGINIA TRUSTEE
09/01/1998	1998-092591	0			

Property Details

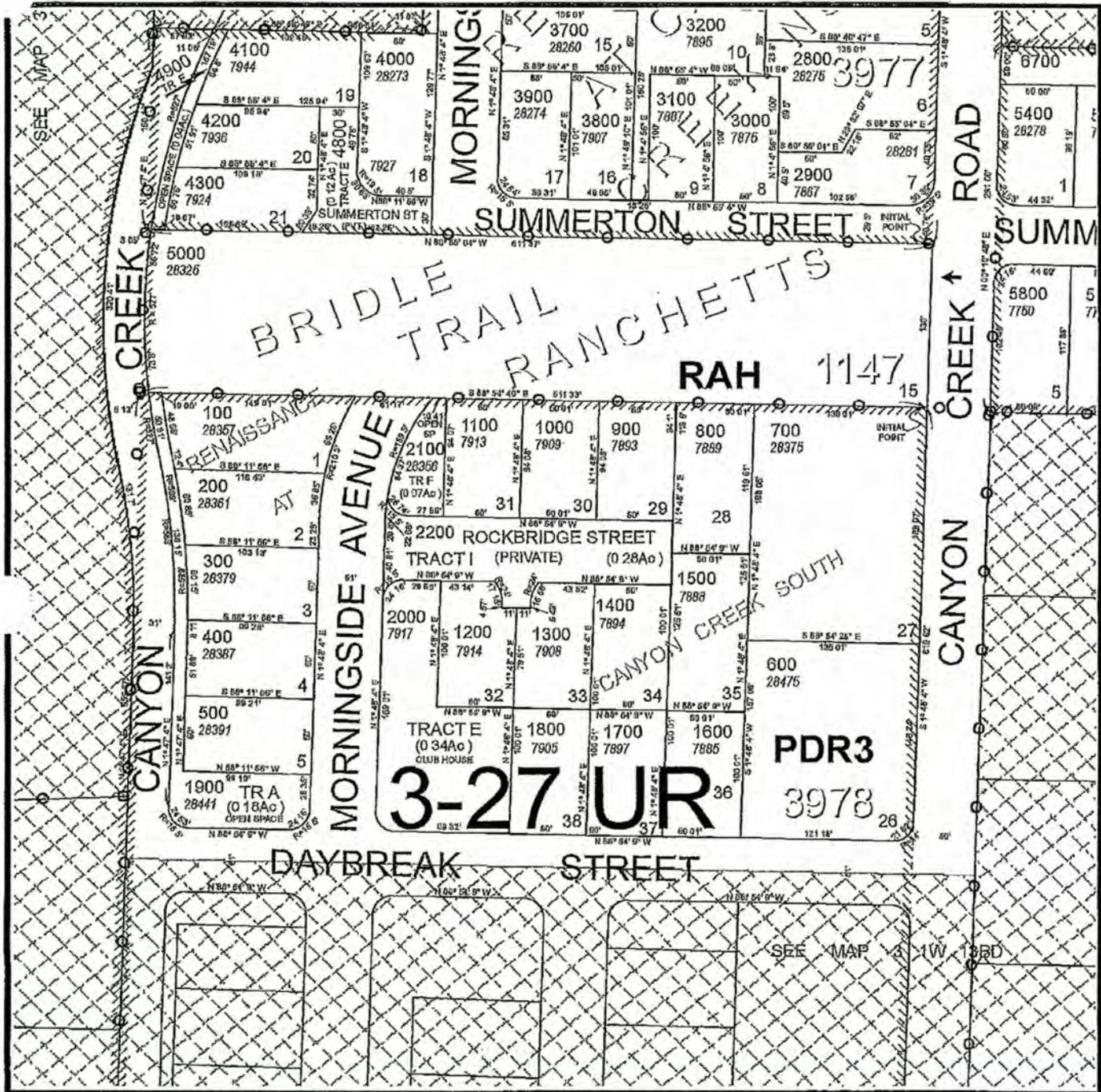
Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths
1,012	0 X 0	1967	38	1.0	3	1	1

Developed by ASIX, Incorporated.

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Version 1.0.3357.16890

Reference Parcel #: 31W13BA05000



**First American
Title Company of Oregon**

Property Information Department
121 SW Morrison Street Suite 300 Portland, OR 97204
Phone: 503.219.TRIO (8746) Fax: 503.790.7872
Email: pld.portland@firstam.com

THIS MAP IS PROVIDED AS A CONVENIENCE IN LOCATING PROPERTY. FIRST AMERICAN TITLE COMPANY OF OREGON ASSUMES NO LIABILITY FOR ANY VARIATIONS AS MAY BE DISCLOSED BY AN ACTUAL SURVEY

2008

After recording, return to:
Michael D. Williams
1515 S.W. 5th, Ste. 844
Portland, OR 97201

Clackamas County Official Records
Sherry Hall, County Clerk

2008-062101



\$36.00

01245423200800621010020029

09/05/2008 11:43:16 AM

D-D Cnt=1 Stn=9 JANISKEL
\$10.00 \$10.00 \$16.00

All tax statements to:
James W. Dillon
3175 NE Fremont
Portland, Or 97220-5273

Tax ID , Assessor Nos:

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS that **JAMES W. DILLON, SUCCESSOR TRUSTEE OF THE VIRGINIA A. DILLON TRUST UNDER AGREEMENT DATED AUGUST 24, 1998**, Grantor, for the consideration hereinafter stated, do hereby grant, bargain, sell and convey to **JAMES W. DILLON and DEBRA ANN GRUBER**, as tenants in common, Grantee, and to Grantees' heirs, successors, and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in Clackamas County, Oregon, legally described as:

The North 130 feet of Lot 15, BRIDLE TRAIL RANCHETTES

Subject to liens, encumbrances, easements and restrictions of record.

To have and to hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

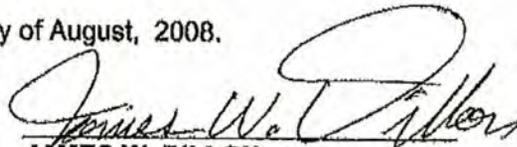
The true consideration for this conveyance is \$-0-. (Transfer of Inheritance)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR

1- BARGAIN AND SALE DEED

FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

DATED this 22 day of August, 2008.


JAMES W. DILLON

STATE OF OREGON)
) ss.
County of Multnomah)

This instrument was acknowledged before me on August 22nd, 2008, by
JAMES W. DILLON , TRUSTEE..




Notary Public for Oregon
My commission expires: Dec 18th, 2011

2- BARGAIN AND SALE DEED

(2)

CITY COUNCIL STAFF REPORT

**WILSONVILLE PLANNING DIVISION
QUASI - JUDICIAL PUBLIC HEARING
*Renaissance at Canyon Creek II***

Public Hearing Date: April 7, 2014
Application Number: DB13-0051 (Zone Map Amendment)
DB13-0052 (Stage I Preliminary Plan)
Property Owner: James Dillon and Debra Gruber
Applicant: Renaissance Development Corp.

REQUEST: SFA Design Group, LLC, acting as agent for Renaissance Development Corp., Applicant, proposes the development of eight (8) residential lots in one phase, along with associated site improvements, for the property located east of SW Canyon Creek Road (arterial), south of SW Summerton Street, and west of SW Canyon Creek Road South.

The applicant proposes a Zone Map Amendment from the current RA-H (Residential Agricultural - Holding Zone) zone to a PDR-3 (Planned Development Residential) zone.

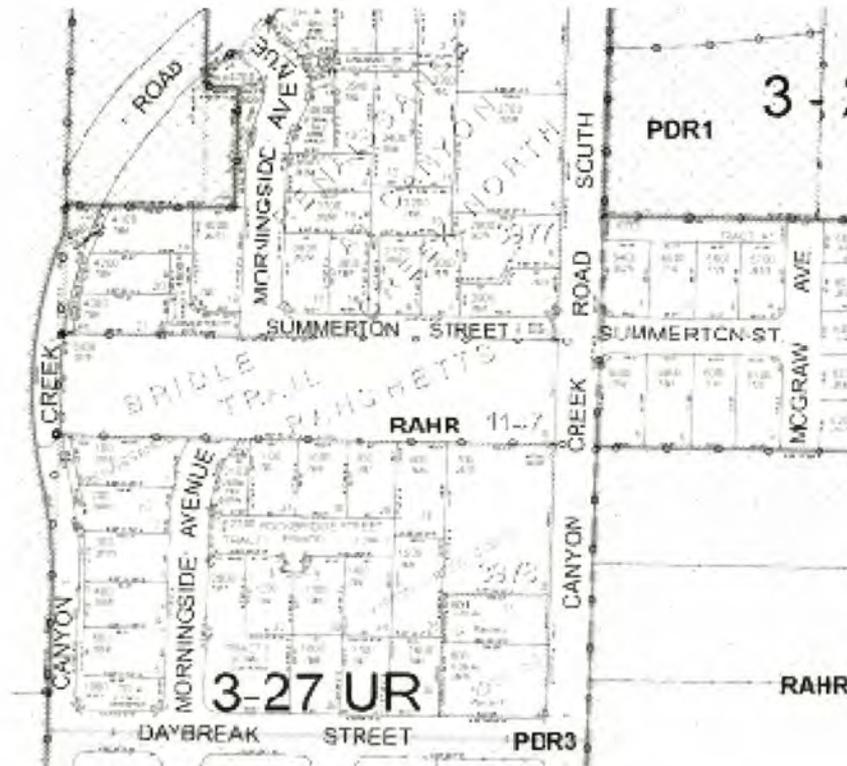
Current Comprehensive Plan Map Designation: Residential 0 – 1 du/ac
Proposed Comp. Plan Map Designation: Residential 4 – 5 du/ac

Current Zone Map Designation: Residential Agricultural - Holding Zone (RA-H).
Proposed Zone: Planned Development Residential – 3 (PDR-3); see proposed Ordinance No. 739.

STAFF RECOMMENDATION: Approve the application with no conditions of approval.

Location: 28325 SW Canyon Creek Road South. The property lies east of SW Canyon Creek Road (arterial), south of SW Summerton Street, and west of SW Canyon Creek Road South. The subject property is more particularly described as being Tax Lot 5000 in Section 13BA; Township 3S; Range 1W; Clackamas County; Wilsonville, Oregon.

VICINITY MAP



APPLICABLE REVIEW CRITERIA:

Wilsonville Code Section(s)	Description
Sections 4.008-4.015	Application Process – Findings and Conditions
Section 4.100	Zoning - Purpose
Section 4.113 (as applicable)	Standards for Residential Development in Any Zone
Section 4.118 (as applicable)	Standards for All Planned Development Zones
Section 4.120	Residential Agricultural - Holding Zone (RA-H)
Section 4.124.3	Planned Development Residential – 3 (PDR-3) Zone
Section 4.140	Planned Development Regulations
Section 4.140.07	Stage I Preliminary Plan
Section 4.197(.02)(A) through (G)	Zone Map Amendment

Other Planning Documents:
Storm Water Master Plan
Transportation Systems Plan
Comprehensive Plan
Renaissance at Canyon Creek II Stage I Preliminary Plan

Staff Reviewer: Blaise Edmonds, Manager of Current Planning.

BACKGROUND:

On August 23, 2004, Development Review Board approved 03 DB 43 for a 79-lot residential planned development (i.e., Renaissance at Canyon Creek). A companion Comprehensive Plan Map Amendment and Zone Map Amendment was approved by the City Council on September 20, 2004. Four of the nine approved phases have been constructed; more partitions are enabled, in order to achieve full build-out of the project.

The subject site was not a part of the approval of Renaissance at Canyon Creek, although the parcel's development potential was accounted for during the review, illustrating compliance with code provisions in effect at that time. Despite the fact that some code provisions have been revised since then, the applicant proposes to implement most of the original concept for Tax Lot 5000.

On March 10, 2014, the Development Review Board considered the Applicant's proposal for an eight (8) lot residential planned development (DB13-0050 et seq). The Board approved the project, and recommended that the City Council approve the proposed Comprehensive Plan Map Amendment and proposed Zone Map Amendment. Staff's summary of the Applicant's proposal begins next, below.

PROJECT SUMMARY:

A project narrative is provided by the applicant, found in Section 2 of Exhibit B1. The applicant's narrative adequately describes the proposed application components, and provides proposed findings regarding applicable review criteria. Except where necessary to examine issues identified in this report, staff has relied upon the applicant's submitted documents, rather than repeat their contents again here. The application component is described briefly, below:

PROJECT SUMMARY AND RECOMMENDATIONS:

A detailed project introduction and compliance report in support of the application is provided by the Applicant found in Exhibits B1 and B9. The Applicant's introduction on pages 1 and 2 of Exhibit B1 adequately describes the project, the requested application components, and compliance findings regarding applicable review criteria. Except where necessary to examine issues identified in this report, Staff has relied upon the Applicant's submittal documents and compliance findings, rather than repeat their contents again here. The application components are described briefly, below:

Zone Map Amendment

The applicant proposes a Zone Map Amendment from the current RA-H (Residential Agricultural - Holding Zone) zone to a PDR-3 (Planned Development Residential) zone.

Stage I Preliminary Plan

The applicant's intent is for the site to be used for residential development in compliance with the proposed Comprehensive Plan designation of 4 - 5 dwelling units per acre. This intent, typically achieved through a preliminary plan, is implemented per Section 4.210(.01)(B)(19), as reviewed in Request C, and the Tentative Subdivision Plat, as reviewed in Request F, below.

RECOMMENDATION:

DB13-0051: Zone Map Amendment

On the basis of findings B1 through B24 this action recommends approval of the proposed Zone Map Amendment from Residential Agricultural - Holding Zone (RA-H) to Planned Development Residential (PDR-3).

DB13-0052: Stage I Preliminary Plan

PDC 1. On the basis of findings C1 through C6, this action approves the Stage I Preliminary Plan submitted with this application for eight (8) residential lots (Sheet 1 of Exhibit B2), as entered into the record on March 10, 2014, approved by the Development Review Board, and stamped "Approved Planning Division."

EXHIBIT LIST

Note: The following exhibits are hereby entered into the public record by the Development Review Board in consideration of the current application, as submitted:

Staff Materials:

- A. Staff Report

Applicant's Written and Graphic Materials:

B1. Land Use application, date received December 19, 2013, and including:

Section	Item
1	Application
2	Compliance Report
3	Zone Change Legal Description
4	Arborist's Report, dated 11/5/2013
5	Storm Drainage Report, dated 11/15/2013
6	Title Report, dated 11/27/2012
7	Traffic Impact Report, dated 9/26/2013
8	Notice Mailing List, dated 10/30/2013
9	Preliminary Plat (and Preliminary Plans, reduced size; see list below) (7 9 drawings) [Amended by the DRB on 3/10/2014.]
10	Prior Approval

B2. Full Size Drawings/Plan Sheets:

Sheet No.	Sheet Title
1	Cover Sheet, Sheet Index, and Preliminary Plat
2	Comprehensive Plan Map Amendment/Zone Map Amendment
3	Existing Conditions
4	Preliminary Grading and Demolition Plan
5	Site and Utility Plan
6	Aerial Photo
7	Comprehensive Plan Map [Amended by the DRB on 3/10/2014.]
8	Zone Map [Amended by the DRB on 3/10/2014.]
L1	Landscape Plan

- C1. Letters (neither For nor Against):** None submitted

- C2. Letters (In Favor):** None submitted

- C3. Letters (Opposed):** None submitted

D1. Staff Submittals

1. Memo from D. Walters; Building Plans Examiner; dated 2/26/2014
2. E-mail from S. Adams, Development Engineering Manager, with attachments; dated 2/26/2014
3. Comments from Public Works staff; dated 1/30/2014
4. Tax Map, 3S 1W Section 13BA; not dated
5. Tax Map, 3S 1W Section 13BA (relevant portion); not dated

FINDINGS OF FACT

1. Existing Site Conditions:

The subject site is comprised of one parcel, totaling 1.79 acres. The applicant has provided a site description in the project narrative (Section 2 of Exhibit B1). The subject property is currently zoned Residential Agricultural - Holding Zone (RA-H).

Surrounding Development: The adjacent land uses are as follows:

Compass Direction	Existing Use(s)
North	Residential Planned Development
East	Residential
South	Residential Planned Development
West	Vacant Industrial (Mentor Graphics)

Natural Characteristics:

The subject site contains gently-sloping terrain. A variety of evergreen and deciduous trees are scattered throughout the site. An existing house and accessory structures at 28325 SW Canyon Creek Road South (Tax Lot 5000) currently remain.

Streets:

The site abuts SW Canyon Creek Road (arterial) on the west, SW Summerton Street on the north, and SW Canyon Creek Road South on the east.

Previous Planning Applications Relevant to the subject property:

03 DB 43 (A – H)	Renaissance at Canyon Creek
AR13-0056	Venture Properties Interpretation

2. The applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.
3. Notice of the proposed project has been sent to the appropriate agencies involved in the review of public improvements. Comments and conditions of approval from the Building and Engineering Divisions, and Public Works comments were received and are incorporated into this staff report.
4. The statutory 120-day time limit applies to this application. The application was received on November 15, 2013. Additional materials were submitted on December 19, 2013. On January 31, 2014, staff conducted a completeness review, on which date the application was deemed complete. The City must render a final decision for the request, including any appeals, by May 31, 2014.

FINDINGS OF FACT

1. **Existing Site Conditions:** The Applicant has provided a full project description in Exhibit B1. The subject property is currently zoned PDC.

Surrounding Development: The adjacent land uses are as follows:

Compass Direction	Existing Use(s)
North	Boones Ferry Primary and Wood Middle School – PF Zone
East	Valley Christian Church
South	Fox Chase Subdivision
West	Fox Chase Subdivision

Natural Characteristics: The relatively level property is 1.14 acres which includes a group of eleven conifer and deciduous trees.

Streets: The subject property is a corner lot with three side fronting Wilsonville Road at the north, Willamette Way East on the east and Chantilly at the south.

Previous Planning Applications Relevant to the subject property: See the background statement on page 3 of this staff report. Also;

83PC09: Fox Chase, Stage I Preliminary Plan (Master Plan)

95PC21: Stage II Final Plan for retail center.

96DB23: Site Design Review for retail center.

2. The Applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.
3. Notice of the proposed project has been sent to the appropriate agencies involved in the review of public improvements. Comments and conditions of approval from the Building and Engineering Divisions, and Natural Resources Program Manager were received and are incorporated into this staff report.
4. The statutory 120-day time limit applies to this application. The application was initially received on June 15, 2012. Staff conducted a completeness review within the statutorily allowed 30-day review period, and advised the Applicant by letter on June 25, 2012, of missing items. On July 13, 2012, the Applicant submitted additional materials intended to complete the application. On July 16, 2012 the application was deemed complete. On August 13 the Board conducted a public hearing on the subject and continued the public hearing to October 8. The Applicant granted a 56 – day extension which moved the date for issuing the city decision from November 12, 2012 to January 8, 2013. Thus the City must render a final decision for the request, including any appeals, by January 8, 2013.

REQUEST 'B' – DB13-0051 ZONE MAP AMENDMENT

The subject property is currently zoned Residential Agricultural Holding (RA-H). The purpose of the RA-H Zone is set forth in the 4.120 of the Code. The proposed Zone Map amendment from RA-H to PDR-3 is intended to serve as a procedure to evaluate the conversion of urbanizeable land to urban land consistent with the Comprehensive Plan. Because the service levels vary throughout the City, the zoning process allows for a case-by-case analysis of the availability of public facilities and services and to determine specific conditions related to needed public facilities improvements. All land development proposals are reviewed for conformity with the Comprehensive Plan and specific standards set forth in the zoning ordinance. As set forth in Subsection 4.197(.02) of the Wilsonville Code, in recommending approval or denial of a proposed zone map amendment, the Development Review Board must at a minimum, adopt findings addressing Criteria A-G, below.

Criterion 'A'

“That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008 or, in the case of a Planned Development, Section 4.140.”

B1. The applicant has provided findings in Section 2 of Exhibit B1 addressing the tentative plat criteria and the zone map amendment criteria.

Criterion 'B'

“That the proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with the applicable goals, policies and objectives, set forth in the Comprehensive Plan text.”

B2. The applicant has provided findings in Section 2 of Exhibit B1 in response to these Code criteria. Staff is recommending approval of the proposed Comprehensive Plan Map amendment, with conditions of approval contained in this staff report. Approval of the proposed amendment to the zoning map is contingent upon approval of the Comprehensive Plan map amendment by the City Council.

B3. The land area of the proposed subdivision is 1.79 acres. The applicant is proposing to change the Comprehensive Plan designation from 0-1 dwelling units per acre to 4-5 dwelling units per acre. Proposed are a total of eight (8) lots, making the gross density of the proposed subdivision 4.47 dwelling units per acre. Net density (gross minus streets) is 5.16 dwelling units per acre.

Comprehensive Plan – Residential Development

Variety/Diversity of Housing

Implementation Measures 4.1.4.c, 4.1.4.g, 4.1.4.j, 4.1.4.k, 4.1.4.l, and 4.1.4.p speak to the City's desire to plan for and establish a variety and diversity of housing types that meet the social and economic needs of the residents, including the need for affordable housing and a balance of housing with jobs.

B4. The applicant's proposal would provide an incremental net addition of seven (7) single-family houses to the one (1) existing dwelling. Response findings to 4.198(.01)(A) speak to the need for additional single-family housing in the City.

Implementation Measures 4.1.1.j, 4.1.4.i, 4.1.4.o, and 4.1.4.r speak to the City's desire to approve new residential development concurrent with the availability of public facilities.

B5. Water, sanitary sewer, and storm sewer are either available to the proposed project (with appropriate connections) or can be supplied to the project. The applicant/owner will be responsible for providing on-site storm water detention for water quality and quantity. The applicant will also be responsible for providing public streets within the project with appropriate right-of-way. The applicant will be required to cap all existing on-site utilities prior to the issuance of building permits by the City.

Implementation Measure 4.1.4.h: "Require new housing developments to pay an equitable share of the cost of required capital improvements for public services."

B6. The applicant/owner will be required to pay the equitable share (as determined by the Community Development Director) of the capital improvement costs for public services.

B7. The entirety of the subject properties has a Comprehensive Plan designation of Residential, 0-1 dwelling units per acre. The applicant is proposing a Comprehensive Plan Map designation of 4-5 dwelling units per acre. See Request A, beginning on page 21 of this report.

Zone Map

B8. The subject properties are currently zoned Residential Agricultural – Holding (RA-H). The applicant proposes a change to Planned Development Residential (PDR-3) zone to accommodate a total of eight (8) single-family lots averaging 5,969 SF (Section 2 of Exhibit B1).

Significant Natural Resources

B9. While vegetation exists throughout the site, it is not found to be within an area identified by the Comprehensive Plan as Significant Resource Overlay Zone.

Area of Special Concern

B10. The Comprehensive Plan does not identify the subject property as an area of special concern.

Criterion 'C'

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

B11. The subject properties are designated "Residential" on the City's Comprehensive Plan Map. The above section of the Comprehensive Plan, mentioned by the applicant regarding this subsection of the Development Code, refers to an older version of the Comprehensive Plan. The corrected references are shown below:

Goal 4.3	Implementation Measure 4.1.4.b
Objective 4.3.3	Implementation Measure 4.1.4.d
Objective 4.3.4	Implementation Measure 4.1.4.e
Policy 4.4.2	Implementation Measure 4.1.4.q
Policy 4.4.8	Implementation Measure 4.1.4.x

The current text is as follows:

"In the event that the subject property, or any portion thereof, is designated as "Residential" on the City's Comprehensive Plan Map; specific findings shall be made addressing substantial

compliance with Implementation Measures 4.1.4.b, d, e, q, and x of Wilsonville's Comprehensive Plan text..."

Implementation Measure 4.1.4.b – Variety in Housing Type

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

B12. The applicant has indicated that the proposed project would develop a housing type similar to that of surrounding subdivisions. The applicant has not provided findings as to how the proposed housing project of this proposal meets the affordability criteria of the Comprehensive Plan. The low vacancy rates of similar subdivisions in the City provide circumstantial evidence that there is demand for the housing product proposed by the applicant. Adequate public services could be made available to the site.

Implementation Measure 4.1.4.d – Diversity of Housing Types

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

B13. The applicant has not indicated whether a variety of house models are proposed for the subdivision.

Implementation Measure 4.1.4.e

“Targets are to be set in order to meet the City’s Goals for housing and to assure compliance with State and regional standards.”

B14. The City has established a 50% multi-family, 40% single-family target for housing in the City. The December 2012 Housing Inventory Report shows a mix of 57% multi-family, and 43% single-family (including rowhouses) dwellings.

Implementation Measure 4.1.4.q

“The City will continue to allow for mobile homes and manufactured dwellings, subject to development review processes that are similar to those used for other forms of housing. Individual units will continue to be allowed on individual lots, subject to design standards. Mobile home parks and subdivisions shall be subject to the same procedures as other forms of planned developments.”

B15. The applicant is not proposing mobile homes in this application.

Implementation Measure 4.1.4.x

“Apartments and mobile homes are to be located to produce an optimum living environment for the occupants and surrounding residential areas. Development criteria includes:

1. **Buffering by means of landscaping, fencing, and distance from conflicting uses.**
2. **Compatibility of design, recognizing the architectural differences between apartment buildings and houses.**
3. **On-site recreation space as well as pedestrian and bicycle access to parks, schools, mass transit stops and convenience shopping.**
4. **The siting of buildings to minimize the visual effects of parking areas and to increase the availability of privacy and natural surveillance for security.”**

B16. The applicant is proposing neither apartments nor mobile homes in this application.

Criterion ‘D’ – Public Facilities

“That the existing primary public facilities, i.e., roads and sidewalks, water, sewer and storm sewer are available and are of adequate size to serve the proposed development; or, that adequate facilities can be provided in conjunction with project development. The Planning Commission and Development Review Board shall utilize any and all means to insure that all primary facilities are available and are adequately sized.”

B17. The City Engineer’s Public Facilities (PF) conditions, imposed upon the subsequent Stage II Final Plan application, will require the applicant to provide adequate road, water, and sewer infrastructure to serve the proposed project. These conditions require that all Public Works permits granted to the applicant/owner will be in accordance with the need determined by the City Engineer to serve the proposed project.

Criterion ‘E’ – Significant Resource Overlay Zone

“That the proposed development does not have a significant adverse effect upon Significant Resource Overlay Zone areas, an identified natural hazard, or an identified geologic hazard. When Significant Resource Overlay Zone areas or natural hazard, and/or geologic hazard are located on or abut the proposed development, the Planning Commission or Development Review Board shall use appropriate measures to mitigate and significantly reduce conflicts between the development and identified hazard or Significant Resource Overlay Zone.”

B18. The SROZ does not affect the subject property.

Criterion ‘F’

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

B19. The applicant indicates that the full build-out of the proposed lots will begin in 2014.

Criterion ‘G’

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

B20. Staff is recommending conditions of approval for the proposed project where necessary to bring the project into compliance with all applicable development standards.

Subsection 4.197(.03) provides that “If affirmative findings cannot be made for all applicable criteria listed above the Planning Commission or Development Review Board shall recommend that the proposed text or map amendment, as the case may be, be denied.”

B21. Staff has made affirmative findings for subsection 4.197(.02)(A)-(G), above. Staff is also recommending conditions of approval for the project to ensure compliance with the subject code criteria.

Subsection 4.197(.04) stipulates that the “City Council action approving a change in zoning shall be in the form of a Zoning Order.”

B22. Staff is recommending approval of the Stage I Preliminary Plan of the proposed project, together with conditions of approval, and a recommendation for approval of the proposed Zone Map Amendment. A City Council Zoning Order will be required prior to approval of the remaining applications, reviewed later in this report.

Subsection 4.197(.05) provides “In cases where a property owner or other applicant has requested a change in zoning and the City Council has approved the change subject to conditions, the owner or applicant shall sign a statement accepting, and agreeing to complete the conditions of approval before the zoning shall be changed.”

B23. Staff is recommending a condition of approval that would implement the City Council Zoning Order, contingent on the completion of the conditions of approval adopted by City Council.

SUMMARY FINDING FOR REQUEST (B):

B24. The applicant’s proposed Zone Map Amendment meets all applicable requirements, and its approval may be recommend to the City Council.

REQUEST 'C' – DB13-0053 STAGE I PRELIMINARY PLAN

CONCLUSIONARY FINDINGS FOR REQUEST (C):

Tentative Plat Submission – 4.210(.01)(B)(19)

- C1. As enabled by the section referenced above, the tentative subdivision plat "...shall be considered as the Stage I Preliminary Plan." The tentative plat is reviewed in Request C, this section.
- C2. The applicant proposes to develop eight (8) lots. Calculations demonstrating compliance with applicable review criteria are found in Sections 1 Exhibit B1.

Site Information: Subsections 4.009(.01) and 4.140(.07)(A)(1)

- C3. The applicant has demonstrated ownership of the subject property in the form of written consent of the two current property owners (Section 1 of Exhibit B1).
- C4. The subject property is proposed to be rezoned from Residential Agricultural - Holding Zone (RA-H) to a Planned Development Residential (PDR-3) zone. The proposed residential use of the property is in compliance with uses typically found in the zone.

Subsection 4.140(.05): Planned Development Permit Process

- C5. The applicant's response to these criteria is found in the narrative (Section 2 of Exhibit B1). The proposed project is not allowed to proceed nor receive a building permit until all applicable review criteria have been satisfied. By the applicant's submittal, these criteria have been met.

Subsection 4.140(.07)(A): Preliminary Approval (Stage One) Application Requirements

- C6. The applicant's proposal is provided by professional services in response to this criterion, as found in Section 2 of Exhibit B1. This criterion is satisfied.

Subsections 4.140(.07)(B) & 4.035(.04): Preliminary Approval (Stage One) Application Requirements and Site Development Permit Application

- C7. The applicant's response to Subsection 4.140(.07)(B) can be found in Section 2 of Exhibit B1. The applicant has submitted evidence of the intention to commence construction of the project in 2014, within two years of receiving Stage II Final Plan approval, and a commitment to install, or provide acceptable security for the capital improvements required by the project, at the time of Stage II Final Plan. These criteria are met.

SUMMARY FINDING FOR REQUEST (C):

- C8. The applicant's proposal satisfies all applicable Code requirements and standards, as discussed above.

March 13, 2014

DEVELOPMENT REVIEW BOARD PANEL A

**DEVELOPMENT REVIEW BOARD NOTICE OF DECISION AND
RECOMMENDATION TO CITY COUNCIL**

Project Name: Renaissance at Canyon Creek II Subdivision

Case Files: DB13-0050 (A) Comprehensive Plan Map Amendment
DB13-0051 (B) Zone Map Amendment
DB13-0052 (C) Stage I Preliminary Plan
DB13-0053 (D) Stage II Final Plan
DB13-0054 (E) Waiver
DB13-0055 (F) Tentative Subdivision Plat
DB13-0056 (G) Site Design Review
DB13-0057 (H) Type 'C' Tree Plan

Property Owners: James Dillon and Debra Gruber

Applicant: Renaissance Development

**Applicant's
Representative:** SFA Design Group LLC

**Property
Description:** Tax Lots 5000 of Section 13BA; T3S R1W; Clackamas County;
Wilsonville, Oregon.

Location: 28325 SW Canyon Creek Road South

On March 10, 2014, at the meeting of the Development Review Board Panel A, the following action was taken on the above-referenced proposed development applications:

Requests A and B: The DRB has forwarded a recommendation of approval to the City Council. *A Council hearing date is scheduled for Monday, April 7, 2014 to hear these items.*

Requests C, D, E, F, G and H:
Approved, together with conditions of approval.
These approvals are contingent upon City Council's approval of Requests A and B.

An appeal of Requests C, D, E, F, G and H to the City Council by anyone who is adversely affected or aggrieved, and who has participated in this hearing, orally or in writing, must be filed with the City Recorder within fourteen (14) calendar days of the mailing of this Notice of Decision. *WC Sec. 4.022(.02)*. A person who has been mailed this written notice of decision cannot appeal the decision directly to the Land Use Board of Appeals under *ORS 197.830*.

This decision has been finalized in written form and placed on file in the City records at the Wilsonville City Hall this 13th day of March 2014 and is available for public inspection. The decision regarding Requests C, D, E, F, G and H shall become final and effective on the fifteenth (15th) calendar day after the postmarked date of this written Notice of Decision, unless appealed or called up for review by the Council in accordance with *WC Sec. 4.022(.09)*.

Written decision is attached

For further information, please contact the Wilsonville Planning Division at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon 97070, or phone 503-682-4960.

Attachments: DRB Resolution No. 271, including adopted staff report with conditions of approval.

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 271**

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL OF A COMPREHENSIVE PLAN MAP AMENDMENT FROM RESIDENTIAL 0-1 DU/AC TO RESIDENTIAL 4-5 DU/AC AND A ZONE MAP AMENDMENT FROM RA-H TO PDR-3 AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE I PRELIMINARY PLAN, STAGE II FINAL PLAN, WAIVER, TENTATIVE SUBDIVISION PLAT, SITE DESIGN REVIEW AND TYPE 'C' TREE PLAN FOR DEVELOPMENT OF EIGHT (8) RESIDENTIAL LOTS. THE SUBJECT 1.79 ACRE PROPERTY IS LOCATED ON TAX LOT 5000 OF SECTION 13BA, T3S, R1W, CLACKAMAS COUNTY, OREGON. SFA DESIGN GROUP - REPRESENTATIVE FOR RENAISSANCE DEVELOPMENT - APPLICANT.

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 of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared staff report on the above-captioned subject dated March 3, 2014, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on March 10, 2014, at which time exhibits, together with findings and public testimony were entered into the public record, and

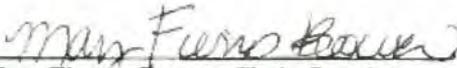
WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and

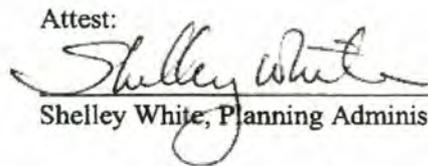
WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board Panel A of the City of Wilsonville recommends that the City Council approve a Comprehensive Plan Map Amendment a Zone Map Amendment (Case Files DB13-0050 and DB13-0051), approve a Stage I Preliminary Plan, Stage II Final Plan, Waiver, Tentative Subdivision Plat, Site Design Review and Type 'C' Tree Plan, and does hereby adopt the staff report attached hereto as Exhibit A1 with modified findings, recommendations and conditions placed on the record herein and authorizes the Planning Director to issue approvals consistent with said recommendations for Case File(s):

- DB13-0050 (A) Comprehensive Plan Map Amendment**
- DB13-0051 (B) Zone Map Amendment**
- DB13-0052 (C) Stage I Preliminary Plan**
- DB13-0053 (D) Stage II Final Plan**
- DB13-0054 (E) Waiver**
- DB13-0055 (F) Tentative Subdivision Plat**
- DB13-0056 (G) Site Design Review**
- DB13-0057 (H) Type 'C' Tree Plan**

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 10th day of March 2014 and filed with the Planning Administrative Assistant on March 13, 2014. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per *WC Sec 4.022(.09)* unless appealed per *WC Sec 4.022(.02)* or called up for review by the council in accordance with *WC Sec 4.022(.03)*.


Mary Fierros-Bower, Chair, Panel A
Wilsonville Development Review Board

Attest:

Shelley White, Planning Administrative Assistant



29799 SW Town Center Loop East
Wilsonville, OR 97070
Phone 503-682-0411
Fax 503-682-1015
TDD 503-682-0843
Web www.ci.wilsonville.or.us

**WILSONVILLE CITY COUNCIL
NOTICE OF DECISION
ORDINANCE NO. 738 and ORDINANCE NO. 739**

FILE NO: ORDINANCE NO. 738 and ORDINANCE NO. 739

APPLICANT:

After conducting a public hearing on April 7, 2014 and second reading on April 21, 2014 the City Council voted to adopt Ordinance No. 738 and Ordinance No. 739 as submitted and adopted findings and conclusions to support their action.

This decision has been finalized in written form as:

Ordinance No. 738

An Ordinance Of The City Of Wilsonville Approving A Comprehensive Plan Map Amendment From Residential 0 – 1 Du/Ac To Residential 4 – 5 Du/Ac On 1.79 Acres Comprising Tax Lot 5000 Of Section 13BA, T3S, R1W, Clackamas County, Oregon; Renaissance At Canyon Creek II; Renaissance Development, Applicant.

Ordinance No. 739

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Residential Agricultural - Holding (Ra-H) Zone To The Planned Development Residential - 3 (PDR-3) Zone On 1.79 Acres Comprising Tax Lot 5000 Of Section 13BA, T3S, R1W, Clackamas County, Oregon. Renaissance Development Corp., Applicant.

And placed on file in the city records at the Wilsonville City Hall the 22nd day of April 2014, and is available for public inspection. The date of filing is the date of decision. Any appeal(s) must be filed with the Land Use Board of Appeals (LUBA) in accordance with ORS Chapter 197, within twenty-one days from the date of decision. Copies of Ordinance No.738 and Ordinance No. 739 may be obtained from the City Recorder, 29799 SW Town Center Loop East, Wilsonville, OR 97070, (503) 570-1506, or via email at king@ci.wilsonville.or.us

For further information, please contact the Wilsonville Planning Division, City Hall, 29799 SW Town Center Loop East, Wilsonville, OR 97070 or telephone (503) 682-4960.

**AFFIDAVIT OF MAILING
NOTICE OF CITY COUNCIL DECISION
OF THE CITY OF WILSONVILLE**

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

I, Sandra C. King, do hereby certify that I am City Recorder of the City of Wilsonville, Counties of Clackamas and Washington, State of Oregon, and that the attached copy of Notice of Decision regarding **Ordinance No. 738 and Ordinance No 739**, entitled:

Ordinance No. 738

An Ordinance Of The City Of Wilsonville Approving A Comprehensive Plan Map Amendment From Residential 0 – 1 Du/Ac To Residential 4 – 5 Du/Ac On 1.79 Acres Comprising Tax Lot 5000 Of Section 13BA, T3S, R1W, Clackamas County, Oregon; Renaissance At Canyon Creek II; Renaissance Development, Applicant.

Ordinance No. 739

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Residential Agricultural - Holding (Ra-H) Zone To The Planned Development Residential - 3 (PDR-3) Zone On 1.79 Acres Comprising Tax Lot 5000 Of Section 13BA, T3S, R1W, Clackamas County, Oregon. Renaissance Development Corp., Applicant.

is a true copy of the original notice; that on, April 23, 2014, I did cause to be mailed via U.S. Mail copies of such notice of decision in the exact form hereto the persons listed on the attached mailing list

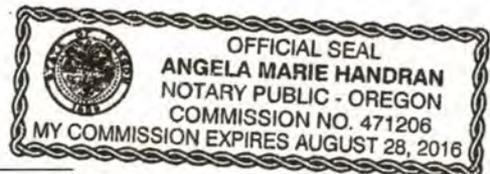
Witness my hand this 27th day of April 2014.

Sandra C. King
Sandra C. King, MMC, City Recorder

Subscribed and sworn to before me this 22 day of April 2014

Angela M. Handran
NOTARY PUBLIC, STATE OF OREGON

My commission expires: Aug. 28, 2014



Applicant: Renaissance Development
16771 SW Boones Ferry Road
Lake Oswego, OR 97035
Attn: Amy Schnell

Applicant's Representative:
Ben Altman
SFA Design Group, LLC
9020 SW Washington Square DR. Suite 505
Portland, OR 97223

Owners:
James W. Dillon and Debra Ann Gruber
4620 E. Russell Road
Colbert, WA 99005

Ord 738 &
739
NOTICE OF DECISION
LABELS

31W13B 00302
Glenn Jr & Donna Schroder
200 SW Canyon Creek Rd
Wilsonville, OR 97070

31W13B 02500
Jill Ann Downs
28209 SW Morningside Ave
Wilsonville, OR 97070

31W13B 02603
Mentor Graphics Corp
8005 SW Boeckman Rd
Wilsonville, OR 97070

31W13BA00300
Deanna Connell
28379 SW Morningside Ave
Wilsonville, OR 97070

31W13BA00601
Thomas Kevin Stathem
18460 SW Boones Ferry Rd #K30
Tigard, OR 97224

31W13BA00900
Glen & Elizabeth McCord
7893 SW Rockbridge St
Wilsonville, OR 97070

31W13BA01200
Robert & Cari Hausserman
7914 SW Rockbridge St
Wilsonville, OR 97070

31W13BA01500
Ronald & Joy Stahl
7888 SW Rockbridge St
Wilsonville, OR 97070

31W13BA01800
William Terway
7905 SW Daybreak St
Wilsonville, OR 97070

31W13BA02100
Renaissance Canyon Crk Hmownrs Assn
28356 SW Morningside Ave
Wilsonville, OR 97070

31W13B 00700
David Schalk
28400 SW Canyon Creek Rd
Wilsonville, OR 97070

31W13B 02502
City Of Wilsonville
29799 SW Town Center Loop E
Wilsonville, OR 97070

31W13BA00100
Name Suppressed
28357 SW Morningside Ave
Wilsonville, OR 97070

31W13BA00400
Curtis & Tammy Hendrix
28387 SW Morningside Ave
Wilsonville, OR 97070

31W13BA00700
Larry Dean Huckey
Po Box 598
Wilsonville, OR 97070

31W13BA01000
Jay Clemens
7909 SW Rockbridge St
Wilsonville, OR 97070

31W13BA01300
Adrian Cagnoni
7908 SW Rockbridge St
Wilsonville, OR 97070

31W13BA01600
Us Bank Na Series 2007-2
1499 SE Tech Center Pl #255
Vancouver, WA 98683

31W13BA01900
Renaissance Canyon Crk Hmownrs Assn
28441 SW Canyon Creek Rd
Wilsonville, OR 97070

31W13BA02200
Renaissance Canyon Crk Hmownrs Assn
P. O. Box 23099
Tigard, OR 97281

31W13B 00800
Jeffrey & Cathy Knapp
28450 SW Canyon Creek Rd
Wilsonville, OR 97070

31W13B 02503
Deborah Mager
7970 SW Boeckman Rd
Wilsonville, OR 97070

31W13BA00200
Michael & Schlaadt
28361 SW Morningside Ave
Wilsonville, OR 97070

31W13BA00500
Kathleen Henderson
28391 SW Morningside Ave
Wilsonville, OR 97070

31W13BA00800
David & Jonelle Marquis
7885 SW Roakoke Dr
Wilsonville, OR 97070

31W13BA01100
Huaxing Tang
7913 SW Rockbridge St
Wilsonville, OR 97070

31W13BA01400
Samuel Sumner
7894 SW Rockbridge St
Wilsonville, OR 97070

31W13BA01700
George & Mary Johnston
7897 SW Daybreak St
Wilsonville, OR 97070

31W13BA02000
Renaissance Canyon Crk Hmownrs Assn
7917 SW Daybreak St
Wilsonville, OR 97070

31W13BA02700
Gerald & Cleo Downs
28205 SW Canyon Creek Rd
Wilsonville, OR 97070

31W13BA02800
Charles & Patricia Knorr
28275 SW Canyon Creek Rd
Wilsonville, OR 97070

31W13BA03100
Michael & Christina Williams
7887 SW Summerton St
Wilsonville, OR 97070

31W13BA03400
Xian Hu
7894 SW Cinnabar
Wilsonville, OR 97070

31W13BA03700
Carsten & Jeanne Roedel
25828 SW Canyon Creek Rd #K201
Wilsonville, OR 97070

31W13BA04000
Kent & Judith Fender
7927 SW Summerton St
Wilsonville, OR 97070

31W13BA04300
Chris & Dana Edmiston
7924 SW Summerton St
Wilsonville, OR 97070

31W13BA04800
Renaissance Canyon Crk Hmownrs Assn
P. O. Box 23099
Tigard, OR 97281

31W13BA05500
Farrand & Judith Livingston
7739 SW Summerton St
Wilsonville, OR 97070

31W13BA05800
Brendan Colyer
7750 SW Summerton St
Wilsonville, OR 97070

31W13BA06100
Jason & Jennifer Koenig
7720 SW Summerton St
Wilsonville, OR 97070

31W13BA02900
Charles & Patricia Knorr
28275 SW Canyon Creek Rd
Wilsonville, OR 97070

31W13BA03200
Melissa & Uriel Sanchez
7895 SW Summerton St
Wilsonville, OR 97070

31W13BA03500
Carter
7902 SW Cinnabar
Wilsonville, OR 97070

31W13BA03800
Andrew & Christine Holt
7907 SW Summerton St
Wilsonville, OR 97070

31W13BA04100
Bryan & Elizabeth Flannery
7944 SW Summerton St
Wilsonville, OR 97070

31W13BA04600
Renaissance Canyon Crk Hmownrs Assn
P. O. Box 23099
Tigard, OR 97281

31W13BA04900
Renaissance Canyon Crk Hmownrs Assn
P. O. Box 23099
Tigard, OR 97281

31W13BA05600
Mark & Teresa Tennyson
7729 SW Summerton St
Wilsonville, OR 97070

31W13BA05900
Kimihiro & Ritsuko Satoh
7740 SW Summerton St
Wilsonville, OR 97070

31W13BA06700
Crosscreek Homeowners Assn
28340 SW McGraw Ave
Wilsonville, OR 97070

31W13BA03000
Terry & Judith McEntee
7875 SW Summerton St
Wilsonville, OR 97070

31W13BA03300
Marvin & Sandra Nelson
7882 SW Cinnabar
Wilsonville, OR 97070

31W13BA03600
Robert Anderson
Po Box 1049
Tualatin, OR 97062

31W13BA03900
Andrew Ehlers
7915 SW Summerton St
Wilsonville, OR 97070

31W13BA04200
Curtis & Diane Schnepf
7936 SW Summerton St
Wilsonville, OR 97070

31W13BA04700
Renaissance Canyon Crk Hmownrs Assn
P. O. Box 23099
Tigard, OR 97281

31W13BA05400
William Lekavich
7749 SW Summerton St
Wilsonville, OR 97070

31W13BA05700
Jean Leonard
7719 SW Summerton St
Wilsonville, OR 97070

31W13BA06000
Barry & Donna Webb
7730 SW Summerton St
Wilsonville, OR 97070

**Land Use Application
City of Wilsonville, Oregon**

ORD 738 &
739

NOTICE OF CC
DECISION

Renaissance Development

**Comprehensive Plan Map Amendment, Zone Map
Amendment; Modified Stage I Master Plan; PDR-3,
Stage II with Preliminary Plat, with Setback Waiver;
Type C Tree Removal and Preservation Plan; and Site
Design Review**

**Canyon Creek II
8-Lot
Planned Residential Development**

**November 15, 2013
Revised for Completeness 12-17-13**

APPLICANT:

**Renaissance Development
16771 SW Boones Ferry Road
Lake Oswego, OR 97035
Phone: (503) 496-0616 Fax: (503) 635-8400
Contact: Amy Schnell**

APPLICANT'S REPRESENTATIVE:

**SFA Design Group, LLC
9020 SW Washington Square Drive, Suite 505
Portland, OR 97223
Phone: (503) 641-8311 Fax: (503) 643-7905
Contact: Ben Altman**

RECEIVED

DEC 19 2013



City of Wilsonville
EXHIBIT B1 DB13-0050 et seq

**Land Use Application
City of Wilsonville, Oregon**

Renaissance Development

**Comprehensive Plan Map Amendment, Zone Map
Amendment; Modified Stage I Master Plan; PDR-3,
Stage II with Preliminary Plat, with Setback Waiver;
Type C Tree Removal and Preservation Plan; and Site
Design Review**

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8-Lot
Planned Residential Development**

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Phone: (503) 641-8311 Fax: (503) 643-7905
Contact: Ben Altman**

ORDINANCE NO. 740

AN ORDINANCE OF THE CITY OF WILSONVILLE DECLARING A MORATORIUM ON MEDICAL MARIJUANA FACILITIES, AND DECLARING AN EMERGENCY

WHEREAS, the Oregon Legislature enacted House Bill 3460 (2013), which requires the Oregon Health Authority to develop and implement a process to register medical marijuana facilities; and

WHEREAS, House Bill 3460 (2013) directed that persons who operate or are employed by a registered medical marijuana facility would enjoy immunity from state prosecution; and

WHEREAS, the issue of whether a local government believes a certain type of business should operate within its jurisdictional limits is a local government decision, the enforcement of which is subject to the general and police powers of that jurisdiction; and

WHEREAS, The Oregon Legislature enacted Senate Bill 1531 (2014), which removes immunity from state prosecution for a person who is responsible for or employed by a registered medical marijuana facility located in an area subject to the jurisdiction of a city or county that enacts a moratorium prohibiting the operation of a medical marijuana facility; and

WHEREAS, the City Council believes it is in the best interests of the health, safety, and welfare of the citizens of the City of Wilsonville to enact such a moratorium prohibiting the operation of a medical marijuana facility within the jurisdictional boundaries of the City of Wilsonville; and

WHEREAS, the City of Wilsonville, pursuant to Ordinance No. 734 already prohibits the issuance of a City of Wilsonville business license for any business that is, by its nature, illegal under state or federal law; and

WHEREAS, this moratorium is consistent with Ordinance No. 734, which remains in effect.

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

1. The City of Wilsonville hereby prohibits the operation of any medical marijuana facility in any area subject to the jurisdiction of the City of Wilsonville. As used in this section, "medical marijuana facility" includes any facility that dispenses marijuana pursuant to ORS 475.314 or any other provision of Oregon law.

2. The moratorium imposed by this Ordinance shall be effective until May 1, 2015, unless rescinded sooner.
3. The Clackamas County Sheriff's Department, pursuant to its law enforcement agreement with the City of Wilsonville, is charged with enforcement of the moratorium.
4. The remedies available under Senate Bill 1531 (2014) for a violation of the moratorium imposed by this Ordinance are not exclusive of any other remedies available under any applicable federal, state, or local law. It is within the discretion of the City of Wilsonville to seek cumulative remedies for a violation of the moratorium imposed by this Ordinance.
5. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable.
6. This Ordinance is necessary for the immediate preservation of the public peace, health, and safety; an emergency is therefore declared to exist, and this Ordinance takes effect immediately on its passage.

SUBMITTED to the Wilsonville City Council and read for the first time at a meeting thereof on the 7th day of April, 2014, and scheduled for second reading on April 21, 2014, commencing at the hour of 7 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon.

Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the ____ day of _____, 2014, by the following votes: Yes: _____ No: _____

Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this ____ day of _____, 2014.

TIM KNAPP, MAYOR

SUMMARY OF VOTES:

Mayor Knapp

Council President Starr

Councilor Goddard

Councilor Fitzgerald

Councilor Stevens

King, Sandy

From: MedMJ Dispensaries <medmj.dispensaries@state.or.us>
Sent: Tuesday, April 22, 2014 4:12 PM
To: King, Sandy
Subject: Re: Moratorium on Medical Marijuana Facilities

Thank you for submitting a copy of your Moritorium.

Tom Burns
503-224-6196

> On Apr 22, 2014, at 6:49 PM, "King, Sandy" <king@ci.wilsonville.or.us> wrote:

>

> The City of Wilsonville has declared a one year moratorium on medical marijuana dispensaries with the adoption of Ordinance No. 740. The moratorium will sunset on May 1, 2015.

>

> Enclosed please find a copy of Ordinance No. 740 entitled " An Ordinance of the City of Wilsonville Declaring a Moratorium on Medical Marijuana Facilities, and Declaring An Emergency" which was adopted by the Wilsonville City Council at their regular meeting held on April 21, 2014.

>

> I have placed a paper copy in the U.S. Mail to you today.

>

> Sandra C. King, MMC

> City Recorder

> City of Wilsonville

> 29799 SW Town Center Loop East

> Wilsonville, OR 97070

> 503-570-1506

> PUBLIC RECORDS LAW DISCLOSURE: Messages to and from this e-mail address is a public record of the City of Wilsonville and may be subject to public disclosure. This e-mail is subject to the State Retention Schedule.

> <img-422113308-0001.pdf>


**CITY COUNCIL MEETING
 STAFF REPORT**

Meeting Date: April 17, 2014	Subject: Resolution No. 2456 A Resolution, adopting the attached Findings of Fact and Conclusion of Law, reversing the DRB decision and approving the Applications. Staff Member: Daniel Pauly & Barbara Jacobson Department: Planning and Legal	
Action Required <input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda	Advisory Board/Commission Recommendation <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments: As voted at the March 17, 2014 City Council hearing, action is to adopt a Resolution, adopting the attached Findings of Fact and Conclusion of Law, reversing the DRB decision and approving the Applications.	
Staff Recommendation: Staff recommends Council adopt Resolution No. 2456.		
Recommended Language for Motion: I move to approve Resolution No. 2456.		
PROJECT / ISSUE RELATES TO: <i>[Identify which goal(s), master plans(s) issue relates to.]</i>		
<input type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)	<input checked="" type="checkbox"/> Not Applicable

ISSUE BEFORE COUNCIL:

Applicant Wilsonville Devco LLC has appealed the Development Review Board's denial of its applications to modify its already approved Stage II Final Plan to allow for a drive through Human Bean Coffee Kiosk. City Council held a public hearing on the appeal at the March 17, 2014 City Council meeting and the City Council voted 3 to 0 (two Council members were absent) to issue an Order granting the Application, subject to final review and approval by the City Council of the Findings of Fact, Conclusion of Law and Decision to be drafted to reflect the Council's approval requirements.

EXECUTIVE SUMMARY:

The DRB denied Wilsonville Devco's applications for a Stage II Final Plan Revision that would have replaced the already approved small mall project with a drive through coffee kiosk and store due to concerns about safety and internal traffic circulation, given the tight nature of the site and the adjoining development's drive through, coupled with traffic to and from the Chevron station. City Council granted the Appeal at the March 3, 2014 City Council meeting. The City Council determined that the appeal would be based on review of the DRB record, with allowance for limited new evidence and testimony relating only to on-site traffic congestion; adequacy, efficiency and safety of on-site pedestrian and vehicle circulation, inclusive of delivery and other larger format vehicles; and Section 4.154, Subsections 4.155(.03)A, 4.400(.02)A and 4.421(.01)C of the Wilsonville City Code. On March 17, 2014 the public hearing was held and based on the testimony given, new evidence presented and consideration of the entire record on appeal, the City Council members present for the hearing voted unanimously to reverse the DRB decision and approve the Applications, subject to imposition of three additional conditions relating to traffic, safety and circulation and adoption of Findings of Fact, Conclusions of Law and Decision, to be prepared by staff for approval and adoption by City Council

EXPECTED RESULTS:

The Order will be final action by the City Council on the Appeal.

CURRENT YEAR BUDGET IMPACTS:

None.

FINANCIAL REVIEW / COMMENTS: NA

Reviewed by: _____ Date: _____

LEGAL REVIEW / COMMENT:

Reviewed by: MEK Date: 4/14/14

Findings of Fact, Conclusion of Law and Decision reviewed, modified and approved by legal staff

COMMUNITY INVOLVEMENT PROCESS:

N/A

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY:

Resolution of the Applications.

ALTERNATIVES:

The Council has the following options for consideration:

- 1) To issue an Order reversing the DRB and approving the Applications by passing the Resolution, including the attached Findings of Fact, Conclusions of Law and Decision
- 2) To issue an Order reversing the DRB and approving the Applications by passing the Resolution, but modifying the attached Findings of Fact, Conclusions of Law and Decision as the City Council deems necessary

CITY MANAGER COMMENT:

ATTACHMENTS

- A. Resolution No. 2456 (including Findings of Fact, Conclusions of Law and Decision)
Reversing the DRB Decision and Approving the Applications

**RESOLUTION NO. 2456
AND ORDER**

RESOLUTION TO ISSUE AN ORDER BY THE CITY COUNCIL APPROVING THE APPEAL OF THE STAGE II FINAL PLAN REVISION, SITE DESIGN REVIEW, AND MASTER SIGN PLAN REVISION AND SIGN WAIVER OF A NEW 450 SQUARE FOOT DRIVE-THRU COFFEE KIOSK AT THE CORNER OF 95TH AVENUE AND BOONES FERRY ROAD. THE SUBJECT SITE IS LOCATED ON TAX LOT 302 OF SECTION 2DB, T3S, R1W, WASHINGTON COUNTY, OREGON. APPLICANT/ APPELLANT/OWNER WILSONVILLE DEVCO, LLC. APPLICATION NOS. DB 13-0046, DB 13-0047, AND DB 13-0048.

WHEREAS, City Council received a timely filed appeal from Appellant/Applicant Wilsonville Devco LLC of the decision of the Development Review Board, Panel A (“DRB”), denying the above captioned project applications (“Applications”) made pursuant to Wilsonville City Code 4.022(.02), following a denial of said Applications at the public hearing held on February 2014; and

WHEREAS, after granting the Appeal at a public meeting held on March 3, 2014, setting the date for public hearing of the appeal for March 17, 2014, and limiting the record on appeal to evidence already in the DRB record and limited new evidence and testimony relating only to on-site traffic congestion; adequacy, efficiency, and safety of on-site pedestrian and vehicle circulation, inclusive of delivery vehicles and other larger format vehicles; and Section 4.154, Subsections 4.155(.03)A, 4.400(.02)A, and 4.421(.01)C of the Wilsonville City Code requirements; and

WHEREAS, having conducted the appeal hearing and having reviewed all of the evidence in the DRB record, including DRB member reasoning and findings for denial or approval; and having heard new evidence, as allowed, from both the Appellant/Applicant and opponents to the Applications at the appeal hearing; and

WHEREAS, having considered all of the foregoing evidence and following all applicable requirements of the Wilsonville Development Code pertaining to the Applications and appeal, the City Council hereby orders as follows:

1. The City Council hereby orders that the decision of the DRB on the above referenced Applications is hereby reversed and the Applications approved, adopting the Findings of Fact, Conclusions of Law and Decision of City Council,

rendered on April 17, 2014, attached hereto as **Exhibit A** and incorporated by reference herein.

2. City Council authorizes City staff to implement this Order as directed by the Findings of Fact, Determinations and Conclusions.
3. This Order is subject to the rights of appeal, as set forth in Oregon law. If you desire to appeal this decision to the Oregon Land Use Board of Appeals you must make application stating the grounds for appeal with the Land Use Board of Appeals, as proscribed by State law and within the timeframe proscribed by State Law.

IT IS HEREBY ORDERED by the Wilsonville City Council at a regular meeting thereof this 21st day of April, 2014, to be effective immediately and filed with the Wilsonville City Recorder on this date.

TIM KNAPP, MAYOR

ATTEST:

Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES:
Mayor Knapp
Council President Starr
Councilor Goddard
Councilor Fitzgerald
Councilor Stevens

FINAL FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION BY
CITY COUNCIL RENDERED ON APRIL 17, 2014

Boones Ferry Pointe: The Human Bean Drive-thru Coffee Kiosk

APPEAL HEARING DATE March 17, 2014

APPLICATION NOS.: DB13-0046 Stage II Final Plan Revision
 DB13-0047 Site Design Review
 DB13-0048 Master Sign Plan Revision and Sign Waiver

REQUEST/SUMMARY: The Applicant appealed the decision of the Development Review Board (“DRB”) denying its request for a revised Stage II Final Plan, Site Design Review, and revised Master Sign Plan for the development of a new 450 square foot drive-thru coffee shop to replace an approved but un-built 3,150 square foot multi-tenant commercial building at the corner of 95th Avenue and Boones Ferry Road in North Wilsonville. Based on the findings set forth herein, which includes additional conditions imposed as the result of the introduction of new evidence the DRB did not have the benefit of hearing, City Council reverses the decision of the DRB and approves, with additional conditions, the revised Stage II Final Plan, Site Design Review request, and revised Master Sign Plan.

LOCATION: The proposed coffee shop location is on the southeast corner of the 95th Avenue/Boones Ferry Road intersection near Elligsen Road/I-5 Interchange. The property is specifically known as Tax Lot 0302, Section 2DB, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Washington County, Oregon.

OWNER/APPLICANT: Josh Veentjer
 Wilsonville Devco LLC

APPLICANT’S REPS: Ben Altman
 SFA Design Group

 Craig Anderson
 CB Anderson Architects

COMPREHENSIVE PLAN MAP DESIGNATION: Commercial

ZONE MAP CLASSIFICATION: PDC (Planned Development Commercial)

STAFF REVIEWERS: Daniel Pauly AICP, Associate Planner
 Steve Adams PE, Development Engineering Manager
 Don Walters, Building Plans Examiner

APPLICABLE REVIEW CRITERIA

Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.031	Authority of the Development Review Board
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.116	Standards Applying to Commercial Development in All Zones
Section 4.118	Standards Applying to Planned Development Zones
Section 4.131	Planned Development Commercial Zone (PDC)
Section 4.140	Planned Development Regulations
Section 4.154	On-Site Pedestrian Access and Circulation
Section 4.155	Parking, Loading, and Bicycle Parking
Sections 4.156.01 through 4.156.11	Sign Regulations
Section 4.167	Access, Ingress, and Egress
Section 4.171	Protection of Natural Features and Other Resources
Section 4.175	Public Safety and Crime Prevention
Section 4.176	Landscaping, Screening, and Buffering
Section 4.177	Street Improvement Standards
Section 4.179	Mixed Solid Waste and Recyclables Storage
Sections 4.199.20 through 4.199.60	Outdoor Lighting
Sections 4.300 through 4.320	Underground Utilities
Sections 4.400 through 4.450 as applicable	Site Design Review

Vicinity Map



BACKGROUND/SUMMARY:

Approved Stage I Master Plan/Site History

The subject property is part of the Edwards Business Center Industrial Master Plan. This Master Plan envisioned a variety of industrial and commercial uses. The Master Plan designated the subject site as commercial, but did not specify the type of commercial use. Previously the City received an application for an office building on the site, which was never built. In March 2013 the Development Review Board approved an application to construct a fast-food restaurant and a multi-tenant commercial building, consistent with the designation of the property in the Master Plan. The restaurant building has been built, but the property owner determined they were unable to find appropriate tenants and finance the commercial building. The Applicant is now requesting to replace the multi-tenant commercial building portion of the development with a drive-thru coffee kiosk, which remains consistent with the Stage I Master Plan commercial designation.

Stage II Final Plan (DB13-0046)

The Stage II Final Plan looks at the function and overall aesthetics of the proposed development, including traffic, parking, and circulation.

The proposed revised Master Plan includes a 450 square foot drive-thru coffee kiosk and associated site improvements, including parking, circulation, and landscaping. The coffee kiosk development replaces a multi-tenant commercial building approved by the DRB in March 2013,

City Council Final Findings Rendered April 17, 2014

Exhibit A1

Boones Ferry Pointe: The Human Bean Drive-thru Coffee Kiosk

DB13-0046, DB13-0047, DB13-0048

Page 3 of 62

at the same time the adjacent Carl's Jr. restaurant was approved. The development site sits just north of the recently completed Carl's Jr. restaurant at the southeast corner of SW 95th Avenue and SW Boones Ferry Road. The kiosk building has a flat roof with a parapet to screen view of mechanical equipment. The north end of the building has a tower featuring the sign bands. A drive through lane wraps around the east, north, and west sides of the kiosk and the adjoining patio and parking area. Parking is to the south and southeast.

Vehicle access to the coffee kiosk is via an existing shared driveway with Holiday Inn, Chevron, and Carl's Jr.

The Modified Stage II Final Plan for Boones Ferry Point, which will include Carl's Jr. and the proposed coffee kiosk, proposes approximately 15,569 square feet of landscaping, 37 parking spaces (35 required), maneuvering and circulations areas, and mixed solid waste and recyclables storage. The total gross area of the site covered by the Stage II Master Plan is 55,605 square feet or 1.28 acres.

Site Design Review (DB13-0047)

Architectural Design

In the application for the original Boones Ferry Point (DB12-0074 et. seq.), the Applicant explained how the design goal was to identify with the general environment of commercial development at Argyle Square and along Wilsonville Road while also adding a unique personality to the development and proper identity to the planned tenants. Smaller scale wood-frame structures using traditional exterior materials intended to reinforce their location in Wilsonville's small town setting. The approved buildings featured brick, horizontal lap siding, and board and batten materials. The proposed coffee kiosk follows this same architectural theme previously proposed and approved. The building features brick around the base, with a mix of lap siding and horizontal siding on the main body of the building. The tower design has a similar shape as the Carl's Jr. building towers but uses different material and colors. The Carl's Jr. building and the proposed coffee kiosk incorporate similar architectural elements but have enough differences to be unique and complementary.

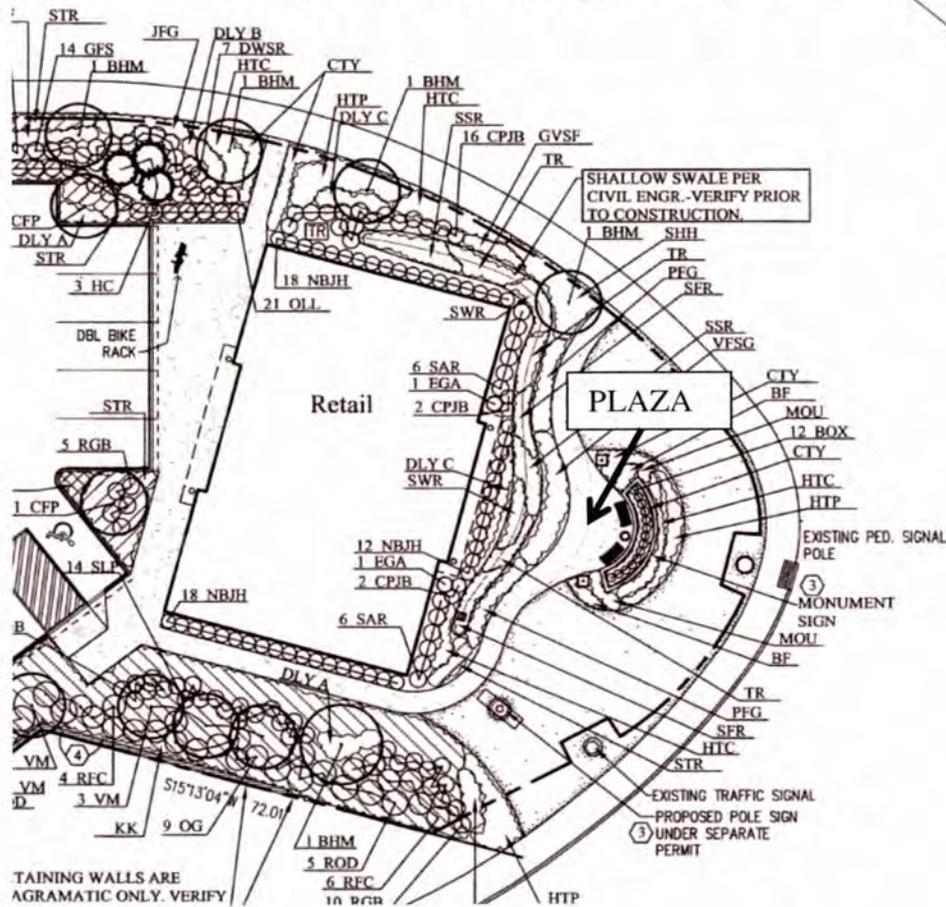
Proposed Drive-thru Coffee Kiosk Rendering



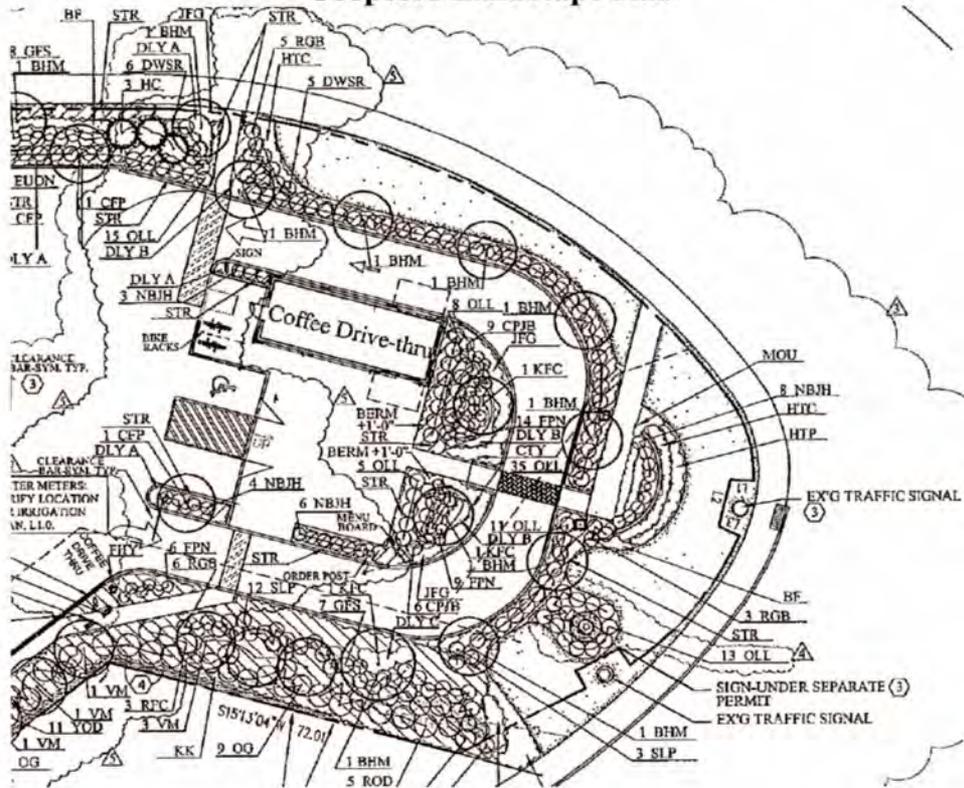
Landscape and Hardscape Design

In the design of Boones Ferry Pointe previously approved by the DRB, a planter and plaza are featured at the north of the site to acknowledge the gateway at a prominent intersection on the northern edge of the City. The remainder of the landscaping is typical of parking lots and commercial areas in Wilsonville. In the proposed revised plan, the planter and gateway sign with flag remain, but the plaza has been replaced with a patio area adjacent to the coffee kiosk. The remainder of the area around the coffee kiosk accommodates the drive-thru lane and otherwise remains typical of parking lots and commercial areas in Wilsonville.

Landscape Plan Previously Approved by DRB



Proposed Landscape Plan



Master Sign Plan and Sign Area Waiver (DB13-0048)

Building Signs

All three facades of the coffee kiosk where signs are proposed are eligible for building signs, with the allowed area based on the length of the different facades. The building signs will be wall mounted, internally illuminated logo cabinets, like Carl's Jr., or individual internally illuminated channel letters. The signs will be appropriately placed on the buildings, either centered in architectural features or centered above doors or windows. The sign design and placement is similar to other commercial retail developments in Wilsonville, including Argyle Square and Old Town Square. Due to the narrow length of the north façade of the building, the Applicant is requesting a waiver to allow a sign of the same size as the east and west facades, providing consistency on each of the three facades of the northern portion of the building, which are very similar architecturally.

Proposed Building Signs



DISCUSSION TOPICS:

Bicycle Parking

The required number of bicycle parking spaces is provided. Condition of Approval PDA 2 requires the spacing between bike parking and the kiosk building and the distance of the bike parking from the pedestrian service window to meet bicycle parking development standards.

Existing Hardscape and Landscape Improvements

Most of the hardscape and landscape for the proposed development has already been installed.

Tables and Other Furnishings for Patio Area

The Applicant has not provided information on tables or other furnishings for the patio area adjacent to the coffee kiosk. While none are currently proposed, it is understood furnishings will be placed in this area. Condition of Approval PDB 9 ensures the design of these furnishings will be durable and match or complement the neighboring building, thus helping to meet the site design review standards.

Restrictive Covenant Legal Dispute

As described in Exhibit D1, a legal dispute is ongoing regarding whether a restrictive covenant on the property prevents the operation of the proposed coffee kiosk. City Council finds that this is a private matter to be resolved between the parties and that the City is not obligated nor authorized to adjudicate such private matter in this proceeding. Therefore, City Council finds such dispute irrelevant to the Application and does not consider it as part of this review. See letter regarding this matter from Barbara Jacobson, Assistant City Attorney, Exhibit C3.

CONCLUSION AND CONDITIONS OF APPROVAL:

City Council has reviewed the Applicant's analysis of compliance with the applicable criteria. City Council adopts the Applicant's responses as Findings of Fact except as noted in these Findings. Based on the findings set forth herein, with the following additional conditions imposed by City Council and agreed to by Applicant, City Council reverses the DRB's decision and approves the proposed application (DB13-0046, DB13-0047, DB13-0048) as follows:

CITY COUNCIL ADDITIONAL CONDITIONS OF APPROVAL

The following additional Conditions of Approval are provided by City Council (City Council Conditions "CC"):

CC 1 No vehicles greater than thirty feet (30') in length shall be used to make deliveries to The Human Bean or future tenant of the kiosk unless an easement is granted by the neighboring property owner or found to exist by the appropriate legal authority that would allow the maneuvering of larger delivery vehicles.

CC 2 Site circulation to The Human Bean or future tenant of the kiosk, including inventory deliveries and typical customer traffic, shall be accomplished without the use of the curb cut along the property line between the trash enclosures and SW Boones Ferry Road unless an easement is granted by the neighboring property or found to exist by the appropriate legal authority that would allow use of the curb cut and circulation on the neighboring property.

CC 3 The following shall be installed and maintained to aid in site safety and circulation:

- a. A stop line and stop sign for northbound traffic directly east of the north building line of the Carl's Jr. restaurant building. The stop sign shall meet ASHTO dimension standards.
- b. Clearly marked "Do Not Block" areas at the entrance of the Carl's Jr. drive-thru lane sufficient to allow traffic through exiting from the north.

City Council also incorporates the following Conditions of Approval from the Staff Report, dated January 6, 2014:

REQUEST A: DB13-0046 STAGE II FINAL PLAN REVISION

<u>Planning Division Conditions:</u>	
PDA 1.	The approved final plan schedule shall control the issuance of all building permits and shall restrict the nature, location and design of all uses. Minor changes to the approved final development plan may be approved by the Planning Director through administrative review pursuant to Section 4.030 if such changes are consistent with the purposes and general character of the plan. All other modifications shall be processed in the same manner as the original application and shall be subject to the same procedural requirements.
PDA 2.	The applicant shall modify or relocate the bicycle parking spaces to meet the following standards identified in Subsection 4.155(.04)B, while continuing to meet all other applicable standards: <ul style="list-style-type: none"> • An aisle at least 5 feet wide shall be maintained behind all required bicycle parking to allow room for bicycle maneuvering. • Each space be located within 30 feet of the pedestrian service window.

REQUEST B: DB13-0047 SITE DESIGN REVIEW

Planning Division Conditions:

PDB 1. Construction, site development, and landscaping shall be carried out in substantial accord with the plans, drawings, sketches, and other documents included in the record, except that all improvements must be contained solely within the Applicant's own property. Minor revisions may be approved by the Planning Director through administrative review pursuant to Section 4.030. See Findings B3.

PDB 2. All landscaping requirements set forth in the record shall be installed prior to issuance of occupancy permits, unless security equal to one hundred and ten percent (110%) of the cost of the landscaping, as determined by the Planning Director, is filed with the City assuring such installation within six (6) months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account, or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases, the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the Board, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City will be returned to the applicant. See Finding B9.

PDB 3. The approved landscape plan is binding upon the applicant/owner. Substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan shall not be made without official action of the Planning Director or Development Review Board, pursuant to the applicable sections of Wilsonville's Development Code. See Finding B10.

PDB 4. All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved, unless altered as allowed by Wilsonville's Development Code. See Findings B11 and B12.

PDB 5. The following requirements for planting of shrubs and ground cover shall be met:

- Non-horticultural plastic sheeting or other impermeable surface shall not be placed under landscaping mulch.
- Native topsoil shall be preserved and reused to the extent feasible.
- Surface mulch or bark dust shall be fully raked into soil of appropriate depth, sufficient to control erosion, and shall be confined to areas around plantings.
- All shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon containers and 10" to 12" spread.
- Shrubs shall reach their designed size for screening within three (3) years of planting.
- Ground cover shall be equal to or better than the following depending on the type of plant materials used: gallon containers spaced at 4 feet on center

	<p>minimum, 4" pot spaced 2 feet on center minimum, 2-1/4" pots spaced at 18 inch on center minimum.</p> <ul style="list-style-type: none"> • No bare root planting shall be permitted. • Ground cover shall be sufficient to cover at least 80% of the bare soil in required landscape areas within three (3) years of planting. • Appropriate plant materials shall be installed beneath the canopies of trees and large shrubs to avoid the appearance of bare ground in those locations. • Compost-amended topsoil shall be integrated in all areas to be landscaped, including lawns. <p>See Finding B22.</p>
PDB 6.	Plant materials shall be installed to current industry standards and be properly staked to ensure survival. Plants that die shall be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City. See Finding B27.
PDB 7.	Outdoor lighting associated with the coffee kiosk use shall be dimmed at 10:00 p.m. by an automatic system. See Finding B38.
PDB 8.	All non-exempt luminaires shall be limited to down lighting. Non-exempt luminaires, except luminaire DD, shall be mounted and aimed consistent with their fully shielded classification. See Finding B35 and B37.
PDB 9.	Furnishings for the patio area shall be of durable materials that can withstand multiple years of outdoor exposure and remain in a like-new condition. Furnishings for the patio area shall be colors matching or complementary to the coffee kiosk building. Furnishings are not approved to have any signage. Final design and placement of furnishings shall be approved by the Planning Division through the Class I Administrative Review process.

REQUEST C DB13-0048 MASTER SIGN PLAN REVISION AND SIGN WAIVER

PDC 1.	Non-exempt signs shall be issued a Class I Sign Permit through the Planning Division prior to installation to ensure compliance with the approved Master Sign Plan.
PDC 2.	This action only changes the components of the Master Sign Plan explicitly noted. All other aspects of the Master Sign Plan and Conditions of Approval of Case File DB12-0076 remain in effect.
PDC 3.	The illuminated directional signs at internal circulation drive intersections shall be limited to six (6) square feet. See Finding C24.

CONDITIONS OF APPROVAL FROM THE ENGINEERING AND BUILDING DIVISIONS FOR ALL REQUESTS

The following Conditions of Approval are provided by the Engineering and Building Divisions of the City's Community Development Department, which have authority over development approval. A number of these Conditions of Approval are not related to land use regulations under the authority of the Development Review Board or Planning Director. Only those Conditions of Approval related to criteria in Chapter 4 of the Wilsonville Code and the Comprehensive Plan, including but not limited to those related to traffic level of service, site vision clearance, and concurrency, are subject to the Land Use review and appeal process

defined in the Wilsonville Code and Oregon Revised Statutes and Administrative Rules. Other Conditions of Approval are based on City Code chapters other than Chapter 4, state law, federal law, or other agency rules and regulations. Questions or requests about the applicability, appeal, exemption, or non-compliance related to these other Conditions of Approval should be directed to the City Division with authority over the relevant portion of the development approval.

Engineering Division Conditions:			
Specific Comments:			
PF 1.	Engineering Public Facilities Conditions of Approval (PF conditions) for DB12-0074 and DB12-0075 remain in effect for this project except as further modified below.		
PF 2.	At the request of Staff, DKS Associates completed a Trip Generation memo dated September 5, 2013, revising a previously completed Carl's Jr. Traffic Impact Study that was completed in May 2012. The proposed use is expected to generate 13 fewer new primary trips than the previously approved use. The project is hereby limited to no more than the following impacts. <div style="text-align: center;"> <table> <tr> <td>Estimated New PM Peak Hour Trips</td> <td>117</td> </tr> </table> </div>	Estimated New PM Peak Hour Trips	117
Estimated New PM Peak Hour Trips	117		
PF 3.	Stormwater detention and storm water quality for this site will be handled via the stormwater facility constructed with the Boones Ferry Pointe project.		
PF 4.	The project shall connect to the existing Storm lateral constructed with the Boones Ferry Pointe project.		
PF 5.	The project shall connect to the existing Sanitary Sewer stub constructed with the Boones Ferry Pointe project.		
PF 6.	The project shall connect to the existing Water service constructed with the Boones Ferry Pointe project.		

Building Division Conditions:	
BD 1.	ACCESSIBLE. At least one of the walk-up service windows shall be accessible.

MASTER EXHIBIT LIST:

The following exhibits are hereby entered into the public record by the City Council as confirmation of its consideration of the application as submitted. This is the exhibit list that includes exhibits for Planning Case Files DB13-0046, DB13-0047, DB13-0048, as submitted to the Development Review Board, along with additional exhibits as submitted to the City Council for the hearing held on March 17, 2014.

- A1.** Staff report and findings
- A2.** Staff's public hearing presentation slides
- A3.** Email dated January 13, 2014 from Daniel Pauly to Barbara Jacobson, noting the dates that information was submitted to Garry LaPoint over the last month on the project
- A4.** Memo from Staff to DRB, dated February 10, 2014
- B1.** Applicant's Notebook:
 - 1. Notice of Complete Application Dated December 9, 2013

2. Response to Letter of Incomplete Application Dated December 4, 2013
 3. Notice of Incomplete Application Dated November 20, 2013
 4. Application Form signed by Josh Veentjer, Managing Member of Wilsonville Devco LLC
 5. Compliance Report
 6. DKS Traffic Memo
 7. Site Plans Approved by DRB in Case Files DB12-0074 through DB12-0076
 8. Signage (Proposed)
 9. Lighting Detail & Photometrics (Proposed)
 10. Revised Site & Architectural Plans (Proposed)
- B2.** Plan Sets and Architectural Drawings:
 Color Architectural Renderings (Proposed)
 C105 Previous Approved Grading Plan (DB12-0074 through DB12-0076)
 A1.0 Architectural Site Plan (Proposed)
 DD101 Composite Utility Plan (Proposed)
 DD102 Grading Plan (Proposed)
 L2.0 Landscape Planting Plan (Proposed)
 L1.0 Landscape Irrigation Plan (Proposed)
 A-1 Coffee Kiosk Floor Plan and Upper Wall Framing Plan from Pacific Mobile
 A-3 Coffee Kiosk Wall Elevations from Pacific Mobile
 E-1 Coffee Kiosk Electrical Plan from Pacific Mobile
 SE1.0 Photometric Site Plan (Proposed)
 Sign Drawings
- B3.** Materials Boards for Coffee Kiosk (available at public hearing)
- B4.** Email correspondence received from the Applicant on January 8, 2014, regarding patio furniture
- B5.** Site Plan, Sheet A1.0, submitted by the Applicant showing maximum queuing for the Human Bean drive-thru
- B6.** Applicant Submittal, January 27, 2014
- B7.** Applicant Rebuttal, February 3, 2014
- B8.** Truck Turning Movement, February 3, 2014
- B9.** March 10th Submittal for City Council
- C1.** Engineering Division Comments and Conditions
- C2.** Building Division Comments and Conditions
- C3.** January 3, 2014 letter from Barbara Jacobson, Assistant City Attorney, to Alec Laidlaw
 RE: The Human Bean Coffee Store Legal Dispute
- C4.** Comments received from the Public Works Department Plan Review
- D1.** Written Testimony Received January 3, 2014 on behalf of Garry LaPoint
 January 3, 2014 email from Terra Burns, Laidlaw and Laidlaw Paralegal, to Daniel Pauly, Associate Planner
 January 3, 2014 Letter from Alec Laidlaw to Daniel Pauly, Associate Planner
 Copy of Washington County Circuit Court Case No. C138125CV Defendants' ORCP 21 Motions
 Copy of Washington County Circuit Court Case No. C138125CV Declaration of Garry L.

LaPoint in Support of Defendants' ORCP 21 Motions

Copy of Washington County Circuit Court Case No. C138125CV Defendants' Counsel's Certificate of Compliance (UTCR 5.010)

- D2. Cover letter and Memorandum in Opposition from Wallace W. Lien, which included a number of pictures of the site and several site maps indicating circulation flows for the subject businesses
- D3. Traffic videos and photos submitted by Wallace W. Lien that were included on DVDs and flash drives received January 14, 2014.
- D4. Letter received on January 14, 2014 from Garry LaPoint via email titled, "Proposed— Convenient Coffee Store Business" requesting a continuance of the public hearing
- D5. Wallace Lien Submittal, January 27, 2014
- D6. Traffic Photos and Video
- D7. LaPoint Response, January 31, 2014
- D8. Wallace Lien Rebuttal
- D9. March 10th LaPoint Submittal for City Council (written material)
- D10. March 10th LaPoint Submittal for City Council (DVD)

FINDINGS OF FACT:

- 1. The statutory 120-day time limit applies to this application. The application was received on November 12, 2013. On November 20, 2013, staff conducted a completeness review within the statutorily allowed 30-day review period and, on December 4, 2013, the Applicant submitted new materials. Additional materials were submitted on December 7, 2013. On December 9, 2013, the application was deemed complete. The deadline for the City to issue a final decision in this matter is April 8, 2014; however, the City and the Applicant entered into a Tolling Agreement, dated March 25, 2014, which tolled the date by which the City must render a final decision for the request until April 30, 2014.
- 2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	PDI	95 th /Boones Ferry Intersection/Riverwood Industrial Campus
East:	PDC	Chevron/Boones Ferry Rd.
South:	PDC	Holiday Inn
West:	PDC	95 th Avenue/AGC Center

- 3. Prior land use actions include:

Edwards Business Center Industrial Park Plat - Stage I
97DB28 Stage II, Site Design Review, LaPoint Center
DB06-0041, DB06-0043, DB06-0057, DB06-0042 Stage II Final Plan, Site Design Review,
Waiver to Building Height, Master Sign Plan for Brice Office Building (Expired)

DB12-0074 through DB12-0076 Stage II Final Plan, Site Design Review, and Master Sign Plan for fast food restaurant and multi-tenant commercial building.
DB13-0027 Site Design Review for accent lighting on fast food restaurant.

4. The Applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.

CONCLUSIONARY FINDINGS:

NOTE: Pursuant to Section 4.014, the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the Applicant in the case.

GENERAL INFORMATION

Section 4.008 Application Procedures-In General

Review Criteria: This section lists general application procedures applicable to a number of types of land use applications and also lists unique features of Wilsonville's development review process.

Finding: These criteria are met.

Explanation of Finding: The application is being processed in accordance with the applicable general procedures of this Section.

Section 4.009 and Subsection 4.140 (.03) Who May Initiate Application and Ownership

Review Criterion: "Except for a Specific Area Plan (SAP), applications involving specific sites may be filed only by the owner of the subject property, by a unit of government that is in the process of acquiring the property, or by an agent who has been authorized by the owner, in writing, to apply." "The tract or tracts of land included in a proposed Planned Development must be in one (1) ownership or control or the subject of a joint application by the owners of all the property included."

Finding: This criterion is satisfied.

Explanation of Finding: The application has been submitted on behalf of the property owner, Wilsonville Devco LLC. The application form is signed by Josh Veentjer, Managing Member.

Subsection 4.010 (.02) Pre-Application Conference

Review Criteria: This section lists the pre-application process

Finding: These criteria are satisfied.

Explanation of Finding: A pre-application conference was held on August 22, 2013 in accordance with this subsection.

Subsection 4.011 (.02) B. Lien Payment before Application Approval

Review Criterion: "City Council Resolution No. 796 precludes the approval of any development application without the prior payment of all applicable City liens for the subject property. Applicants shall be encouraged to contact the City Finance Department to verify that there are no outstanding liens. If the Planning Director is advised of outstanding liens while an application is under consideration, the Director

City Council Final Findings Rendered April 17, 2014

Exhibit A1

Boones Ferry Pointe: The Human Bean Drive-thru Coffee Kiosk

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shall advise the applicant that payments must be made current or the existence of liens will necessitate denial of the application.”

Finding: This criterion is satisfied.

Explanation of Finding: No applicable liens exist for the subject property. The application can thus move forward.

Subsection 4.035 (.04) A. General Site Development Permit Submission Requirements

Review Criteria: “An application for a Site Development Permit shall consist of the materials specified as follows, plus any other materials required by this Code.” Listed 1. through 6. j.

Finding: These criteria are satisfied.

Explanation of Finding: City Council finds that the Applicant has provided all of the applicable general submission requirements contained in this subsection and that there is no loading requirement for this site. City Council finds that the plans submitted by the Applicant include a detailed plan of drive aisle striping and vehicle stacking, directional arrows and traffic flow, pedestrian walkways and crossings, parking spaces, traffic signs, trash enclosures, and all other aspects of the proposed development in compliance with these criteria.

Section 4.110 Zoning-Generally

Review Criteria: “The use of any building or premises or the construction of any development shall be in conformity with the regulations set forth in this Code for each Zoning District in which it is located, except as provided in Sections 4.189 through 4.192.” “The General Regulations listed in Sections 4.150 through 4.199 shall apply to all zones unless the text indicates otherwise.”

Finding: These criteria are satisfied.

Explanation of Finding: This proposed development is in conformity with the applicable zoning district, and general development regulations listed in Sections 4.150 through 4.199 have been applied in accordance with this Section.

REQUEST A: DB13-0046 STAGE II FINAL PLAN REVISION

Planned Development Regulations

Subsection 4.140 (.01) Purpose of Planned Development Regulations

- A1. **Review Criterion:** The proposed Stage II Final Plan shall be consistent with the Planned Development Regulations purpose statement.
Finding: This criterion is satisfied.
Explanation of Finding: Based on the information provided by the Applicant in their application narrative, City Council finds that the purpose of the planned development regulations is met by the proposed Stage II Final Plan.

Subsections 4.140 (.02) and (.05) Planned Development Lot Size and Permit Process

- A2. **Review Criteria:** “Planned Development may be established on lots which are suitable for and of a size to be planned and developed in a manner consistent with the purposes and objectives of Section 4.140.” “Any site designated for development in the Comprehensive Plan may be developed as a Planned Development, provided that it is zoned ‘PD.’ All sites which are greater than two (2) acres in size, and designated in the Comprehensive Plan for commercial, residential, or industrial use shall be developed as Planned Developments, unless approved for other uses permitted by the Development Code.”

“All parcels of land exceeding two (2) acres in size that are to be used for residential, commercial or industrial development, shall, prior to the issuance of any building permit:

1. Be zoned for planned development;
2. Obtain a planned development permit; and
3. Obtain Development Review Board, or, on appeal, City Council approval.”

Finding: These criteria are satisfied.

Explanation of Finding: The development site is less than two (2) acres. However, it has previously been zoned for Planned Development. The property is designated for commercial development in the Comprehensive Plan, and is zoned Planned Development Commercial. The property is of sufficient size and will be developed as a planned development in accordance with this subsection.

Subsection 4.140 (.04) Professional Design Team Required for Planned Developments

- A3. **Review Criteria:** “The applicant for all proposed Planned Developments shall certify that the professional services of the appropriate professionals have been utilized in the planning process for development. One of the professional consultants chosen by the applicant shall be designated to be responsible for conferring with the planning staff with respect to the concept and Explanation of the plan.”

Finding: These criteria are satisfied.

Explanation of Finding: The Applicant’s compliance narrative lists the appropriate professionals involved in the planning and permitting process. Ben Altman of SFA Design Group has been designated the coordinator for the planning portion of the project.

Stage II Final Plan Submission Requirements and Process

Subsection 4.140 (.09) A. Timing of Submission

- A4. **Review Criterion:** “Unless an extension has been granted by the Development Review Board, within two (2) years after the approval or modified approval of a preliminary development plan (Stage I), the applicant shall file with the City Planning Department a final plan for the entire development or when submission in stages has been authorized pursuant to Section 4.035 for the first unit of the development”

Finding: This criterion is satisfied.

Explanation of Finding: A previous Stage I approval identified the subject property as a future commercial stage. A Stage II Final Plan was approved consistent with the previous Stage I Master Plan in March 2013. This application requests revision of the Stage II Final plan.

Subsection 4.140 (.09) C. Conformance with Stage I and Additional Submission Requirements

- A5. **Review Criteria:** “The final plan shall conform in all major respects with the approved preliminary development plan, and shall include all information included in the preliminary plan plus the following:” listed 1. through 6.

Finding: These criteria are satisfied.

Explanation of Finding: The City finds that the Stage II plans substantially conform to the Stage I Master Plan. The Applicant has provided the required drawings and other documents showing all the additional information required by this subsection.

Subsection 4.140 (.09) D. Stage II Final Plan Detail

- A6. **Review Criterion:** “The final plan shall be sufficiently detailed to indicate fully the ultimate operation and appearance of the development or phase of development.”

Finding: This criterion is satisfied.

Explanation of Finding: The Applicant has provided sufficiently detailed information to indicate fully the ultimate operation and appearance of the development, including a detailed site plan, landscape plans, floor plans, elevation drawings, and material information.

Subsection 4.140 (.09) E. Submission of Legal Documents

- A7. **Review Criterion:** “Copies of legal documents required by the Development Review Board for dedication or reservation of public facilities, or for the creation of a non-profit homeowner’s association, shall also be submitted.”

Finding: This criterion is satisfied.

Explanation of Finding: No additional legal documentation is required for dedication or reservation of public facilities.

Subsection 4.140 (.09) J. Planned Development Permit Requirements

- A8. **Review Criteria:** “A planned development permit may be granted by the Development Review Board only if it is found that the development conforms to all the following criteria, as well as to the Planned Development Regulations in Section 4.140:” listed J. 1. through 3. Includes traffic level of service requirements.

Finding: These criteria are satisfied.

Explanation of Finding: Proposed is a coffee kiosk in an area designated for commercial use in the Comprehensive Plan. The proposed use is at a corner and clustered with commercial uses similarly serving the travelling public, thus being part of a commercial center rather than strip commercial development. As demonstrated in the DKS Traffic Memo in the Applicant’s notebook, Exhibit B1, specifically page 2 of 3 of the memo, the required traffic level of service is being maintained. All utilities and services are available to serve the development.

Commercial Development in Any Zone

Subsection 4.116 (.01) Commercial Development to be in Centers and Complexes

- A9. **Review Criterion:** “Commercial developments shall be planned in the form of centers or complexes as provided in the City’s Comprehensive Plan. As noted in the Comprehensive Plan, Wilsonville’s focus on centers or complexes is intended to limit strip commercial development.”

Finding: This criterion is satisfied.

Explanation of Finding: The approved Boones Ferry Pointe commercial development is in the form of a center clustered at an intersection with other commercial development.

Subsection 4.116 (.05) All Commercial Activity to be Completely Enclosed

- A10. **Review Criteria:** “All businesses, service or processing, shall be conducted wholly within a completely enclosed building; except for:” Listed A. through G.

Finding: These criteria are satisfied.

Explanation of Finding: All commercial activity other than exempt activities will be conducted within the proposed buildings. The only exceptions from the list given are off-street parking for customers and employees, outdoor seating, and temporary outside sales.

Subsection 4.116 (.07) Uses Limited to those Meeting Industrial Performance Standards

- A11. **Review Criteria:** “Uses shall be limited to those which will meet the performance standards specified in Section 4.135(.05), with the exception of 4.135(.05)(M)(3).”

Finding: These criteria are satisfied.

Explanation of Finding: The proposed development facilitates commercial uses meeting these performance standards. It is understood that all uses will need to continue to meet these standards over time.

Subsection 4.116 (.08) Vision Clearance Standards for Corner Lots

A12. **Review Criteria:** "Corner lots shall conform to the vision clearance standards set forth in Section 4.177."

Finding: These criteria are satisfied.

Explanation of Finding: Vision clearance has been reviewed by the City's Engineering Division, and the City's Public Works standards for vision clearance are met.

Subsection 4.116 (.10) Commercial Development Generally

A13. **Review Criteria:** This subsection lists a number of requirements for commercial development such as setback, lot size, lot coverage, and street frontage requirements.

Finding: These criteria are satisfied.

Explanation of Finding: As shown on the plans submitted with the application and throughout this proceeding, all the applicable standards listed in this subsection are met.

Subsection 4.116 (.14) B. Prohibited Uses

A14. **Review Criteria:** "Any use that violates the performance standards of Section 4.135(.05), other than 4.135(.05)(M)(3.) is prohibited within commercial developments."

Finding: These criteria are satisfied.

Explanation of Finding: No uses prohibited by this subsection are proposed.

Standards Applying in All Planned Development Zones

Subsection 4.118 (.01) Additional Height Guidelines

A15. **Review Criterion:** "In cases that are subject to review by the Development Review Board, the Board may further regulate heights as follows:

A. Restrict or regulate the height or building design consistent with adequate provision of fire protection and fire-fighting apparatus height limitations.

B. To provide buffering of low density developments by requiring the placement of three or more story buildings away from the property lines abutting a low density zone.

C. To regulate building height or design to protect scenic vistas of Mt. Hood or the Willamette River."

Finding: This criterion is satisfied.

Explanation of Finding: The City finds that the proposed height provides for fire protection access, does not abut a low density zone, and does not impact scenic views of Mt. Hood or the Willamette River.

Subsection 4.118 (.03) Waivers

A16. **Review Criteria:** "Notwithstanding the provisions of Section 4.140 to the contrary, the Development Review Board, in order to implement the purposes and objectives of Section 4.140, and based on findings of fact supported by the record may" waive a number of standards as listed in A. through E.

Finding: These criteria are satisfied.

Explanation of Finding: No planned development waivers have been requested by the Applicant or are necessary to approve the application as proposed.

Subsection 4.118 (.03) E. Other Requirements or Restrictions

A17. **Review Criteria:** “Notwithstanding the provisions of Section 4.140 to the contrary, the Development Review Board, in order to implement the purposes and objectives of Section 4.140, and based on findings of fact supported by the record may adopt other requirements or restrictions, inclusive of, but not limited to, the following:” Listed 1. through 12.

Finding: These criteria are satisfied.

Explanation of Finding: No additional requirements or restrictions are recommended pursuant to this subsection.

Subsection 4.118 (.04) Effect of Determination of Compliance and Conditions of Approval on Development Cost

A18. **Review Criteria:** “The Planning Director and Development Review Board shall, in making their determination of compliance in attaching conditions, consider the effects of this action on availability and cost. The provisions of this section shall not be used in such a manner that additional conditions, either singularly or cumulatively, have the effect of unnecessarily increasing the cost of development. However, consideration of these factors shall not prevent the Board from imposing conditions of approval necessary to meet the minimum requirements of the Comprehensive Plan and Code.”

Finding: These criteria are satisfied.

Explanation of Finding: The City finds that the determination of compliance or attached conditions do not unnecessarily increase the cost of development, and no evidence has been submitted to the contrary.

Subsection 4.118 (.05) Requirements to Set Aside Tracts for Certain Purposes

A19. **Review Criteria:** “The Planning Director, Development Review Board, or on appeal, the City Council, may as a condition of approval for any development for which an application is submitted, require that portions of the tract or tracts under consideration be set aside, improved, conveyed or dedicated for the following uses:” Recreational Facilities, Open Space Area, Easements.”

Finding: These criteria are satisfied.

Explanation of Finding: No additional tracts are being required for the purposes given.

Subsection 4.118 (.09) Habitat Friendly Development Practices

A20. **Review Criteria:** “To the extent practicable, development and construction activities of any lot shall consider the use of habitat-friendly development practices, which include:

A. Minimizing grading, removal of native vegetation, disturbance and removal of native soils, and impervious area;

B. Minimizing adverse hydrological impacts on water resources, such as using the practices described in Part (a) of Table NR-2 in Section 4.139.03, unless their use is prohibited by an applicable and required state or federal permit, such as a permit required under the federal Clean Water Act, 33 U.S.C. §§1251 et seq., or the federal Safe Drinking Water Act, 42 U.S.C. §§300f et seq., and including conditions or plans required by such permit;

C. Minimizing impacts on wildlife corridors and fish passage, such as by using the practices described in Part (b) of Table NR-2 in Section 4.139.03; and

D. Using the practices described in Part (c) of Table NR-2 in Section 4.139.03.”

Finding: These criteria are satisfied.

Explanation of Finding: As stated by the Applicant and adopted by the DRB for the previous Stage II approval, "The site has previously been rough graded and there is no significant native vegetation. The site does not contain any SROZ, and no fish or wildlife habitats are associated with this property. The site has been designed consistent with the Habitat-Friendly practices. The storm system design provides for on-site water quality and volume control, which protects the downstream wetland area south of the AGC building." The City finds that the proposal does not significantly alter compliance as previously found.

Planned Development Commercial Zone

Subsection 4.131 (.01) A. 1. Uses Typically Permitted

A21. **Review Criteria:** This subsection lists the uses that are typically permitted in the PDC Zone.

Finding: These criteria are satisfied.

Explanation of Finding: The proposal replaces an approved but un-built multi-tenant commercial building with drive-thru coffee kiosk, which is an allowed service establishment use.

Subsection 4.131 (.02) Prohibited Uses

A22. **Review Criteria:** This subsection lists the prohibited uses in the PDC Zone.

Finding: These criteria are satisfied.

Explanation of Finding: The Applicant has not proposed any prohibited uses for the site.

Subsection 4.131 (.03) 1. Block and Access Standards: Connectivity for Different Modes

A23. **Review Criteria:** "The Development Review Board shall determine appropriate conditions of approval to assure that adequate connectivity results for pedestrians, bicyclists, and motor vehicle drivers. Consideration shall be given to the use of public transit as a means of meeting access needs."

Finding: These criteria are satisfied.

Explanation of Finding: No new blocks are proposed, and the proposed development proposes to use the existing shared private driveway on 95th Avenue, partially on the subject property. A development agreement has been agreed upon between the owner of the subject property, neighboring properties, and the City ensuring appropriate access from the shared driveway.

On-site Pedestrian Access and Circulation

Subsection 4.154 (.01) B. 1. Continuous Pathway System

A24. **Review Criterion:** "A pedestrian pathway system shall extend throughout the development site and connect to adjacent sidewalks, and to all future phases of the development, as applicable."

Finding: This criterion is satisfied.

Explanation of Finding: The Applicant has provided a network of pathways from the proposed location of the coffee kiosk to support a continuous pathway system throughout the site. This includes two connections to the 95th Avenue sidewalk, which then connects to Carl's Jr. and Holiday Inn, as well as a pathway connection to the east to provide access to parking, trash enclosures, and the Chevron property. See sheet A1.0 in Exhibit B2.

Subsection 4.154 (.01) B. 2. Safe, Direct, and Convenient Pathways

A25. **Review Criteria:** "Pathways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent parking areas, recreational areas/playgrounds, and public rights-of-way and crosswalks based on all of the following criteria:

- a. Pedestrian pathways are designed primarily for pedestrian safety and convenience, meaning they are free from hazards and provide a reasonably smooth and consistent surface.
- b. The pathway is reasonably direct. A pathway is reasonably direct when it follows a route between destinations that does not involve a significant amount of unnecessary out-of-direction travel.
- c. The pathway connects to all primary building entrances and is consistent with the Americans with Disabilities Act (ADA) requirements.
- d. All parking lots larger than three acres in size shall provide an internal bicycle and pedestrian pathway pursuant to Section 4.155(.03)(B).(3).(d)."

Finding: These criteria are satisfied.

Explanation of Finding:

- All proposed pathways are of smooth and consistent concrete and no hazards are evident on the site plan.
- All proposed pathways are reasonably direct. The path from Carl's Jr. to the 95th Avenue sidewalk then across to the coffee kiosk is reasonably direct. The path from the intersection of 95th Avenue/Boones Ferry is reasonably direct. A direct path is provided from the parking stalls and trash enclosure serving the coffee kiosk.
- Where required, pathways meet ADA requirements or will be required to by the building code.
- The parking lot is not larger than 3 acres in size.

City Council also incorporates by this reference its findings in section C, below, under "Additional City Council Findings Related to Appeal Issues."

Subsection 4.154 (.01) B. 3. Vehicle/Pathway Separation

A26. **Review Criterion:** "Except as required for crosswalks, per subsection 4, below, where a pathway abuts a driveway or street it shall be vertically or horizontally separated from the vehicular lane. For example, a pathway may be vertically raised six inches above the abutting travel lane, or horizontally separated by a row of bollards."

Finding: This criterion is satisfied.

Explanation of Finding: All pathways affected by this review are separated consistent with this subsection. City Council also incorporates by this reference its findings in Section C, below,

under "Additional City Council Findings Related to Appeal Issues."

Subsection 4.154 (.01) B. 4. Crosswalks

A27. **Review Criterion:** "Where a pathway crosses a parking area or driveway, it shall be clearly marked with contrasting paint or paving materials (e.g., pavers, light-color concrete inlay between asphalt, or similar contrast)."

Finding: This criterion is satisfied.

Explanation of Finding: The Applicant has proposed crosswalks meeting this standard.

Subsection 4.154 (.01) B. 5. Pathway Width and Surface

A28. **Review Criteria:** "Primary pathways shall be constructed of concrete, asphalt, brick/masonry pavers, or other durable surface, and not less than five (5) feet wide. Secondary pathways and pedestrian trails may have an alternative surface except as otherwise required by the ADA."

Finding: These criteria are satisfied.

Explanation of Finding: Primary pathways are the required width. The pathway from the parking area/trash enclosure near Chevron is not a primary pathway and is allowed to be less than five (5) feet in width.

Subsection 4.154 (.01) B. 6. Signs for Pathways

A29. **Review Criteria:** "All pathways shall be clearly marked with appropriate standard signs."

Finding: These criteria are satisfied.

Explanation of Finding: No pathways requiring signs are proposed.

Parking and Loading

Subsection 4.155 (.02) General Parking Provisions

A30. **Review Criteria:** This subsection lists a number of general provisions for parking.

Finding: These criteria are satisfied.

Explanation of Finding: The Applicant has provided sufficient information demonstrating compliance with the provisions in this subsection applicable to Stage II Final Plan review. Among the information provided are parking calculations on sheet A1.0 of Exhibit B2. Staff specifically points out the following:

- In relation to provision B, all parking areas are accessible and usable for parking.
- In relation to provision D, the provided parking meets the sum of the minimum parking for the fast food restaurant and the coffee kiosk.
- In relation to provision J, a note on sheet A1.0 of Exhibit B2 states this requirement will be met.
- In relation to provision K, the parking area is paved and provided with adequate drainage. See Sheets A1.0 and DD102 in Exhibit B2.
- In relation to provision L, the parking lot lighting is fully shielded as to not shine into adjoining structures or the eyes of passersby.

- In relation to provision N.6, compact parking spaces are proposed, which is less than forty (40) percent of the proposed parking spaces. They are shown appropriately marked on Sheet A1.0 of Exhibit B2.

Subsection 4.155 (.03) A. Functional Design of Parking, Loading, and Delivery Areas

A31. **Review Criteria:** “Parking and loading or delivery areas shall be designed with access and maneuvering area adequate to serve the functional needs of the site and shall:

1. Separate loading and delivery areas and circulation from customer and/or employee parking and pedestrian areas. Circulation patterns shall be clearly marked.
2. To the greatest extent possible, separate vehicle and pedestrian traffic.”

Finding: These criteria are satisfied.

Explanation of Finding: The City finds that the proposal complies with these criteria. Council construes the requirements of this criteria to apply solely to the proposed coffee kiosk site, and not to any adjacent site. In addition, Council construes the requirements of these criteria to mean that the proposed coffee kiosk site shall be designed with access and maneuvering areas adequate to allow deliveries, as well as vehicular and pedestrian customer circulation. Specifically, the City finds that Exhibit B of Exhibit B9, which is a Truck Turning and Circulation Analysis, dated March 2, 2014, prepared by transportation engineering firm, Kittelson & Associates, Inc., demonstrates that the delivery area is separated from the general customer and employee parking and pedestrian areas, and that the access and maneuvering areas for deliveries are adequate to serve the functional needs of the site. The City finds that there is no loading berth requirement for commercial uses of the proposed floor area.

Moreover, the City finds that the access and maneuvering areas for passenger vehicle parking areas is sufficient to serve the functional needs of the site by providing safe and adequate space for two-way travel. As demonstrated on the site plans, the City also finds that the site design separates vehicle and pedestrian traffic to the greatest extent possible by providing a clear plan for pedestrian ways, parking spaces, drive aisles, and pedestrian crossings necessary to connect the proposed coffee kiosk with its associated parking, the sidewalk, and adjacent properties. In short, the City finds that the site is designed with access and maneuvering areas that are adequate to meet the functional needs of the site related to deliveries, vehicular traffic, and pedestrian traffic. Additionally, the City finds that circulation patterns will be clearly marked by directional arrows and striping, and that the Applicant has also proposed two (2) new directional signs directing customers of the coffee kiosk to exit using the drive aisle in front of Carl’s Jr. to the shared driveway. See Site Plan in Exhibit A of Exhibit B6 and Revised Site Plan in Exhibit D of Exhibit B9. The City also incorporates the findings, discussed below, in the section entitled, “Additional City Council Findings Related to Appeal Issues.”

Subsection 4.155 (.03) B. 1.-3. Parking Area Landscaping

A32. **Review Criteria:** “Parking and loading or delivery areas shall be landscaped to minimize the visual dominance of the parking or loading area, as follows:” Listed 1. through 3.

Finding: These criteria are satisfied.

Explanation of Finding: As shown in the planting plans (Applicant's sheet L1.0), the required amount of landscaping and trees are provided.

Subsection 4.155 (.03) C. Parking and Loading Areas-Safe and Convenient Access

A33. **Review Criterion:** “Be designed for safe and convenient access that meets ADA and ODOT standards. All parking areas which contain ten (10) or more parking spaces, shall for every fifty (50) standard spaces., provide one ADA-accessible parking space that is constructed to building code standards, Wilsonville Code 9.000.”

Finding: This criterion is satisfied.

Explanation of Finding: The City finds that the parking areas are designed for safe and convenient access that meets ADA and ODOT standards, and incorporates herein the findings described above in response to Subsection 4.155(.03)A. Additionally, the City finds that the required ADA space for the coffee kiosk is provided.

Subsection 4.155 (.03) D. Parking Connectivity and Efficient On-site Circulation

A34. **Review Criteria:** “Where possible, parking areas shall be designed to connect with parking areas on adjacent sites so as to eliminate the necessity of utilizing the public street for multiple accesses or cross movements. In addition, on-site parking shall be designed for efficient on-site circulation and parking.”

Finding: These criteria are satisfied.

Explanation of Finding: The City finds that the proposed development adds to an existing commercial center that includes a fuel station, convenience market, sit down restaurant, convention center, and hotel. The proposed uses, as well as the existing Chevron and Holiday Inn, share a common driveway off 95th Avenue and their access and parking areas are interconnected. Joint use of many of the access and maneuvering areas is covered in a Development Agreement. Two factors commonly considered to determine such efficiency include proximity of parking to likely destinations and direct vehicle and pedestrian paths between destinations with limited choke points. The City finds that, to the extent practicable, parking is provided close to the coffee kiosk for short, efficient pedestrian trips after parking. Where parking is further away towards Chevron, a direct pedestrian path is provided to the coffee kiosk. The City also finds that multiple pedestrian accesses from the public sidewalk are provided, including ones providing the most direct path from the sidewalk to business entrances. All vehicles enter the site through a shared driveway with Holiday Inn and Chevron. While this could become a choke point, the City finds that care has been taken to design the driveway for optimal performance to minimize traffic delays, as reflected in the Development Agreement. Straight drive aisles and multiple access points allow for direct vehicle travel within the site. The City also incorporates the findings, discussed below, in the section entitled, “Additional City Council Findings Related to Appeal Issues.”

Subsection 4.155 (.03) G. Parking Minimum and Maximum

A35. **Review Criteria:** “Tables 5, below, shall be used to determine the minimum and maximum parking standards for various land uses. The minimum number of required parking spaces shown on Tables 5 shall be determined by rounding to the nearest whole parking space.”

Finding: These criteria are satisfied.

Explanation of Finding: As shown in the table below, the proposed parking is consistent with Table 5: Parking Standards.

Use	Floor Area	Min		Max		Provided
		Min	Max	Min	Max	
Fast food (with drive-thru)	2,867	9.9 per 1,000 SF	14.9 per 1000 SF	29	43	
Coffee Kiosk	450	9.9 per 1,000 SF	14.9 per 1000 SF	4	7	
Standard Spaces						29
Compact Spaces (40% Max)				--	18	6
Total Non-ADA Spaces				33	50	35
ADA Spaces				2	--	2
Total Parking Spaces						37

Subsection 4.155 (.04) A. Bicycle Parking-General Provisions

- A36. **Review Criteria:** This subsection lists general provisions for bicycle parking, listed 1. through 4., including required number of spaces.
Finding: These criteria are satisfied.
Explanation of Finding: A minimum of four (4) spaces are required for the drive-thru coffee kiosk, and four (4) are provided.

Subsection 4.155 (.04) B. Bicycle Parking-Standards

- A37. **Review Criteria:** This subsection lists standards for required bicycle parking, listed 1. through 5., including size, access aisle size, spacing between racks, anchoring of lockers and racks, and location standards.
Finding: These criteria are satisfied.
Explanation of Finding: As shown on sheet A1.0 of Exhibit B2, each of the 4 required parking stalls exceeds the minimum dimensions of 2 feet by 6 feet. There is sufficient space to use the bicycle racks without obstructions. Bicycle racks will be securely fastened. Five (5) feet of spacing is not provided between the bicycle racks and the kiosk. The bicycle racks are further than 30 feet from the primary entrance which, in this case, staff understands to be the service window open to pedestrians. Condition of Approval PDA 2 will ensure bicycle parking is placed to meet all requirements of this subsection, including the spacing from the building and distance from the service window.

Subsection 4.155 (.05) Minimum Off-Street Loading Requirements

- A38. **Review Criteria:** This subsection defines the requirements for loading berths including when loading berths are required and size requirements.
Finding: These criteria are not applicable.
Explanation of Finding: No loading berths are required for commercial uses of the proposed floor area.

Subsection 4.155 (.06) Carpool and Vanpool Parking Requirements

- A39. **Review Criteria:** This subsection defines the requirements for carpool and vanpool parking.
Finding: These criteria are not applicable.
Explanation of Finding: No carpool or vanpool parking is required for commercial parking lots of the proposed size.

Section 4.167 Access, Ingress, and Egress

- A40. **Review Criterion:** "Each access onto streets or private drives shall be at defined points as approved by the City and shall be consistent with the public's health, safety and general welfare. Such defined points of access shall be approved at the time of issuance of a building permit if not previously determined in the development permit."
Finding: This criterion is satisfied.
Explanation of Finding: The access points for the development site are existing and approved by the City. No change in access is proposed.

Natural Features

Section 4.171 Protection of Natural Features and Other Resources

- A41. **Review Criteria:** This section provides for the protection of a number of natural features and other resources including: general terrain preparation, hillsides, trees and wooded areas, high voltage powerline easements and rights of way and petroleum pipeline easements, earth movement hazard areas, soil hazard areas, historic resources, and cultural resources.
Finding: These criteria are satisfied.
Explanation of Finding: None of the resources listed in this section exist on the site or will be foreseeably negatively impacted by the development.

Public Safety and Crime Prevention

Subsection 4.175 (.01) Design to Deter Crime and Ensure Public Safety

- A42. **Review Criterion:** "All developments shall be designed to deter crime and insure public safety."
Finding: This criterion is satisfied.
Explanation of Finding: City Council finds that the Applicant's application narrative demonstrates that attention has been given to site design to deter crime and allow natural surveillance. City Council finds there is no evidence that the proposed development would otherwise negatively impact public safety.

Subsection 4.175 (.02) Addressing and Directional Signing

- A43. **Review Criteria:** "Addressing and directional signing shall be designed to assure identification of all buildings and structures by emergency response personnel, as well as the general public."
Finding: These criteria are satisfied.
Explanation of Finding: The design of the site provides for appropriate addressing and directional signage to assure easy identification.

Subsection 4.175 (.03) Surveillance and Police Access

A44. **Review Criterion:** “Areas vulnerable to crime shall be designed to allow surveillance. Parking and loading areas shall be designed for access by police in the course of routine patrol duties.”

Finding: This criterion is satisfied.

Explanation of Finding: The parking areas are easily assessable to law enforcement. No loading berths are required for commercial uses of the proposed floor area.

Subsection 4.175 (.04) Lighting to Discourage Crime

A45. **Review Criterion:** “Exterior lighting shall be designed and oriented to discourage crime.”

Finding: This criterion is satisfied.

Explanation of Finding: While exterior lighting has been minimized, it was previously found to discourage crime and continues to do so.

Landscaping Standards

Subsection 4.176 (.01) Purpose of Landscape, Screening, and Buffering

A46. **Review Criteria:** “This Section consists of landscaping and screening standards and regulations for use throughout the City. The regulations address materials, placement, layout, and timing of installation. The City recognizes the ecological and economic value of landscaping and requires the use of landscaping and other screening or buffering to:” Listed A. through K.

Finding: These criteria are satisfied.

Explanation of Finding: In complying with the various landscape standards in Section 4.176, the Applicant has demonstrated the proposed Stage II Final Plan is in compliance with the landscape purpose statement.

Subsection 4.176 (.02) B. Landscaping Standards and Code Compliance

A47. **Review Criteria:** “All landscaping and screening required by this Code must comply with all of the provisions of this Section, unless specifically waived or granted a Variance as otherwise provided in the Code. The landscaping standards are minimum requirements; higher standards can be substituted as long as fence and vegetation-height limitations are met. Where the standards set a minimum based on square footage or linear footage, they shall be interpreted as applying to each complete or partial increment of area or length”

Finding: These criteria are satisfied.

Explanation of Finding: No waivers or variances to landscape standards have been requested. Thus all landscaping and screening must comply with standards of this section.

Subsection 4.176 (.02) C. 1. General Landscape Standards-Intent

A48. **Review Criteria:** “The General Landscaping Standard is a landscape treatment for areas that are generally open. It is intended to be applied in situations where distance is used as the principal means of separating uses or developments and landscaping is required to enhance the intervening space. Landscaping may include a mixture of ground cover, evergreen and deciduous shrubs, and coniferous and deciduous trees.”

Finding: These criteria are satisfied.

Explanation of Finding: The Applicant's submitted landscape plans (Applicant's sheets L1.0 and L2.0) show a variety of plant materials and placement consistent with the general landscape standard, specifically along the frontage with SW 95th Avenue and SW Boones Ferry Road.

Subsection 4.176 (.02) C. 2. General Landscape Standards-Required Materials

A49. **Review Criteria:** "Shrubs and trees, other than street trees, may be grouped. Ground cover plants must fully cover the remainder of the landscaped area (see Figure 21: General Landscaping). The General Landscaping Standard has two different requirements for trees and shrubs:

a. Where the landscaped area is less than 30 feet deep, one tree is required for every 30 linear feet.

b. Where the landscaped area is 30 feet deep or greater, one tree is required for every 800 square feet and two high shrubs or three low shrubs are required for every 400 square feet."

Finding: These criteria are satisfied.

Explanation of Finding: The planting plan (Applicant's sheet L2.0) shows landscaping meeting the functional requirements of this subsection.

Subsection 4.176 (.02) E. 1. High Screen Landscape Standard-Intent

A50. **Review Criterion:** "The High Screen Landscaping Standard is a landscape treatment that relies primarily on screening to separate uses or developments. It is intended to be applied in situations where visual separation is required."

Finding: This criterion is satisfied.

Explanation of Finding: No development related to the coffee kiosk requires the high screen standards be applied, especially as menu boards are oriented as to not be visible off site. If menu boards are relocated so the face of the sign faces Boones Ferry Road or 95th Avenue, then additional review will be needed to provide landscaping that provides appropriate screening, such as the planting screening the Carl's Jr. menu board.

Subsection 4.176 (.03) Landscape Area and Locations

A51. **Review Criteria:** "Not less than fifteen percent (15%) of the total lot area, shall be landscaped with vegetative plant materials. The ten percent (10%) parking area landscaping required by section 4.155.03(B)(1) is included in the fifteen percent (15%) total lot landscaping requirement. Landscaping shall be located in at least three separate and distinct areas of the lot, one of which must be in the contiguous frontage area. Planting areas shall be encouraged adjacent to structures. Landscaping shall be used to define, soften or screen the appearance of buildings and off-street parking areas. Materials to be installed shall achieve a balance between various plant forms, textures, and heights. The installation of native plant materials shall be used whenever practicable."

Finding: These criteria are satisfied.

Explanation of Finding: According to the Applicant, twenty-eight percent (28%) of the site is proposed to be in landscaping. The landscaping is in a variety of areas throughout the site, including the street frontage areas. Landscaping is placed along the streets to

soften the look of off-street parking areas. As shown on the Applicant's sheet L2.0, a variety of landscape materials are being used.

Subsection 4.176 (.04) Buffering and Screening

A52. **Review Criteria:** "Additional to the standards of this subsection, the requirements of the Section 4.137.5 (Screening and Buffering Overlay Zone) shall also be applied, where applicable.

C. All exterior, roof and ground mounted, mechanical and utility equipment shall be screened from ground level off-site view from adjacent streets or properties.

D. All outdoor storage areas shall be screened from public view, unless visible storage has been approved for the site by the Development Review Board or Planning Director acting on a development permit.

E. In all cases other than for industrial uses in industrial zones, landscaping shall be designed to screen loading areas and docks, and truck parking.

F. In any zone any fence over six (6) feet high measured from soil surface at the outside of fenceline shall require Development Review Board approval."

Finding: These criteria are satisfied.

Explanation of Finding: The buildings are designed so architectural parapets screen roof mounted equipment. Mixed-solid waste and recycling storage areas are within screening enclosures. No additional outdoor storage areas are proposed.

Subsection 4.176 (.09) Landscape Plans

A53. **Review Criteria:** "Landscape plans shall be submitted showing all existing and proposed landscape areas. Plans must be drawn to scale and show the type, installation size, number and placement of materials. Plans shall include a plant material list. Plants are to be identified by both their scientific and common names. The condition of any existing plants and the proposed method of irrigation are also to be indicated."

Finding: These criteria are satisfied.

Explanation of Finding: Applicant's sheets L1.0 and L2.0 in Exhibit B2 provide the required information.

Subsection 4.176 (.12) Mitigation Standards

A54. **Review Criterion:** "A mitigation plan is to be approved by the City's Development Review Board before the destruction, damage, or removal of any existing native plants."

Finding: This criterion is satisfied.

Explanation of Finding: No existing native plants are being removed requiring a mitigation plan pursuant to this subsection.

Other Standards

Section 4.177 Street Improvement Standards

A55. **Review Criteria:** This section establishes improvement standards for public streets, along with private access drives and travel lanes.

Finding: These criteria are satisfied.

Explanation of Finding:

- Access is provided to the proposed development clear of any obstructions.
- The travel lanes are proposed to be asphalt and have been constructed to City standards.
- All access lanes are a minimum of 12 feet.
- The development will comply with requirements of the Fire District.
- No construction is proposed in the public right-of-way.

Section 4.179 Mixed Solid Waste and Recyclables Storage

A56. **Review Criteria:** This section establishes standards for mixed solid waste and recyclables storage in new multi-family residential and non-residential buildings.

Finding: These criteria are satisfied.

Explanation of Finding: No changes to the mixed solid waste facilities are proposed. The proposed coffee kiosk replaces a larger multi-tenant commercial building. The mixed-solid waste enclosure designed and built for the multi-tenant building is adequately sized for the smaller coffee kiosk.

Sections 4.199.20 Outdoor Lighting

A57. **Review Criteria:** This section states that the outdoor lighting ordinance is applicable to “Installation of new exterior lighting systems in public facility, commercial, industrial and multi-family housing projects with common areas” and “Major additions or modifications (as defined in this Section) to existing exterior lighting systems in public facility, commercial, industrial and multi-family housing projects with common areas.” In addition the exempt luminaires and lighting systems are listed.

Finding: These criteria are satisfied.

Explanation of Finding: All the outdoor lighting for the new development on the site is being required to comply with the outdoor lighting ordinance. A photometric site plan has been provided, sheet SE1.0 (Exhibit B2), showing the functional effect of the proposed lighting on the site. Detailed requirements for site lighting are being reviewed as a component of Request B, Site Design Review, of this application. See Findings B32 through B39.

Sections 4.300-4.320 and Subsection 4.118 (.02) Underground Installation of Utilities

A58. **Review Criteria:** These sections list requirements regarding the underground installation of utilities.

Finding: These criteria are satisfied.

Explanation of Finding: There are no existing overhead facilities that require undergrounding as part of this development. All new utilities associated with the development are proposed to be installed underground.

REQUEST B: DB13-0047 SITE DESIGN REVIEW

Site Design Review

Subsection 4.400 (.01) and Subsection 4.421 (.03) Excessive Uniformity, Inappropriateness of Design, Etc.

B1. **Review Criteria:** “The Board shall also be guided by the purpose of Section 4.400, and such objectives shall serve as additional criteria and standards.” “Excessive uniformity, inappropriateness or poor design of the exterior appearance of structures and signs and the lack of proper attention to site development and landscaping in the business, commercial, industrial and certain residential areas of the City hinders the harmonious development of the City, impairs the desirability of residence, investment or occupation in the City, limits the opportunity to attain the optimum use in value and improvements, adversely affects the stability and value of property, produces degeneration of property in such areas and with attendant deterioration of conditions affecting the peace, health and welfare, and destroys a proper relationship between the taxable value of property and the cost of municipal services therefor.”

Finding: These criteria are satisfied.

Explanation of Finding: The Applicant provides a response to this subsection on pages 18-20 of the compliance narrative in their notebook, Exhibit B1. The City summarizes the compliance with this subsection and finds as follows:

Excessive Uniformity: The design of the coffee kiosk is different from the Carl’s Jr. building, yet complementary, and has an architectural character unique from other surrounding development, preventing uniformity. The coffee kiosk uses the same brick around the base as used on the Carl’s Jr. building. Lap siding and board and batten siding are used similarly as with the Carl’s Jr. building, only painted different colors.

Inappropriate or Poor Design of the Exterior Appearance of Structures: The coffee kiosk is professionally designed with a unique historic “small-town” theme indicative of other commercial development in Wilsonville, including Old Town Square (Fred Meyer development). The result is a professional design appropriate for Wilsonville.

Inappropriate or Poor Design of Signs: Signs are typical of the type of development proposed and meet applicable City standards. See Request C, Master Sign Plan.

Lack of Proper Attention to Site Development: The appropriate professional services have been used to design the site incorporating unique features of the site, including site size and shape and available access, and demonstrating appropriate attention being given to site development.

Lack of Proper Attention to Landscaping: Landscaping is provided exceeding the area requirements, has been professionally designed by a landscape architect, and includes a variety of plant materials, all demonstrating appropriate attention being given to landscaping.

Subsection 4.400 (.02) and Subsection 4.421 (.03) Purposes of Objectives of Site Design Review

B2. **Review Criteria:** “The Board shall also be guided by the purpose of Section 4.400, and such objectives shall serve as additional criteria and standards.” “The City Council declares that the

purposes and objectives of site development requirements and the site design review procedure are to:” Listed A through J.

Finding: These criteria are satisfied.

Explanation of Finding: City Council finds that the proposal provides a design appropriate for the site and its location in Wilsonville. Council adopts and incorporates by this reference the Applicant’s response to design on pages 18-20 of the compliance narrative in their notebook, Exhibit B1, demonstrating compliance with the listed purposes and objectives. City Council also finds that the proposed site design assures proper and adequate functioning of the site and hereby incorporates the findings in response to WCC Section 4.155(.03) and the findings in the section below, entitled, “Additional City Council Findings Related to Appeal Issues.”

Section 4.420 Development in Accordance with Plans

B3. **Review Criteria:** The section states that development is required in accord with plans approved by the Development Review Board.

Finding: These criteria will be satisfied by Condition of Approval PDB 1.

Explanation of Finding: City Council has reversed the DRB decision and, based on substantial evidence in the record, including new evidence that the DRB did not have the benefit of hearing, City Council has approved the subject proposal. A condition of approval has been included to ensure construction, site development, and landscaping are carried out in substantial accord with the approved plans, drawings, sketches, and other documents contained in the record, excluding and excepting any plans, drawings, sketches, or documents that show any improvements located outside of Applicant’s own property. All improvements must be located within Applicant’s own property.

Subsection 4.421 (.01) and (.02) Site Design Review-Design Standards

B4. **Review Criteria:** This subsection lists the design standards for Site Design Review. Listed A through G. Pursuant to subsection (.02) “The standards of review outlined in Sections (a) through (g) above shall also apply to all accessory buildings, structures, exterior signs and other site features, however related to the major buildings or structures.”

Finding: These criteria are satisfied.

Explanation of Finding: City Council finds that the Applicant has provided sufficient information demonstrating compliance with the standards of this subsection. Among the information provided is a written response to these standards on page 18-20 of the compliance narrative in the Applicant’s notebook, Exhibit B1, which Council adopts and incorporates by this reference as findings. City Council notes a patio area has been provided without information on the planned furnishings. Condition of Approval PDB 9 ensures the furnishings are durable and match or complement the building, thus helping ensure site design review standards are met. City Council also finds that the proposed site design assures adequate functioning of the site and hereby incorporates the findings in response to WCC Section 4.155(.03) and the findings in the section below, entitled “Additional City Council Findings Related to Appeal Issues.”

Subsection 4.421 (.05) Site Design Review-Conditions of Approval

B5. **Review Criterion:** "The Board may attach certain development or use conditions in granting an approval that are determined necessary to insure the proper and efficient functioning of the development, consistent with the intent of the Comprehensive Plan, allowed densities and the requirements of this Code."

Finding: This criterion is satisfied.

Explanation of Finding: No additional conditions of approval are recommended to ensure the proper and efficient functioning of the development.

Subsection 4.421 (.06) Color or Materials Requirements

B6. **Review Criterion:** "The Board or Planning Director may require that certain paints or colors of materials be used in approving applications. Such requirements shall only be applied when site development or other land use applications are being reviewed by the City."

Finding: This criterion is satisfied.

Explanation of Finding: All material and color information has been provided by the Applicant.

Section 4.430 Design of Trash and Recycling Enclosures

B7. **Review Criteria:** "The following locations, design and access standards for mixed solid waste and recycling storage areas shall be applicable to the requirements of Section 4.179 of the Wilsonville City Code." Listed (.02) A. through (.04) C.

Finding: These criteria are satisfied.

Explanation of Finding: City Council finds that no new trash and recycling enclosures are proposed as part of this Application; therefore these criteria are inapplicable. Nevertheless, City Council finds that the plans in the record demonstrate that collection vehicles and The Human Bean employees have a relatively direct and safe access to the existing trash enclosures.

Section 4.440 Site Design Review-Submittal Requirements

B8. **Review Criteria:** This section lists additional submittal requirements for Site Design Review in addition to those listed in Section 4.035.

Finding: These criteria are satisfied.

Explanation of Finding: The Applicant has submitted the required additional materials, as applicable.

Subsection 4.450 (.01) Landscape Installation or Bonding

B9. **Review Criterion:** "All landscaping required by this section and approved by the Board shall be installed prior to issuance of occupancy permits, unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy. "Security" is cash, certified check, time certificates of deposit, assignment of a savings account or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If the installation of the landscaping is not completed within the six-month period, or within an extension of time

authorized by the Board, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City shall be returned to the applicant.”

Finding: This criterion will be satisfied by Condition of Approval PDB 2.

Explanation of Finding: The condition of approval will assure installation or appropriate security at the time occupancy is requested.

Subsection 4.450 (.02) Approved Landscape Plan Binding

B10. **Review Criterion:** “Action by the City approving a proposed landscape plan shall be binding upon the applicant. Substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan shall not be made without official action of the Planning Director or Development Review Board, as specified in this Code.”

Finding: This criterion will be satisfied by Condition of Approval PDB 3.

Explanation of Finding: The condition of approval shall provide ongoing assurance this criterion is met.

Subsection 4.450 (.03) Landscape Maintenance and Watering

B11. **Review Criterion:** “All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Board, unless altered with Board approval.”

Finding: This criterion will be satisfied by Condition of Approval PDB 4.

Explanation of Finding: The condition of approval will ensure landscaping is continually maintained in accordance with this subsection.

Subsection 4.450 (.04) Addition and Modifications of Landscaping

B12. **Review Criterion:** “If a property owner wishes to add landscaping for an existing development, in an effort to beautify the property, the Landscape Standards set forth in Section 4.176 shall not apply and no Plan approval or permit shall be required. If the owner wishes to modify or remove landscaping that has been accepted or approved through the City’s development review process, that removal or modification must first be approved through the procedures of Section 4.010.”

Finding: This criterion will be satisfied by Condition of Approval PDB 4.

Explanation of Finding: The condition of approval shall provide ongoing assurance that this criterion is met by preventing modification or removal without the appropriate City review.

On-site Pedestrian Access and Circulation

Subsection 4.154 (.01) B. Standards for On-site Pedestrian Access and Circulation

B13. **Review Criteria:** This subsection lists standards for on-site pedestrian access and circulation, listed 1. through 6.

Finding: These criteria are satisfied.

Explanation of Finding: City Council finds that the design of the on-site pedestrian access and circulation described and illustrated in the Applicant’s submitted narrative and plans in relation to these provisions are consistent with the purpose of site design review

and the proposed revised Stage II Final Plan for the site. See Findings A24 through A29 under Request A.

Parking

Subsection 4.155 (.02) Provision and Maintenance of Off-Street Parking

B14. **Review Criteria:** This subsection lists general provisions for parking, A. through O.

Finding: These criteria are satisfied.

Explanation of Finding: The design of the parking described and illustrated in the Applicant's submitted narrative and plans in relation to these provisions are consistent with the purpose of site design review and the proposed revised Stage II Final Plan for the site. See Finding A30 under Request A.

Subsection 4.155 (.03) B. 1-3. Landscaping of Parking Areas

B15. **Review Criteria:** "Parking and loading or delivery areas shall be landscaped to minimize the visual dominance of the parking or loading area, as follows:" Listed 1. through 3.

Finding: These criteria are satisfied.

Explanation of Finding: As shown in the planting plans, sheet L2.0 of Exhibit B2, landscape screening is provided between the proposed parking and the public right-of-way. Trees are provided for the proposed parking spaces as required by this subsection. Tree planting areas generally meet the minimum size requirements. However, the planting area with a tree between a parking stall and the entry to the coffee drive-thru queuing area is less than 8 feet wide. City Council finds that it is desirable to have a tree and other plantings at this location, and that the planter is as wide as practicable, balancing competing design requirements and site restraints.

Section 4.171 Protection of Natural Features and Other Resources

B16. **Review Criterion:** This section provides for the protection of a number of natural features and other resources including: general terrain preparation, hillsides, trees and wooded areas, high voltage powerline easements and rights of way and petroleum pipeline easements, earth movement hazard areas, soil hazard areas, historic resources, and cultural resources.

Finding: This criterion is satisfied.

Explanation of Finding: None of the resources listed in this section exist on the site or will be foreseeably negatively impacted by the development.

Landscaping

Subsection 4.176 (.02) B. Landscape Standards and Compliance with Code

B17. **Review Criterion:** "All landscaping and screening required by this Code must comply with all of the provisions of this Section, unless specifically waived or granted a Variance as otherwise provided in the Code. The landscaping standards are minimum requirements; higher standards can be substituted as long as fence and vegetation-height limitations are met. Where the standards set a minimum based on square footage or linear footage, they shall be interpreted as applying to each complete or partial increment of area or length"

Finding: This criterion is satisfied.

Explanation of Finding: No waivers or variances to landscape standards have been requested. Thus all landscaping and screening must comply with standards of this section.

Subsection 4.176 (.02) C. 1. General Landscape Standards-Intent

B18. **Review Criteria:** “The General Landscaping Standard is a landscape treatment for areas that are generally open. It is intended to be applied in situations where distance is used as the principal means of separating uses or developments and landscaping is required to enhance the intervening space. Landscaping may include a mixture of ground cover, evergreen and deciduous shrubs, and coniferous and deciduous trees.”

Finding: These criteria are satisfied.

Explanation of Finding: The Applicant’s sheet L2.0 of Exhibit B2 shows a variety of plant materials and placement consistent with the general landscape standard.

Subsection 4.176 (.02) C. 2. General Landscape Standards-Required Materials

B19. **Review Criteria:** “Shrubs and trees, other than street trees, may be grouped. Ground cover plants must fully cover the remainder of the landscaped area (see Figure 21: General Landscaping). The General Landscaping Standard has two different requirements for trees and shrubs:

a. Where the landscaped area is less than 30 feet deep, one tree is required for every 30 linear feet.

b. Where the landscaped area is 30 feet deep or greater, one tree is required for every 800 square feet and two high shrubs or three low shrubs are required for every 400 square feet.”

Finding: These criteria are satisfied.

Explanation of Finding: The planting plan, sheet L2.0 of Exhibit B2, shows landscaping meeting the requirements of this subsection.

Subsection 4.176 (.03) Landscape Area and Locations

B20. **Review Criteria:** “Not less than fifteen percent (15%) of the total lot area, shall be landscaped with vegetative plant materials. The ten percent (10%) parking area landscaping required by section 4.155.03(B)(1) is included in the fifteen percent (15%) total lot landscaping requirement. Landscaping shall be located in at least three separate and distinct areas of the lot, one of which must be in the contiguous frontage area. Planting areas shall be encouraged adjacent to structures. Landscaping shall be used to define, soften or screen the appearance of buildings and off-street parking areas. Materials to be installed shall achieve a balance between various plant forms, textures, and heights. The installation of native plant materials shall be used whenever practicable.”

Finding: These criteria are satisfied.

Explanation of Finding: Consistent with the proposed revised Stage II Final Plan for the site, the proposed design of the site provides for more than the required amount of landscaping and landscaping in at least three separate and distinct areas, including the area along SW 95th Avenue and SW Boones Ferry Road. See Finding A51 of Request A. The planting plans, sheet L2.0 of Exhibit B2, show landscape placed in areas that will define, soften, and screen the appearance of buildings and off-street parking areas.

Subsection 4.176 (.04) Buffering and Screening

- B21. **Review Criteria:** "Additional to the standards of this subsection, the requirements of the Section 4.137.5 (Screening and Buffering Overlay Zone) shall also be applied, where applicable.
- C. All exterior, roof and ground mounted, mechanical and utility equipment shall be screened from ground level off-site view from adjacent streets or properties.
- D. All outdoor storage areas shall be screened from public view, unless visible storage has been approved for the site by the Development Review Board or Planning Director acting on a development permit.
- E. In all cases other than for industrial uses in industrial zones, landscaping shall be designed to screen loading areas and docks, and truck parking.
- F. In any zone any fence over six (6) feet high measured from soil surface at the outside of fenceline shall require Development Review Board approval."

Finding: These criteria are satisfied.

Explanation of Finding: The buildings are designed so architectural parapets screen roof mounted equipment. Mixed-solid waste and recycling storage areas are within screening enclosures. No additional outdoor storage areas are proposed.

Subsection 4.176 (.06) A. Plant Materials-Shrubs and Groundcover

- B22. **Review Criteria:** This subsection establishes plant material and planting requirements for shrubs and ground cover.

Finding: These criteria are satisfied or will be satisfied by Condition of Approval PDB 5.

Explanation of Finding: The condition of approval requires that the detailed requirements of this subsection are met.

Subsection 4.176 (.06) B. Plant Materials-Trees

- B23. **Review Criteria:** This subsection establishes plant material requirements for trees.

Finding: These criteria are satisfied.

Explanation of Finding: The plants material requirements for trees will be met as follows:

- The Applicant's planting plan, sheet L2.0 of Exhibit B2, shows all trees as B&B (Balled and Burlapped).
- Landscaping is being required to meet ANSI standards.
- The Applicant's planting plan lists tree sizes required by code.

Subsection 4.176 (.06) D. Plant Materials-Street Trees

- B24. **Review Criteria:** This subsection establishes plant material requirements for street trees.

Finding: These criteria are satisfied.

Explanation of Finding: As shown in their planting plan, sheet L2.0 of Exhibit B2, the Applicant proposes Bowhall Maple street trees (*Acer rubrum* "Bowhall"). The proposed trees are a cultivar of *Acer rubrum*, which is listed as a satisfactory street tree in this subsection. The trees are proposed to be planted at 3" caliper, the required size for arterial streets.

Subsection 4.176 (.06) E. Types of Plant Species

B25. **Review Criteria:** This subsection discusses use of existing landscaping or native vegetation, selection of plant materials, and prohibited plant materials.

Finding: These criteria are satisfied.

Explanation of Finding: The Applicant has provided sufficient information showing the proposed landscape design meets the standards of this subsection. See sheet L2.0 of Exhibit B2.

Subsection 4.176 (.06) G. Exceeding Plant Material Standards

B26. **Review Criterion:** "Landscape materials that exceed the minimum standards of this Section are encouraged, provided that height and vision clearance requirements are met."

Finding: This criterion is satisfied.

Explanation of Finding: The selected landscape materials do not violate any height or vision clearance requirements.

Subsection 4.176 (.07) Installation and Maintenance of Landscaping

B27. **Review Criteria:** This subsection establishes installation and maintenance standards for landscaping.

Finding: These criteria are satisfied or will be satisfied by Condition of Approval PDB 6.

Explanation of Finding: The installation and maintenance standards are or will be met as follows:

- Plant materials are required to be installed to current industry standards and be properly staked to ensure survival.
- Plants that die are required to be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City.
- Sheet L1.0 of Exhibit B2 shows a permanent built-in irrigation system with an automatic controller, satisfying the related standards of this subsection.

Subsection 4.176 (.09) Landscape Plans

B28. **Review Criterion:** "Landscape plans shall be submitted showing all existing and proposed landscape areas. Plans must be drawn to scale and show the type, installation size, number and placement of materials. Plans shall include a plant material list. Plants are to be identified by both their scientific and common names. The condition of any existing plants and the proposed method of irrigation are also to be indicated."

Finding: This criterion is satisfied.

Explanation of Finding: Sheets L1.0 and L2.0 of Exhibit B2 provide the required information.

Subsection 4.176 (.10) Completion of Landscaping

B29. **Review Criterion:** "The installation of plant materials may be deferred for a period of time specified by the Board or Planning Director acting on an application, in order to avoid hot summer or cold winter periods, or in response to water shortages. In these cases, a temporary permit shall be issued, following the same procedures specified in subsection (.07)(C)(3), above, regarding temporary irrigation systems. No final Certificate of Occupancy shall be granted until an adequate

bond or other security is posted for the completion of the landscaping, and the City is given written authorization to enter the property and install the required landscaping, in the event that the required landscaping has not been installed. The form of such written authorization shall be submitted to the City Attorney for review.”

Finding: This criterion is satisfied.

Explanation of Finding: The Applicant has not requested to defer installation of plant materials.

Subsection 4.176 (.12) Mitigation and Restoration Plantings

B30. **Review Criterion:** “A mitigation plan is to be approved by the City’s Development Review Board before the destruction, damage, or removal of any existing native plants.”

Finding: This criterion is satisfied.

Explanation of Finding: Consistent with the proposed revised Stage II Final Plan, the proposed landscape design involves no removal of existing native plants requiring a mitigation plan pursuant to this subsection.

Other Standards

Section 4.179 Mixed Solid Waste and Recyclables Storage

B31. **Review Criterion:** This section establishes standards for mixed solid waste and recyclables storage in new multi-family residential and non-residential buildings.

Finding: This criterion is satisfied.

Explanation of Finding: The design of the mixed solid waste and recycling enclosures is not proposed to be changed by this application.

Outdoor Lighting

Section 4.199.20 Applicability of Outdoor Lighting Standards

B32. **Review Criterion:** This section states that the outdoor lighting ordinance is applicable to “Installation of new exterior lighting systems in public facility, commercial, industrial and multi-family housing projects with common areas” and “Major additions or modifications (as defined in this Section) to existing exterior lighting systems in public facility, commercial, industrial and multi-family housing projects with common areas.” In addition the exempt luminaires and lighting systems are listed.

Finding: This criterion is satisfied.

Explanation of Finding: Non-exempt new outdoor lighting proposed for the development site is being required to comply with the outdoor lighting ordinance.

Section 4.199.30 Outdoor Lighting Zones

B33. **Review Criterion:** “The designated Lighting Zone as indicated on the Lighting Overlay Zone Map for a commercial, industrial, multi-family or public facility parcel or project shall determine the limitations for lighting systems and fixtures as specified in this Ordinance.”

Finding: This criterion is satisfied.

Explanation of Finding: The development site is within LZ 2 and the proposed outdoor lighting systems are being reviewed under the standards of this lighting zone.

Subsection 4.199.40 (.01) A. Alternative Methods of Outdoor Lighting Compliance

B34. **Review Criterion:** “All outdoor lighting shall comply with either the Prescriptive Option or the Performance Option below.”

Finding: This criterion is satisfied.

Explanation of Finding: The Applicant has submitted information to comply with the performance option.

Subsection 4.199.40 (.01) C. Performance Option for Outdoor Lighting Compliance

“If the lighting is to comply with the Performance Option, the proposed lighting design shall be submitted by the applicant for approval by the City meeting all of the following:” Listed 1. through 3.

Subsection 4.199.40 (.01) C. 1. Weighted Average of Direct Uplight Lumens Standard

B35. **Review Criteria:** “The weighted average percentage of direct uplight lumens shall be less than the allowed amount per Table 9.”

Finding: These criteria are satisfied or will be satisfied by Condition of Approval PDB 8.

Explanation of Finding: As shown in the revised sheet SE1.0 provided with the Applicant’s notebook, Exhibit B1, the only luminaires that are not fully shielded are the landscape bollards. The luminaires are such that the weighted average percentage of direct uplight lumens will be less than five percent (5%). A condition of approval limits all wall mounted fixtures to down lighting.

Subsection 4.199.40 (.01) C. 2. Maximum Light Level at Property Lines

B36. **Review Criteria:** “The maximum light level at any property line shall be less than the values in Table 9, as evidenced by a complete photometric analysis including horizontal illuminance of the site and vertical illuminance on the plane facing the site up to the mounting height of the luminaire mounted highest above grade.”

Finding: These criteria are satisfied.

Explanation of Finding: Sheet SE1.0 shows the horizontal foot candles comply with Table 9. The Applicant states on page 18 of their compliance narrative, the vertical foot candles remain substantially the same as previously approved as compliant with Table 9.

Subsection 4.199.40 (.01) C. 2. Maximum Light Level at Property Lines

B37. **Review Criteria:** “Luminaires shall not be mounted so as to permit aiming or use in any way other than the manner maintaining the shielding classification required herein:”

Finding: These criteria are satisfied.

Explanation of Finding: The mountings will be in a downward position. Condition of Approval PDB 8 helps ensure this position.

Subsection 4.199.40 (.01) D. Outdoor Lighting Curfew

B38. **Review Criterion:** “All prescriptive or performance based exterior lighting systems shall be controlled by automatic device(s) or system(s) that:” Listed 1. through 3.

Finding: This criterion is satisfied or will be satisfied by Condition of Approval PDB 7.

Explanation of Finding: As previously approved, Carl’s Jr. is exempt from lighting curfew as a 24/7 operation. However, the coffee kiosk is not. A condition of approval requires lighting associated with this building and supporting parking shall be dimmed at 10:00 p.m. pursuant to Table 10.

Subsection 4.199.50 Submittal Requirements

- B39. **Review Criteria:** “Applicants shall submit the following information as part of DRB review or administrative review of new commercial, industrial, multi-family or public facility projects:” Listed A. through F. “In addition to the above submittal requirements, Applicants using the Prescriptive Method shall submit the following information as part of the permit set plan review:
- A. A site lighting plan (items 1 A - F, above) which indicates for each luminaire the 3 mounting height line to demonstrate compliance with the setback requirements. For luminaires mounted within 3 mounting heights of the property line the compliance exception or special shielding requirements shall be clearly indicated.”

Finding: These criteria are satisfied.

Explanation of Finding: The Applicant has submitted sufficient information to review the application.

REQUEST C: DB13-0048 MASTER SIGN PLAN REVISION AND SIGN WAIVER

Subsection 4.031 (.01) M. and Subsection 4.156.02 (.07) and (.07) C. Review Process

C1. **Review Criteria:** These subsections establish that Master Sign Plans are reviewed by the Development Review Board and that modifications to Master Sign Plans other than minor and major adjustments are reviewed the same as a new Master Sign Plan.

Finding: These criteria are satisfied.

Explanation of Finding: Due to the request for a waiver, the request does not qualify as a minor or major adjustment and is therefore being reviewed the same as a new Master Sign Plan.

Subsection 4.156.02 (.07) A. Master Sign Plan Submission Requirements

C2. **Review Criteria:** This subsection identifies submission requirements for Master Sign Plans

Finding: These criteria are satisfied.

Explanation of Finding: As indicated in the table below, the Applicant has either satisfied the submission requirements, or has been granted a waiver under Subsection 4.156.02(.10).

Requirement	Submitted	Waiver Granted		Condition of Approval	Not Applicable	Additional findings/notes
		Info Already Available to City	Info Not Necessary for Review			
Completed Application Form	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Sign Drawings or Descriptions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Documentation of Building/Tenant Space Lengths	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Drawings of Sign Placement of Building Facades	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Project Narrative	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Subsection 4.156.02 (.05) E. Class II Sign Permit Review Criteria: Generally and Site Design Review

- C3. **Review Criteria:** "Class II Sign Permits shall satisfy the sign regulations for the applicable zoning district and the Site Design Review Criteria in Sections 4.400 through 4.421," Pursuant to Subsection 4.156.02 (.07) B. these criteria are also applicable to Master Sign Plans.

Finding: These criteria are satisfied.

Explanation of Finding: As indicated in Findings C25 through C31, these criteria are met.

Subsection 4.156.02 (.05) E. 1. Class II Sign Permit Review Criteria: Compatibility with Zone

- C4. **Review Criteria:** "The proposed signage is compatible with developments or uses permitted in the zone in terms of design, materials used, color schemes, proportionality, and location, so that it does not interfere with or detract from the visual appearance of surrounding development;" Pursuant to Subsection 4.156.02 (.07) B. these criteria are also applicable to Master Sign Plans.

Finding: These criteria are satisfied.

Explanation of Finding: The proposed signage is typical of and compatible with development within the PDC zones. This includes a design and colors reflecting corporate identity, illuminated channel letters and logo on a raceway, freestanding cabinet signs, and individual non-illuminated letters on an architectural wall. The placement of signs on buildings is in recognizable sign bands and proportional to the building facades. No evidence exists, nor has testimony been received, that the subject signs would detract from the visual appearance of the surrounding development.

Subsection 4.156.02 (.05) E. 2. Class II Sign Permit Review Criteria: Nuisance and Impact on Surrounding Properties

- C5. **Review Criteria:** "The proposed signage will not create a nuisance or result in a significant reduction in the value or usefulness of surrounding development;" Pursuant to Subsection 4.156.02 (.07) B. these criteria are also applicable to Master Sign Plans.

Finding: These criteria are satisfied.

Explanation of Finding: There is no evidence, and no testimony has been received, that the subject signs would create a nuisance or negatively impact the value of surrounding properties.

Subsection 4.156.02 (.05) E. 3. Class II Sign Permit Review Criteria: Items for Special Attention

- C6. **Review Criteria:** "Special attention is paid to the interface between signs and other site elements including building architecture and landscaping, including trees." Pursuant to Subsection 4.156.02 (.07) B. these criteria are also applicable to Master Sign Plans.

Finding: These criteria are satisfied.

Explanation of Finding: The building signs are within an architectural feature identifiable as a sign band with a buffer within the sign band around the sign, which demonstrates consideration of the interface between the signs and building architecture. No sign-tree conflicts have been noted.

Subsection 4.156.02 (.06) B. Class III Sign Permit Review Criteria

C7. **Review Criteria:** “The review criteria for Class II Sign Permits plus waiver or variance criteria when applicable.” Pursuant to Subsection 4.156.02 (.07) B. these criteria are also applicable to Master Sign Plans.

Finding: These criteria are satisfied.

Explanation of Finding: A waiver is being requested and responses to the waiver criteria have been provided.

Subsection 4.156.02 (.07) B.1. Master Sign Plan Review Criteria: Consistent and Compatible Design

C8. **Review Criteria:** “The Master Sign Plan provides for consistent and compatible design of signs throughout the development.”

Finding: These criteria are satisfied.

Explanation of Finding: The channel letter/logo design is similar to what was previously approved for the multi-tenant commercial building. The coffee kiosk signs are consistent with the design of the signs approved and installed on the Carl’s Jr. building. No additional freestanding signs are proposed. Directional signs are similar in character to the Carl’s Jr. directional signs and are typical of drive-thru establishments.

Subsection 4.156.02 (.07) B.2. Master Sign Plan Review Criteria: Future Needs

C9. **Review Criteria:** “The Master Sign Plan considers future needs, including potential different configuration of tenant spaces and different sign designs, if allowed.”

Finding: These criteria are satisfied.

Explanation of Finding: City Council has accepted the Staff Report, as amended hereby, which recommended increasing the sign allowance to 25.4 square feet on each facade to allow flexibility of sign design over time within a rectangle that the proposed sign fits within.

Subsection 4.156.02 (.08) A. Sign Waiver

Subsection 4.156.02 (.08) A. Waivers in General

C10. **Review Criteria:** “The DRB may grant waivers for sign area, sign height from ground (no waiver shall be granted to allow signs to exceed thirty-five (35) feet in height), number of signs, or use of electronic changeable copy signs in order to better implement the purpose and objectives of the sign regulations as determined by making findings that all of the following criteria are met:” Listed 1.-4. See Findings C12 through C15 below.

Finding: These criteria are satisfied.

Explanation of Finding: A waiver is being requested for sign area consistent with this subsection.

Subsection 4.156.02 (.08) A. 1. Waivers Criteria: Improved Design

C11. **Review Criteria:** "The waiver will result in improved sign design, in regards to both aesthetics and functionality."

Finding: These criteria are satisfied.

Explanation of Finding: The proposed coffee kiosk is a particularly long narrow building at only 12' 10" wide with a length of 35' 4". According to the table showing the sign area allowed in Subsection 4.156.08(.02)B.1, the two longer facades would be allowed 35.33 square feet of sign area, and the shorter facade would be allowed 12.83 square feet of sign area. The waiver allows signs of equal size to be placed on three facades that are of a consistent size and design, creating a consistent look for portions of the buildings that are otherwise architecturally similar. City Council concurs with staff recommendation that greater flexibility for future branding updates or tenant changes would be enabled by requesting a sign area equal to a rectangle drawn around the entire sign. Therefore, City Council adopts the staff recommendation that a waiver be approved for the allowed sign area to be increased to 25.4 square feet on the 12.83 long facade.

Subsection 4.156.02 (.08) A. 2. Waivers Criteria: More Compatible and Complementary

C12. **Review Criteria:** "The waiver will result in improved sign design, in regards to both aesthetics and functionality."

Finding: These criteria are satisfied.

Explanation of Finding: The waiver will provide for more consistent signs around the building and neighboring buildings, providing for compatible and complementary design.

Subsection 4.156.02 (.08) A .3. Waivers Criteria: Impact on Public Safety

C13. **Review Criteria:** "The waiver will result in a sign or signs that improve, or at least do not negatively impact, public safety, especially traffic safety."

Finding: These criteria are satisfied.

Explanation of Finding: If anything, the added readability of the sign facing the intersection will aid drivers in making decisions on maneuvers earlier. No negative impacts on safety have been noted.

Subsection 4.156.02 (.08) A .4. Waivers Criteria: Content Neutrality

C14. **Review Criteria:** "Sign content is not being considered when determining whether or not to grant a waiver."

Finding: These criteria are satisfied.

Explanation of Finding: Sign content is not being considered in granting the waiver. Similar consideration on building shape would occur regardless of the tenant or message.

Section 4.156.03 Sign Measurement

Subsection 4.156.03 (.01) B. Measurement of Individual Element Signs

C15. **Review Criteria:** "The area for signs constructed of individual elements (letters, figures, etc.) attached to a building wall or similar surface or structure shall be the summed area of up to three squares, rectangles, circles, or triangles drawn around all sign elements."

Finding: These criteria are satisfied.

Explanation of Finding: The proposed signs have not been measured consistent with this subsection. However, as recommended by Staff, the proposed Master Sign Plan revision allows for the proposed signs measured according to this subsection.

Subsection 4.156.03 (.03) A.-B. Measurement of Sign Height and Length

C16. **Review Criteria:** “Height of a sign is the vertical distance between the lowest and highest points of the sign.”

Length of a sign is the horizontal distance between the furthest left and right points of the sign.”

Finding: These criteria are satisfied.

Explanation of Finding: The proposed signs have been measured consistent with this subsection.

Subsection 4.156.08 (.01) L. Design of Sign Based on Initial Tenant Configuration and Size

C17. **Review Criteria:** “When a sign is designed based on the number of planned tenant spaces it shall remain a legal, conforming sign regardless of the change in the number of tenants or configuration of tenant spaces.”

Finding: These criteria are satisfied.

Explanation of Finding: The master sign plan is proposed based on the number of planned tenants, and it is understood the sign plan will be valid regardless of the number of future tenants.

Subsection 4.156.08 (.02) Building Signs in the PDC, PDI, and PF Zones

Subsection 4.156.08 (.02) A. Sign Eligible Facades

C18. **Review Criteria:** “Building signs are allowed on a facade of a tenant space or single tenant building when one or more of the following criteria are met:

1. The facade has one or more entrances open to the general public;
2. The facade faces a lot line with frontage on a street or private drive with a cross section similar to a public street, and no other buildings on the same lot obstruct the view of the building facade from the street or private drive; or
3. The facade is adjacent to the primary parking area for the building or tenant.”

Finding: These criteria are satisfied.

Explanation of Finding: All facades of the proposed coffee kiosk are sign eligible. The north, east, and west face lot lines with frontages of public streets. The south facade faces the primary parking area.

Subsection 4.156.08 (.02) B. Building Sign Area Allowed

C19. **Review Criteria:** This subsection includes a table identifying the sign area allowed for facades based on the linear length of the facade. Exceptions are listed 2. through 5.

Finding: These criteria are satisfied.

Explanation of Finding: There are no changes to the previously approved sign allowance for the Carl’s Jr. building. The following are the allowances for the proposed coffee kiosk.

Coffee Kiosk				
Façade	Linear Length	Sign Area Allowed	Proposed Max	Staff Recommendation
North	12.83 feet	12.83 sf	15.86 sf	25.4 sf
East	34.33 feet	34.33 sf	15.86 sf	25.4 sf
South	12.83 feet	12.83 sf	0 sf	0 sf
West	34.33 feet	34.33 sf	15.86 sf	25.4 sf

The proposed coffee kiosk is a particularly long narrow building at only 12' 10" wide with a length of 35' 4". According to the table showing the sign area allowed in Subsection 4.156.08(.02)B.1, the two longer facades would be allowed 35.33 square feet of sign area, and the shorter facade would be allowed 12.83 square feet of sign area. The Applicant, in their narrative, requests 15.83 square feet of signage for each of three facades, which includes a waiver to increase the sign area on the north facade. Staff notes the Applicant's method of measurement does not follow the measurement method prescribed in Section 4.156.03. Staff additionally noted greater flexibility for future branding updates or tenant changes would be enabled by requesting a sign area equal to a rectangle drawn around the entire sign. Staff recommended, and City Council has approved, 25.4 square feet on the east, west, and north facades. See also Finding 31 regarding waiver request.

Subsection 4.156.08 (.02) B. 6. Calculating Linear Length to Determine Sign Area Allowed

- C20. **Review Criteria:** "For facades of a single tenant building the length the facade measured at the building line, except as noted in a. and b. below. For multi-tenant buildings the width of the façade of the tenant space shall be measured from the centerline of the party walls or the outer extent of the exterior wall at the building line, as applicable, except as noted in a. and b. below. Applicants shall provide the dimensions needed to calculate the length. Each tenant space or single occupant building shall not be considered to have more than five (5) total facades."

Finding: These criteria are satisfied.

Explanation of Finding: The Applicant has supplied the required measurements used to determine linear lengths according to this subsection.

Subsection 4.156.08 (.02) C. Building Sign Length Allowed

- C21. **Review Criterion:** "The length of individual tenant signs shall not exceed seventy-five (75) percent of the length of the facade of the tenant space."

Finding: This criterion is satisfied.

Explanation of Finding: None of the proposed sign bands exceed seventy-five (75) percent of the length of the façade.

Subsection 4.156.08 (.02) D. Building Sign Height Allowed

- C22. **Review Criteria:** "The height of building signs shall be within a definable sign band, fascia, or architectural feature and allow a definable space between the sign and the top and bottom of the sign band, fascia, or architectural feature."

Finding: These criteria are satisfied.

Explanation of Finding: All of the proposed sign bands are within a definable architectural feature and have a definable space between the sign and the top and bottom of the architectural feature.

Subsection 4.156.08 (.02) E. Building Sign Types Allowed

C23. **Review Criterion:** “Types of signs permitted on buildings include wall flat, fascia, projecting, blade, marquee and awning signs. Roof-top signs are prohibited.”

Finding: This criterion is satisfied.

Explanation of Finding: All the proposed buildings signs are wall flat, which is an allowable type.

Subsection 4.156.08 (.03) A. Additional Signs: Directional Signs

C24. **Review Criteria:** “Notwithstanding the signs allowed based on the site in (.01) and (.02) above, the following signs may be permitted, subject to standards and conditions in this Code:” “In addition to exempt directional signs allowed under Subsection 4.156.05 (.02) C. freestanding or ground mounted directional signs six (6) square feet or less in area and four (4) feet or less in height:

1. The signs shall be designed to match or complement the architectural design of buildings on the site;
2. The signs shall only be placed at the intersection of internal circulation drives; and
3. No more than one (1) sign shall be placed per intersection corner with no more than two (2) signs per intersection.”

Finding: These criteria are satisfied or will be satisfied by Condition of Approval PDC 3.

Explanation of Finding: Two (2) illuminated double faced directional signs are proposed as part of the Master Sign Plan. The signs are shown in the Applicant’s sign section of their notebook, Exhibit B1. Exhibit B1 shows the signs slightly larger than 6 square feet. A condition of approval requires they be limited to six (6) square feet. The signs are shown at 4’ tall. The signs match the design of other signs on the property and complement the architecture of the building similarly. The signs are placed at the intersection of internal circulation drives, and only one sign is placed per intersection.

Site Design Review

Subsections 4.400 (.01) and 4.421 (.03) Excessive Uniformity, Inappropriateness of Design, Etc.

C25. **Review Criteria:** “The Board shall also be guided by the purpose of Section 4.400, and such objectives shall serve as additional criteria and standards.” “Excessive uniformity, inappropriateness or poor design of the exterior appearance of structures and signs and the lack of proper attention to site development and landscaping in the business, commercial, industrial and certain residential areas of the City hinders the harmonious development of the City, impairs the desirability of residence, investment or occupation in the City, limits the opportunity to attain the optimum use in value and improvements, adversely affects the stability and value of property, produces degeneration of property in such areas and with attendant deterioration of conditions affecting the peace, health and welfare, and destroys a proper relationship between the taxable value of property and the cost of municipal services therefor.”

Finding: These criteria are satisfied.

Explanation of Finding:

Excessive Uniformity: The sign plan allows for a variety of sign shapes, fonts, and colors chosen by different tenants so as to avoid excessive uniformity.

Inappropriate or Poor Design of Signs: Signs are typical of the type of development proposed found to be appropriate throughout the City. At issuance of the Class I Sign Permits, consistent with the Master Sign Plan, the City will ensure quality design of signs.

Lack of Proper Attention to Site Development: The appropriate professional services have been used to design the site incorporating unique features of the site, including site size and shape and available access, demonstrating appropriate attention being given to site development and sign placement.

Lack of Proper Attention to Landscaping: Landscaping around the monument sign and freestanding sign is consistent with other landscaping on the property and is of an acceptable quality and design.

Subsections 4.400 (.02) and 4.421 (.03) Purposes of Objectives of Site Design Review

- C26. **Review Criteria:** “The Board shall also be guided by the purpose of Section 4.400, and such objectives shall serve as additional criteria and standards.” “The City Council declares that the purposes and objectives of site development requirements and the site design review procedure are to:” Listed A through J, including D, which reads “Conserve the City's natural beauty and visual character and charm by assuring that structures, signs and other improvements are properly related to their sites, and to surrounding sites and structures, with due regard to the aesthetic qualities of the natural terrain and landscaping, and that proper attention is given to exterior appearances of structures, signs and other improvements;”

Finding: These criteria are satisfied.

Explanation of Finding: City Council finds that the signs comply with the purposes and objectives of site design review, especially objective D, which specifically mentions signs. The proposed signs are of a scale and design appropriately related to the subject site, and the appropriate amount of attention has been given to visual appearance.

Subsection 4.421 (.01) Site Design Review-Design Standards

- C27. **Review Criteria:** This subsection lists the design standards for Site Design Review. Listed A through G. Only F, is applicable to this application, which reads, “Advertising Features. In addition to the requirements of the City's sign regulations, the following criteria should be included: the size, location, design, color, texture, lighting and materials of all exterior signs and outdoor advertising structures or features shall not detract from the design of proposed buildings and structures and the surrounding properties.”

Finding: These criteria are satisfied.

Explanation of Finding: There is no indication that the size, location, design, color, texture, lighting, or material of the proposed signs would detract from the design of the building and the surrounding properties.

Subsection 4.421 (.02) Applicability of Design Standards to Signs

C28. **Review Criteria:** “The standards of review outlined in Sections (a) through (g) above shall also apply to all accessory buildings, structures, exterior signs and other site features, however related to the major buildings or structures.”

Finding: These criteria are satisfied.

Explanation of Finding: Design standards have been applied to exterior signs, as applicable, see Finding C27 above.

Subsection 4.421 (.05) Site Design Review-Conditions of Approval

C29. **Review Criterion:** “The Board may attach certain development or use conditions in granting an approval that are determined necessary to insure the proper and efficient functioning of the development, consistent with the intent of the Comprehensive Plan, allowed densities and the requirements of this Code.”

Finding: This criterion is satisfied.

Explanation of Finding: No additional conditions of approval are recommended to ensure the proper and efficient functioning of the development.

Subsection 4.421 (.06) Color or Materials Requirements

C30. **Review Criterion:** “The Board or Planning Director may require that certain paints or colors of materials be used in approving applications. Such requirements shall only be applied when site development or other land use applications are being reviewed by the City.”

Finding: This criterion is satisfied.

Explanation of Finding: Staff does not recommend any additional requirements for materials or colors for the proposed signs.

Section 4.440 Site Design Review-Procedures

C31. **Review Criteria:** “A prospective applicant for a building or other permit who is subject to site design review shall submit to the Planning Department, in addition to the requirements of Section 4.035, the following:” Listed A through F.

Finding: These criteria are satisfied.

Explanation of Finding: The Applicant has submitted a sign plan as required by this section.

ADDITIONAL CITY COUNCIL FINDINGS RELATED TO APPEAL ISSUES

The opponent of this Application, Garry LaPoint of LaPoint Business Group, LLC (“Opponent”), raised several issues in his oral testimony and in written and CD submittals to the Development Review Board during the Development Review Board hearings process, and then to City Council through additional submittals to the City Council record on March 10, 2014, and through testimony at the appeal hearing before City Council on March 17, 2014. As determined by City Council, the scope of review of the appeal was limited to the DRB record, except as pertaining to the following issues:

- On-site traffic congestion;

- Adequacy, efficiency, and safety of on-site pedestrian and vehicle circulation, inclusive of delivery vehicles and other larger format vehicles; and
- Wilsonville Development Code (“WDC”) Sections 4.154, 4.155(.03)A, 4.400(.02)A, and 4.421(.01)C.

The issues raised by Mr. LaPoint are set forth below, along with City Council’s findings of fact and conclusions of law related to each issue.

A. Trucks Serving the Site Will Not Exceed 30 feet in Length and Turning Movements Will Be Fully Contained Within the Site.

Opponent asserted that the WB-40 delivery truck (40 foot semi-trailer truck) turning movement plan submitted by the Applicant to the DRB was infeasible and unsafe. In support of such assertion, Opponent submitted an email from Steve High, Night Transportation Supervisor of vendor Core-Mark Portland, dated February 10, 2014. Mr. High stated that Core-Mark would likely utilize a delivery pattern that was different from the WB-40 truck turning movement plan submitted by the Applicant in order to minimize or avoid movement that requires backing up into a loop. In addition, Opponent submitted a CD on March 10, 2014, which showed video of a WB-40 Carl’s Jr. delivery truck maneuvering on the site. Opponent argued that such truck was used by the Applicant to physically demonstrate the feasibility of the truck turning movement plan, which was created using the AutoTurn computer program, but that the truck failed to complete the proposed delivery pattern.

Although the maneuvering of a 40 foot truck had been presented by the Applicant to the DRB and was of concern to the DRB, resulting in DRB denial of the Application, that issue is now moot in that the Applicant has provided new evidence that deliveries to the coffee kiosk will be made by vendors in box trucks not to exceed an overall length of 30 feet. See Exhibit A to letter from Steve Pfeiffer, dated March 10, 2014. Additionally, the Applicant has provided a Truck Turning and Circulation Analysis (“Truck Turning Analysis”) performed by transportation engineering firm, Kittelson & Associates, Inc., dated March 2, 2014. See Exhibit B to letter from Steve Pfeiffer, dated March 10, 2014. The Truck Turning Analysis analyzes a 30 foot Umpqua box truck with a wheelbase of 18.6 feet, which is the largest vehicle that would perform deliveries to the coffee kiosk. The Truck Turning Analysis concludes that the studied Umpqua delivery truck can successfully access the site in a safe and efficient manner.

Based on the new evidence and commitment provided by the Applicant that all deliveries to the site will be made in delivery trucks 30 feet in length or less, and that such 30 foot trucks can successfully access the site safely and efficiently, City Council finds that Opponent’s assertion that 40 foot semi-trailer trucks will have difficulty maneuvering on the site is moot. To ensure that all deliveries are made in trucks 30 feet or less in length, Council adds Condition CC1, prohibiting vehicles greater than 30 feet in length from making inventory deliveries to The Human Bean or future tenant of the kiosk, unless an easement is found to legally exist that would allow the maneuvering of larger delivery vehicles on the adjacent property.

B. All Vehicular Access and Maneuvering Will Occur On-Site.

Opponent asserted that, due to traffic congestion caused in part by Carl's Jr. delivery trucks blocking drive aisles, customers to The Human Bean would utilize his property for ingress and egress to the site. Specifically, Opponent contended that customers to The Human Bean would utilize the curb cut along the property line between his property and Applicant's property near the trash enclosures to access, and exit from, the coffee kiosk.

City Council finds that the Applicant has provided substantial evidence of safe and convenient vehicular circulation, which can be fully accommodated on Applicant's own site and without the need for use of the Opponent's property. Specifically, City Council finds that the Applicant's site plan, and other evidence in the record as a whole, shows the following:

- Circulation and stacking patterns for vehicles visiting the coffee kiosk, with safe stacking for at least seven (7) vehicles;
- Directional striping and arrows separating traffic flow;
- Eight (8) adjacent parking spaces; and
- Two (2) directional signs directing customers of the coffee kiosk to exit using the drive aisle in front of Carl's Jr. to the shared driveway.

Additionally, City Council finds that the Truck Turning Analysis, discussed above in Section A, shows delivery truck entrance and exit movements that are fully accommodated on site, without the need to utilize Opponent's property. Based on the above evidence, and substantial evidence in the record as a whole, City Council finds that the subject proposal complies with WCC Sections 4.154, 4.155(.03)A, 4.400(.02)A, and 4.421(.01)C, and that with the new circulation pattern and smaller truck use, as conditioned by City Council, all vehicular access and maneuvering is adequate to serve the functional needs of the site and is required to be fully accommodated on-site.

City Council acknowledges that it cannot physically prevent customers of The Human Bean from traveling across Opponent's property to purchase gas, patronize the convenience store, or to access or exit from the Applicant's site; however, City Council finds that substantial evidence in the record demonstrates that The Human Bean site is capable of safely and efficiently accommodating all customer and delivery truck traffic on its own site. To further ensure that all coffee kiosk activities occur on-site, Council adds Condition CC2, requiring that site circulation to The Human Bean or future tenant of the kiosk, including delivery vehicles and typical customer traffic, be accomplished without the use of the curb cut along the property line with Opponent's property, unless an easement is legally found to exist that would allow use of the curb cut and circulation on Opponent's property.

Opponent had also argued that the City did not have jurisdiction to review this Application because Opponent should have been added as a "necessary party" in compliance with WCC 4.035(.04).3. Although unclear from the record, Opponent appears to have argued that his consent was required to file the Application because his property was needed as part of the Applicant's site plan. However, based on the above analysis, the evidence presented by the Applicant, and the additional conditions of approval imposed by City Council, City Council

finds that The Human Bean site is capable of accommodating all customer and delivery truck traffic on its own site, without the need for use of the Opponent's property. Therefore, City Council finds that Opponent was not a "necessary party" to this Application and that there is no "jurisdictional defect" in this proceeding. City Council also incorporates by this reference the findings in Section E, below, related to the cross-easement.

C. On-Site Pedestrian Circulation Is Safe and Adequate.

Opponent asserted that pedestrian circulation on the site is unsafe because pedestrians will travel the most direct path to their destination, even if it means crossing congested drive aisles.

Contrary to Opponent's assertion, City Council finds that the Applicant's site plan demonstrates a clear and safe plan for pedestrian ways and pedestrian crossings necessary to connect the proposed coffee kiosk with its associated parking, the sidewalk, and adjacent properties. More specifically, City Council finds that the Applicant's site plan shows the following:

- Two separate pedestrian connections to the 95th Avenue sidewalk, each with its own striped drive aisle crossing;
- Paved walkways with striped drive aisle crossings connecting the coffee kiosk to parking, the trash enclosures, and the Chevron property to allow, if desired, those who are fueling their cars to walk to the coffee kiosk; and
- A patio area near the coffee kiosk to provide pedestrians with a safe space to drink their coffee other than the parking lot.

Based on the above evidence, and substantial evidence in the record as a whole, City Council finds that the subject proposal complies with WCC Sections 4.154, 4.155(.03)A, 4.400(.02)A, and 4.421(.01)C, and that all pedestrian circulation is safe and adequate to serve the functional needs of the site.

City Council also finds that, although the City Council cannot control or regulate how pedestrians access the site, pedestrians are inclined to protect themselves from potential bodily harm and, when confronted with congested traffic, should therefore look to travel the safest path along the paved pedestrian walkways to their destination that are available and are being provided in this Application. Therefore, City Council finds that the on-site pedestrian circulation is adequate and safe, and that Opponent's argument is without merit.

D. On-Site Vehicular Circulation Is Safe and Adequate.

Opponent asserted that the proposed drive-thru coffee kiosk did not allow for the proper functioning of the whole site and that on-site vehicular circulation is unsafe. Specifically, Opponent asserted that an Institute of Traffic Engineers ("ITE") study showed that drive-thru coffee shops produce the longest maximum queues of any of the land uses studies and that, given

such long queues, the proposed coffee kiosk would create on-site congestion that conflicted with the traffic flows of the adjacent Carl's Jr. and Chevron establishments.

Contrary to Opponent's assertions, City Council finds that the site design allows for proper functioning of the whole site, and that on-site vehicular circulation is safe and adequate. First, it is important to note that the ITE study referenced by Opponent was not entered into the record as evidence; therefore, City Council will not consider it since it is not entered into the record of this proceeding. Alternatively, even if it were in the record, City Council finds that the ITE study is irrelevant to this matter because the study was not performed locally in Wilsonville (or anywhere in Oregon).

Secondly, City Council finds that the impact or effect on the Chevron site is irrelevant to this proceeding. The only site currently under review pursuant to City Code requirements, is the site of the proposed coffee kiosk. As discussed in Section B, above, City Council finds that all vehicular access and maneuvering related to the proposed coffee kiosk can occur on-site, without the need to utilize Chevron's property. Based on testimony presented by the Applicant and the Carl's Jr. Franchisee at the hearing, City Council finds that the fast food restaurant and coffee kiosk uses are complimentary, and that the Applicant and Carl's Jr. Franchisee agree that the on-site traffic patterns for the two businesses will not conflict. Specifically, City Council finds that the peak volume of customers for the coffee kiosk will occur in the morning, while the peak volume of customers to Carl's Jr. will occur at the noon hour. Moreover, the Applicant testified that deliveries to the coffee kiosk will occur in the early morning hours, at approximately 4:00 a.m., in order to avoid traffic congestion and to ensure that the coffee kiosk is fully stocked to serve morning customers. Given the different peak customer times of Carl's Jr. and the coffee kiosk, as well as the early morning coffee kiosk delivery schedule, City Council finds that traffic can flow sufficiently enough to meet this criteria.

City Council is not persuaded by Opponent's evidence that increased vehicular accidents should cause City Council to deny the Application. Opponents have certainly not provided any evidence that any on-site accidents were caused by design of the proposed coffee kiosk site which has not yet been built. Furthermore, this site has already been finally approved for the development of a larger retail space and there is nothing in the record to show that the approved development would cause less traffic accidents than the proposed coffee kiosk.

Lastly, City Council finds that the Applicant has provided evidence of safe and convenient circulation on the site, in compliance with WCC Sections 4.400.02, 4.421C, 4.154 and 4.155. Specifically, City Council finds that the site plans show the following:

- Circulation and stacking patterns for vehicles visiting the coffee kiosk, with safe stacking for at least seven (7) vehicles;
- Directional striping and arrows separating traffic flow;
- Eight (8) adjacent parking spaces; and
- Adequate access for passenger vehicles and delivery trucks.

To further ensure safe and convenient on-site vehicular circulation, Council adds Condition CC3, which requires a stop line and stop sign for northbound traffic directly east of the north building line of the Carl's Jr. restaurant building, as well as a "DO NOT BLOCK" area at the entrance of the Carl's Jr. drive-thru lane sufficient to allow traffic through exiting from the north. This condition should help to promote the flow of traffic through the drive-thru lanes and help to ease congestion.

E. A Gate Separating the Applicant's and Opponent's Properties Is Not Properly Before City Council.

Opponent asserts that there is no legal cross-easement providing ingress and egress over both properties at the curb cut where the northeastern boundary of Applicant's property meets the northwestern boundary of Opponent's property. Opponent asserts that the Applicant is not permitted to utilize Opponent's property in order to operate its proposed coffee kiosk, and Opponent requests that a gate be required along the curb cut to separate Applicant's and Opponent's properties.

At the outset, it is important to note that City Council has already found in Section B, above, that all coffee kiosk vehicular access and maneuvering can occur on-site, without the need for use of the Opponent's property. City Council hereby incorporates by reference the findings in Section B, above. Therefore, City Council finds that a gate along the curb cut separating the Applicant's and Opponent's properties is unnecessary. To further ensure that all coffee kiosk activities occur on-site, Council adds Condition CC2, requiring that site circulation to The Human Bean or future tenant of the kiosk, including delivery vehicles and typical customer traffic, be accomplished without the use of the curb cut along the property line with Opponent's property, unless an easement is legally found to exist that would allow use of the curb cut and circulation on Opponent's property.

Although Council finds that substantial evidence in the record demonstrates that The Human Bean site is capable of safely and efficiently accommodating all customer and delivery truck traffic on its own site, the Applicant and Carl's Jr. Franchisee contend that such cross-easement legally exists to benefit their properties. City Council finds that it is not obligated nor authorized to adjudicate the validity of a private agreement. Such function is the purview of the courts, not of city government. Accordingly, City Council makes no determination as to the validity or legality of the cross-easement. To the extent that such cross-easement may affect a third party, such as Carl's Jr., which has been fully built, City Council finds that such third parties are not before Council for review. Therefore, City Council finds that it cannot impose conditions or other requirements on third parties who are not part of the present application. For this reason, City Council finds that imposition of a gate along the curb cut separating the Applicant's and Opponent's properties would be improper and not within the City's authority through this Application.

F. Stage II Final Plan Approval for Retail Building Already Granted.

Opponent asserts that he was coerced into entering a Development Agreement with the Applicant, Holiday Inn, and the City in 2012. See Exhibit B6. Specifically, Opponent asserts that he begrudgingly agreed to development of a Carl's Jr. fast food restaurant and "other yet to be determined retail" on Applicant's property as part of the Development Agreement, but that he was misled by the Applicant as to the nature of the retail and that he did not agree to a drive-thru coffee kiosk.

Although the Opponent may regret entering into a Development Agreement with the Applicant in hindsight, City Council finds that it is not obligated nor authorized to adjudicate any disputes between the Applicant and the Opponent arising out of that Development Agreement. As with the cross-easement, City Council finds that it is within the purview of the courts to adjudicate such disputes, not city government.

City Council finds that the Applicant had previously obtained Stage II Final Plan approval for a 3,150 square foot multi-tenant retail commercial building on the site. City Council also finds that such approval is still valid, and the retail building remains authorized for construction, as approved.

Lastly, although the revised Application includes a drive-thru component, City Council finds that the current coffee kiosk proposal would result in a 2,700 square foot reduction in the size of the previously approved building and, according to the traffic study, an attendant reduction in overall traffic on the site. Given the size of the previously approved retail building and various retail uses that could occupy such a larger building, City Council finds that the traffic, site circulation, and fire/life/safety impacts of the current proposal are more likely less than the originally-proposed and approved retail building. Based on the record as a whole, City Council finds that on-site vehicular and pedestrian circulation, as proposed for the coffee kiosk, is safe and adequate, and that the site design sufficiently serves the functional needs of the site.

G. Notice of the DRB Hearing Was Adequate and Timely.

Opponent asserts that he did not receive adequate legal notice of the Application prior to the DRB hearing. However, City Council finds the record shows that Opponent admitted to receiving e-mailed notice of the DRB hearing from the City on December 23, 2013, and that the City's notarized record of mailing demonstrates that Opponent was on the list of individuals notified by that mailing. There is no dispute that the notice was mailed on December 23, 2013, which was twenty-one (21) days before the January 13, 2014 hearing. Therefore, City Council finds that substantial evidence in the record shows that Opponent was mailed the notice within the statutory twenty (20) day time limit established by ORS 197.763(3)(f)(A).

Furthermore, City Council finds that the notice was adequate and did not prejudice Opponent's substantial rights. Specifically, City Council finds that the notice provided sufficient specificity to put the Opponent on notice that certain code sections within a clearly-defined range of code sections are applicable to the proposed development. Even if the notice were technically deficient (it is not), City Council also finds that Opponent's substantial rights were not prejudiced by any technical procedural errors in the notice. City Council finds that Opponent

had the opportunity to be heard at the initial DRB hearing, through his legal counsel, and had enough lead time to prepare a detailed written testimonial in time for the DRB hearing. Additionally, Opponent had the opportunity to participate in, and did participate in, the open record periods before the DRB, and Opponent presented testimony at the second DRB hearing on the matter. Opponent also had the opportunity to participate in the proceedings before City Council on this matter. Based on substantial evidence in the record, including the letter from Applicant's attorney, dated January 27, 2014 (Exhibit B6), City Council finds that Opponent received adequate and timely notice of the Application.

H. The Proposed Coffee Kiosk Will Not Create an Adverse Traffic Impact.

Opponent asserts that the proposed coffee kiosk will have an adverse traffic impact, in violation of WCC 4.140(.09)(J). Opponent also asserts that pass-by trips have the same impact as primary trips on site circulation. However, City Council is persuaded by the trip generation estimate ("TGE"), dated November 5, 2013, and AM Peak Hour Traffic Analysis ("AM Peak Analysis"), dated January 27, 2014, performed by the City's designated traffic engineer, DKS. See Exhibit 6 of Exhibit B6. City Council finds that DKS's initial TGE and the AM Peak Analysis demonstrate that the proposed coffee kiosk will not adversely impact study intersections in the AM or PM peak, and that all levels of service of affected intersections remain operating within the City's standards.

While the Opponent asserts that pass-by trips have the same impact as primary trips on internal site circulation, City Council finds that they do not have the same impact on the levels of service of affected intersections. The TGE specifically notes that while the proposed development "would generate slightly more trips than the previously-proposed retail center...it has a much higher pass-by trip rate...and therefore generates fewer primary trips." TGE at 2. It goes on to state that "the small increase in driveway trips is not expected to negatively impact intersection operations." Id. City Council finds that compliance with WDC 4.140(.09)(J) does not hinge, as the Opponent suggests, on internal site circulation; rather, it hinges on the levels of service of affected intersections. City Council finds that the TGE and AM Peak Analysis are sufficient proof of compliance with WDC 4.140(.09)(J) because DKS evaluated all likely-affected intersections and determined that the AM and PM peak levels of service would not be substantially affected by the proposed development.

Finally, City Council finds that the Opponent's citation of the Gibson Traffic Consultant's study of an 1,800 SF coffee shop is irrelevant because the proposed coffee kiosk is a different use than analyzed in that study (ITE § 938 vs. § 934), is substantially smaller, and affects different roadways for level of service purposes. For all of the above reasons, City Council finds that the proposed development will not create an adverse traffic impact on surrounding intersections.

I. Drainage Facilities Are Sufficient to Accommodate the Proposal.

Opponent argues that the Applicant constructed a drainage ditch over the Opponent's property without permission. Regardless of the veracity of this allegation, City Council finds

that it is, at most, a private trespass that has no bearing on the proposed development. City Council finds that it has no obligation, and no authority, to adjudicate a private trespass as part of this proceeding.

Opponent also argues that the City did not address storm water in its review. However, City Council finds that Conditions of Approval listed as PF 3 and PF 4 require that the proposed development connect its onsite storm drainage collection system to the Boone Ferry Point project, which City Council finds will provide sufficient detention and storm water quality for the site.



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**WILSONVILLE CITY COUNCIL
NOTICE OF DECISION
RESOLUTION NO. 2456**

FILE NO: RESOLUTION NO. 2456

**APPLICANT: JOSH VEENTJER
WILSONVILLE DEVCO, LLC**

After conducting a public hearing on March 17, 2014 and adoption of the Findings of Fact on April 21, 2014 the City Council voted to adopt Resolution No. 2456 as submitted and adopted findings and conclusions to support their action.

This decision has been finalized in written form as

Resolution No. 2456

Resolution To Issue An Order By The City Council Approving The Appeal Of The Stage II Final Plan Revision, Site Design Review, And Master Sign Plan Revision And Sign Waiver Of A New 450 Square Foot Drive-Thru Coffee Kiosk At The Corner Of 95th Avenue And Boones Ferry Road. The Subject Site Is Located On Tax Lot 302 Of Section 2DB, T3S, R1W, Washington County, Oregon. Applicant/ Appellant/Owner Wilsonville Devco, LLC. Application Nos. DB 13-0046, DB 13-0047, And DB 13-0048.

And placed on file in the city records at the Wilsonville City Hall the 22nd day of April 2014, and is available for public inspection. The date of filing is the date of decision. Any appeal(s) must be filed with the Land Use Board of Appeals (LUBA) in accordance with ORS Chapter 197, within twenty-one days from the date of decision. Copies of Ordinance No. 724 may be obtained from the City Recorder, 29799 SW Town Center Loop East, Wilsonville, OR 97070, (503) 570-1506, or via email at king@ci.wilsonville.or.us

For further information, please contact the Wilsonville Planning Division, City Hall, 29799 SW Town Center Loop East, Wilsonville, OR 97070 or telephone (503) 682-4960.

**AFFIDAVIT OF MAILING
NOTICE OF CITY COUNCIL DECISION
OF THE CITY OF WILSONVILLE**

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

I, Sandra C. King, do hereby certify that I am City Recorder of the City of Wilsonville, Counties of Clackamas and Washington, State of Oregon, and that the attached copy of Notice of Decision regarding entitled:

Resolution No. 2456

Resolution To Issue An Order By The City Council Approving The Appeal Of The Stage II Final Plan Revision, Site Design Review, And Master Sign Plan Revision And Sign Waiver Of A New 450 Square Foot Drive-Thru Coffee Kiosk At The Corner Of 95th Avenue And Boones Ferry Road. The Subject Site Is Located On Tax Lot 302 Of Section 2DB, T3S, R1W, Washington County, Oregon. Applicant/ Appellant/Owner Wilsonville Devco, LLC. Application Nos. DB 13-0046, DB 13-0047, And DB 13-0048.

is a true copy of the original notice; that on, April 23, 2014, I did cause to be mailed via email and U.S. Mail copies of such notice of decision in the exact form hereto the persons listed on the attached mailing list

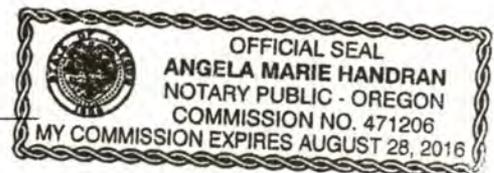
Witness my hand this 22nd day of April 2014

Sandra C. King
Sandra C. King, MMC, City Recorder

Subscribed and sworn to before me this 22 day of April, 2014

Angela M. Handran
NOTARY PUBLIC, STATE OF OREGON

My commission expires: Aug. 28, 14



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Salem, OR 97301

wlien@lienlaw.com;

Gary and Kathy LaPoint
LaPoint Business Group, LLC
10618 Crosby RD NE
Woodburn, OR 97071

Garylapoint@gmail.com;

King, Sandy

From: White, Shelley
Sent: Thursday, February 27, 2014 2:16 PM
To: King, Sandy
Cc: Pauly, Daniel
Subject: Human Bean Mail Labels
Attachments: Mail Labels.docx; Human Bean Decision Labels.docx

Hi Sandy,

I have attached two documents for Human Bean noticing:

The first is the original mailing list for the Public Hearing Notice.

The second is the decision list – applicants, representative and people who signed up for copies of the decision. (The 2 highlights on this one represent decisions that were e-mailed).

There could be duplicates between the two documents (specifically applicants and representatives) so you may need to watch for that.

Please let me know if you need anything else!

Shelley White

Administrative Assistant
City of Wilsonville
Ph: 503 570-1575
swhite@ci.wilsonville.or.us

DISCLOSURE NOTICE: Messages to and from this E-mail address may be subject to the Oregon Public Records Law.

WILSONVILLE DEVCO, LLC (HUMAN BEAN APPEAL)

Wallace Lien
Wallace W. Lien, P.C.
3265 Liberty Road South
Salem, OR 97302
503-585-0105 ext. 311
Fax: 503-585-0106
wlien@lienlaw.com
Represents Mr. LaPoint in the appeal.

Steven Pfeiffer
Perkins Coie
1120 NW Couch St, 10th Floor
Portland, OR 97209-4128
503-727-2000
Fax: 503-727-2222
spfeiffer@perkinscoie.com
Attorney for Wilsonville Devco, LLC – Applicant (Human Bean)

John Veentjer
Wilsonville Devco, LLC
4188 SW Greenleaf Dr.
Portland OR 97221
503-201-1309
josh@pdvco.com
Owner/Applicant of Wilsonville Devco, LLC

Ben Altman
SFA Design Group
Owner/Applicant's Representative

Craig Anderson
CB Anderson Architects
Owner/Applicant's Representative

Alec Laidlaw
Laidlaw & Laidlaw, PC
21590 Willamete Drive
West Linn, OR 97068
503-305-6894
Represents Gary LaPoint in Circuit Court Case only

DECISION LIST

SFA Design Group
Attn: Ben Altman
9020 SW Washington Sq. Dr. #505
Portland, OR 97223

CB Anderson Architects
Attn: Craig Anderson
7209 Greenwood Ave. N.
Seattle, WA 98013

Wilsonville Devco LLC
Attn: Josh Veentjer
P.O. Box 6437
La Quinta, CA 92248

Josh Veentjer
4188 SW Greenleaf Dr.
Portland, OR 97221

Tom Berg
15871 SE Van Zyl Dr.
Damascus, OR 97089

George Gregores
george.gregores@hklaw.com

Garry LaPoint
25410 SW 95th Avenue
Wilsonville, OR 97070

Jason LaPoint
25410 SW 95th Avenue
Wilsonville, OR 97070

Wallace Lien
1775 32nd Place NE, Ste A
Salem, OR 97301
Wallace.lien@lienlaw.com

Steve Pfeiffer
Perkins Coie
1120 NW Couch Street, 10th floor
Portland, OR 97209

**CITY COUNCIL MEETING
STAFF REPORT**

Meeting Date: April 21, 2014	Subject: Resolution No. 2466 A Resolution Authorizing the City Manager to Execute a Development Agreement for Canyon Creek Road Extension South Between the Urban Renewal Agency, the City of Wilsonville, and Mentor Graphics Corporation. Staff Member: Retherford/Adams Department: Economic Development
Action Required <input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 st Reading Date: <input type="checkbox"/> Ordinance 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda	Advisory Board/Commission Recommendation <input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input checked="" type="checkbox"/> Not Applicable Comments: Incorporated Council's previous direction to negotiate for full road construction, acquire necessary right-of-way, provide for offsets and payback incentives to achieve 2014 construction
Staff Recommendation: Staff recommends Council adopt Resolution No. 2466.	
Recommended Language for Motion: I move to approve Resolution No. 2466.	
PROJECT / ISSUE RELATES TO: <i>[Identify which goal(s), master plans(s) issue relates to.]</i>	
<input type="checkbox"/> Council Goals/Priorities	<input type="checkbox"/> Adopted Master Plan(s)
<input checked="" type="checkbox"/> Not Applicable	

ISSUE BEFORE COUNCIL:

The issue before the Council is consideration of a development agreement (DA) between the Wilsonville Urban Renewal Agency, the city of Wilsonville and Mentor Graphics Corporation to carry out the Canyon Creek Road extension project.

EXECUTIVE SUMMARY:

Time is of the essence to meet 2014 construction season. Since development of the Mentor property would necessitate a half street improvement, and Mentor was not ready to develop, staff initially proposed acquisition of only a half street improvement and acquisition of half the right-of-way. However, if Mentor could be incentivized to cooperatively provide the remaining half street right-of-way for a full street improvement the public interest in having the full construction now would be better met as a superior transportation link would be constructed and a second interruption of the neighboring properties would be avoided. The Council provided staff with negotiation parameters and the DA reflects those parameters.

EXPECTED RESULTS:

Full road construction of Canyon Creek Road from Boeckman to Vlahos in 2014 with an expected completion date of 2015.

TIMELINE:

See above.

CURRENT YEAR BUDGET IMPACTS:

Is currently budgeted, but most of project will carry forward with 2014/2105 budget.

FINANCIAL REVIEW / COMMENTS:

Reviewed by: _____ Date: _____

LEGAL REVIEW / COMMENT:

Reviewed by: MEK _____ Date: 4/14/2014 _____

Legal provided the form of Resolution and DA

COMMUNITY INVOLVEMENT PROCESS:

Will be adopted at a public hearing.

POTENTIAL IMPACTS or BENEFIT TO THE COMMUNITY (businesses, neighborhoods, protected and other groups):

Improved transportation system for the westerly part of Wilsonville.

ALTERNATIVES:

Half and three-quarter street improvement were considered. Full construction provides a better transportation facility, and less disruption to adjacent properties.

CITY MANAGER COMMENT:

ATTACHMENTS

- A. Development Agreement.

RESOLUTION NO. 2466

A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING A DEVELOPMENT AGREEMENT FOR CANYON CREEK ROAD EXTENSION SOUTH PROJECT FROM BOECKMAN ROAD TO VLAHOS DRIVE BETWEEN THE URBAN RENEWAL AGENCY OF THE CITY OF WILSONVILLE, THE CITY OF WILSONVILLE, AND MENTOR GRAPHICS CORPORATION.

WHEREAS, the Urban Renewal Agency of the City of Wilsonville, the City of Wilsonville, and Mentor Graphics Corporation have determined it would be in the best interest of everyone concerned to begin construction of the full Canyon Road Extension South Project in the summer of 2014 for completion in 2015 subject to the terms and conditions for the Project's right-of-way acquisition, construction, management, and financing as set forth in the Development Agreement agreed to by the parties, a copy of which is marked Exhibit A, attached hereto and incorporated by reference as fully set forth herein.

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

1. The City Manager is authorized to execute on behalf of the City of Wilsonville the Development Agreement for Canyon Creek Road Extension South Project from Boeckman Road to Vlahos Drive Between the Urban Renewal Agency Of The City of Wilsonville, The City of Wilsonville, And Mentor Graphics Corporation, a copy of Which is marked Exhibit A, attached hereto, and incorporated by reference as if fully set forth herein.
2. This Resolution becomes effective upon adoption.

Adopted by the Wilsonville City Council at a regular meeting thereof this 21st day of April, 2014, and filed with the City Recorder this date.

TIM KNAPP, MAYOR

ATTEST:

Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES:

Mayor Knapp

Council President Starr

Councilor Goddard

Councilor Fitzgerald

Councilor Stevens

**DEVELOPMENT AGREEMENT FOR CANYON CREEK ROAD
EXTENSION SOUTH PROJECT FROM BOECKMAN ROAD TO VLAHOS DRIVE
BETWEEN THE URBAN RENEWAL AGENCY OF THE CITY OF WILSONVILLE,
THE CITY OF WILSONVILLE, AND MENTOR GRAPHICS CORPORATION**

THIS AGREEMENT ("Agreement") is entered into on the 1st day of May, 2014 by and between the City of Wilsonville ("City"), the Urban Renewal Agency of the City of Wilsonville ("Agency"), and Mentor Graphics Corporation ("Mentor").

RECITALS

WHEREAS, the Urban Renewal Agency of the City of Wilsonville is a duly organized body politic under the laws of the State of Oregon and is authorized under the adopted 2000 Plan and Report to develop a street project known as Canyon Creek Road Extension South Project (the "Project") by acquiring the necessary right-of-way, constructing the Project, and then providing the constructed Project to the City of Wilsonville, an Oregon municipal corporation, as part of the City's Transportation System Plan; and

WHEREAS, Mentor Graphics Corporation, a duly organized and validly existing corporation under the laws of the State of Oregon, is the owner of three tracts of undeveloped land, which are more particularly described in **Exhibit A**, attached hereto and incorporated by reference as if fully described herein, and over parts of which the Project is proposed to be located, as shown in **Exhibit B**, attached hereto and incorporated by reference as if fully set forth herein; and

WHEREAS, the Agency and the City had initially planned to acquire only a part of the right-of-way and construct only a portion of the Project and to await Mentor's development of its three tracts, at which time Mentor would be required to complete the portion of the street project associated with each tract being developed under the City's Comprehensive Plan, its Transportation System Plan, and its Development Code, in conformance with the U.S. Supreme Court cases commonly known as *Nolan* and *Dolan*; and

WHEREAS, the Agency, the City, and Mentor have subsequently determined it would be in everyone's best interest to proceed with acquisition of the full right-of-way and public utility easements, and to begin construction of the full Project in the near term of 2014 for completion by 2015, subject to the terms and conditions for the Project's right-of-way acquisition, construction, management, and financing as hereinafter agreed upon by the parties:

TERMS AND CONDITIONS

Based on the above Recitals, the mutual promises made herein, and for good and valuable consideration, the Agency, the City, and Mentor agree as follows:

A. Cost Sharing.

1. Mentor shall not contribute financially to the Project at the present time, but Mentor shall dedicate all the property needed from their three tracts for the Project for no cash

compensation, including but not limited to, right-of-way and public utility easements, and shall provide any needed temporary construction easements. Mentor agrees to the formation of a Reimbursement District for Mentor's portion of the Project's soft and hard costs after credits as set forth below. (See Reimbursement District below.) Soft costs are those costs other than the construction contract costs, such as engineering, design, appraisal, survey, staking, testing, project management and permitting. Hard costs are the construction contract costs inclusive of contingency.

2. Based on an estimated price of \$11.00 per square foot, the Mentor property needed by the Agency to construct a 1/2-street section is valued at \$782,452. The right-of-way and a remnant parcel for this 1/2-street section are legally described in **Exhibits C and D**, respectively, attached hereto and incorporated by reference as if fully set forth herein. The remaining Mentor property needed to build the full street cross section is being dedicated by Mentor to reflect Mentor's future development responsibility and the value of this property would not be a credit against Mentor's reimbursable cost under the Reimbursement District. This remaining 1/2-street section right-of-way and associated public easement are legally described in **Exhibits E, F, and L**, respectively, attached hereto and incorporated by reference as if fully set forth herein.

3. The reimbursable estimated cost to Mentor for the difference between the soft costs for a 1/2-street cross section and a full street cross section is \$238,343.

4. The Agency will pay for the difference between the hard costs for a 1/2-street cross section and a 3/4-street cross section to incentivize Mentor's early participation in the Project and that amount is estimated to be \$327,533 and will not be a reimbursable cost for Mentor to pay. The difference is calculated as the hard cost for constructing a 10-foot width of concrete pavement that would have allowed the City to add bike lanes to the street. The reimbursable estimated hard cost to Mentor for the difference between the construction cost for a 3/4-street cross section and the full street cross section is \$999,854.

5. The aforementioned reimbursable estimated soft cost of \$238,343 plus the reimbursable estimated hard cost to Mentor of \$999,854 totals \$1,238,197 which, when the credit for land needed by the City for the initial 1/2-street cross section and estimated at \$782,452 is applied, the estimated reimbursable balance is \$455,745.

6. The cost table for the full street section Project, marked **Exhibit G**, attached hereto and incorporated by reference, provides a guide to the engineering assumptions, estimate of soft and hard costs, and reimbursement projections. The total Project cost is estimated to be \$6.4 million (rounded), the total estimated value of the dedicated land is \$1.5 million (rounded), leaving the Agency's estimated soft and hard cost at \$4.9 million (rounded), with an estimated \$0.456 million (rounded) to be reimbursable to the Agency or to the City as the Agency and City may agree.

7. The parties agree that the estimated land costs needed for the Project and the Reimbursement District shall be determined by an MAI appraisal, which shall be solicited by the Agency and be part of the Project's soft cost. Provided further, however, should Mentor not accept the appraisal, Mentor shall have the right to secure its own appraisal at its cost. In the

event the Agency does not accept Mentor's appraisal or the parties do not otherwise agree on the value of the land, then the respective appraisers shall agree upon a third appraiser whose appraisal shall be binding on the parties and this appraisal cost shall be split equally between the Agency and Mentor.

8. The parties understand the aforementioned costs are estimates only. In order to determine the aforementioned cost sharing portion for each party as an actual amount, the parties agree that the estimated soft and hard costs and the estimated credit and resulting projected estimated reimbursable cost shall be subject to being "trued up" after completion of the Project and final, actual costs have been determined.

9. Notwithstanding the above, the parties agree to provide for the circumstance that the bid for the construction contract award from the lowest responsible bidder, as determined by the City, exceeds the engineering estimate of hard construction cost plus thirty percent (30%) contingency, as set forth in **Exhibit G**, for each the party's respective share, which shares total \$3,860,939. An increase of up to ten percent (10%) over the estimate of \$3,860,939 shall be shared in proportion to each party's respective share, as set forth in **Exhibit G**. For example, for Mentor, a 10% increase proportionately would be $\$999,854 \times 1.1$ or \$1,099,839 (rounded), a 5% increase proportionately would be $\$999,854 \times 1.05$ or \$1,049,847 (rounded). An increase greater than ten percent (10%) shall cause the City to promptly notify Mentor of the bid amount, provide a copy of the bid to Mentor, and advise Mentor whether the City is prepared to accept the greater than 10% bid or reject the bid and rebid the project. Upon receiving notice that the City is prepared to accept the bid, Mentor shall advise the City within two business days whether Mentor approves or rejects the greater than 10% bid and proportionate increase to its share of the hard construction cost and contingency estimate set forth in **Exhibit G**. In the event Mentor should reject the greater than 10% increase, the City reserves the right to award the contract and, in addition to paying the City's share of the greater than 10% increase, pay Mentor's share of the increase over 10%.

10. Additionally, the parties agree that in the event there is a contract change order in the amount of \$25,000 or greater that affects the construction of the portion of the road right-of-way that Mentor is responsible for paying for, as set forth in this Agreement, the City shall promptly provide to Mentor a copy of the contract change order and whether the City has a position on the merits of the change order. Mentor shall have two (2) business days to advise whether Mentor accepts or objects, in whole or in part, to the change order. The parties may extend this time period by mutual agreement. The City, in its sole discretion, shall determine to pay the change order, pay under protest, or reject the change order, in part or in full. However, the City's determination in this regard does not waive Mentor's right to dispute the change order and its payment under **Section G** of this Agreement nor does it waive the City's right under **Section G** of this Agreement to dispute Mentor's objection and nonpayment of its share of the payment for the change order, in whole or in part.

B. Agency. The Agency shall:

1. Have overall responsibility to finance the Project in keeping with the cost sharing provisions of this Agreement.

2. Coordinate with the City to ensure that the Project is bid, the contract is awarded, constructed and managed with construction estimated to begin in 2014 and completion estimated to be 2015.

3. Present the Project for appropriation for the 2014-15 fiscal year budget under applicable local budget law. The Project's engineering design and related soft costs were previously appropriated under the 2013-14 fiscal year budget. The Agency has sufficient bonding capacity and tax increment revenues to finance the Project.

4. Cause the City to be dedicated the necessary right-of-way and public utility easements, and be provided the necessary construction easements to construct the Project.

5. Provide the offices of Kristin Retherford (retherford@ci.wilsonville.or.us or 503-570-1539), the Agency's Urban Renewal Manager, to be the Agency's point of contact to assist Mentor with any informal questions or concerns about the Project. Ms. Retherford will provide Mentor with Project status reports, the frequency of which shall be as mutually agreed upon by Mentor and the Agency.

6. By this Agreement, the Agency hereby assigns to the City any interest in the balance of any reimbursable cost owing by Mentor under the Agreement at the time the Year 2000 Urban Renewal District closes if such closing precedes the expiration of the ten-year term of the Reimbursement District.

C. City. The City shall:

1. Cause the Project to be fully engineered and designed with intersections at Daybreak and Vlahos streets. A copy of the Project's cross-section is marked **Exhibit H**, attached hereto and incorporated by reference as if fully set forth herein.

2. Determine other access to Mentor's respective tracts (**Exhibit A**) from Canyon Creek Road, Boeckman Road, and Parkway Avenue at the time of the respective development application(s) to the City for any of Mentor's respective tracts, subject to Public Works Standards for access spacing, Development Review Board approval of any proposed site development and circulation, and applicable traffic study results.

3. Cause the Project right-of-way to be surveyed and staked and legal descriptions prepared of all lands needed for the right-of-way, public utility easements, and construction of the Project, including but not limited to legal descriptions to apportion costs as set forth in the above cost sharing section and for any temporary construction easements. The City intends to place a public utilities easement for public utilities, inclusive but not limited to storm drainage, in, on, and under the remnant parcel after Mentor dedicates the remnant parcel to the City and as part of the Project.

4. Provide the City's forms of Deed of Dedication, Public Utility Easement, and Temporary Construction Easement, which are respectively marked **Exhibits I, J, and K**, attached hereto and incorporated by reference as if fully set forth herein.

5. Cause the Project to be bid, and the contract awarded, constructed and managed, with construction estimated to begin summer 2014 and completion estimated to be winter 2015.

D. Mentor. Mentor shall:

1. Grant and convey to the City by Deeds of Dedication the Project's right-of-way for the full street as described in **Exhibits C and E** and the remnant parcel as described in **Exhibit D**, Public Utility Easements as described in **Exhibits F and L**, and any necessary Temporary Construction Easements, by May 30, 2014, or such date as shall be negotiated between the parties.

2. By this Agreement shall waive any objection or remonstrance to the formation of the Reimbursement District as long as the formation is in compliance with this Agreement.

E. Reimbursement District.

1. The parties agree that a Reimbursement District for property described in **Exhibit A** and owned by Mentor shall be formed by the City on behalf of the Agency and the City for the reimbursement of the estimated reimbursable cost of \$455,745 as may be adjusted by true-up of final costs after completion and acceptance of the Project by the City.

2. The property owned by Mentor is described in **Exhibit A** as three tracts and each tract shall be assigned a proportionate share of the reimbursable cost based on the proportion of linear feet the tract fronts the Project to the total linear feet of the Project. Tract I, with 670 feet of frontage, is assigned a 30.9% share; Tract II, with 199 feet of frontage, is assigned a 9.2% share; and Tract III, with 1,300 feet of frontage, is assigned a 59.9% share. For final calculations of a reimbursable share, any amount fifty cents (\$0.50) or greater will be rounded up to the next whole dollar and any amount less than fifty cents (\$0.50) will be rounded down to the preceding whole dollar.

3. Each tract's full share is due and payable at the time of issuance of a building or public works permit (other than the public works permit for the Project) for the respective tract; provided, however, Tract II shall also be due and payable at the time of any issuance of such a permit for either Tract I or Tract III.

4. The Reimbursement District shall be formed by adopted City Resolution no later than three months after completion and acceptance by the City of the Project and shall run for ten (10) years from the date of formation. (Resolution adoption date.) At the end of the ten year term, any unpaid reimbursable principal and interest cost shall be paid in full by Mentor to the Agency, but in the event the Agency's Year 2000 District has been closed before the reimbursable principal and interest has been paid in full, then any unpaid balance of principal and interest shall be paid to the City.

5. The reimbursement share shall be adjusted as follows: On July 1st following adoption of the Reimbursement District and on each succeeding July 1st thereafter, as long as the reimbursement remains in effect, the unpaid balance shall accrue interest at the rate equal to the average of the prior fiscal year's Local Government Investment Pool (LGIP) interest, together

with a per annum accrued administrative fee of one percent (1%) of the unpaid balance. The initial accruals will be prorated by the number of days from the date of formation to the following July 1, divided by 365 days.

F. Notices. Except for informal communication as provided in Section B.6 above, all notices, demands, consents, approvals, and other communications which are required or desired to be given by any party to the other parties hereunder shall be in writing and shall be faxed, hand delivered, or sent by overnight courier or United States Mail to each party at its address set forth below, or at such other address as such party shall have last designated by notice to the other. Notices, demands, consents, approvals, and other communications shall be deemed given when delivered, three days after mailing by United States Mail, or upon receipt if sent by courier; provided, however, that if any such notice or other communication shall also be sent by telecopy or fax machine, such notice shall be deemed given at the time and on the date of machine transmittal. All such communications to either the Agency or the City shall be given to the other.

To City: City of Wilsonville
Attn: Michael E. Kohlhoff, City Attorney
29799 SW Town Center Loop East
Wilsonville, OR 97070

To Agency: Urban Renewal Agency for the City of Wilsonville
Attn: Kristin Retherford, Urban Renewal Manager
29799 SW Town Center Loop East
Wilsonville, OR 97070

To Mentor: Mentor Graphics Corporation
Attn: Dean Freed, VP & General Counsel
8005 SW Boeckman Road
Wilsonville, OR 97070

with copy to: Mentor Graphics Corporation
Attn: Ethan Manuel, Corporate Treasurer
8005 SW Boeckman Road
Wilsonville, OR 97070

and copy to: Mentor Graphics Corporation
Attn: Dave Gardner, Regional Facilities Manager
46871 Bayside Parkway
Fremont, CA 95478

G. Dispute Resolution.

In the event of a dispute concerning performance of this Agreement, the parties agree to meet to negotiate the problem. If such negotiation fails, the parties will mediate the dispute using a professional mediator, and the parties will split the cost of the professional mediator. If the dispute cannot be resolved in either of the foregoing ways within thirty (30) days, either party may file suit in Clackamas County Circuit Court.

H. Miscellaneous.

1. Further Assurances. Each party shall execute and deliver any and all additional papers, documents, and other assurances, and shall do any and all acts and things reasonably necessary in connection with the performance of its obligations hereunder, in good faith to carry out the intent of the parties hereto.

2. Burden and Benefit; Assignment. The covenants and agreements contained herein shall be binding upon and inure to the benefit of the parties and their successors and assigns. No party may assign this Agreement without the prior written consent of the other parties, which consent shall not be unreasonably withheld, conditioned, or delayed.

3. Modification or Amendment. No amendment, change, or modification of this Agreement shall be valid, unless in writing and signed by the parties hereto.

4. No Continuing Waiver. The waiver by any party of any breach of this Agreement shall not operate as, or be construed to be, a waiver of any subsequent breach.

5. Severability. If any provision of this Agreement is found to be void or unenforceable, it is the intent of the parties that the rest of the Agreement shall remain in full force and effect, to the greatest extent allowed by law.

6. Rights Cumulative. All rights, remedies, powers, and privileges conferred under this Agreement on the parties shall be cumulative of and in addition to, but not restrictive of or in lieu of, those conferred by law.

7. Applicable Law. This Agreement shall be interpreted under the laws of the State of Oregon.

8. Legal Action/Attorney Fees. If any party commences legal proceedings of any nature whatsoever for any relief against any other party arising out of or related to this Agreement or the breach thereof, the losing party shall pay the prevailing party's legal costs and expenses, including but not limited to reasonable attorney fees and expert witness fees, as determined by the court at the trial level or on any appeal.

9. No Third Party Beneficiaries. None of the duties and obligations of any party under this Agreement shall in any way or in any manner be deemed to create any rights in any person or entity other than the parties hereto.

10. Time of Essence. Time is expressly declared to be of the essence of this Agreement.

11. Counterparts. This Agreement may be executed in several counterparts, each of which shall be deemed an original, and all of such counterparts together shall constitute one and the same instrument.

12. Complete Agreement. This Agreement incorporates all terms of the agreement between the parties as to the matters stated herein. Unless amended as provided herein, this Agreement is the exclusive agreement between the parties as to matters stated in this Agreement.

13. Authority. The individuals executing this Agreement each represent and warrant to the others that he/she has the full power and authority to do so on behalf of the respective party and to bind said party to the terms of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

CITY OF WILSONVILLE

MENTOR GRAPHICS CORPORATION

By: _____
Bryan Cosgrove
As Its: City Manager

By: _____
Print Name: _____
As Its: _____

THE URBAN RENEWAL AGENCY
OF THE CITY OF WILSONVILLE

By: _____
Bryan Cosgrove
As Its: Executive Director

APPROVED AS TO FORM:

ATTESTED TO:

Michael E. Kohlhoff, City Attorney
City of Wilsonville, Oregon

Sandra C. King, MMC, City Recorder
City of Wilsonville, Oregon

I:\canyon creek\dev agr canyoncrds-boeckman to vlahos-mentor

EXHIBIT A

As set forth in that certain Warranty Deed in favor of Mentor Graphics Corporation, an Oregon corporation, recorded December 22, 1988, Clackamas County Deed Records No. 88-53412, Mentor Graphics Corporation is the owner of the following tracts of land:

PARCEL I

A tract of land situated in the Northwest one-quarter of Section 13, Township 3 South, Range 1 West of the Willamette Meridian, in the City of Wilsonville, County of Clackamas and State of Oregon, being more particularly described as follows:

Beginning at a point North 89°30'49" East a distance of 330.00 feet from the Southwest corner of the Northwest one-quarter of said Section 13; and running thence North 89°30'49" East 672.41 feet to a 5/8 inch iron rod on the Northerly right-of-way line of Vlahos Drive; thence tracing said Northerly right-of-way line along a 430.00 foot radius curve to the right, whose radial center bears South 22°00'55" East, through a central angle of 03°11'33", an arc distance of 23.96 feet (the long chord of which bears North 69°34'51" East 23.96 feet) to a 5/8 inch iron rod at a point of reverse curvature the radial center of which bears North 18°49'22" West; thence along a 25.00 foot radius curve to the left, through a central angle of 03°03'10", an arc distance of 1.33 feet (the long chord of which bears North 69°39'03" East 1.33 feet) to a 5/8 inch iron rod at a point of compound curvature; thence along a 20.00 foot radius curve to the left, the radial center of which bears North 22°14'14" West, through a central angle of 80°54'33", an arc distance of 28.24 feet (the long chord of which bears North 27°18'29" East 25.95 feet) to a 5/8 inch iron rod at a point of tangency; thence North 13°08'47" West 121.73 feet to a 5/8 inch iron rod at a point of curvature; thence along a 794.00 foot radius curve to the left, through a central angle of 39°51'13", an arc distance of 552.29 feet (the long chord of which bears North 33°04'24" West 541.22 feet) to a 5/8 inch iron rod at a point of tangency; thence North 53°00'00" West 12.99 feet to 5/8 inch iron rod at the most Southerly point on ASH MEADOWS, a duly recorded plat in said Clackamas County in Plat Book 84, page 5; thence tracing said plat boundary North 53°00'00" West 411.00 feet to a 5/8 inch iron rod; thence South 81°14'15" West 44.81 feet to the Northeast corner of OAK VIEW CONDOMINIUMS Plat No. 2433, a duly recorded plat in said Clackamas County; thence tracing the East line of said OAK VIEW CONDOMINIUMS South 00°08'14" West 330.00 feet to the Southeast corner thereof; thence continuing South 00°08'14" West 528.00 feet to the point of beginning.

PARCEL II

A tract of land situated in the Northwest one-quarter of Section 13, Township 3 South, Range 1 West of the Willamette Meridian, in the City of Wilsonville, County of Clackamas and State of Oregon, being more particularly described as follows:

Beginning at a 2 inch iron pipe, which is North 89°30'49" East 1322.705 feet and North 00°08'37" East a distance of 30.00 feet from the Southwest corner of the Northwest one-quarter corner of Section 13, said point also being on the Northerly right-of-way line of Vlahos Drive; and running thence South 89°30'49" West along the said Northerly right-of-way line 162.83 feet to a 5/8 inch iron rod at a point of curvature; thence along the arc of a 430.00 foot curve to the left, through a central angle of 06°59'05" an arc distance of 52.42 feet (the long chord of which bears South 86°01'17" West 52.39 feet) to a 5/8 inch iron rod at a point of reverse curvature the radial center of which bears North 07°28'16" West; thence along the arc of a 25.00 foot radius curve to the right, through a central angle of 84°19'27", an arc distance of 36.79 feet (the long chord of which bears North 55°18'33" West 33.56 feet) to a 5/8 inch iron rod at a point of tangency; thence South 76°51'11" West 40.00 feet to a 5/8 inch iron rod; thence Southwesterly along the arc of a 25.00 foot radius curve to the right, through a central angle of 81°16'17", an arc distance of 35.46 feet (the long chord of which bears South 27°29'19" West 32.56 feet) to a 5/8 inch iron rod at a point of compound curvature; thence along the arc of a 20.00 foot radius curve to the left, through a central angle of 80°54'33", an arc distance of 28.24 feet (the long chord of which bears North 27°18'29" East 25.95 feet) to a 5/8 inch iron rod at a point of tangency; thence North 13°08'47" West 121.73 feet to a 5/8 inch iron rod at a point of curvature; thence along the arc of a 794.00 foot radius curve to the left, through a central angle of 39°51'13", an arc length of 552.29 feet (the long chord of which bears North 33°04'24" West 541.22 feet) to a point of tangency; thence North 53°00'00" West 12.99 feet to a 5/8 inch iron rod at the most Southerly point on Ash Meadows Road right-of-way, as platted in ASH MEADOWS, a duly recorded plat in said Clackamas County in Plat Book 84, Page 5; thence tracing the Southeasterly boundary of said ASH MEADOWS North 37°00'00" East 40.00 feet to a 5/8 inch iron rod at a point of curvature; thence along the arc of an 18.00

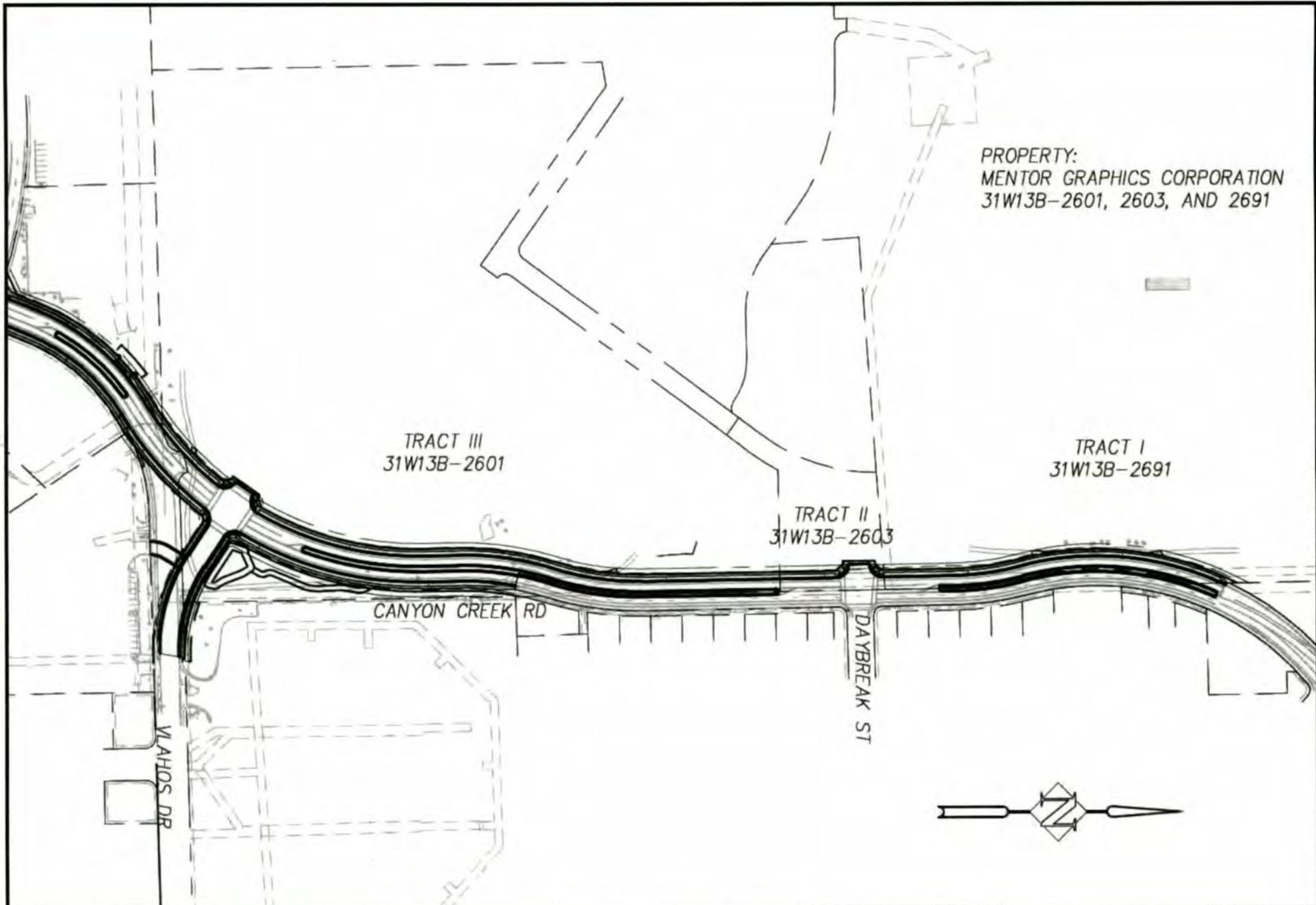
foot radius curve to the right, through a central angle of 90°00'00", an arc distance of 28.27 feet (the long chord of which bears North 08°00'00" West 25.46 feet) to a 5/8 inch iron rod at a point of tangency; thence North 37°00'00" East along the Southeasterly right-of-way line of Roger Road 510.00 feet to a 5/8 inch iron rod at the most Easterly point of the boundary of said ASH MEADOWS; thence leaving said Southeasterly plat boundary on the Northeasterly extension thereof North 37°00'00" East 57.00 feet to a 5/8 inch iron rod at a point of curvature; thence along the arc of a 400.00 foot radius curve to the left, through a central angle of 08°46'26", an arc length of 61.25 feet (the long chord of which bears North 32°36'47" East 61.19 feet) to a 5/8 inch iron rod at a point of non-tangent curvature, the radial center of which bears North 61°46'26" West; thence South 89°51'23" East 226.29 feet to a 5/8 inch iron rod on the East line of the West half of the Northwest one-quarter of said Section 13; thence South 00°08'37" West along said East line 1140.00 feet to the point of beginning.

PARCEL III

A tract of land situated in the Northwest one-quarter of Section 13, and the Northeast one-quarter of Section 14, Township 3 South, Range 1 West of the Willamette Meridian, in the City of Wilsonville, County of Clackamas and State of Oregon, being more particularly described as follows:

Beginning at a 2 inch iron pipe at the initial point of ASH MEADOWS, a duly recorded plat in said Clackamas County in Plat Book 84, page 5; said pipe also being South 00°08'14" West 1311.28 feet and South 89°50'44" East a distance of 258.22 feet from the Northwest corner of said Section 13; and running thence along the Northerly boundary of said ASH MEADOWS plat South 00°09'16" West a distance of 23.50 feet to a 5/8 inch iron rod; thence North 89°50'44" West 228.24 feet to a 5/8 inch iron rod on the Easterly right-of-way line of Boones Ferry Road at a point of non-tangent curvature, the radial center of which bears South 89°08'31" West; thence Northeasterly along said Easterly right-of-way line along the arc of a 746.20 foot radius curve to the left, through a central angle of 16°22'15", an arc distance of 213.21 feet (the long chord of which bears North 09°02'37" West 212.48 feet) to a 5/8 inch iron rod at a point of tangency; thence North 17°13'44" West 748.85 feet to a 5/8 inch iron rod at a point of curvature; thence Northwesterly along the arc of a

1939.86 foot radius curve to the left, through a central angle of 08°56'00", an arc distance of 302.46 feet (the long chord of which bears North 21°41'44" West 302.15 feet) to a 5/8 inch iron rod at a point of tangency; thence North 26°09'44" West 107.28 feet to a 5/8 inch iron rod at the intersection of the Easterly right-of-way line of said Boones Ferry Road and the South right-of-way line of Boeckman Road; thence tracing said Southerly line of Boeckman Road North 89°35'44" East 387.35 feet to a 5/8 inch iron rod on the East line of said Section 14; thence North 89°29'30" East along said Southerly right-of-way line 1322.94 feet to the East line of the West one-half of the Northwest one-quarter of said Section 13; thence South 00°08'37" West along said East line 1443.50 feet to a 5/8 inch iron rod; thence North 89°51'23" West 226.29 feet to a 5/8 inch iron rod at a point of curvature; thence Southwesterly along the arc of a 400.00 foot radius curve to the right, through a central angle of 08°46'26", an arc distance of 61.25 feet (the long chord bears South 32°36'47" West 61.19 feet) to a 5/8 inch iron rod at a point of tangency; thence South 37°00'00" West 57.00 feet to 5/8 inch iron rod at the most Easterly corner of Roger Road in said plat of ASH MEADOWS; thence tracing the Northerly boundary of said road North 53°00'00" West 40.00 feet to a 5/8 inch iron rod at the most Northerly corner thereof; thence North 37°00'00" East 57.00 feet to a 5/8 inch iron rod at a point of curvature; thence Northeasterly along the arc of a 360.00 foot radius curve to the left, through a central angle of 36°51'23", an arc distance of 231.58 feet (the long chord of which bears North 18°34'18" East 227.60 feet) to a 5/8 inch iron rod at a point of non-tangent curvature, the radial center of which bears North 89°51'23" West; thence South 86°46'52" West 440.00 feet to a 5/8 inch iron rod; thence South 03°01'47" East 167.43 feet to a 5/8 inch iron rod on the Northerly line of said ASH MEADOWS plat; thence North 53°00'00" West along the Northerly line of said plat 89.06 feet to a 5/8 inch iron rod at a point of curvature; thence along a 372.00 foot radius curve to the left, through a central angle of 36°50'44", an arc distance of 239.22 feet (the long chord of which bears North 71°25'22" West 235.12 feet) to a 5/8 inch iron rod at a point of tangency; thence North 89°50'44" West 73.00 feet to a 5/8 inch iron rod at a point of curvature; thence along the arc of a 24.00 foot radius curve to the right, through a central angle of 90°00'00", an arc distance of 37.70 feet (the long chord of which bears North 44°50'44" West 33.94 feet) to a 5/8 inch iron rod; thence North 89°50'44" West 24.00 feet to the point of beginning.



PROPERTY:
 MENTOR GRAPHICS CORPORATION
 31W13B-2601, 2603, AND 2691

TRACT III
 31W13B-2601

TRACT I
 31W13B-2691

TRACT II
 31W13B-2603

CANYON CREEK RD

DAYBREAK ST

WAHOS DR

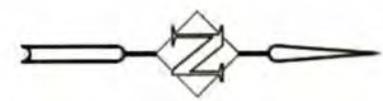


EXHIBIT B

SHEET NO.
1
 JOB NO.
 WSV-09

DATE	NO.	DESCRIPTION

R E V I S I O N S

DESIGNED:
 DRAWN:
 CHECKED:
 DATE: 3-2014


Harper Houf Peterson Righellis Inc.
ENGINEERS ARCHITECTS SURVEYORS
 205 SE Spokane Street, Suite 200, Portland, OR 97202
 phone 503.221.1131 www.hhpr.com fax 503.221.1171

CANYON CREEK ROAD
 WILSONVILLE, OREGON

EXHIBIT C



LEGAL DESCRIPTION
Right-of-Way Dedication
Canyon Creek Road
City of Wilsonville, Oregon

(RIGHT-OF-WAY DEDICATION)

A parcel of land situated in the Northwest one-quarter of Section 13 in Township 3 South, Range 1 West of the Willamette Meridian, City of Wilsonville, Clackamas County, Oregon and being a portion of Parcels 1 and 2 of that property described and conveyed to Mentor Graphics Corporation, an Oregon Corporation, in Statutory Warranty Deed recorded December 22, 1988 as Document No. 88-053412, Clackamas County Deed Records; said parcel being that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property:

Beginning at a point 37.50 feet left of Proposed Canyon Creek Road Centerline Station 3+80.00, said point being the beginning of a 592.50 foot radius curve to the left, having a central angle of 18°57'38", the radius point of which bears N30°00'13"W, 592.50 feet;

Thence northeasterly along the arc of said curve to the left (the long chord of which bears N50°30'58"E, 195.18 feet) 196.07 feet to a point 37.50 feet left of Proposed Centerline Station 5+88.48;

Thence northerly, in a straight line, to a point 50.50 feet left of Proposed Centerline Station 6+00.89;

Thence northwesterly, in a straight line, to a point 55.49 feet left of Proposed Centerline Station 6+00.60;

Thence northeasterly, in a straight line, to a point 55.49 feet left of Proposed Centerline Station 6+67.52;

Thence southeasterly, in a straight line, to a point 50.50 feet left of Proposed Centerline Station 6+67.24;

EXHIBIT C

Thence northeasterly, in a straight line, to a point 37.50 feet left of Proposed Centerline Station 6+82.91;

Thence southeasterly, in a straight line, to a point on the Proposed Centerline at Station 6+82.91, said point being the beginning of a 630.00 foot radius non-tangent curve to the left, having a central angle of $30^{\circ}39'57''$, the radius point of which bears $N57^{\circ}33'06''W$, 630.00 feet;

Thence northeasterly along the Proposed Centerline and the arc of said non-tangent curve to the left (the long chord of which bears $N17^{\circ}06'56''E$, 333.18 feet) 337.19 feet to a point at Proposed Centerline Station 10+20.09;

Thence continuing along the Proposed Centerline northerly, in a straight line, to a point at Proposed Centerline Station 10+94.21, said point being the beginning of a 558.00 foot radius curve to the right, having a central angle of $11^{\circ}26'11''$;

Thence northeasterly along the Proposed Centerline and the arc of said curve to the right (the long chord of which bears $N7^{\circ}30'03''E$, 111.19 feet) 111.38 feet to a point at Proposed Centerline Station 12+05.59, said point also being located on the existing centerline and right-of-way line of Canyon Creek Road as shown on Survey Number 2014-024, Clackamas County Survey Records;

Thence southeasterly along said existing right-of-way of Canyon Creek Road, in a straight line, to a point 31.00 feet right of Proposed Centerline Station 12+05.59, said point being the beginning of a 527.00 foot radius non-tangent curve to the right, having a central angle of $6^{\circ}35'29''$, the radius point of which bears $S76^{\circ}46'52''E$, 527.00 feet;

Thence northeasterly along said existing right-of-way of Canyon Creek Road and the arc of said non-tangent curve to the right (the long chord of which bears $N16^{\circ}30'53''E$, 60.59 feet) 60.63 feet to a point 31.00 feet right of Proposed Centerline Station 12+69.78.

EXCEPTING therefrom that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property:

Beginning at a point 191.19 feet right of Proposed Canyon Creek Road Centerline Station 6+66.16, said point being the beginning of a 274.50 foot radius curve to the

EXHIBIT C

right, having a central angle of $16^{\circ}30'31''$, the radius point of which bears $N20^{\circ}22'54''E$, 274.50 feet;

Thence northwesterly along the arc of said curve to the right (the long chord of which bears $N61^{\circ}21'50''W$, 78.82 feet) 79.09 feet to a point 112.75 feet right of Proposed Centerline Station 6+59.94;

Thence northwesterly, in a straight line, to a point 48.65 feet right of Proposed Centerline Station 6+62.39;

Thence northerly, in a straight line, to a point 42.00 feet right of Proposed Centerline Station 6+68.87, said point being the beginning of a 672.00 foot radius non-tangent curve to the left, having a central angle of $31^{\circ}56'31''$, the radius point of which bears $N56^{\circ}16'32''W$, 672.00 feet;

Thence northeasterly along of arc of said non-tangent curve to the left (the long chord of which bears $N17^{\circ}45'13''E$, 369.80 feet) 374.63 feet to a point 42.00 feet right of Proposed Centerline Station 10+20.09;

Thence northerly, in a straight line, to a point 42.00 feet right of Proposed Centerline Station 10+94.21, said point being the beginning of a 516.00 foot radius curve to the right, having a central angle of $18^{\circ}01'40''$;

Thence northeasterly along the arc of said curve to the right (the long chord of which bears $N10^{\circ}47'47''E$, 161.69 feet) 162.36 feet to a point 42.00 feet right of Proposed Centerline Station 12+69.78.

ALSO EXCEPTING therefrom that portion lying within the existing right-of-way of Vlahos Drive and Canyon Creek Road.

The parcel of land to which this description applies contains 47,678 square feet, more or less.

The stationing used to describe this parcel is based on the Proposed Centerline of Canyon Creek Road, being more particularly described as follows:

Beginning at Proposed Canyon Creek Road Centerline Station 0+00.00, said point bears $S64^{\circ}01'45''E$, 823.84 feet, from a found 3-inch brass disk in a monument box at the west one-quarter corner of said Section 13 per U.S.B.T. Entry 2009-145, said point

EXHIBIT C

also being the intersection of the existing centerline of Town Center Loop East with the existing centerline of Vlahos Drive as shown on Survey Number 2014-024, Clackamas County Survey Records;

Thence $N24^{\circ}34'18''E$, along the existing centerline of Vlahos Drive, 114.15 feet to Proposed Centerline Station 1+14.15 and the beginning of a 400.00 foot radius curve to the right, having a central angle of $36^{\circ}27'21''$;

Thence northeasterly along the existing centerline of Vlahos Drive and the arc of said curve to the right (the long chord bears $N42^{\circ}47'59''E$, 250.24 feet) 254.51 feet to Proposed Centerline Station 3+68.66 and the beginning of a 630.00 foot radius reverse curve to the left, having a central angle of $59^{\circ}14'42''$;

Thence leaving the existing centerline of Vlahos Drive northeasterly along the arc of said reverse curve to the left (the long chord of which bears $N31^{\circ}24'18''E$, 622.80 feet) 651.43 feet to Proposed Centerline Station 10+20.09;

Thence $N01^{\circ}46'57''E$, 74.12 feet to Proposed Centerline Station 10+94.21 and the beginning of a 558.00 foot radius curve to the right, having a central angle of $11^{\circ}26'11''$;

Thence northeasterly along the arc of said curve to the right (the long chord of which bears $N07^{\circ}30'03''E$, 111.19 feet) 111.38 feet to a point on curve at Proposed Centerline Station 12+05.59, also being a point on the existing centerline of Canyon Creek Road as shown on Survey Number 2014-024, Clackamas County Survey Records;

Thence continuing northeasterly along the existing centerline of Canyon Creek Road and the arc of a 558.00 foot radius curve to the right, having a central angle of $6^{\circ}35'29''$ (the long chord of which bears $N16^{\circ}30'53''E$, 64.16 feet) 64.19 feet to Proposed Centerline Station 12+69.78 and the beginning of a 558.00 foot radius reverse curve to the left, having a central angle of $18^{\circ}01'40''$;

Thence northeasterly along the existing centerline of Canyon Creek Road and the arc of said reverse curve to the left (the long chord of which bears $N10^{\circ}47'47''E$, 174.85 feet) 175.57 feet to Proposed Centerline Station 14+45.35;

Thence $N01^{\circ}46'57''E$, along the existing centerline of Canyon Creek Road, 601.90 feet to Proposed Centerline Station 20+47.25 and the beginning of a 558.00 foot radius curve to the left, having a central angle of $13^{\circ}32'10''$;

EXHIBIT C

Thence northwesterly along the existing centerline of Canyon Creek Road and the arc of said curve to the left (the long chord of which bears $N04^{\circ}59'08''W$, 131.52 feet) 131.83 feet to Proposed Centerline Station 21+79.08 and the beginning of a 558.00 foot radius reverse curve to the right, having a central angle of $63^{\circ}19'29''$;

Thence northeasterly along the existing centerline of Canyon Creek Road and the arc of said reverse curve to the right (the long chord of which bears $N19^{\circ}54'32''E$, 585.80 feet) 616.72 feet to Proposed Centerline Station 27+95.80 and the Point of Termination, said point bears $N35^{\circ}47'58''E$, 2662.19 feet from a found 3-inch brass disk in a monument box at the west one-quarter corner of said Section 13 per U.S.B.T. Entry 2009-145 as shown on said Survey Number 2014-024;

This centerline stationing and basis of bearings of this legal description is the same as that shown on Survey Number 2014-024, Clackamas County Survey Records.

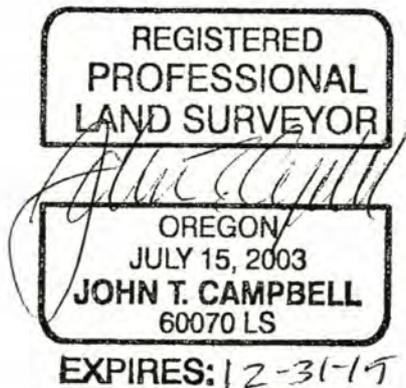


EXHIBIT C

(PAGE 1 OF 2)

CANYON CREEK ROAD
CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON



C1
Δ=18°57'38"
R=592.50'
L=196.07'
LC=N50°30'58"E,
195.18'
RADIUS POINT BEARS
N30°00'13"W 592.50'

SEE PAGE 2 OF 2

MENTOR GRAPHICS CORPORATION,
AN OREGON CORPORATION
PARCELS 1 AND 2 OF
DOC. NO. 88-053412
31W13B-2601

NOTE:
SEE PAGE 2 OF 2
FOR REMAINING
CURVE DATA

SCALE
1" = 60'

C2
Δ=30°39'57"
R=630.00'
L=337.19'
LC=N17°06'56"E,
333.18'
RADIUS POINT BEARS
N57°33'06"W 630.00'

C3
Δ=11°26'11"
R=558.00'
L=111.38'
LC=N7°30'03"E,
111.19'

INTERSECTION
STA: 6+34.06

6+00.60
55.49'L
6+00.89
50.50'L

PARTITION PLAT
NO. 2006-013
PARCEL 1

5+88.48
37.50'L

PROPOSED CENTERLINE
CANYON CREEK ROAD

C1

6+67.52
55.49'L

6+67.24
50.50'L

6+82.91
37.50'L

①

C2

7+00

6+82.91
0.00'

PC
STA: 1+12.12

6+62.39
48.65'R

0+47.96*
30.50'L*

6+59.94
112.75'R

1+12.12*
30.50'L*

30.00'

VLAHOS DRIVE

EXISTING CENTERLINE
VLAHOS DRIVE

PROPOSED REALIGNED
CENTERLINE
VLAHOS DRIVE

6+66.16
191.19'R

2+00.00*
30.50'L*

30.50'

1+00

0+00

8+00

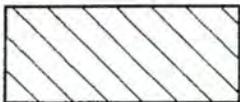
42.00'

C6

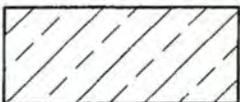
C5

"SUNDIAL"
LOT 21

LEGEND



① RIGHT OF WAY DEDICATION
± 47,678 SQ.FT.



② FEE SIMPLE ACQUISITION
± 23,454 SQ.FT.



Harper
Houf Peterson
Righellis Inc.

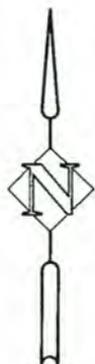
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LANDSCAPE ARCHITECTS • SURVEYORS
205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

* = PROPOSED VLAHOS DRIVE CENTERLINE STATIONING

EXHIBIT C

(PAGE 2 OF 2)

CANYON CREEK ROAD
CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON

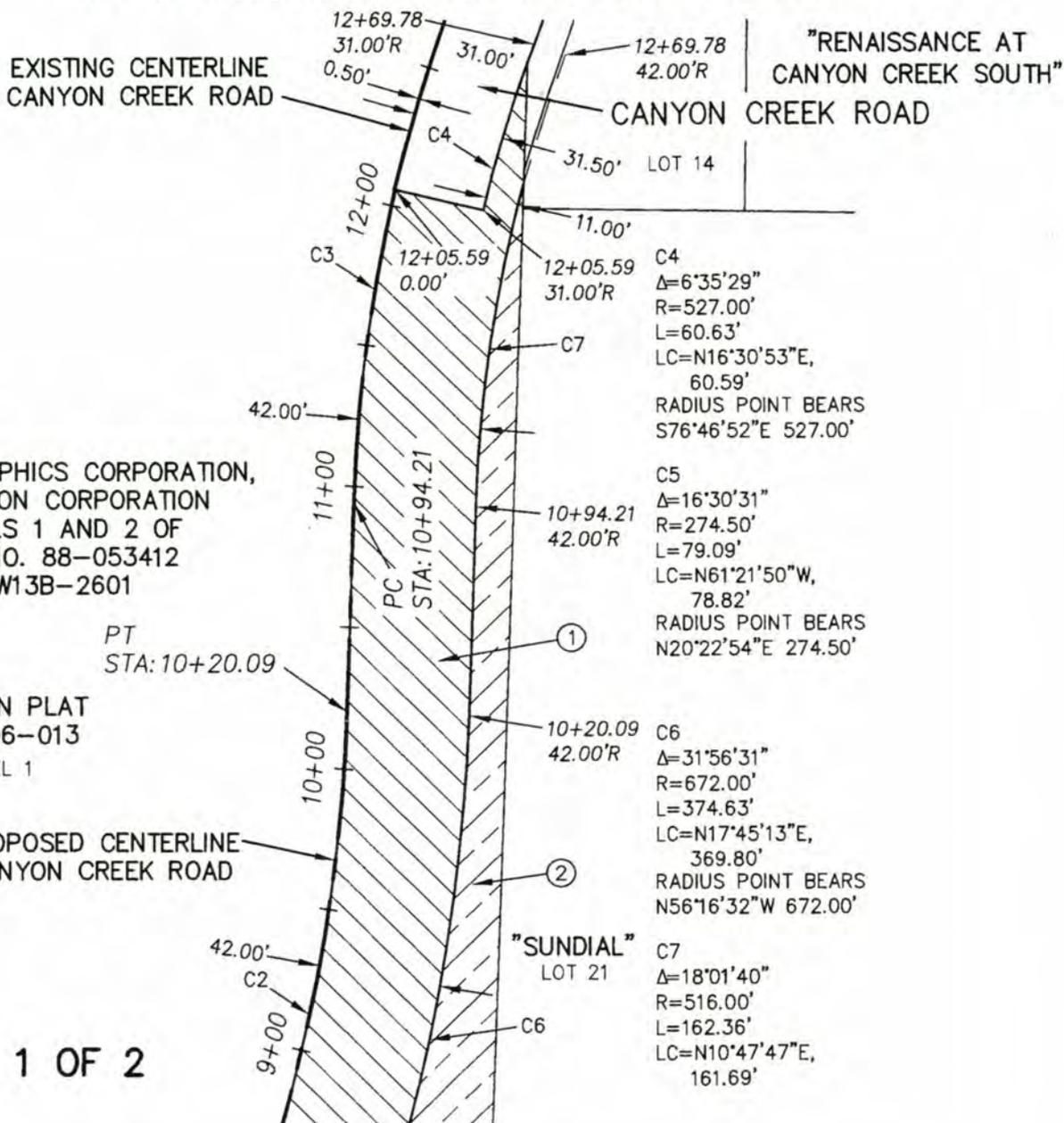


SCALE
1" = 60'

MENTOR GRAPHICS CORPORATION,
AN OREGON CORPORATION
PARCELS 1 AND 2 OF
DOC. NO. 88-053412
31W13B-2601

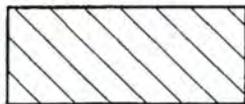
PARTITION PLAT
NO. 2006-013
PARCEL 1

PROPOSED CENTERLINE
CANYON CREEK ROAD

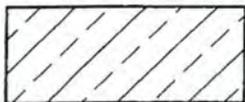


SEE PAGE 1 OF 2

LEGEND



① RIGHT OF WAY DEDICATION
 \pm 47,678 SQ.FT.



② FEE SIMPLE ACQUISITION
 \pm 23,454 SQ.FT.



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

EXHIBIT D



**Harper
Houf Peterson
Righellis Inc.**

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LANDSCAPE ARCHITECTS ♦ SURVEYORS

**LEGAL DESCRIPTION
REMNANT PARCEL
Canyon Creek Road
City of Wilsonville, Oregon**

(REMNANT PARCEL)

A parcel of land situated in the Northwest one-quarter of Section 13 in Township 3 South, Range 1 West of the Willamette Meridian, City of Wilsonville, Clackamas County, Oregon and being a portion of Parcel 2 of that property described and conveyed to Mentor Graphics Corporation, an Oregon Corporation, in Statutory Warranty Deed recorded December 22, 1988 as Document No. 88-053412, Clackamas County Deed Records; said parcel being that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property:

Beginning at a point 191.19 feet right of Proposed Canyon Creek Road Centerline Station 6+66.16, said point being the beginning of a 274.50 foot radius curve to the right, having a central angle of $16^{\circ}30'31''$, the radius point of which bears $N20^{\circ}22'54''E$, 274.50 feet;

Thence northwesterly along the arc of said curve to the right (the long chord of which bears $N61^{\circ}21'50''W$, 78.82 feet) 79.09 feet to a point 112.75 feet right of Proposed Centerline Station 6+59.94;

Thence northwesterly, in a straight line, to a point 48.65 feet right of Proposed Centerline Station 6+62.39;

Thence northerly, in a straight line, to a point 42.00 feet right of Proposed Centerline Station 6+68.87, said point being the beginning of a 672.00 foot radius non-tangent curve to the left, having a central angle of $31^{\circ}56'31''$, the radius point of which bears $N56^{\circ}16'32''W$, 672.00 feet;

Thence northeasterly along of arc of said non-tangent curve to the left (the long chord of which bears $N17^{\circ}45'13''E$, 369.80 feet) 374.63 feet to a point 42.00 feet right of Proposed Centerline Station 10+20.09;

EXHIBIT D

Thence northerly, in a straight line, to a point 42.00 feet right of Proposed Centerline Station 10+94.21, said point being the beginning of a 516.00 foot radius curve to the right, having a central angle of 18°01'40";

Thence northeasterly along the arc of said curve to the right (the long chord of which bears N10°47'47"E, 161.69 feet) 162.36 feet to a point 42.00 feet right of Proposed Centerline Station 12+69.78.

The parcel of land to which this description applies contains 23,454 square feet, more or less.

The stationing used to describe this parcel is based on the Proposed Centerline of Canyon Creek Road, being more particularly described as follows:

Beginning at Proposed Canyon Creek Road Centerline Station 0+00.00, said point bears S64°01'45"E, 823.84 feet, from a found 3-inch brass disk in a monument box at the west one-quarter corner of said Section 13 per U.S.B.T. Entry 2009-145, said point also being the intersection of the existing centerline of Town Center Loop East with the existing centerline of Vlahos Drive as shown on Survey Number 2014-024, Clackamas County Survey Records;

Thence N24°34'18"E, along the existing centerline of Vlahos Drive, 114.15 feet to Proposed Centerline Station 1+14.15 and the beginning of a 400.00 foot radius curve to the right, having a central angle of 36°27'21";

Thence northeasterly along the existing centerline of Vlahos Drive and the arc of said curve to the right (the long chord bears N42°47'59"E, 250.24 feet) 254.51 feet to Proposed Centerline Station 3+68.66 and the beginning of a 630.00 foot radius reverse curve to the left, having a central angle of 59°14'42";

Thence leaving the existing centerline of Vlahos Drive northeasterly along the arc of said reverse curve to the left (the long chord of which bears N31°24'18"E, 622.80 feet) 651.43 feet to Proposed Centerline Station 10+20.09;

Thence N01°46'57"E, 74.12 feet to Proposed Centerline Station 10+94.21 and the beginning of a 558.00 foot radius curve to the right, having a central angle of 11°26'11";

Thence northeasterly along the arc of said curve to the right (the long chord of which bears N07°30'03"E, 111.19 feet) 111.38 feet to a point on curve at Proposed Centerline

EXHIBIT D

Station 12+05.59, also being a point on the existing centerline of Canyon Creek Road as shown on Survey Number 2014-024, Clackamas County Survey Records;

Thence continuing northeasterly along the existing centerline of Canyon Creek Road and the arc of a 558.00 foot radius curve to the right, having a central angle of $6^{\circ}35'29''$ (the long chord of which bears $N16^{\circ}30'53''E$, 64.16 feet) 64.19 feet to Proposed Centerline Station 12+69.78 and the beginning of a 558.00 foot radius reverse curve to the left, having a central angle of $18^{\circ}01'40''$;

Thence northeasterly along the existing centerline of Canyon Creek Road and the arc of said reverse curve to the left (the long chord of which bears $N10^{\circ}47'47''E$, 174.85 feet) 175.57 feet to Proposed Centerline Station 14+45.35;

Thence $N01^{\circ}46'57''E$, along the existing centerline of Canyon Creek Road, 601.90 feet to Proposed Centerline Station 20+47.25 and the beginning of a 558.00 foot radius curve to the left, having a central angle of $13^{\circ}32'10''$;

Thence northwesterly along the existing centerline of Canyon Creek Road and the arc of said curve to the left (the long chord of which bears $N04^{\circ}59'08''W$, 131.52 feet) 131.83 feet to Proposed Centerline Station 21+79.08 and the beginning of a 558.00 foot radius reverse curve to the right, having a central angle of $63^{\circ}19'29''$;

Thence northeasterly along the existing centerline of Canyon Creek Road and the arc of said reverse curve to the right (the long chord of which bears $N19^{\circ}54'32''E$, 585.80 feet) 616.72 feet to Proposed Centerline Station 27+95.80 and the Point of Termination, said point bears $N35^{\circ}47'58''E$, 2662.19 feet from a found 3-inch brass disk in a monument box at the west one-quarter corner of said Section 13 per U.S.B.T. Entry 2009-145 as shown on said Survey Number 2014-024;

This centerline stationing and basis of bearings of this legal description is the same as that shown on Survey Number 2014-024, Clackamas County Survey Records.



EXPIRES: 12-31-15



EXHIBIT D

(PAGE 1 OF 2)

CANYON CREEK ROAD
CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON



C1
Δ=18°57'38"
R=592.50'
L=196.07'
LC=N50°30'58"E,
195.18'
RADIUS POINT BEARS
N30°00'13"W 592.50'

SEE PAGE 2 OF 2

MENTOR GRAPHICS CORPORATION,
AN OREGON CORPORATION
PARCELS 1 AND 2 OF
DOC. NO. 88-053412
31W13B-2601

SCALE
1" = 60'

C2
Δ=30°39'57"
R=630.00'
L=337.19'
LC=N17°06'56"E,
333.18'
RADIUS POINT BEARS
N57°33'06"W 630.00'

NOTE:
SEE PAGE 2 OF 2
FOR REMAINING
CURVE DATA

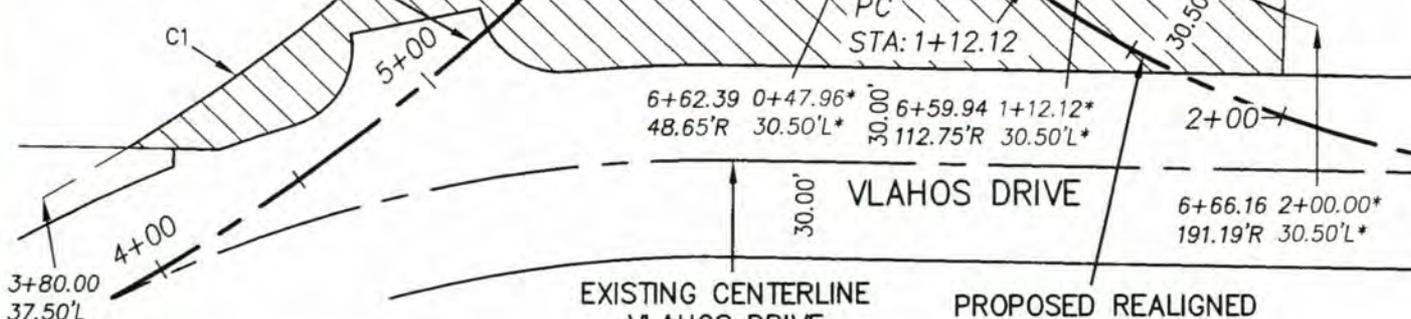
C3
Δ=11°26'11"
R=558.00'
L=111.38'
LC=N7°30'03"E,
111.19'

INTERSECTION
STA: 6+34.06

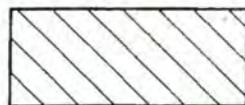
PARTITION PLAT
NO. 2006-013
PARCEL 1

"SUNDIAL"
LOT 21

PROPOSED CENTERLINE
CANYON CREEK ROAD



LEGEND



① RIGHT OF WAY DEDICATION
± 47,678 SQ.FT.



② FEE SIMPLE ACQUISITION
± 23,454 SQ.FT.



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Righellis Inc.**

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205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

* = PROPOSED VLAHOS DRIVE CENTERLINE STATIONING

EXHIBIT D

(PAGE 2 OF 2)

CANYON CREEK ROAD
CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON



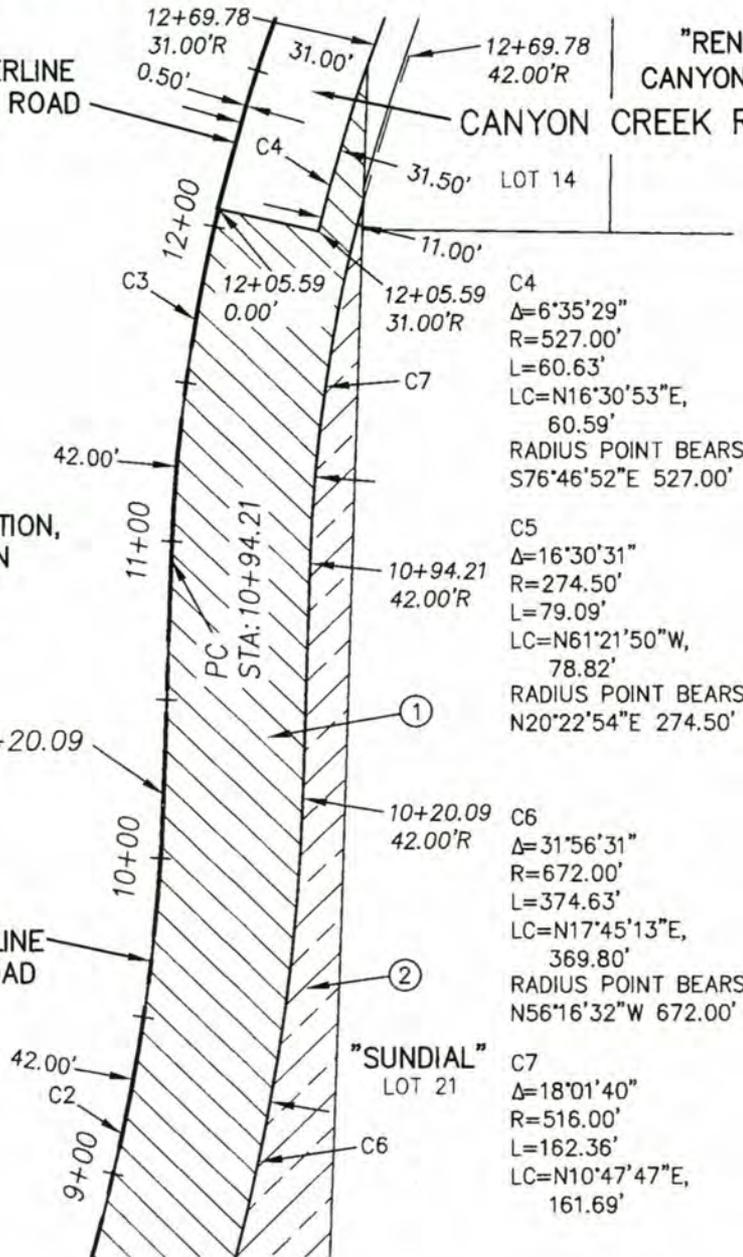
SCALE
1" = 60'

MENTOR GRAPHICS CORPORATION,
AN OREGON CORPORATION
PARCELS 1 AND 2 OF
DOC. NO. 88-053412
31W13B-2601

PARTITION PLAT
NO. 2006-013
PARCEL 1

PROPOSED CENTERLINE
CANYON CREEK ROAD

PT
STA: 10+20.09



C4
Δ=6°35'29"
R=527.00'
L=60.63'
LC=N16°30'53"E,
60.59'
RADIUS POINT BEARS
S76°46'52"E 527.00'

C5
Δ=16°30'31"
R=274.50'
L=79.09'
LC=N61°21'50"W,
78.82'
RADIUS POINT BEARS
N20°22'54"E 274.50'

C6
Δ=31°56'31"
R=672.00'
L=374.63'
LC=N17°45'13"E,
369.80'
RADIUS POINT BEARS
N56°16'32"W 672.00'

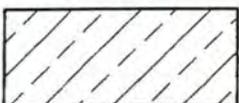
C7
Δ=18°01'40"
R=516.00'
L=162.36'
LC=N10°47'47"E,
161.69'

SEE PAGE 1 OF 2

LEGEND



① RIGHT OF WAY DEDICATION
± 47,678 SQ.FT.



② FEE SIMPLE ACQUISITION
± 23,454 SQ.FT.



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EXHIBIT E



LEGAL DESCRIPTION
Right-of-Way Dedication
Canyon Creek Road
City of Wilsonville, Oregon

(RIGHT-OF-WAY DEDICATION)

A parcel of land situated in the Northwest one-quarter of Section 13 in Township 3 South, Range 1 West of the Willamette Meridian, City of Wilsonville, Clackamas County, Oregon and being a portion of Parcels 2 and 3 of that property described and conveyed to Mentor Graphics Corporation, an Oregon Corporation, in Statutory Warranty Deed recorded December 22, 1988 as Document No. 88-053412, Clackamas County Deed Records; said parcel being that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property:

Beginning at a point 37.50 feet left of Proposed Canyon Creek Road Centerline Station 3+80.00, said point being the beginning of a 592.50 foot radius curve to the left, having a central angle of 18°57'38", the radius point of which bears N30°00'13"W, 592.50 feet;

Thence northeasterly along the arc of said curve to the left (the long chord of which bears N50°30'58"E, 195.18 feet) 196.07 feet to a point 37.50 feet left of Proposed Centerline Station 5+88.48;

Thence northerly, in a straight line, to a point 50.50 feet left of Proposed Centerline Station 6+00.89;

Thence northwesterly, in a straight line, to a point 55.49 feet left of Proposed Centerline Station 6+00.60;

Thence northeasterly, in a straight line, to a point 55.49 feet left of Proposed Centerline Station 6+67.52;

Thence southeasterly, in a straight line, to a point 50.50 feet left of Proposed Centerline Station 6+67.24;

EXHIBIT E

Thence northeasterly, in a straight line, to a point 37.50 feet left of Proposed Centerline Station 6+82.91, said point being the beginning of a 592.50 foot radius non-tangent curve to the left, having a central angle of $30^{\circ}39'57''$, the radius point of which bears $N57^{\circ}33'06''W$, 592.50 feet;

Thence northeasterly along the arc of said non-tangent curve to the left (the long chord of which bears $N17^{\circ}06'56''E$, 313.35 feet) 317.12 feet to a point 37.50 feet left of Proposed Centerline Station 10+20.09;

Thence northerly, in a straight line, to a point 37.50 feet left of Proposed Centerline Station 10+94.21, said point being the beginning of a 595.50 foot radius curve to the right, having a central angle of $18^{\circ}01'40''$;

Thence northeasterly along the arc of said curve to the right (the long chord of which bears $N10^{\circ}47'47''E$, 188.60 feet) 187.37 feet to a point 37.50 feet left of Proposed Centerline Station 12+69.78, said point being the beginning of a 520.50 foot radius reverse curve to the left, having a central angle of $18^{\circ}01'40''$;

Thence northeasterly along the arc of said reverse curve to the left (the long chord of which bears $N10^{\circ}47'47''E$, 163.10 feet) 163.77 feet to a point 37.50 feet left of Proposed Centerline Station 14+45.35;

Thence northerly, in a straight line, to a point 37.50 feet left of Proposed Centerline Station 18+18.97;

Thence northwesterly, in a straight line, to a point 50.00 feet left of Proposed Centerline Station 18+34.07;

Thence westerly, in a straight line, to a point 55.00 feet left of Proposed Centerline Station 18+34.07;

Thence northerly, in a straight line, to a point 55.00 feet left of Proposed Centerline Station 18+95.07;

Thence easterly, in a straight line, to a point 50.00 feet left of Proposed Centerline Station 18+95.07;

Thence northeasterly, in a straight line, to a point 37.50 feet left of Proposed Centerline Station 19+06.57;

EXHIBIT E

Thence northerly, in a straight line, to a point 37.50 feet left of Proposed Centerline Station 20+47.25, said point being the beginning of a 520.50 foot radius curve to the left, having a central angle of $13^{\circ}32'10''$;

Thence northwesterly along the arc of said curve to the left (the long chord of which bears $N4^{\circ}59'08''W$, 122.68 feet) 122.97 feet to a point 37.50 feet left of Proposed Centerline Station 21+79.08, said point being the beginning of a 595.50 foot radius reverse curve to the right, having a central angle of $43^{\circ}13'14''$;

Thence northeasterly along the arc of said reverse curve to the right (the long chord of which bears $N9^{\circ}51'24''E$, 438.64 feet) 449.21 feet to a point 37.50 feet left of Proposed Centerline Station 26+00.00.

EXCEPTING therefrom that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property:

Beginning at a point 37.50 feet left of Proposed Canyon Creek Road Centerline Station 3+80.00, said point being the beginning of a 592.50 foot radius curve to the left, having a central angle of $18^{\circ}57'38''$, the radius point of which bears $N30^{\circ}00'13''W$, 592.50 feet;

Thence northeasterly along the arc of said curve to the left (the long chord of which bears $N50^{\circ}30'58''E$, 195.18 feet) 196.07 feet to a point 37.50 feet left of Proposed Centerline Station 5+88.48;

Thence northerly, in a straight line, to a point 50.50 feet left of Proposed Centerline Station 6+00.89;

Thence northwesterly, in a straight line, to a point 55.49 feet left of Proposed Centerline Station 6+00.60;

Thence northeasterly, in a straight line, to a point 55.49 feet left of Proposed Centerline Station 6+67.52;

Thence southeasterly, in a straight line, to a point 50.50 feet left of Proposed Centerline Station 6+67.24;

EXHIBIT E

Thence northeasterly, in a straight line, to a point 37.50 feet left of Proposed Centerline Station 6+82.91;

Thence southeasterly, in a straight line, to a point on the Proposed Centerline at Station 6+82.91, said point being the beginning of a 630.00 foot radius non-tangent curve to the left, having a central angle of $30^{\circ}39'57''$, the radius point of which bears $N57^{\circ}33'06''W$, 630.00 feet;

Thence northeasterly along the Proposed Centerline and the arc of said non-tangent curve to the left (the long chord of which bears $N17^{\circ}06'56''E$, 333.18 feet) 337.19 feet to a point at Proposed Centerline Station 10+20.09;

Thence continuing along the Proposed Centerline northerly, in a straight line, to a point at Proposed Centerline Station 10+94.21, said point being the beginning of a 558.00 foot radius curve to the right, having a central angle of $11^{\circ}26'11''$;

Thence northeasterly along the Proposed Centerline and the arc of said curve to the right (the long chord of which bears $N7^{\circ}30'03''E$, 111.19 feet) 111.38 feet to a point at Proposed Centerline Station 12+05.59, said point also being located on the existing centerline and right-of-way line of Canyon Creek Road as shown on Survey Number 2014-024, Clackamas County Survey Records;

Thence southeasterly along said existing right-of-way of Canyon Creek Road, in a straight line, to a point 31.00 feet right of Proposed Centerline Station 12+05.59, said point being the beginning of a 527.00 foot radius non-tangent curve to the right, having a central angle of $6^{\circ}35'29''$, the radius point of which bears $S76^{\circ}46'52''E$, 527.00 feet;

Thence northeasterly along said existing right-of-way of Canyon Creek Road and the arc of said non-tangent curve to the right (the long chord of which bears $N16^{\circ}30'53''E$, 60.59 feet) 60.63 feet to a point 31.00 feet right of Proposed Centerline Station 12+69.78.

ALSO EXCEPTING therefrom that portion lying within the existing right-of-way of Vlahos Drive and Canyon Creek Road.

The parcel of land to which this description applies contains 70,266 square feet, more or less.

EXHIBIT E

The stationing used to describe this parcel is based on the Proposed Centerline of Canyon Creek Road, being more particularly described as follows:

Beginning at Proposed Canyon Creek Road Centerline Station 0+00.00, said point bears $S64^{\circ}01'45''E$, 823.84 feet, from a found 3-inch brass disk in a monument box at the west one-quarter corner of said Section 13 per U.S.B.T. Entry 2009-145, said point also being the intersection of the existing centerline of Town Center Loop East with the existing centerline of Vlahos Drive as shown on Survey Number 2014-024, Clackamas County Survey Records;

Thence $N24^{\circ}34'18''E$, along the existing centerline of Vlahos Drive, 114.15 feet to Proposed Centerline Station 1+14.15 and the beginning of a 400.00 foot radius curve to the right, having a central angle of $36^{\circ}27'21''$;

Thence northeasterly along the existing centerline of Vlahos Drive and the arc of said curve to the right (the long chord bears $N42^{\circ}47'59''E$, 250.24 feet) 254.51 feet to Proposed Centerline Station 3+68.66 and the beginning of a 630.00 foot radius reverse curve to the left, having a central angle of $59^{\circ}14'42''$;

Thence leaving the existing centerline of Vlahos Drive northeasterly along the arc of said reverse curve to the left (the long chord of which bears $N31^{\circ}24'18''E$, 622.80 feet) 651.43 feet to Proposed Centerline Station 10+20.09;

Thence $N01^{\circ}46'57''E$, 74.12 feet to Proposed Centerline Station 10+94.21 and the beginning of a 558.00 foot radius curve to the right, having a central angle of $11^{\circ}26'11''$;

Thence northeasterly along the arc of said curve to the right (the long chord of which bears $N07^{\circ}30'03''E$, 111.19 feet) 111.38 feet to a point on curve at Proposed Centerline Station 12+05.59, also being a point on the existing centerline of Canyon Creek Road as shown on Survey Number 2014-024, Clackamas County Survey Records;

Thence continuing northeasterly along the existing centerline of Canyon Creek Road and the arc of a 558.00 foot radius curve to the right, having a central angle of $6^{\circ}35'29''$ (the long chord of which bears $N16^{\circ}30'53''E$, 64.16 feet) 64.19 feet to Proposed Centerline Station 12+69.78 and the beginning of a 558.00 foot radius reverse curve to the left, having a central angle of $18^{\circ}01'40''$;

EXHIBIT E

Thence northeasterly along the existing centerline of Canyon Creek Road and the arc of said reverse curve to the left (the long chord of which bears $N10^{\circ}47'47''E$, 174.85 feet) 175.57 feet to Proposed Centerline Station 14+45.35;

Thence $N01^{\circ}46'57''E$, along the existing centerline of Canyon Creek Road, 601.90 feet to Proposed Centerline Station 20+47.25 and the beginning of a 558.00 foot radius curve to the left, having a central angle of $13^{\circ}32'10''$;

Thence northwesterly along the existing centerline of Canyon Creek Road and the arc of said curve to the left (the long chord of which bears $N04^{\circ}59'08''W$, 131.52 feet) 131.83 feet to Proposed Centerline Station 21+79.08 and the beginning of a 558.00 foot radius reverse curve to the right, having a central angle of $63^{\circ}19'29''$;

Thence northeasterly along the existing centerline of Canyon Creek Road and the arc of said reverse curve to the right (the long chord of which bears $N19^{\circ}54'32''E$, 585.80 feet) 616.72 feet to Proposed Centerline Station 27+95.80 and the Point of Termination, said point bears $N35^{\circ}47'58''E$, 2662.19 feet from a found 3-inch brass disk in a monument box at the west one-quarter corner of said Section 13 per U.S.B.T. Entry 2009-145 as shown on said Survey Number 2014-024;

This centerline stationing and basis of bearings of this legal description is the same as that shown on Survey Number 2014-024, Clackamas County Survey Records.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXPIRES: 12-31-17

EXHIBIT E

(PAGE 1 OF 7)

CANYON CREEK ROAD
CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON



C1
Δ=18°57'38"
R=592.50'
L=196.07'
LC=N50°30'58"E,
195.18'
RADIUS POINT BEARS
N30°00'13"W 592.50'

SEE PAGE 2 OF 7

MENTOR GRAPHICS CORPORATION,
AN OREGON CORPORATION
PARCELS 1 AND 2 OF
DOC. NO. 88-053412
31W13B-2601

SCALE
1" = 60'

C2
Δ=30°39'57"
R=592.50'
L=317.12'
LC=N17°06'56"E,
313.35'
RADIUS POINT BEARS
N57°33'06"W 592.50'

C7
Δ=31°45'10"
R=582.50'
L=322.82'
LC=N17°39'32"E,
318.70'
RADIUS POINT BEARS
N56°27'53"W 582.50'

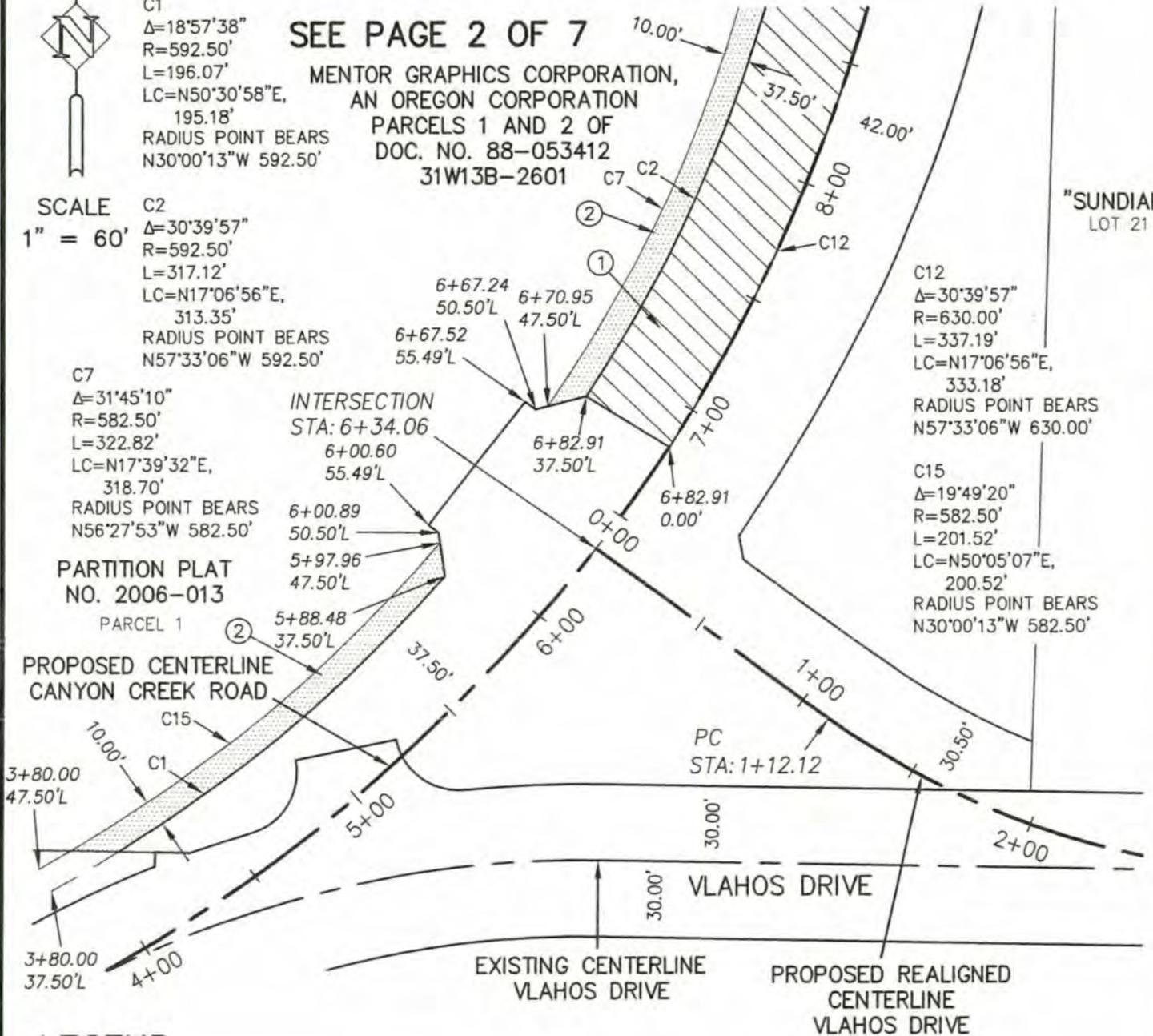
PARTITION PLAT
NO. 2006-013

PARCEL 1

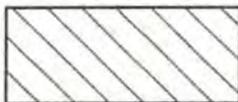
C12
Δ=30°39'57"
R=630.00'
L=337.19'
LC=N17°06'56"E,
333.18'
RADIUS POINT BEARS
N57°33'06"W 630.00'

C15
Δ=19°49'20"
R=582.50'
L=201.52'
LC=N50°05'07"E,
200.52'
RADIUS POINT BEARS
N30°00'13"W 582.50'

"SUNDIAL"
LOT 21



LEGEND



① RIGHT OF WAY DEDICATION
± 70,266 SQ.FT.



② PUBLIC UTILITY EASEMENT
± 20,105 SQ.FT.



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* = PROPOSED VLAHOS DRIVE CENTERLINE STATIONING

EXHIBIT E

(PAGE 2 OF 7)

CANYON CREEK ROAD
CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON



SEE PAGE
3 OF 7

EXISTING CENTERLINE
CANYON CREEK ROAD

"RENAISSANCE AT
CANYON CREEK SOUTH"

CANYON CREEK ROAD

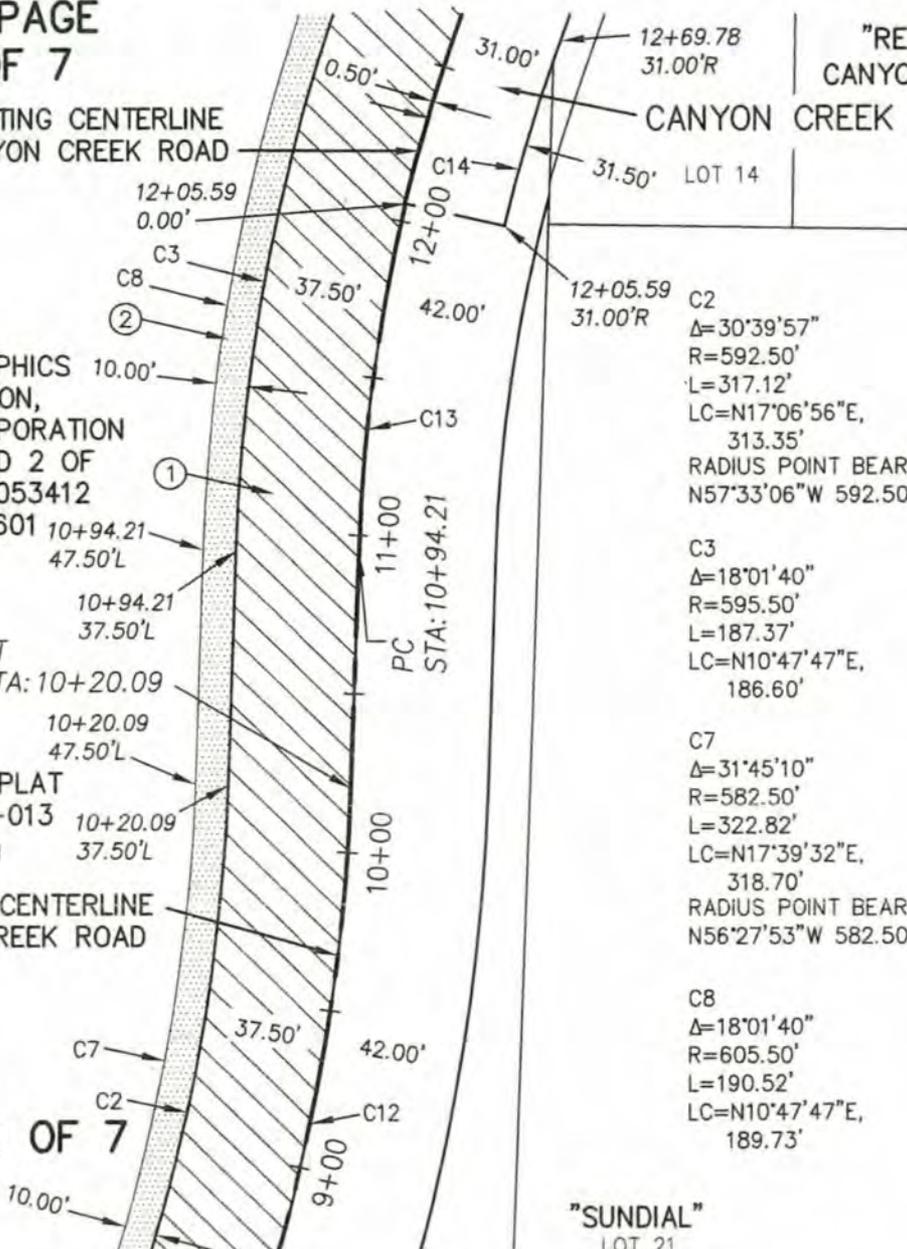
SCALE
1" = 60'

MENTOR GRAPHICS
CORPORATION,
AN OREGON CORPORATION
PARCELS 1 AND 2 OF
DOC. NO. 88-053412
31W13B-2601

PT
STA: 10+20.09

PARTITION PLAT
NO. 2006-013
PARCEL 1

PROPOSED CENTERLINE
CANYON CREEK ROAD



C2 Δ=30°39'57" R=592.50' L=317.12' LC=N17°06'56"E, 313.35' RADIUS POINT BEARS N57°33'06"W 592.50'	C12 Δ=30°39'57" R=630.00' L=337.19' LC=N17°06'56"E, 333.18' RADIUS POINT BEARS N57°33'06"W 630.00'
C3 Δ=18°01'40" R=595.50' L=187.37' LC=N10°47'47"E, 186.60'	C13 Δ=11°26'11" R=558.00' L=111.38' LC=N7°30'03"E, 111.19'
C7 Δ=31°45'10" R=582.50' L=322.82' LC=N17°39'32"E, 318.70' RADIUS POINT BEARS N56°27'53"W 582.50'	C14 Δ=6°35'29" R=527.00' L=60.63' LC=N16°30'53"E, 60.59' RADIUS POINT BEARS S76°46'52"E 527.00'
C8 Δ=18°01'40" R=605.50' L=190.52' LC=N10°47'47"E, 189.73'	

SEE PAGE 1 OF 7

"SUNDIAL"
LOT 21

LEGEND



① RIGHT OF WAY DEDICATION
± 70,266 SQ.FT.



② PUBLIC UTILITY EASEMENT
± 20,105 SQ.FT.



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EXHIBIT E

(PAGE 3 OF 7)

CANYON CREEK ROAD
CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON



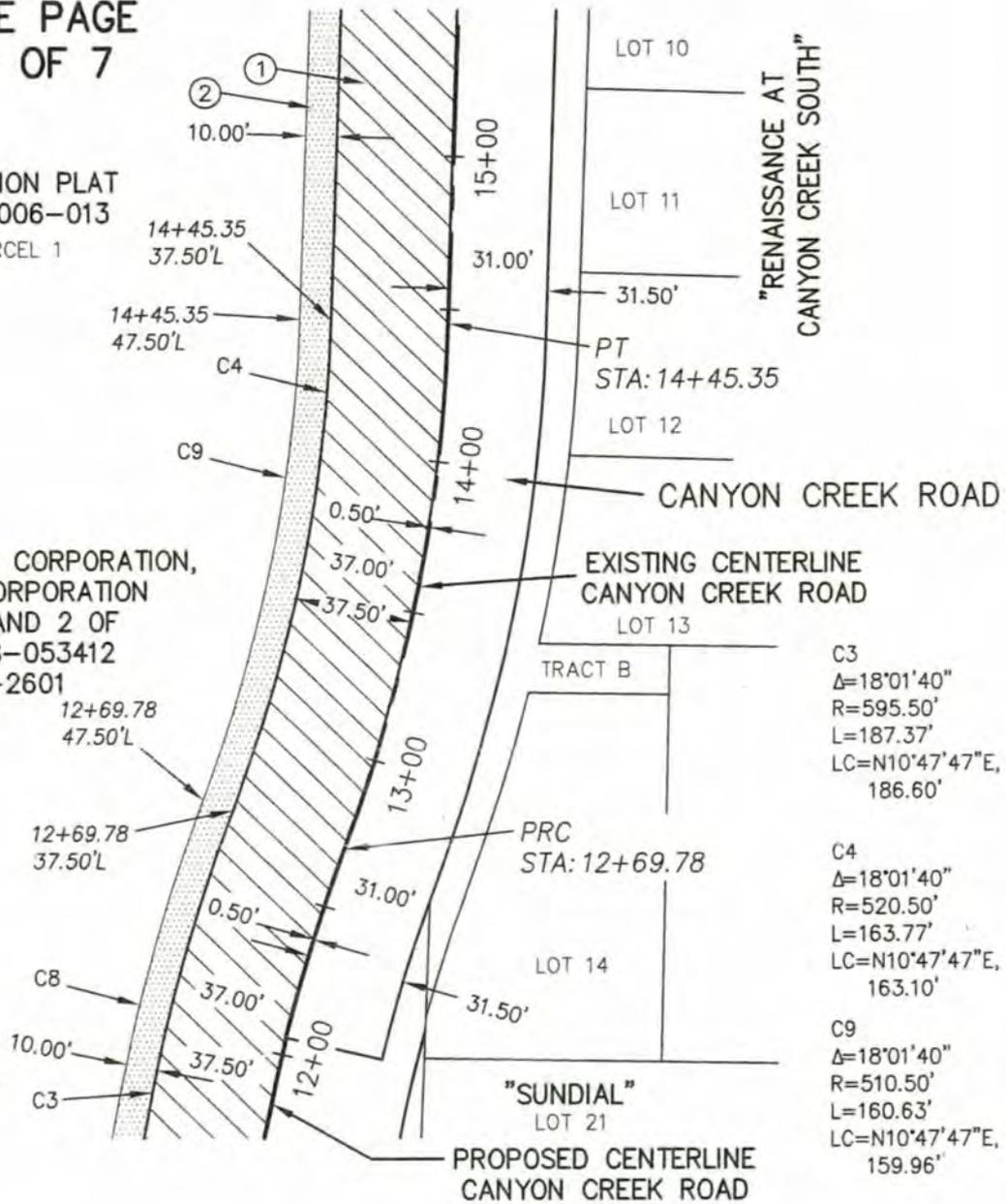
SEE PAGE
4 OF 7

PARTITION PLAT
NO. 2006-013
PARCEL 1

SCALE
1" = 60'

MENTOR GRAPHICS CORPORATION,
AN OREGON CORPORATION
PARCELS 1 AND 2 OF
DOC. NO. 88-053412
31W13B-2601

SEE PAGE
2 OF 7

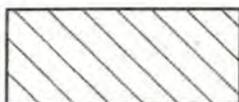


C3
 $\Delta=18^{\circ}01'40''$
 $R=595.50'$
 $L=187.37'$
 $LC=N10^{\circ}47'47''E,$
 $186.60'$

C4
 $\Delta=18^{\circ}01'40''$
 $R=520.50'$
 $L=163.77'$
 $LC=N10^{\circ}47'47''E,$
 $163.10'$

C9
 $\Delta=18^{\circ}01'40''$
 $R=510.50'$
 $L=160.63'$
 $LC=N10^{\circ}47'47''E,$
 $159.96'$

LEGEND



① RIGHT OF WAY DEDICATION
 $\pm 70,266$ SQ.FT.



② PUBLIC UTILITY EASEMENT
 $\pm 20,105$ SQ.FT.



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EXHIBIT E

(PAGE 4 OF 7)

CANYON CREEK ROAD
CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON

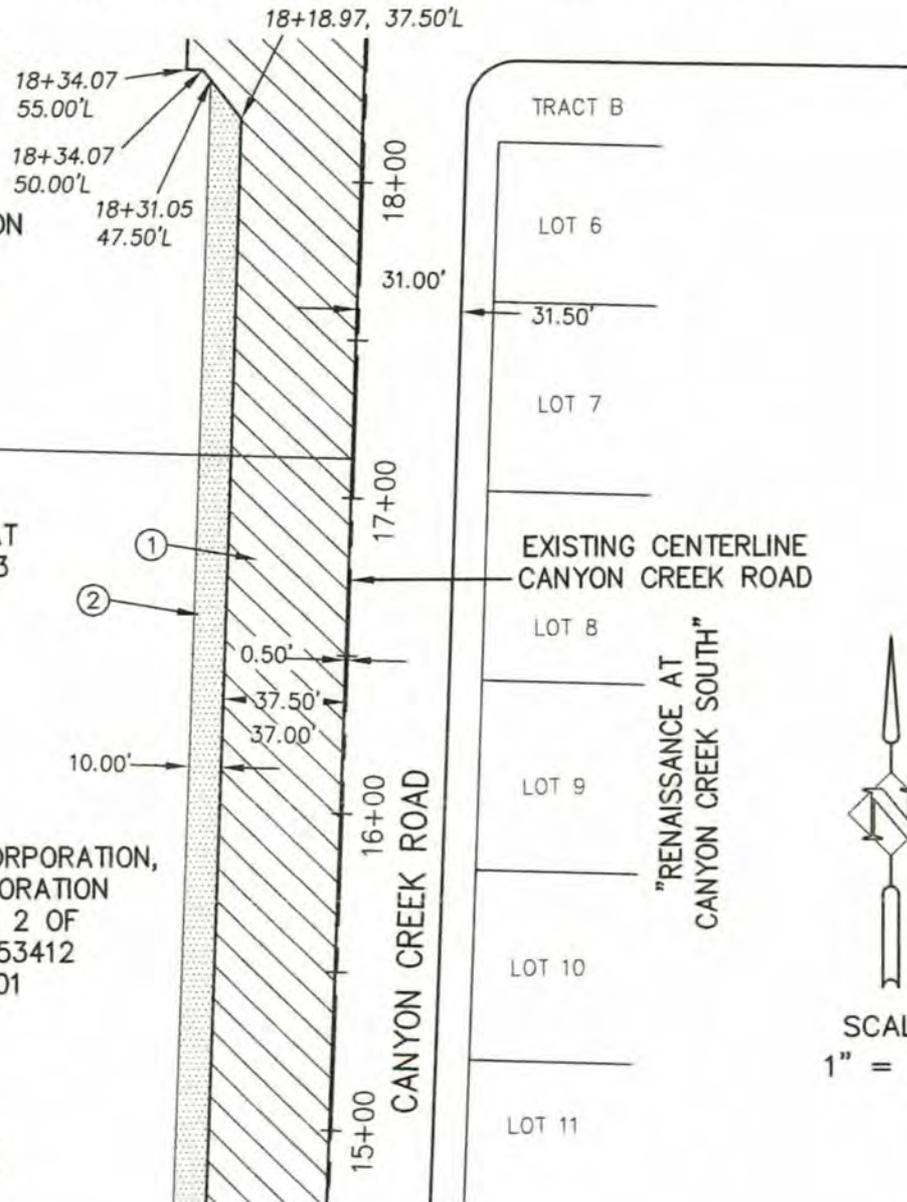
SEE PAGE
5 OF 7

MENTOR GRAPHICS CORPORATION,
AN OREGON CORPORATION
PARCEL 3 OF
DOC. NO. 88-053412
31W13B-2691

PARTITION PLAT
NO. 2006-013
PARCEL 1

MENTOR GRAPHICS CORPORATION,
AN OREGON CORPORATION
PARCELS 1 AND 2 OF
DOC. NO. 88-053412
31W13B-2601

SEE PAGE
3 OF 7



SCALE
1" = 60'

LEGEND



① RIGHT OF WAY DEDICATION
± 70,266 SQ.FT.



② PUBLIC UTILITY EASEMENT
± 20,105 SQ.FT.



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EXHIBIT E

(PAGE 5 OF 7)

CANYON CREEK ROAD
CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON



SCALE
1" = 60'

SEE PAGE
6 OF 7

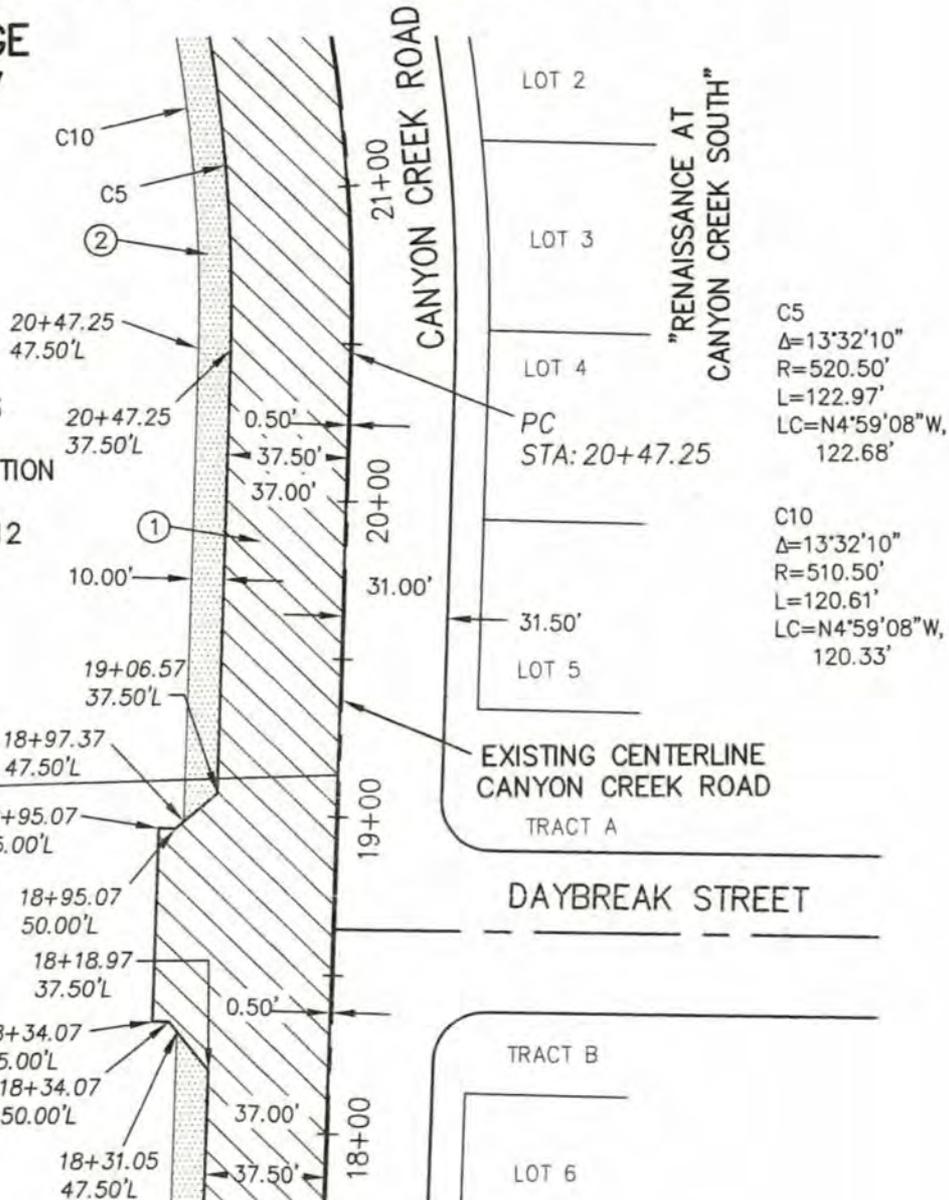
MENTOR GRAPHICS CORPORATION,
AN OREGON CORPORATION
PARCEL 3 OF
DOC. NO. 88-053412
31W13B-2603

PARTITION PLAT
NO. 2006-013
PARCEL 2

PARTITION PLAT
NO. 2006-013
PARCEL 1

MENTOR GRAPHICS CORPORATION,
AN OREGON CORPORATION
PARCEL 3 OF
DOC. NO. 88-053412
31W13B-2691

SEE PAGE
4 OF 7



LEGEND



① RIGHT OF WAY DEDICATION
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EXHIBIT E

(PAGE 6 OF 7)

CANYON CREEK ROAD
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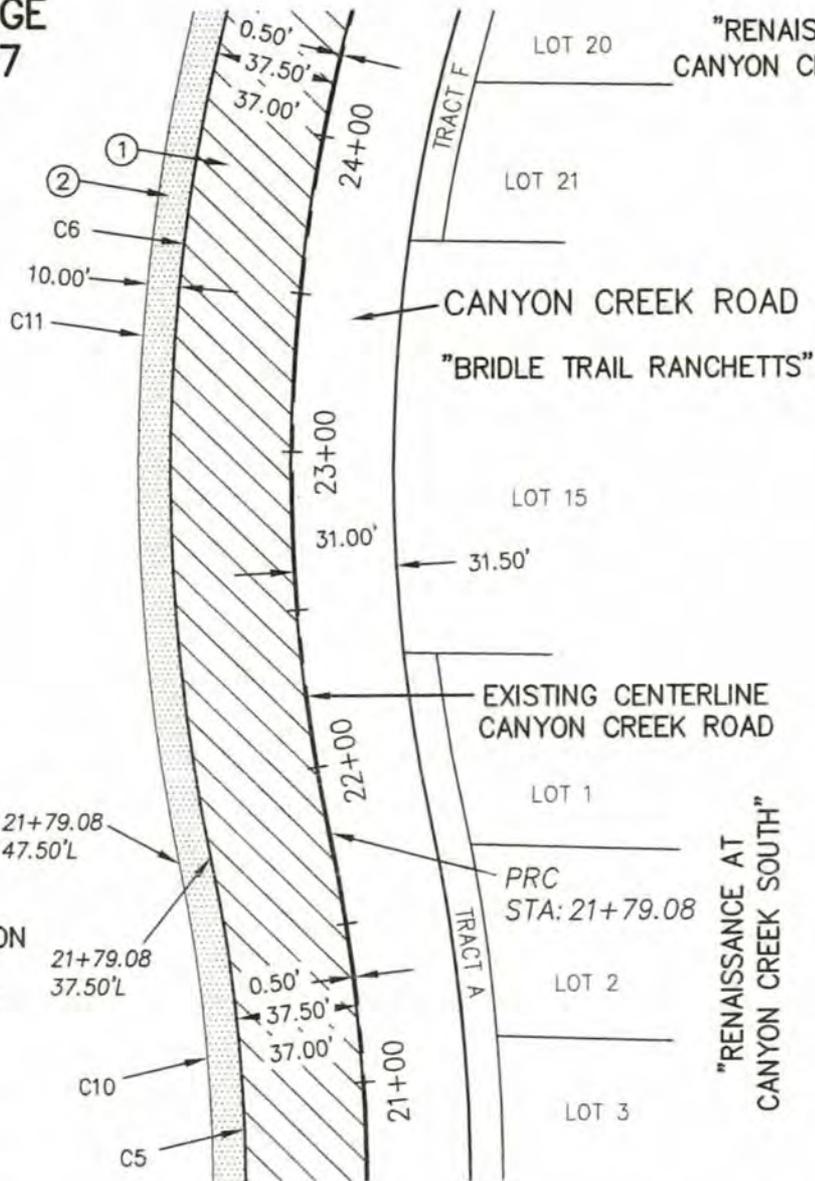
SEE PAGE
7 OF 7

SCALE
1" = 60'

PARTITION PLAT
NO. 2006-013
PARCEL 2

MENTOR GRAPHICS
CORPORATION,
AN OREGON CORPORATION
PARCEL 3 OF
DOC. NO. 88-053412
31W13B-2603

SEE PAGE
5 OF 7



C5
 $\Delta=13^{\circ}32'10''$
 $R=520.50'$
 $L=122.97'$
 $LC=N4^{\circ}59'08''W,$
 $122.68'$

C6
 $\Delta=43^{\circ}13'14''$
 $R=595.50'$
 $L=449.21'$
 $LC=N9^{\circ}51'24''E,$
 $438.64'$

C10
 $\Delta=13^{\circ}32'10''$
 $R=510.50'$
 $L=120.61'$
 $LC=N4^{\circ}59'08''W,$
 $120.33'$

C11
 $\Delta=44^{\circ}14'50''$
 $R=605.50'$
 $L=467.61'$
 $LC=N10^{\circ}22'13''E,$
 $456.07'$

LEGEND



① RIGHT OF WAY DEDICATION
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EXHIBIT E

(PAGE 7 OF 7)

CANYON CREEK ROAD
CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON



SCALE
1" = 60'

PARTITION PLAT
NO. 2006-013
PARCEL 2

PARTITION PLAT
NO. 1997-045
PARCEL 1

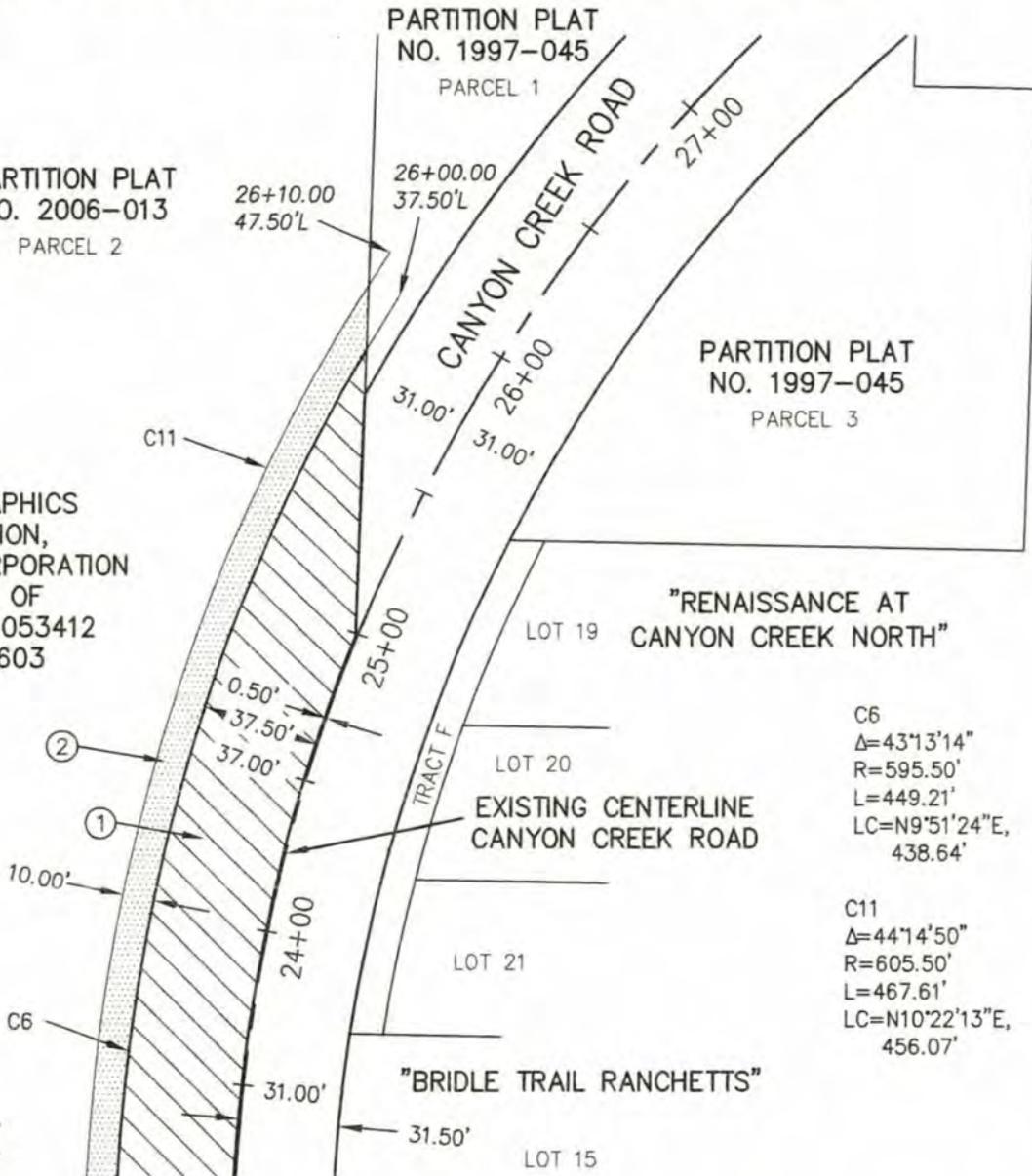
PARTITION PLAT
NO. 1997-045
PARCEL 3

MENTOR GRAPHICS
CORPORATION,
AN OREGON CORPORATION
PARCEL 3 OF
DOC. NO. 88-053412
31W13B-2603

"RENAISSANCE AT
CANYON CREEK NORTH"

C6
 $\Delta=43^{\circ}13'14''$
 $R=595.50'$
 $L=449.21'$
 $LC=N9^{\circ}51'24''E,$
 $438.64'$

C11
 $\Delta=44^{\circ}14'50''$
 $R=605.50'$
 $L=467.61'$
 $LC=N10^{\circ}22'13''E,$
 $456.07'$



SEE PAGE
6 OF 7

LEGEND



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EXHIBIT F



LEGAL DESCRIPTION
Public Utility Easement
Canyon Creek Road
City of Wilsonville, Oregon

(PUBLIC UTILITY EASEMENT)

A parcel of land situated in the Northwest one-quarter of Section 13 in Township 3 South, Range 1 West of the Willamette Meridian, City of Wilsonville, Clackamas County, Oregon and being a portion of Parcels 2 and 3 of that property described and conveyed to Mentor Graphics Corporation, an Oregon Corporation, in Statutory Warranty Deed recorded December 22, 1988 as Document No. 88-053412, Clackamas County Deed Records; said parcel being that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property:

Beginning at a point 47.50 feet left of Proposed Canyon Creek Road Centerline Station 3+80.00, said point being the beginning of a 582.50 foot radius curve to the left, having a central angle of 19°49'20", the radius point of which bears N30°00'13"W, 582.50 feet;

Thence northeasterly along the arc of said curve to the left (the long chord of which bears N50°05'07"E, 200.52 feet) 201.52 feet to a point 47.50 feet left of Proposed Centerline Station 5+97.96;

Thence northerly, in a straight line, to a point 50.50 feet left of Proposed Centerline Station 6+00.89;

Thence northwesterly, in a straight line, to a point 55.49 feet left of Proposed Centerline Station 6+00.60;

Thence northeasterly, in a straight line, to a point 55.49 feet left of Proposed Centerline Station 6+67.52;

Thence southeasterly, in a straight line, to a point 50.50 feet left of Proposed Centerline Station 6+67.24;

EXHIBIT F

Thence northeasterly, in a straight line, to a point 47.50 feet left of Proposed Centerline Station 6+70.95, said point being the beginning of a 582.50 foot radius non-tangent curve to the left, having a central angle of $31^{\circ}45'10''$, the radius point of which bears $N56^{\circ}27'53''W$, 582.50 feet;

Thence northeasterly along the arc of said non-tangent curve to the left (the long chord of which bears $N17^{\circ}39'32''E$, 318.70 feet) 322.82 feet to a point 47.50 feet left of Proposed Centerline Station 10+20.09;

Thence northerly, in a straight line, to a point 47.50 feet left of Proposed Centerline Station 10+94.21, said point being the beginning of a 605.50 foot radius curve to the right, having a central angle of $18^{\circ}01'40''$;

Thence northeasterly along the arc of said curve to the right (the long chord of which bears $N10^{\circ}47'47''E$, 189.73 feet) 190.52 feet to a point 47.50 feet left of Proposed Centerline Station 12+69.78, said point being the beginning of a 510.50 foot radius reverse curve to the left, having a central angle of $18^{\circ}01'40''$;

Thence northeasterly along the arc of said reverse curve to the left (the long chord of which bears $N10^{\circ}47'47''E$, 159.96 feet) 160.63 feet to a point 47.50 feet left of Proposed Centerline Station 14+45.35;

Thence northerly, in a straight line, to a point 47.50 feet left of Proposed Centerline Station 18+31.05;

Thence northwesterly, in a straight line, to a point 50.00 feet left of Proposed Centerline Station 18+34.07;

Thence westerly, in a straight line, to a point 55.00 feet left of Proposed Centerline Station 18+34.07;

Thence northerly, in a straight line, to a point 55.00 feet left of Proposed Centerline Station 18+95.07;

Thence easterly, in a straight line, to a point 50.00 feet left of Proposed Centerline Station 18+95.07;

Thence northeasterly, in a straight line, to a point 47.50 feet left of Proposed Centerline Station 18+97.37;

EXHIBIT F

Thence northerly, in a straight line, to a point 47.50 feet left of Proposed Centerline Station 20+47.25, said point being the beginning of a 510.50 foot radius curve to the left, having a central angle of $13^{\circ}32'10''$;

Thence northwesterly along the arc of said curve to the left (the long chord of which bears $N4^{\circ}59'08''W$, 120.33 feet) 120.61 feet to a point 47.50 feet left of Proposed Centerline Station 21+79.08, said point being the beginning of a 605.50 foot radius reverse curve to the right, having a central angle of $44^{\circ}14'50''$;

Thence northeasterly along the arc of said reverse curve to the right (the long chord of which bears $N10^{\circ}22'13''E$, 456.07 feet) 467.61 feet to a point 47.50 feet left of Proposed Centerline Station 26+10.00.

EXCEPTING therefrom that portion of said property lying easterly of the following described line, said line is to be lengthened or shortened to terminate at the boundary lines of said property:

Beginning at a point 37.50 feet left of Proposed Canyon Creek Road Centerline Station 3+80.00, said point being the beginning of a 592.50 foot radius curve to the left, having a central angle of $18^{\circ}57'38''$, the radius point of which bears $N30^{\circ}00'13''W$, 592.50 feet;

Thence northeasterly along the arc of said curve to the left (the long chord of which bears $N50^{\circ}30'58''E$, 195.18 feet) 196.07 feet to a point 37.50 feet left of Proposed Centerline Station 5+88.48;

Thence northerly, in a straight line, to a point 50.50 feet left of Proposed Centerline Station 6+00.89;

Thence northwesterly, in a straight line, to a point 55.49 feet left of Proposed Centerline Station 6+00.60;

Thence northeasterly, in a straight line, to a point 55.49 feet left of Proposed Centerline Station 6+67.52;

Thence southeasterly, in a straight line, to a point 50.50 feet left of Proposed Centerline Station 6+67.24;

Thence northeasterly, in a straight line, to a point 37.50 feet left of Proposed Centerline Station 6+82.91, said point being the beginning of a 592.50 foot radius non-tangent

EXHIBIT F

curve to the left, having a central angle of $30^{\circ}39'57''$, the radius point of which bears $N57^{\circ}33'06''W$, 592.50 feet;

Thence northeasterly along the arc of said non-tangent curve to the left (the long chord of which bears $N17^{\circ}06'56''E$, 313.35 feet) 317.12 feet to a point 37.50 feet left of Proposed Centerline Station 10+20.09;

Thence northerly, in a straight line, to a point 37.50 feet left of Proposed Centerline Station 10+94.21, said point being the beginning of a 595.50 foot radius curve to the right, having a central angle of $18^{\circ}01'40''$;

Thence northeasterly along the arc of said curve to the right (the long chord of which bears $N10^{\circ}47'47''E$, 188.60 feet) 187.37 feet to a point 37.50 feet left of Proposed Centerline Station 12+69.78, said point being the beginning of a 520.50 foot radius reverse curve to the left, having a central angle of $18^{\circ}01'40''$;

Thence northeasterly along the arc of said reverse curve to the left (the long chord of which bears $N10^{\circ}47'47''E$, 163.10 feet) 163.77 feet to a point 37.50 feet left of Proposed Centerline Station 14+45.35;

Thence northerly, in a straight line, to a point 37.50 feet left of Proposed Centerline Station 18+18.97;

Thence northwesterly, in a straight line, to a point 50.00 feet left of Proposed Centerline Station 18+34.07;

Thence westerly, in a straight line, to a point 55.00 feet left of Proposed Centerline Station 18+34.07;

Thence northerly, in a straight line, to a point 55.00 feet left of Proposed Centerline Station 18+95.07;

Thence easterly, in a straight line, to a point 50.00 feet left of Proposed Centerline Station 18+95.07;

Thence northeasterly, in a straight line, to a point 37.50 feet left of Proposed Centerline Station 19+06.57;

EXHIBIT F

Thence northerly, in a straight line, to a point 37.50 feet left of Proposed Centerline Station 20+47.25, said point being the beginning of a 520.50 foot radius curve to the left, having a central angle of 13°32'10";

Thence northwesterly along the arc of said curve to the left (the long chord of which bears N4°59'08"W, 122.68 feet) 122.97 feet to a point 37.50 feet left of Proposed Centerline Station 21+79.08, said point being the beginning of a 595.50 foot radius reverse curve to the right, having a central angle of 43°13'14";

Thence northeasterly along the arc of said reverse curve to the right (the long chord of which bears N9°51'24"E, 438.64 feet) 449.21 feet to a point 37.50 feet left of Proposed Centerline Station 26+00.00.

ALSO EXCEPTING therefrom that portion lying within the existing right-of-way of Vlahos Drive and Canyon Creek Road.

The parcel of land to which this description applies contains 20,105 square feet, more or less.

The stationing used to describe this parcel is based on the Proposed Centerline of Canyon Creek Road, being more particularly described as follows:

Beginning at Proposed Canyon Creek Road Centerline Station 0+00.00, said point bears S64°01'45"E, 823.84 feet, from a found 3-inch brass disk in a monument box at the west one-quarter corner of said Section 13 per U.S.B.T. Entry 2009-145, said point also being the intersection of the existing centerline of Town Center Loop East with the existing centerline of Vlahos Drive as shown on Survey Number 2014-024, Clackamas County Survey Records;

Thence N24°34'18"E, along the existing centerline of Vlahos Drive, 114.15 feet to Proposed Centerline Station 1+14.15 and the beginning of a 400.00 foot radius curve to the right, having a central angle of 36°27'21";

Thence northeasterly along the existing centerline of Vlahos Drive and the arc of said curve to the right (the long chord bears N42°47'59"E, 250.24 feet) 254.51 feet to Proposed Centerline Station 3+68.66 and the beginning of a 630.00 foot radius reverse curve to the left, having a central angle of 59°14'42";

EXHIBIT F

Thence leaving the existing centerline of Vlahos Drive northeasterly along the arc of said reverse curve to the left (the long chord of which bears $N31^{\circ}24'18''E$, 622.80 feet) 651.43 feet to Proposed Centerline Station 10+20.09;

Thence $N01^{\circ}46'57''E$, 74.12 feet to Proposed Centerline Station 10+94.21 and the beginning of a 558.00 foot radius curve to the right, having a central angle of $11^{\circ}26'11''$;

Thence northeasterly along the arc of said curve to the right (the long chord of which bears $N07^{\circ}30'03''E$, 111.19 feet) 111.38 feet to a point on curve at Proposed Centerline Station 12+05.59, also being a point on the existing centerline of Canyon Creek Road as shown on Survey Number 2014-024, Clackamas County Survey Records;

Thence continuing northeasterly along the existing centerline of Canyon Creek Road and the arc of a 558.00 foot radius curve to the right, having a central angle of $6^{\circ}35'29''$ (the long chord of which bears $N16^{\circ}30'53''E$, 64.16 feet) 64.19 feet to Proposed Centerline Station 12+69.78 and the beginning of a 558.00 foot radius reverse curve to the left, having a central angle of $18^{\circ}01'40''$;

Thence northeasterly along the existing centerline of Canyon Creek Road and the arc of said reverse curve to the left (the long chord of which bears $N10^{\circ}47'47''E$, 174.85 feet) 175.57 feet to Proposed Centerline Station 14+45.35;

Thence $N01^{\circ}46'57''E$, along the existing centerline of Canyon Creek Road, 601.90 feet to Proposed Centerline Station 20+47.25 and the beginning of a 558.00 foot radius curve to the left, having a central angle of $13^{\circ}32'10''$;

Thence northwesterly along the existing centerline of Canyon Creek Road and the arc of said curve to the left (the long chord of which bears $N04^{\circ}59'08''W$, 131.52 feet) 131.83 feet to Proposed Centerline Station 21+79.08 and the beginning of a 558.00 foot radius reverse curve to the right, having a central angle of $63^{\circ}19'29''$;

Thence northeasterly along the existing centerline of Canyon Creek Road and the arc of said reverse curve to the right (the long chord of which bears $N19^{\circ}54'32''E$, 585.80 feet) 616.72 feet to Proposed Centerline Station 27+95.80 and the Point of Termination, said point bears $N35^{\circ}47'58''E$, 2662.19 feet from a found 3-inch brass disk in a monument box at the west one-quarter corner of said Section 13 per U.S.B.T. Entry 2009-145 as shown on said Survey Number 2014-024;

EXHIBIT F

This centerline stationing and basis of bearings of this legal description is the same as that shown on Survey Number 2014-024, Clackamas County Survey Records.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

John T. Campbell
OREGON
JULY 15, 2003
JOHN T. CAMPBELL
60070 LS

EXPIRES: 12-31-15

EXHIBIT F

(PAGE 1 OF 7)

CANYON CREEK ROAD
CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON



C1
 $\Delta=18^{\circ}57'38''$
 $R=592.50'$
 $L=196.07'$
 $LC=N50^{\circ}30'58''E,$
 $195.18'$
 RADIUS POINT BEARS
 $N30^{\circ}00'13''W$ 592.50'

SEE PAGE 2 OF 7

MENTOR GRAPHICS CORPORATION,
AN OREGON CORPORATION
 PARCELS 1 AND 2 OF
 DOC. NO. 88-053412
 31W13B-2601

SCALE
 1" = 60'

C2
 $\Delta=30^{\circ}39'57''$
 $R=592.50'$
 $L=317.12'$
 $LC=N17^{\circ}06'56''E,$
 $313.35'$
 RADIUS POINT BEARS
 $N57^{\circ}33'06''W$ 592.50'

C7
 $\Delta=31^{\circ}45'10''$
 $R=582.50'$
 $L=322.82'$
 $LC=N17^{\circ}39'32''E,$
 $318.70'$
 RADIUS POINT BEARS
 $N56^{\circ}27'53''W$ 582.50'

PARTITION PLAT
 NO. 2006-013

PARCEL 1

PROPOSED CENTERLINE
 CANYON CREEK ROAD

C15
 $\Delta=19^{\circ}49'20''$
 $R=582.50'$
 $L=201.52'$
 $LC=N50^{\circ}05'07''E,$
 $200.52'$
 RADIUS POINT BEARS
 $N30^{\circ}00'13''W$ 582.50'

C1
 $\Delta=31^{\circ}45'10''$
 $R=582.50'$
 $L=322.82'$
 $LC=N17^{\circ}39'32''E,$
 $318.70'$
 RADIUS POINT BEARS
 $N56^{\circ}27'53''W$ 582.50'

3+80.00
 47.50'L

3+80.00
 37.50'L

4+00

INTERSECTION
 STA: 6+34.06
 6+00.60
 55.49'L

6+00.89
 50.50'L

5+97.96
 47.50'L

5+88.48
 37.50'L

6+67.24
 50.50'L

6+70.95
 47.50'L

6+67.52
 55.49'L

EXISTING CENTERLINE
 VLAHOS DRIVE

PROPOSED REALIGNED
 CENTERLINE
 VLAHOS DRIVE

PC
 STA: 1+12.12

"SUNDIAL"
 LOT 21

C12
 $\Delta=30^{\circ}39'57''$
 $R=630.00'$
 $L=337.19'$
 $LC=N17^{\circ}06'56''E,$
 $333.18'$
 RADIUS POINT BEARS
 $N57^{\circ}33'06''W$ 630.00'

C15
 $\Delta=19^{\circ}49'20''$
 $R=582.50'$
 $L=201.52'$
 $LC=N50^{\circ}05'07''E,$
 $200.52'$
 RADIUS POINT BEARS
 $N30^{\circ}00'13''W$ 582.50'

LEGEND



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* = PROPOSED VLAHOS DRIVE CENTERLINE STATIONING

EXHIBIT F

(PAGE 2 OF 7)

CANYON CREEK ROAD
CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON

SEE PAGE
3 OF 7



SCALE
1" = 60'

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PARCELS 1 AND 2 OF
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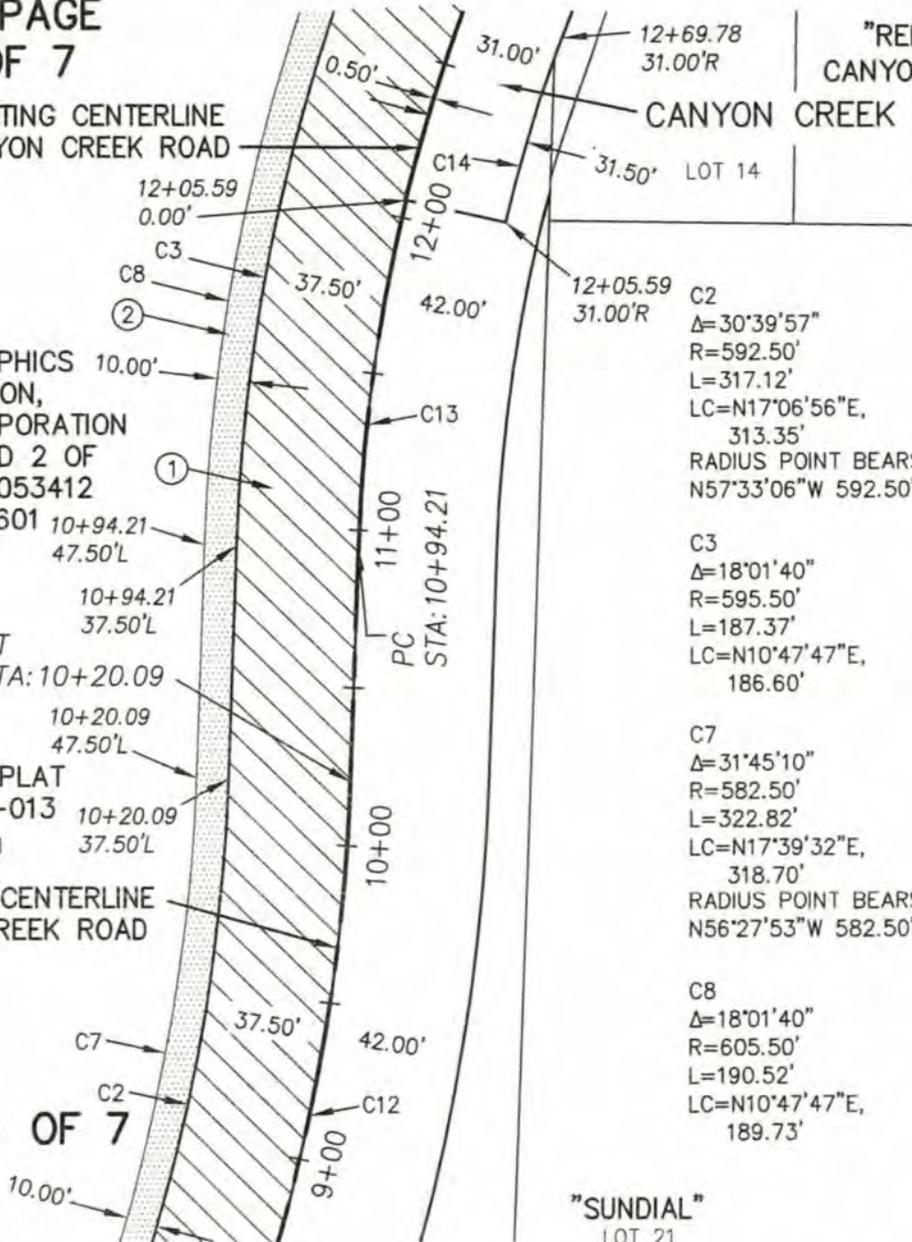
PT
STA: 10+20.09
10+20.09
47.50'L
10+94.21
37.50'L
10+94.21
47.50'L

PARTITION PLAT
NO. 2006-013
PARCEL 1

PROPOSED CENTERLINE
CANYON CREEK ROAD

SEE PAGE 1 OF 7

EXISTING CENTERLINE
CANYON CREEK ROAD



"RENAISSANCE AT
CANYON CREEK SOUTH"

CANYON CREEK ROAD

C2 Δ=30°39'57" R=592.50' L=317.12' LC=N17°06'56"E, 313.35' RADIUS POINT BEARS N57°33'06"W 592.50'	C12 Δ=30°39'57" R=630.00' L=337.19' LC=N17°06'56"E, 333.18' RADIUS POINT BEARS N57°33'06"W 630.00'
C3 Δ=18°01'40" R=595.50' L=187.37' LC=N10°47'47"E, 186.60'	C13 Δ=11°26'11" R=558.00' L=111.38' LC=N7°30'03"E, 111.19'
C7 Δ=31°45'10" R=582.50' L=322.82' LC=N17°39'32"E, 318.70' RADIUS POINT BEARS N56°27'53"W 582.50'	C14 Δ=6°35'29" R=527.00' L=60.63' LC=N16°30'53"E, 60.59' RADIUS POINT BEARS S76°46'52"E 527.00'
C8 Δ=18°01'40" R=605.50' L=190.52' LC=N10°47'47"E, 189.73'	

LEGEND



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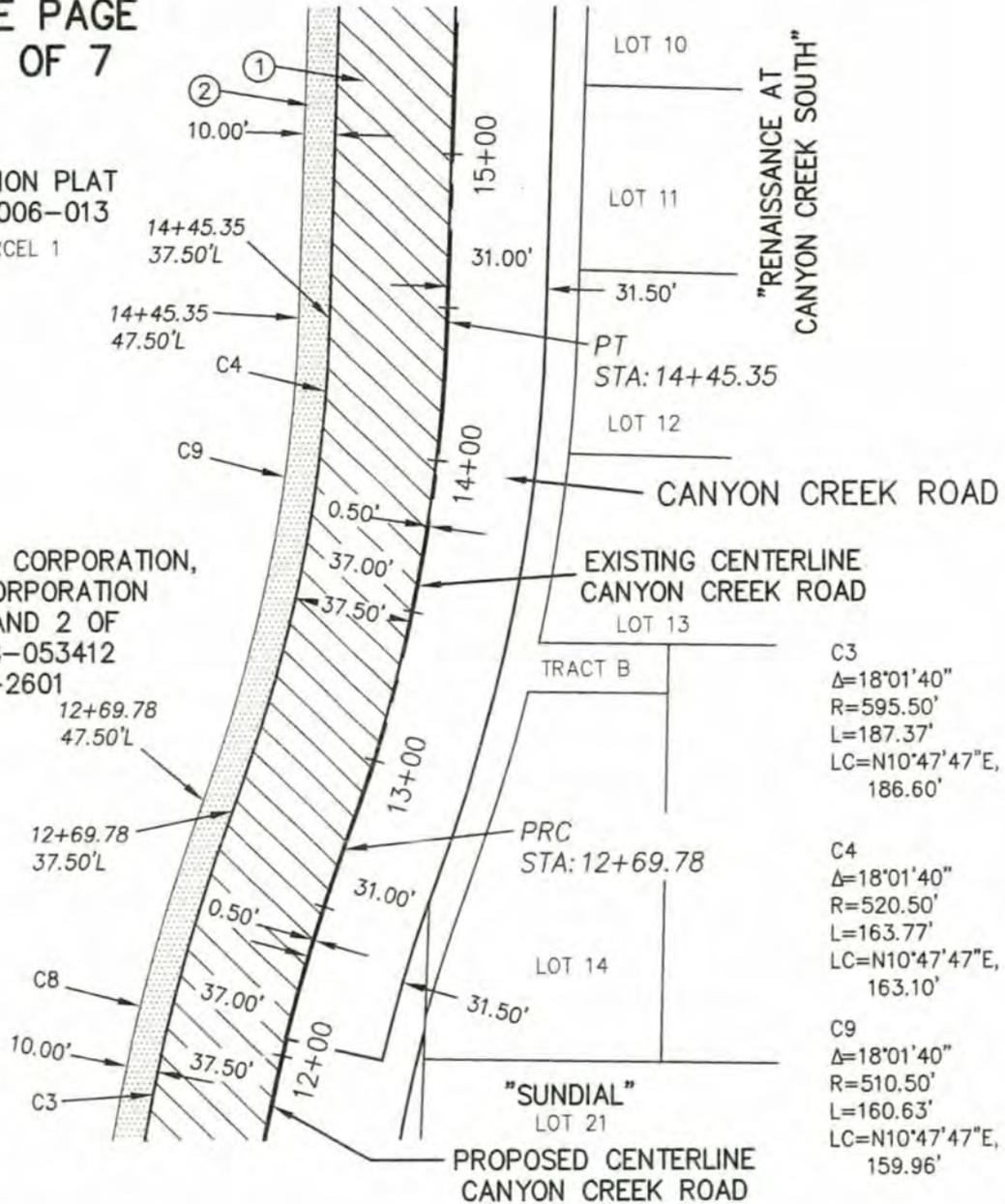
SEE PAGE
4 OF 7

PARTITION PLAT
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PARCEL 1

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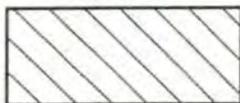


C3
 $\Delta=18^{\circ}01'40''$
 $R=595.50'$
 $L=187.37'$
 $LC=N10^{\circ}47'47''E,$
 $186.60'$

C4
 $\Delta=18^{\circ}01'40''$
 $R=520.50'$
 $L=163.77'$
 $LC=N10^{\circ}47'47''E,$
 $163.10'$

C9
 $\Delta=18^{\circ}01'40''$
 $R=510.50'$
 $L=160.63'$
 $LC=N10^{\circ}47'47''E,$
 $159.96'$

LEGEND



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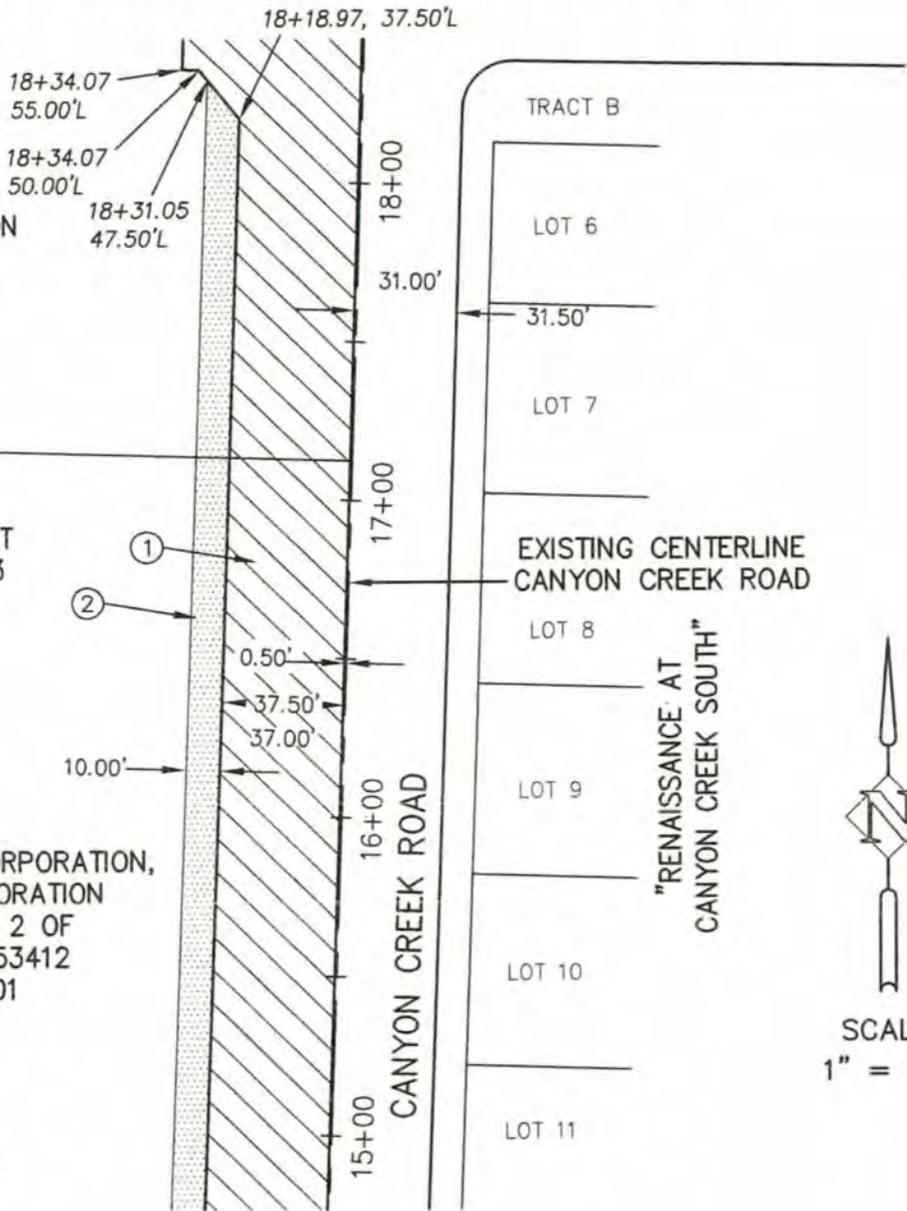
SEE PAGE
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± 20,105 SQ.FT.



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

EXHIBIT F

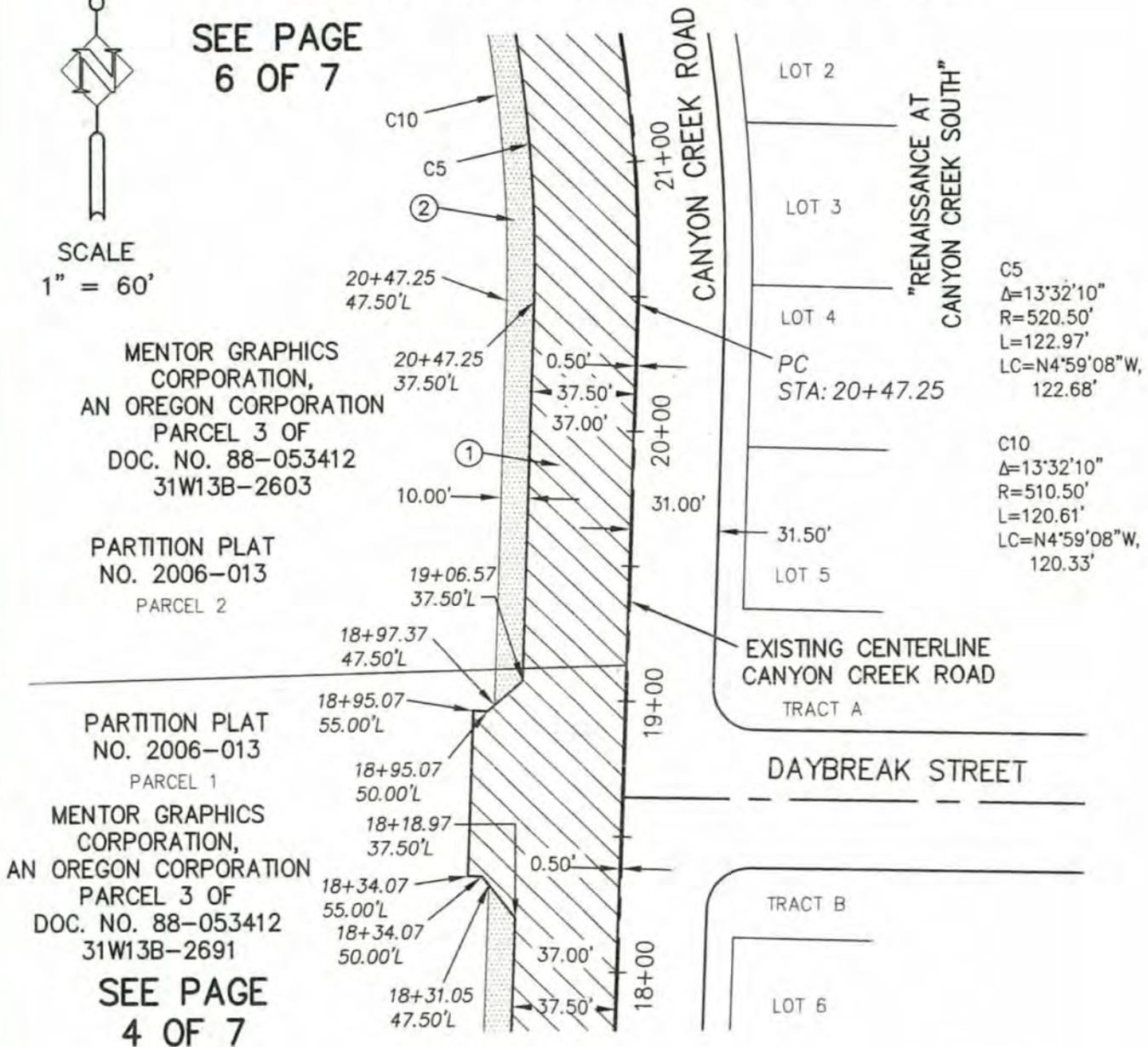
(PAGE 5 OF 7)

CANYON CREEK ROAD
CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON



SCALE
1" = 60'

SEE PAGE
6 OF 7



LEGEND



① RIGHT OF WAY DEDICATION
± 70,266 SQ.FT.



② PUBLIC UTILITY EASEMENT
± 20,105 SQ.FT.



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EXHIBIT F

(PAGE 6 OF 7)

CANYON CREEK ROAD
CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON

SEE PAGE
7 OF 7

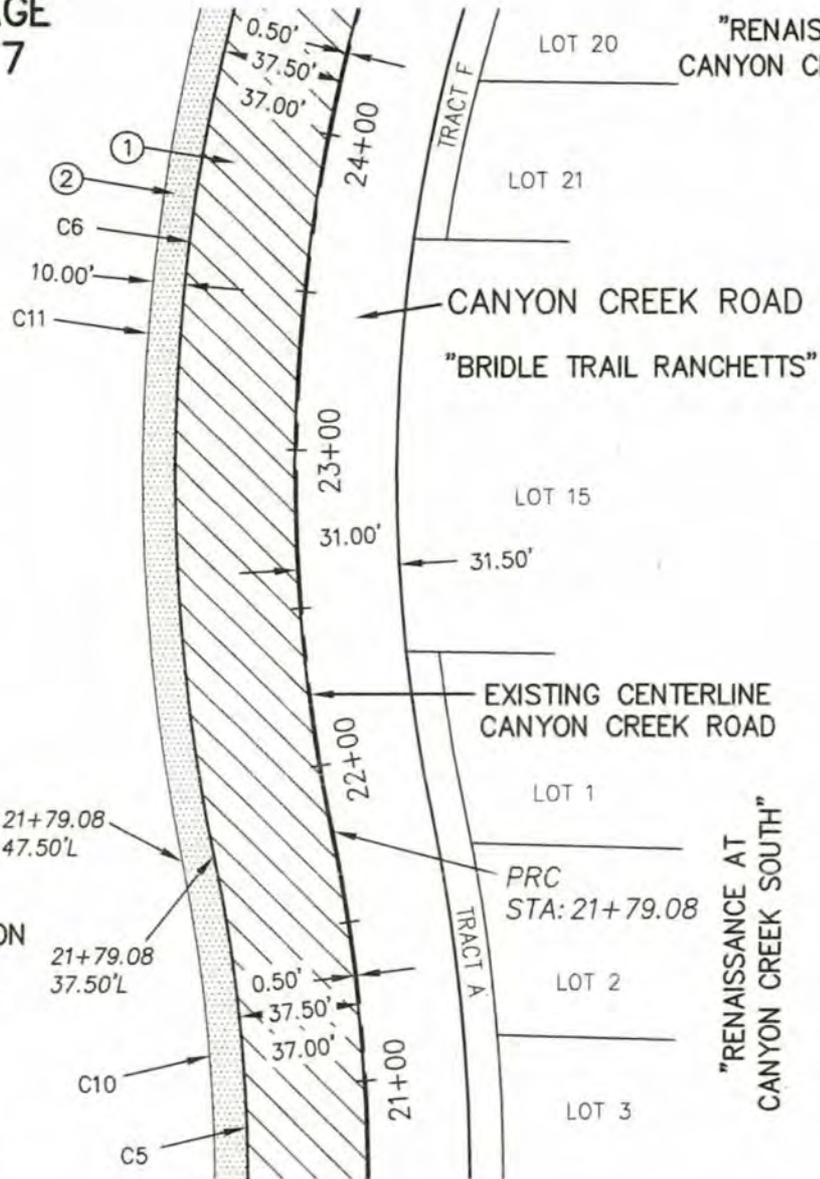


SCALE
1" = 60'

PARTITION PLAT
NO. 2006-013
PARCEL 2

MENTOR GRAPHICS
CORPORATION,
AN OREGON CORPORATION
PARCEL 3 OF
DOC. NO. 88-053412
31W13B-2603

SEE PAGE
5 OF 7



C5
 $\Delta=13^{\circ}32'10''$
 $R=520.50'$
 $L=122.97'$
 $LC=N4^{\circ}59'08''W,$
 $122.68'$

C6
 $\Delta=43^{\circ}13'14''$
 $R=595.50'$
 $L=449.21'$
 $LC=N9^{\circ}51'24''E,$
 $438.64'$

C10
 $\Delta=13^{\circ}32'10''$
 $R=510.50'$
 $L=120.61'$
 $LC=N4^{\circ}59'08''W,$
 $120.33'$

C11
 $\Delta=44^{\circ}14'50''$
 $R=605.50'$
 $L=467.61'$
 $LC=N10^{\circ}22'13''E,$
 $456.07'$

LEGEND



① RIGHT OF WAY DEDICATION
 $\pm 70,266$ SQ.FT.



② PUBLIC UTILITY EASEMENT
 $\pm 20,105$ SQ.FT.



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EXHIBIT F

(PAGE 7 OF 7)

CANYON CREEK ROAD
CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON



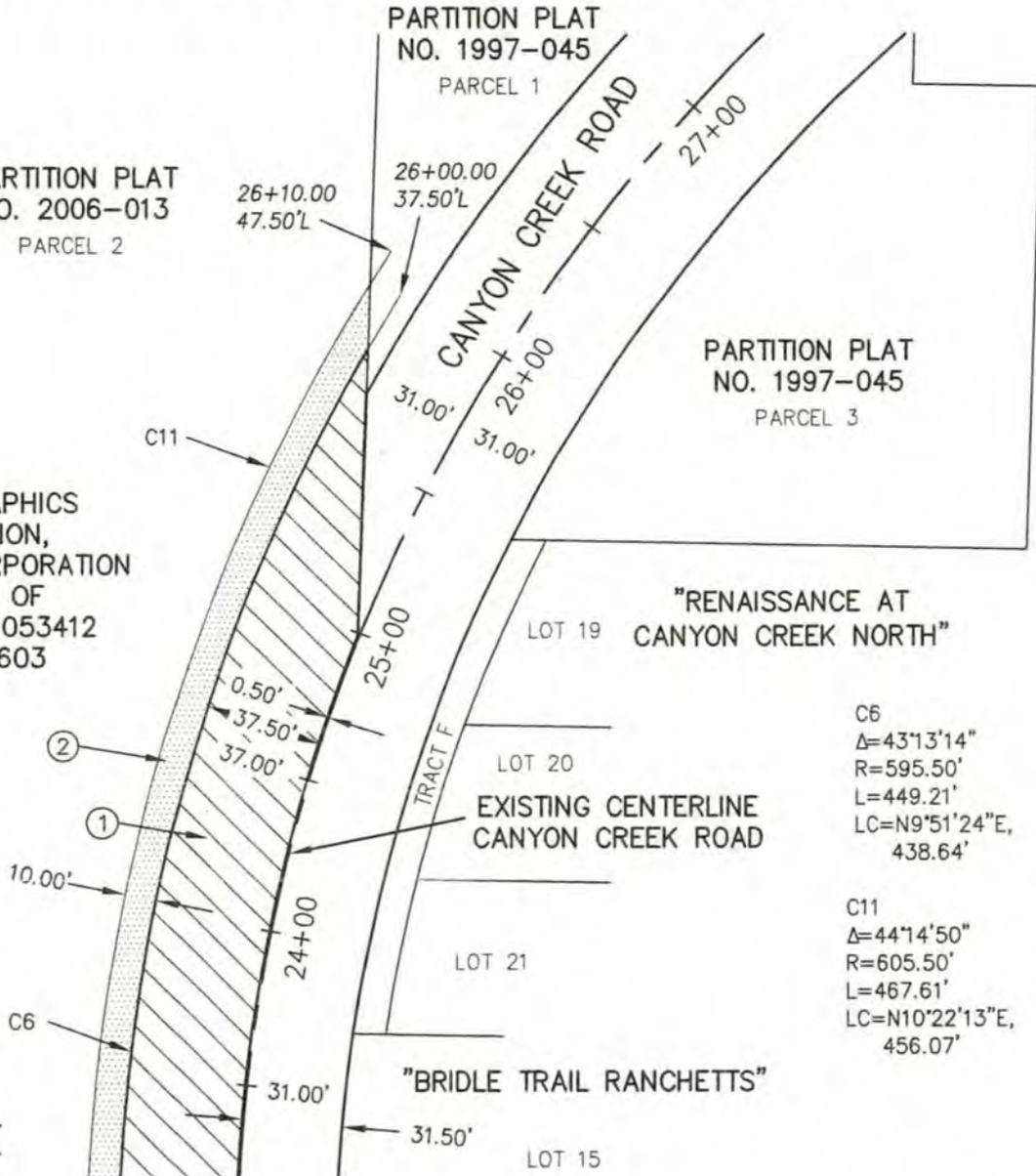
SCALE
1" = 60'

PARTITION PLAT
NO. 2006-013
PARCEL 2

PARTITION PLAT
NO. 1997-045
PARCEL 1

PARTITION PLAT
NO. 1997-045
PARCEL 3

MENTOR GRAPHICS
CORPORATION,
AN OREGON CORPORATION
PARCEL 3 OF
DOC. NO. 88-053412
31W13B-2603



"RENAISSANCE AT
CANYON CREEK NORTH"

C6
 $\Delta=43^{\circ}13'14''$
 $R=595.50'$
 $L=449.21'$
 $LC=N9^{\circ}51'24''E,$
 $438.64'$

C11
 $\Delta=44^{\circ}14'50''$
 $R=605.50'$
 $L=467.61'$
 $LC=N10^{\circ}22'13''E,$
 $456.07'$

SEE PAGE
6 OF 7

LEGEND



① RIGHT OF WAY DEDICATION
 $\pm 70,266$ SQ.FT.



② PUBLIC UTILITY EASEMENT
 $\pm 20,105$ SQ.FT.



**Harper
Houf Peterson
Righellis Inc.**

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

EXHIBIT G

Canyon Creek Road Improvements

Preliminary Cost Estimate - City/Mentor Graphics Cost Sharing

Prepared by: Harper Houf Peterson Righellis, Inc.

Job No. WSV-06

March 18, 2014

ESTIMATED HARD CONSTRUCTION COSTS

ITEM	DESCRIPTION	UNIT	CITY QUANTITY	CITY 10' QUANTITY	MENTOR QUANTITY	TOTAL QUANTITY	UNIT PRICE	CITY TOTAL	CITY 10' TOTAL	MENTOR TOTAL	GRAND TOTAL
Mobilization and Traffic Control											
1	Mobilization (10%)	L.S.	10%	10%	10%	1	N/A	\$170,000	\$20,000	\$70,000	\$260,000
2	Temporary Protection and Direction of Traffic (4%)	L.S.	4%	4%	4%	1	N/A	\$70,000	\$10,000	\$30,000	\$110,000
3	Erosion Control	L.S.	0.67	0	0.33	1	\$15,000	\$10,050	\$0	\$4,950	\$15,000
Mobilization and Traffic Control Subtotal								\$250,050	\$30,000	\$104,950	\$385,000
Roadwork											
4	Clearing and Grubbing	Acre	1.90	0.63	0.77	3.3	\$7,000	\$13,286	\$4,421	\$5,392	\$23,100
5	Removal of Structures and Obstructions	L.S.	0.90	0.00	0.10	1.0	\$50,000	\$45,000	\$0	\$5,000	\$50,000
6	Earthwork	C.Y.	5,850	1,832	2,239	9,920.0	\$24	\$140,400	\$43,956	\$53,724	\$238,080
7	Subgrade Geotextile	S.Y.	6,130	2,040	2,488	10,658.0	\$2	\$9,195	\$3,060	\$3,732	\$15,987
8	12" Subgrade Stabilization	S.Y.	431	144	175	750.0	\$20	\$8,627	\$2,871	\$3,502	\$15,000
Roadwork Subtotal								\$216,508	\$54,309	\$71,350	\$342,167
Drainage and Sewers											
9	Storm Line - 10" Diameter	L.F.	70	40	104	214.0	\$50	\$3,500	\$2,000	\$5,200	\$10,700
10	Storm Line - 12" Diameter	L.F.	527	0	225	752.0	\$50	\$26,350	\$0	\$11,250	\$37,600
11	8" Sanitary Sewer	L.F.	230	0	40	270.0	\$60	\$13,800	\$0	\$2,400	\$16,200
12	Beehive Inlet	Each	10	0	6	16.0	\$1,500	\$15,000	\$0	\$9,000	\$24,000
13	Catch Basin - CG-30	Each	6	0	6	12.0	\$1,800	\$10,800	\$0	\$10,800	\$21,600
14	Catch Basin - CG-48	Each	4	0	0	4.0	\$3,000	\$12,000	\$0	\$0	\$12,000
15	Ditch Inlet	Each	1	0	0	1.0	\$2,000	\$2,000	\$0	\$0	\$2,000
16	Standard 48" Storm Manhole	Each	2	0	0	2.0	\$3,500	\$7,000	\$0	\$0	\$7,000
17	Flow Control Manhole	Each	1	0	0	1.0	\$7,000	\$7,000	\$0	\$0	\$7,000
18	Storm Manhole Over Existing	Each	1	0	0	1.0	\$4,500	\$4,500	\$0	\$0	\$4,500
19	Sanitary Manhole Over Existing	Each	1	0	0	1.0	\$7,000	\$7,000	\$0	\$0	\$7,000
20	Connect to Existing	Each	3	0	5	8.0	\$500	\$1,500	\$0	\$2,500	\$4,000
21	Sanitary Sewer Cleanout	Each	0	0	2	2.0	\$900	\$0	\$0	\$1,800	\$1,800
22	Water Quality Facility (includes plants)	S.F.	13,484	0	8,447	21,931.0	\$10	\$134,840	\$0	\$84,470	\$219,310
Drainage and Sewer Subtotal								\$245,290	\$2,000	\$127,420	\$374,710
Base											
23	Crushed Rock Base - 3/4" (AC Pavement)	C.Y.	241	0	0	241	\$40	\$9,640	\$0	\$0	\$9,640
24	Crushed Rock Base - 3/4" (Concrete Pavement)	C.Y.	59	116	99	274	\$40	\$2,360	\$4,640	\$3,960	\$10,960
25	Crushed Rock Base - 1 1/2" (AC Pavement)	C.Y.	1,177	0	0	1,177	\$40	\$47,080	\$0	\$0	\$47,080
26	Crushed Rock Base - 1 1/2" (Concrete Pavement)	C.Y.	231	455	391	1,077	\$40	\$9,240	18,200	\$15,640	\$43,080
Base Subtotal								\$68,320	\$22,840	\$19,600	\$110,760
Wearing Surfaces											
27	A.C. Pavement	Ton	1,383	0	0	1,383	\$85	\$117,555	\$0	\$0	\$117,555
28	Concrete Pavement	S.Y.	1,032	2,040	1,750	4,822	\$70	\$72,240	\$142,800	\$122,500	\$337,540
29	Concrete Curb and Gutter	L.F.	2,326	0	1,907	4,233	\$26	\$60,476	\$0	\$49,582	\$110,058
30	Reverse Concrete Curb and Gutter	L.F.	788	0	1,468	2,256	\$26	\$20,488	\$0	\$38,168	\$58,656
31	Median Curb - Mounted on Concrete	L.F.	1,048	0	0	1,048	\$30	\$31,440	\$0	\$0	\$31,440
32	Concrete Curb Inlet	Each	62	0	37	99	\$100	\$6,200	\$0	\$3,700	\$9,900
33	Concrete Sidewalk	S.F.	12,653	0	10,359	23,012	\$6	\$75,918	\$0	\$62,154	\$138,072
34	Concrete Driveways	S.F.	1,123	0	0	1,123	\$8	\$8,984	\$0	\$0	\$8,984
35	Driveway Improvements	Each	3	0	0	3	\$3,000	\$9,000	\$0	\$0	\$9,000
Wearing Surface Subtotal								\$402,301	\$142,800	\$276,104	\$821,205

EXHIBIT G

Canyon Creek Road Improvements

Preliminary Cost Estimate - City/Mentor Graphics Cost Sharing

Prepared by: Harper Houf Peterson Righellis, Inc.

Job No. WSV-05

March 18, 2014

ESTIMATED HARD CONSTRUCTION COSTS

ITEM	DESCRIPTION	UNIT	CITY QUANTITY	CITY 10' QUANTITY	MENTOR QUANTITY	TOTAL QUANTITY	UNIT PRICE	CITY TOTAL	CITY 10' TOTAL	MENTOR TOTAL	GRAND TOTAL
Permanent Traffic Control & Illumination											
36	Town Center Loop Signal	Each	1	0	0	1	\$225,000	\$225,000	\$0	\$0	\$225,000
37	Signing and Striping	L.S.	0.75	0.00	0.25	1	\$65,000	\$48,750	\$0	\$16,250	\$65,000
38	Interconnect	L.S.	1.00	0.00	0	1	\$110,780	\$110,780	\$0	\$0	\$110,780
39	RRFB Beacon	L.S.	1.00	0.00	0	1	\$30,000	\$30,000	\$0	\$0	\$30,000
40	Lighting	L.S.	0.75	0.00	0.25	1	\$110,000	\$82,500	\$0	\$27,500	\$110,000
Traffic Control / Illumination Subtotal								\$497,030	\$0	\$43,750	\$540,780
Right of Way Development and Control											
41	Landscaping and Irrigation	S.F.	23,056	0	11,373	34,429	\$7	\$161,392	\$0	\$79,611	\$241,003
42	Permanent Seeding	S.F.	25,936	0	19,164	45,100	\$0.08	\$2,075	\$0	\$1,533	\$3,608
43	Street Trees	Each	130	0	90	220	\$300.00	\$39,000	\$0	\$27,000	\$66,000
ROW Development and Control								\$202,467	\$0	\$108,144	\$310,611
Water Supply System											
44	8" Water Line, Complete	L.F.	18	0	100	118	\$40	\$720	\$0	\$4,000	\$4,720
45	12" Water Line, Complete	L.F.	765	0	0	765	\$60.00	\$45,900	\$0	\$0	\$45,900
46	8" Gate Valve	Each	1	0	2	3	\$900.00	\$900	\$0	\$1,800	\$2,700
47	12" Butterfly Valve	Each	2	0	0	2	\$1,200.00	\$2,400	\$0	\$0	\$2,400
48	Fire Hydrant Assembly	Each	2	0	2	4	\$6,000.00	\$12,000	\$0	\$12,000	\$24,000
49	Connect to Existing 12" Water (wet tap)	Each	1	0	0	1	\$5,000.00	\$5,000	\$0	\$0	\$5,000
Water Supply System								\$66,920	\$0	\$17,800	\$84,720
Total Hard Costs								\$1,948,886	\$251,949	\$769,118	\$2,969,953
30 percent Contingency								\$584,666	\$75,585	\$230,735	\$890,986
Hard Costs + Contingency								\$2,533,552	\$327,533	\$999,854	\$3,860,939
Soft Costs											
HHPR Design and Construction Oversight								\$400,992		\$70,586	\$471,578
City Overhead - Community Development 10%								\$293,454		\$139,797	\$433,252
City Overhead - Finance 2%								\$58,691		\$27,959	\$86,650
Total Soft Costs								\$753,138		\$238,343	\$991,480
Total Hard and Soft Costs								\$3,286,690	\$327,533	\$1,238,196	\$4,852,419

City Obligation: \$3,614,223

Mentor Graphics

\$1,238,196

CROSS SECTION AND ALIGNMENT

EXHIBIT H
CANYON CREEK ROAD
EXTENSION PROJECT



Signalized Intersection

Connection to Town Center Loop East

SPEED LIMIT 25
Town Center Loop to Vlahos Drive
(subject to speed study)

Full-Width Section

Half-Width Section

Planter Strips—Alternating Landscape/Street Swale

Rectangular Rapid Flashing Beacon

Connections to Existing Multi-Use Trail

Stormwater Facility

Landscaped Medians

SPEED LIMIT 30
Vlahos Drive to Boeckman Road
(subject to speed study)

Boeckman Road



After recording, return to:
City of Wilsonville
Attn: City Recorder
29799 SW Town Center Loop E.
Wilsonville OR 97070

Return tax statements to:
No change

STREET DEDICATION

KNOW ALL BY THESE PRESENTS, that _____, hereinafter referred to as "Grantor," as legal owner of that certain real property legally described below ("Property"), does hereby dedicate, grant, transfer, and convey to the **City of Wilsonville**, a municipal corporation of the State of Oregon, and its assigns, hereinafter referred to as "Grantee," for the use of the public as public way, street, and road ("Street Dedication"), forever, running with the land, certain real property legally described as follows, to-wit:

See **Exhibit A**, Legal Description, and **Exhibit B**, Locational Map, attached hereto, and incorporated by reference as if fully set forth herein.

TO HAVE AND TO HOLD the above-described Street Dedication unto Grantee for the public uses and purposes hereinabove mentioned; provided, however, in the event said Property is not used or ceases to be used for public purpose, the Street Dedication may be vacated.

The true and actual consideration paid for the transfer, stated in terms of dollars, is \$_____. [However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration, including development approval by Grantee pursuant to Development Approval File Nos. _____.]

This Street Dedication shall be subject to and construed pursuant to the laws of the State of Oregon, and venue shall be in the County of Clackamas.

No modifications may be made to this Dedication, except in writing, signed by both parties.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY

ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

IN WITNESS WHEREOF, the undersigned have executed this Street Dedication this ____ day of _____, 20__.

GRANTOR:

(Name of Corporation/Entity)

By: _____

Print Name: _____

As Its: _____

STATE OF OREGON)
) ss.
County of _____)

This instrument was acknowledged before me on _____, 20__,
by _____, as _____ of
_____.

Notary Public – State of Oregon

GRANTEE:

ACCEPTED on behalf of the City of Wilsonville, Oregon
this ____ day of _____, 20__.

Bryan Cosgrove, City Manager

STATE OF OREGON)
) ss.
County of _____)

This instrument was acknowledged before me on _____, 20__,
by Bryan Cosgrove, as the City Manager of the City of Wilsonville.

Notary Public – State of Oregon

APPROVED AS TO FORM:

Barbara A. Jacobson, Assistant City Attorney
City of Wilsonville, Oregon

APPROVED AS TO LEGAL DESCRIPTION:

Nancy J.T. Kraushaar, P.E., City Engineer
City of Wilsonville, Oregon

form\esmt\street dedication

After recording, return to:
City of Wilsonville
Attn: City Recorder
29799 SW Town Center Loop E
Wilsonville OR 97070

PUBLIC UTILITY EASEMENT

KNOW ALL BY THESE PRESENTS, that _____ [bold], an Oregon corporation [or insert state/entity type (i.e., a Washington limited liability company)] (hereinafter referred to as "Grantor"), as legal owner of that certain real property legally described below ("Property"), for the consideration hereinafter stated, does hereby grant and convey unto the **City of Wilsonville**, a municipal corporation of the State of Oregon (hereinafter referred to as "Grantee"), a permanent right-of-way and public utility easement ("PUE") in, under, across, and along the full width and length of that certain land owned by Grantor and legally described as follows, to-wit:

See **Exhibit A**, Legal Description, and **Exhibit B**, Locational Map, attached hereto and incorporated by reference as if fully set forth herein (the "Easement Area").

The true and actual consideration paid for this PUE, stated in terms of dollars, is zero dollars but [or insert dollar value and insert but or and] consists of or includes other property or value given or promised, which is agreed to be the whole and adequate consideration.

TO HAVE AND TO HOLD the above-described PUE, to run with the land, unto said Grantee for the benefit of public use in accordance with the conditions and covenants as follows:

1. **Use.** This PUE is for the benefit of Grantee and the public in order to allow the installation of utilities, as described below, in order to serve future developments. The Grantee, through its officers, employees, agents, or contractors shall have the right to enter upon the Easement Area in such a manner and at such times from this date as may be reasonably necessary for the purpose of installing, constructing, building, patrolling, replacing, allowing, and maintaining thereon public utilities (collectively, "Improvements") along the Easement Area for the conveyance of power, electric, natural gas, telephone, or cable, including such renewals, repairs, replacements, and removals as may be from time to time required. This PUE shall be perpetual for so long as Grantee shall operate, or cause or enable to be operated, Improvements for said purposes as herein provided. No building or structure shall be constructed over the Easement Area, except as reasonably approved in writing by Grantee, but Grantor shall otherwise have use of the land contained within the Easement Area.

2. **Termination.** In the event Grantee determines this PUE shall no longer serve a public purpose, Grantee may terminate this PUE by recording a Termination of Easement with the Clackamas County [*or Washington County*] Recorder.

3. **Legal Effect and Assignment.** This PUE shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, personal representatives, successors, and assigns.

4. **Restoration.** Grantee shall require any party who installs, maintains, or repairs Improvements within the Easement Area to promptly restore the Easement Area to good clean condition so that the Grantor and its successors and/or assigns shall have the free and unobstructed use thereof, subject to rights of Grantee and the public herein provided. Grantee shall have no obligation, however, to restore any building or structure placed within the Easement Area in violation of **Paragraph 1.**

5. **Legal Action/Attorney Fees.** If a suit, action, or other proceeding of any nature whatsoever (including any proceeding under the U.S. Bankruptcy Code) is instituted in connection with any controversy arising out of this PUE or to interpret or enforce any rights or obligations hereunder, the prevailing party shall be entitled to recover attorney, paralegal, accountant, and other expert fees and all other fees, costs, and expenses actually incurred and reasonably necessary in connection therewith, as determined by the court or body at trial or on any appeal or review, in addition to all other amounts provided by law. If Grantee is required to seek legal assistance to enforce any term of this PUE, such fees shall include all of the above fees, whether or not a proceeding is initiated. Payment of all such fees shall also apply to any administrative proceeding, trial, and/or any appeal or petition for review.

6. **Jurisdiction.** This PUE will be governed in accordance with the laws of the State of Oregon. Venue for any suit, action, or proceeding of any nature to enforce any term of this Easement will be in Clackamas County [*or Washington County*] Circuit Court.

7. **Nonwaiver.** Any failure to enforce any provision of this PUE will not be deemed a waiver of the right to enforce that provision or any other provision of this PUE.

8. **Severability.** If any provision of this PUE is found to be void or unenforceable, it is the intent of the parties that the rest of the PUE shall remain in full force and effect, to the greatest extent allowed by law.

9. **Modifications.** This PUE may not be modified unless signed by Grantor and Grantee and the modification is recorded.

10. **Runs with the Land.** This PUE and the rights and obligations contained herein shall be perpetual as long as any public utility is contained therein and shall run with the land.

11. **Time of the Essence.** Time is of the essence in performance of this PUE.

STATE OF OREGON)
) ss.
County of Clackamas)

This instrument was acknowledged before me on _____, 20__,
by Bryan Cosgrove, as the City Manager of the City of Wilsonville.

Notary Public – State of Oregon

APPROVED AS TO FORM:

Barbara A. Jacobson, Assistant City Attorney

APPROVED AS TO LEGAL DESCRIPTION:

Nancy J.T. Kraushaar, P.E., City Engineer

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After recording, return to:
City of Wilsonville
Attn: City Recorder
29799 SW Town Center Loop East
Wilsonville Oregon 97070

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL BY THESE PRESENTS, that _____,
an Oregon corporation (*or insert state/entity type, i.e. a Washington limited liability company*),
hereinafter referred to as "Grantor," as legal owner of that certain real property legally described
below ("Property"), for the consideration hereinafter stated, does hereby grant and convey unto
the **City of Wilsonville**, a municipal corporation of the State of Oregon, hereinafter referred to as
"Grantee," a permanent utility easement ("Easement") in, under, across and along the full width
and length of that certain land owned by Grantor and legally described as follows, to-wit:

See **Exhibit A**, Legal Description, and **Exhibit B**, Locational Map,
attached hereto and incorporated by reference as if fully set forth
herein ("Easement Area").

This Easement shall be effective for _____ (___) years from beginning of construction of the
public improvements, and shall under any circumstances be extinguished and expire on
_____, _____, 20____.

The true and actual consideration paid for this transfer, stated in terms of dollars, is (*insert zero
dollars*) or (*insert dollar value*) (*insert but or and*) consists of or includes other property or value
given or promised, which is agreed to be the whole and adequate consideration.

TO HAVE AND TO HOLD the above-described Easement unto said Grantee in accordance with
the conditions and covenants as follows:

1. **Use.** This Easement shall include the right, privilege, and authority to Grantee to
excavate for, and to construct, build, install, lay, patrol, operate, maintain, repair, replace, and
remove public utilities including power, electric, natural gas, telephone or cable, with all
appurtenances incident thereto or necessary therewith, for the purpose of conveying public
utilities in, under, across and along the said Easement Area, and to cut and remove from said
right-of-way any trees and other obstructions which may endanger the safety or interfere with the
use of said public utilities or appurtenances attached to or connected therewith; and the right of
ingress and egress to and over said above-described Easement Area at any and all times for doing

anything necessary, useful, or convenient for the enjoyment of the Easement hereby granted. No building or structure shall be constructed over the Easement Area.

2. **Restoration.** Grantee, upon the initial installation, and upon each and every occasion that the same be occupied for inspection, repaired, replaced, renewed, added to, or removed, shall restore the Easement Area and any improvements disturbed by Grantee, if any, to good condition. Grantee shall have no obligation, however, to restore any building or structure placed within the Easement Area in violation of **Paragraph 1**.

3. **Relocation.** Grantor may, at its option and expense, relocate the Easement Area, and associated public appurtenances and utilities, provided such relocation is accepted by Grantee, in writing, as complying with applicable codes and standards, land use laws, and regulations.

4. **Termination.** In the event Grantee determines this Easement shall no longer serve a public purpose, Grantee may terminate this Easement by recording a Termination of Easement with the Clackamas (*or Washington*) County Recorder.

5. **Legal Effect and Assignment.** This Easement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, personal representatives, successors, and assigns.

6. **Legal Action/Attorney Fees.** If a suit, action, or other proceeding of any nature whatsoever (including any proceeding under the U.S. Bankruptcy Code) is instituted in connection with any controversy arising out of this Easement or to interpret or enforce any rights or obligations hereunder, the prevailing party shall be entitled to recover attorney, paralegal, accountant, and other expert fees and all other fees, costs, and expenses actually incurred and reasonably necessary in connection therewith, as determined by the court or body at trial or on any appeal or review, in addition to all other amounts provided by law. If Grantee is required to seek legal assistance to enforce any term of this Easement, such fees shall include all of the above fees, whether or not a proceeding is initiated. Payment of all such fees shall also apply to any administrative proceeding, trial, and/or any appeal or petition for review.

7. **Jurisdiction.** This Easement will be governed in accordance with the laws of the State of Oregon. Venue for any suit, action, or proceeding of any nature to enforce any term of this Easement will be in Clackamas (*or Washington*) County Circuit Court.

8. **Nonwaiver.** Any failure to enforce any provision of this Easement will not be deemed a waiver of the right to enforce that provision or any other provision of this Easement.

9. **Severability.** If any provision of this Easement is found to be void or unenforceable, it is the intent of the parties that the rest of the Easement shall remain in full force and effect, to the greatest extent allowed by law.

10. **Modification.** This Easement may not be modified unless signed by Grantor and Grantee and the modification is recorded.

11. **Time of the Essence.** Time is of the essence in performance of this Easement.

12. **Recording.** The fully executed original of this Easement shall be duly recorded in the Deed Records of Clackamas (or Washington) County.

13. **Authority.** The individuals executing this Easement on behalf of Grantor and Grantee represent and warrant to the other that he/she has the full power and authority to do so on behalf of the Grantor and Grantee and to bind said party to the terms of this Easement.

IN WITNESS WHEREOF, the undersigned have executed this Easement, this ____ day of _____, 20__.

GRANTOR:

[Insert Name of Corporation/Entity]

By: _____

Print Name: _____

As Its: _____

STATE OF OREGON)
) ss.
County of _____)

This instrument was acknowledged before me on _____, 20__,
by _____, as _____ of
_____.

Notary Public – State of Oregon

GRANTEE:

ACCEPTED on behalf of the City of Wilsonville, Oregon this ___ day of _____, 20__.

Bryan Cosgrove, City Manager

STATE OF OREGON)
) ss.
County of Clackamas)

This instrument was acknowledged before me on _____, 20__,
by Bryan Cosgrove, as the City Manager of the City of Wilsonville.

Notary Public – State of Oregon

APPROVED AS TO FORM:

Barbara A. Jacobson, Assistant City Attorney

APPROVED AS TO LEGAL DESCRIPTION:

Nancy J. T. Kraushaar, P.E., City Engineer

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EXHIBIT L



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

LEGAL DESCRIPTION
15.00 Foot Stormwater Easement
Canyon Creek Road
City of Wilsonville, Oregon

(15.00 FOOT STORMWATER EASEMENT)

A parcel of land situated in the Northwest one-quarter of Section 13 in Township 3 South, Range 1 West of the Willamette Meridian, City of Wilsonville, Clackamas County, Oregon and being a portion of Parcel 3 of that property described and conveyed to Mentor Graphics Corporation, an Oregon Corporation, in Statutory Warranty Deed recorded December 22, 1988 as Document No. 88-053412, Clackamas County Deed Records, said parcel also being a portion of Parcel 1 of Partition Plat No. 2006-013, Clackamas County Survey Records, being more particularly described as follows:

Beginning at a point 46.36 feet left of Proposed Canyon Creek Road Centerline Station 19+10.67, said point being located on the southerly line of Parcel 2 of said Partition Plat No. 2006-013;

Thence leaving said southerly line southerly, in a straight line, to a point 45.59 feet left of Proposed Centerline Station 18+99.13;

Thence southwesterly, in a straight line, to a point 50.00 feet left of Proposed Centerline Station 18+95.07;

Thence westerly, in a straight line, to a point 55.00 feet left of Proposed Centerline Station 18+95.07;

Thence southerly, in a straight line, to a point 55.00 feet left of Proposed Centerline Station 18+75.17;

Thence westerly, in a straight line, to a point 59.01 feet left of Proposed Centerline Station 18+74.91;

Thence northerly, in a straight line, to a point 61.33 feet left of Proposed Centerline Station 19+09.82, said point being located on the said southerly line of Parcel 2 of Partition Plat No. 2006-013;

EXHIBIT L

Thence easterly, along said southerly line, to the Point of Beginning;

The parcel of land to which this description applies contains 312 square feet, more or less.

The stationing used to describe this parcel is based on the Proposed Centerline of Canyon Creek Road, being more particularly described as follows:

Beginning at Proposed Canyon Creek Road Centerline Station 0+00.00, said point bears $S64^{\circ}01'45''E$, 823.84 feet, from a found 3-inch brass disk in a monument box at the west one-quarter corner of said Section 13 per U.S.B.T. Entry 2009-145, said point also being the intersection of the existing centerline of Town Center Loop East with the existing centerline of Vlahos Drive as shown on Survey Number 2014-024, Clackamas County Survey Records;

Thence $N24^{\circ}34'18''E$, along the existing centerline of Vlahos Drive, 114.15 feet to Proposed Centerline Station 1+14.15 and the beginning of a 400.00 foot radius curve to the right, having a central angle of $36^{\circ}27'21''$;

Thence northeasterly along the existing centerline of Vlahos Drive and the arc of said curve to the right (the long chord bears $N42^{\circ}47'59''E$, 250.24 feet) 254.51 feet to Proposed Centerline Station 3+68.66 and the beginning of a 630.00 foot radius reverse curve to the left, having a central angle of $59^{\circ}14'42''$;

Thence leaving the existing centerline of Vlahos Drive northeasterly along the arc of said reverse curve to the left (the long chord of which bears $N31^{\circ}24'18''E$, 622.80 feet) 651.43 feet to Proposed Centerline Station 10+20.09;

Thence $N01^{\circ}46'57''E$, 74.12 feet to Proposed Centerline Station 10+94.21 and the beginning of a 558.00 foot radius curve to the right, having a central angle of $11^{\circ}26'11''$;

Thence northeasterly along the arc of said curve to the right (the long chord of which bears $N07^{\circ}30'03''E$, 111.19 feet) 111.38 feet to a point on curve at Proposed Centerline Station 12+05.59, also being a point on the existing centerline of Canyon Creek Road as shown on Survey Number 2014-024, Clackamas County Survey Records;

Thence continuing northeasterly along the existing centerline of Canyon Creek Road and the arc of a 558.00 foot radius curve to the right, having a central angle of $6^{\circ}35'29''$

EXHIBIT L

(the long chord of which bears N16°30'53"E, 64.16 feet) 64.19 feet to Proposed Centerline Station 12+69.78 and the beginning of a 558.00 foot radius reverse curve to the left, having a central angle of 18°01'40";

Thence northeasterly along the existing centerline of Canyon Creek Road and the arc of said reverse curve to the left (the long chord of which bears N10°47'47"E, 174.85 feet) 175.57 feet to Proposed Centerline Station 14+45.35;

Thence N01°46'57"E, along the existing centerline of Canyon Creek Road, 601.90 feet to Proposed Centerline Station 20+47.25 and the beginning of a 558.00 foot radius curve to the left, having a central angle of 13°32'10";

Thence northwesterly along the existing centerline of Canyon Creek Road and the arc of said curve to the left (the long chord of which bears N04°59'08"W, 131.52 feet) 131.83 feet to Proposed Centerline Station 21+79.08 and the beginning of a 558.00 foot radius reverse curve to the right, having a central angle of 63°19'29";

Thence northeasterly along the existing centerline of Canyon Creek Road and the arc of said reverse curve to the right (the long chord of which bears N19°54'32"E, 585.80 feet) 616.72 feet to Proposed Centerline Station 27+95.80 and the Point of Termination, said point bears N35°47'58"E, 2662.19 feet from a found 3-inch brass disk in a monument box at the west one-quarter corner of said Section 13 per U.S.B.T. Entry 2009-145 as shown on said Survey Number 2014-024;

This centerline stationing and basis of bearings of this legal description is the same as that shown on Survey Number 2014-024, Clackamas County Survey Records.



EXPIRES: 12-31-15

EXHIBIT L

(PAGE 1 OF 1)

CANYON CREEK ROAD
CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON



SCALE
1" = 20'

MENTOR GRAPHICS CORPORATION,
AN OREGON CORPORATION
PARCEL 3 OF
DOC. NO. 88-053412
31W13B-2603

PARTITION PLAT
NO. 2006-013
PARCEL 2

SOUTHERLY LINE OF
PARCEL 2 OF
PARTITION PLAT
NO. 2006-013

19+09.82
61.33'L

POINT OF
BEGINNING
19+10.67
46.36'L

①

15.00'

PARTITION PLAT
NO. 2006-013
PARCEL 1

RIGHT-OF-WAY
DEDICATION
BY SEPARATE
DOCUMENT

18+99.13
45.59'L

18+95.07
50.00'L

18+95.07
55.00'L

18+74.91
59.01'L

18+75.17
55.00'L

MENTOR GRAPHICS CORPORATION,
AN OREGON CORPORATION
PARCEL 3 OF
DOC. NO. 88-053412
31W13B-2691

RIGHT-OF-WAY
DEDICATION
BY SEPARATE
DOCUMENT

CANYON CREEK ROAD

19+00

EXISTING
CENTERLINE
CANYON CREEK
ROAD

DAYBREAK STREET

LEGEND



① 15.00' STORMWATER EASEMENT
± 312 SQ.FT.



Harper
Houf Peterson
Righellis Inc.

ENGINEERS • PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS

205 SE Spokane Street, Suite 200, Portland, OR 97202
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

**DEVELOPMENT AGREEMENT FOR CANYON CREEK ROAD
EXTENSION SOUTH PROJECT FROM BOECKMAN ROAD TO VLAHOS DRIVE
BETWEEN THE URBAN RENEWAL AGENCY OF THE CITY OF WILSONVILLE,
THE CITY OF WILSONVILLE, AND MENTOR GRAPHICS CORPORATION**

THIS AGREEMENT ("Agreement") is entered into on the 1st day of , May, 2014 by and between the City of Wilsonville ("City"), the Urban Renewal Agency of the City of Wilsonville ("Agency"), and Mentor Graphics Corporation ("Mentor").

RECITALS

WHEREAS, the Urban Renewal Agency of the City of Wilsonville is a duly organized body politic under the laws of the State of Oregon and is authorized under the adopted 2000 Plan and Report to develop a street project known as Canyon Creek Road Extension South Project (the "Project") by acquiring the necessary right-of-way, constructing the Project, and then providing the constructed Project to the City of Wilsonville, an Oregon municipal corporation, as part of the City's Transportation System Plan; and

WHEREAS, Mentor Graphics Corporation, a duly organized and validly existing corporation under the laws of the State of Oregon, is the owner of three tracts of undeveloped land, which are more particularly described in **Exhibit A**, attached hereto and incorporated by reference as if fully described herein, and over parts of which the Project is proposed to be located, as shown in **Exhibit B**, attached hereto and incorporated by reference as if fully set forth herein; and

WHEREAS, the Agency and the City had initially planned to acquire only a part of the right-of-way and construct only a portion of the Project and to await Mentor's development of its three tracts, at which time Mentor would be required to complete the portion of the street project associated with each tract being developed under the City's Comprehensive Plan, its Transportation System Plan, and its Development Code, in conformance with the U.S. Supreme Court cases commonly known as *Nolan* and *Dolan*; and

WHEREAS, the Agency, the City, and Mentor have subsequently determined it would be in everyone's best interest to proceed with acquisition of the full right-of-way and public utility easements, and to begin construction of the full Project in the near term of 2014 for completion by 2015, subject to the terms and conditions for the Project's right-of-way acquisition, construction, management, and financing as hereinafter agreed upon by the parties:

TERMS AND CONDITIONS

Based on the above Recitals, the mutual promises made herein, and for good and valuable consideration, the Agency, the City, and Mentor agree as follows:

A. Cost Sharing.

1. Mentor shall not contribute financially to the Project at the present time, but Mentor shall dedicate all the property needed from their three tracts for the Project for no cash compensation, including but not limited to, right-of-way and public utility easements, and shall provide any needed temporary construction easements. Mentor agrees to the formation of a Reimbursement District for Mentor's portion of the Project's soft and hard costs after credits as set forth below. (See Reimbursement District below.) Soft costs are those costs other than the construction contract costs, such as engineering, design, appraisal, survey, staking, testing, project management and permitting. Hard costs are the construction contract costs inclusive of contingency.

2. Based on an estimated price of \$11.00 per square foot, the Mentor property needed by the Agency to construct a 1/2-street section is valued at \$782,452. The right-of-way and a remnant parcel for this 1/2-street section are legally described in **Exhibits C and D**, respectively, attached hereto and incorporated by reference as if fully set forth herein. The remaining Mentor property needed to build the full street cross section is being dedicated by Mentor to reflect Mentor's future development responsibility and the value of this property would not be a credit against Mentor's reimbursable cost under the Reimbursement District. This remaining 1/2-street section right-of-way and associated public easement are legally described in **Exhibits E, F, and L**, respectively, attached hereto and incorporated by reference as if fully set forth herein.

3. The reimbursable estimated cost to Mentor for the difference between the soft costs for a 1/2-street cross section and a full street cross section is \$238,343.

4. The Agency will pay for the difference between the hard costs for a 1/2-street cross section and a 3/4-street cross section to incentivize Mentor's early participation in the Project and that amount is estimated to be \$327,533 and will not be a reimbursable cost for Mentor to pay. The difference is calculated as the hard cost for constructing a 10-foot width of concrete pavement that would have allowed the City to add bike lanes to the street. The reimbursable estimated hard cost to Mentor for the difference between the construction cost for a 3/4-street cross section and the full street cross section is \$999,854.

5. The aforementioned reimbursable estimated soft cost of \$238,343 plus the reimbursable estimated hard cost to Mentor of \$999,854 totals \$1,238,197 which, when the credit for land needed by the City for the initial 1/2-street cross section and estimated at \$782,452 is applied, the estimated reimbursable balance is \$455,745.

6. The cost table for the full street section Project, marked **Exhibit G**, attached hereto and incorporated by reference, provides a guide to the engineering assumptions, estimate of soft and hard costs, and reimbursement projections. The total Project cost is estimated to be \$6.4 million (rounded), the total estimated value of the dedicated land is \$1.5 million (rounded), leaving the Agency's estimated soft and hard cost at \$4.9 million (rounded), with an estimated \$0.456 million (rounded) to be reimbursable to the Agency or to the City as the Agency and City may agree.

7. The parties agree that the estimated land costs needed for the Project and the Reimbursement District shall be determined by an MAI appraisal, which shall be solicited by the Agency and be part of the Project's soft cost. Provided further, however, should Mentor not accept the appraisal, Mentor shall have the right to secure its own appraisal at its cost. In the event the Agency does not accept Mentor's appraisal or the parties do not otherwise agree on the value of the land, then the respective appraisers shall agree upon a third appraiser whose appraisal shall be binding on the parties and this appraisal cost shall be split equally between the Agency and Mentor.

8. The parties understand the aforementioned costs are estimates only. In order to determine the aforementioned cost sharing portion for each party as an actual amount, the parties agree that the estimated soft and hard costs and the estimated credit and resulting projected estimated reimbursable cost shall be subject to being "trued up" after completion of the Project and final, actual costs have been determined.

9. Notwithstanding the above, the parties agree to provide for the circumstance that the bid for the construction contract award from the lowest responsible bidder, as determined by the City, exceeds the engineering estimate of hard construction cost plus thirty percent (30%) contingency, as set forth in **Exhibit G**, for each the party's respective share, which shares total \$3,860,939. An increase of up to ten percent (10%) over the estimate of \$3,860,939 shall be shared in proportion to each party's respective share, as set forth in **Exhibit G**. For example, for Mentor, a 10% increase proportionately would be $\$999,854 \times 1.1$ or \$1,099,839 (rounded), a 5% increase proportionately would be $\$999,854 \times 1.05$ or \$1,049,847 (rounded). An increase greater than ten percent (10%) shall cause the City to promptly notify Mentor of the bid amount, provide a copy of the bid to Mentor, and advise Mentor whether the City is prepared to accept the greater than 10% bid or reject the bid and rebid the project. Upon receiving notice that the City is prepared to accept the bid, Mentor shall advise the City within two business days whether Mentor approves or rejects the greater than 10% bid and proportionate increase to its share of the hard construction cost and contingency estimate set forth in **Exhibit G**. In the event Mentor should reject the greater than 10% increase, the City reserves the right to award the contract and, in addition to paying the City's share of the greater than 10% increase, pay Mentor's share of the increase over 10%.

10. Additionally, the parties agree that in the event there is a contract change order in the amount of \$25,000 or greater that affects the construction of the portion of the road right-of-way that Mentor is responsible for paying for, as set forth in this Agreement, the City shall promptly provide to Mentor a copy of the contract change order and whether the City has a position on the merits of the change order. Mentor shall have two (2) business days to advise whether Mentor accepts or objects, in whole or in part, to the change order. The parties may extend this time period by mutual agreement. The City, in its sole discretion, shall determine to pay the change order, pay under protest, or reject the change order, in part or in full. However, the City's determination in this regard does not waive Mentor's right to dispute the change order and its payment under **Section G** of this Agreement nor does it waive the City's right under **Section G** of this Agreement to dispute Mentor's objection and nonpayment of its share of the payment for the change order, in whole or in part.

B. Agency. The Agency shall:

1. Have overall responsibility to finance the Project in keeping with the cost sharing provisions of this Agreement.
2. Coordinate with the City to ensure that the Project is bid, the contract is awarded, constructed and managed with construction estimated to begin in 2014 and completion estimated to be 2015.
3. Present the Project for appropriation for the 2014-15 fiscal year budget under applicable local budget law. The Project's engineering design and related soft costs were previously appropriated under the 2013-14 fiscal year budget. The Agency has sufficient bonding capacity and tax increment revenues to finance the Project.
4. Cause the City to be dedicated the necessary right-of-way and public utility easements, and be provided the necessary construction easements to construct the Project.
5. Provide the offices of Kristin Retherford (retherford@ci.wilsonville.or.us or 503-570-1539), the Agency's Urban Renewal Manager, to be the Agency's point of contact to assist Mentor with any informal questions or concerns about the Project. Ms. Retherford will provide Mentor with Project status reports, the frequency of which shall be as mutually agreed upon by Mentor and the Agency.
6. By this Agreement, the Agency hereby assigns to the City any interest in the balance of any reimbursable cost owing by Mentor under the Agreement at the time the Year 2000 Urban Renewal District closes if such closing precedes the expiration of the ten-year term of the Reimbursement District.

C. City. The City shall:

1. Cause the Project to be fully engineered and designed with intersections at Daybreak and Vlahos streets. A copy of the Project's cross-section is marked **Exhibit H**, attached hereto and incorporated by reference as if fully set forth herein.
2. Determine other access to Mentor's respective tracts (**Exhibit A**) from Canyon Creek Road, Boeckman Road, and Parkway Avenue at the time of the respective development application(s) to the City for any of Mentor's respective tracts, subject to Public Works Standards for access spacing, Development Review Board approval of any proposed site development and circulation, and applicable traffic study results.
3. Cause the Project right-of-way to be surveyed and staked and legal descriptions prepared of all lands needed for the right-of-way, public utility easements, and construction of the Project, including but not limited to legal descriptions to apportion costs as set forth in the above cost sharing section and for any temporary construction easements. The City intends to place a public utilities easement for public utilities, inclusive but not limited to storm drainage,

in, on, and under the remnant parcel after Mentor dedicates the remnant parcel to the City and as part of the Project.

4. Provide the City's forms of Deed of Dedication, Public Utility Easement, and Temporary Construction Easement, which are respectively marked **Exhibits I, J, and K**, attached hereto and incorporated by reference as if fully set forth herein.

5. Cause the Project to be bid, and the contract awarded, constructed and managed, with construction estimated to begin summer 2014 and completion estimated to be winter 2015.

D. Mentor. Mentor shall:

1. Grant and convey to the City by Deeds of Dedication the Project's right-of-way for the full street as described in **Exhibits C and E** and the remnant parcel as described in **Exhibit D**, Public Utility Easements as described in **Exhibits F and L**, and any necessary Temporary Construction Easements, by ~~April~~ May 30, 2014, or such date as shall be negotiated between the parties.

2. By this Agreement shall waive any objection or remonstrance to the formation of the Reimbursement District as long as the formation is in compliance with this Agreement.

E. Reimbursement District.

1. The parties agree that a Reimbursement District for property described in **Exhibit A** and owned by Mentor shall be formed by the City on behalf of the Agency and the City for the reimbursement of the estimated reimbursable cost of \$455,745 as may be adjusted by true-up of final costs after completion and acceptance of the Project by the City.

2. The property owned by Mentor is described in **Exhibit A** as three tracts and each tract shall be assigned a proportionate share of the reimbursable cost based on the proportion of linear feet the tract fronts the Project to the total linear feet of the Project. Tract I, with 670 feet of frontage, is assigned a 30.9% share; Tract II, with 199 feet of frontage, is assigned a 9.2% share; and Tract III, with 1,300 feet of frontage, is assigned a 59.9% share. For final calculations of a reimbursable share, any amount fifty cents (\$0.50) or greater will be rounded up to the next whole dollar and any amount less than fifty cents (\$0.50) will be rounded down to the preceding whole dollar.

3. Each tract's full share is due and payable at the time of issuance of a building or public works permit (other than the public works permit for the Project) for the respective tract; provided, however, Tract II shall also be due and payable at the time of any issuance of such a permit for either Tract I or Tract III.

4. The Reimbursement District shall be formed by adopted City Resolution no later than three months after completion and acceptance by the City of the Project and shall run for ten (10) years from the date of formation. (Resolution adoption date.) At the end of the ten year term, any unpaid reimbursable principal and interest cost shall be paid in full by Mentor to the

Agency, but in the event the Agency's Year 2000 District has been closed before the reimbursable principal and interest has been paid in full, then any unpaid balance of principal and interest shall be paid to the City.

5. The reimbursement share shall be adjusted as follows: On July 1st following adoption of the Reimbursement District and on each succeeding July 1st thereafter, as long as the reimbursement remains in effect, the unpaid balance shall accrue interest at the rate equal to the average of the prior fiscal year's Local Government Investment Pool (LGIP) interest, together with a per annum accrued administrative fee of one percent (1%) of the unpaid balance. The initial accruals will be prorated by the number of days from the date of formation to the following July 1, divided by 365 days.

F. Notices. Except for informal communication as provided in Section B.6 above, all notices, demands, consents, approvals, and other communications which are required or desired to be given by any party to the other parties hereunder shall be in writing and shall be faxed, hand delivered, or sent by overnight courier or United States Mail to each party at its address set forth below, or at such other address as such party shall have last designated by notice to the other. Notices, demands, consents, approvals, and other communications shall be deemed given when delivered, three days after mailing by United States Mail, or upon receipt if sent by courier; provided, however, that if any such notice or other communication shall also be sent by telecopy or fax machine, such notice shall be deemed given at the time and on the date of machine transmittal. All such communications to either the Agency or the City shall be given to the other.

To City: City of Wilsonville
Attn: Michael E. Kohlhoff, City Attorney
29799 SW Town Center Loop East
Wilsonville, OR 97070

To Agency: Urban Renewal Agency for the City of Wilsonville
Attn: Kristin Retherford, Urban Renewal Manager
29799 SW Town Center Loop East
Wilsonville, OR 97070

To Mentor: Mentor Graphics Corporation
Attn: Dean Freed, VP & General Counsel
8005 SW Boeckman Road
Wilsonville, OR 97070

with copy to: Mentor Graphics Corporation
Attn: Ethan Manuel, Corporate Treasurer
8005 SW Boeckman Road
Wilsonville, OR 97070

and copy to: Mentor Graphics Corporation
Attn: Dave Gardner, Regional Facilities Manager
46871 Bayside Parkway

G. Dispute Resolution.

In the event of a dispute concerning performance of this Agreement, the parties agree to meet to negotiate the problem. If such negotiation fails, the parties will mediate the dispute using a professional mediator, and the parties will split the cost of the professional mediator. If the dispute cannot be resolved in either of the foregoing ways within thirty (30) days, either party may file suit in Clackamas County Circuit Court.

H. Miscellaneous.

1. Further Assurances. Each party shall execute and deliver any and all additional papers, documents, and other assurances, and shall do any and all acts and things reasonably necessary in connection with the performance of its obligations hereunder, in good faith to carry out the intent of the parties hereto.

2. Burden and Benefit; Assignment. The covenants and agreements contained herein shall be binding upon and inure to the benefit of the parties and their successors and assigns. No party may assign this Agreement without the prior written consent of the other parties, which consent shall not be unreasonably withheld, conditioned, or delayed.

3. Modification or Amendment. No amendment, change, or modification of this Agreement shall be valid, unless in writing and signed by the parties hereto.

4. No Continuing Waiver. The waiver by any party of any breach of this Agreement shall not operate as, or be construed to be, a waiver of any subsequent breach.

5. Severability. If any provision of this Agreement is found to be void or unenforceable, it is the intent of the parties that the rest of the Agreement shall remain in full force and effect, to the greatest extent allowed by law.

6. Rights Cumulative. All rights, remedies, powers, and privileges conferred under this Agreement on the parties shall be cumulative of and in addition to, but not restrictive of or in lieu of, those conferred by law.

7. Applicable Law. This Agreement shall be interpreted under the laws of the State of Oregon.

8. Legal Action/Attorney Fees. If any party commences legal proceedings of any nature whatsoever for any relief against any other party arising out of or related to this Agreement or the breach thereof, the losing party shall pay the prevailing party's legal costs and expenses, including but not limited to reasonable attorney fees and expert witness fees, as determined by the court at the trial level or on any appeal.

9. No Third Party Beneficiaries. None of the duties and obligations of any party under this Agreement shall in any way or in any manner be deemed to create any rights in any person or entity other than the parties hereto.

10. Time of Essence. Time is expressly declared to be of the essence of this Agreement.

11. Counterparts. This Agreement may be executed in several counterparts, each of which shall be deemed an original, and all of such counterparts together shall constitute one and the same instrument.

12. Complete Agreement. This Agreement incorporates all terms of the agreement between the parties as to the matters stated herein. Unless amended as provided herein, this Agreement is the exclusive agreement between the parties as to matters stated in this Agreement.

13. Authority. The individuals executing this Agreement each represent and warrant to the others that he/she has the full power and authority to do so on behalf of the respective party and to bind said party to the terms of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first above written.

CITY OF WILSONVILLE

MENTOR GRAPHICS CORPORATION

By: _____
Bryan Cosgrove
As Its: City Manager

By: _____
Print Name: _____
As Its: _____

THE URBAN RENEWAL AGENCY
OF THE CITY OF WILSONVILLE

By: _____
Bryan Cosgrove
As Its: Executive Director

APPROVED AS TO FORM:

ATTESTED TO:

Michael E. Kohlhoff, City Attorney
City of Wilsonville, Oregon

Sandra C. King, MMC, City Recorder
City of Wilsonville, Oregon

I:\canyon creek\dev agr canyonccrds-boeckman to vlahos-mentor

Memo

To: Wilsonville City Council
From: Wilsonville Area Chamber of Commerce
Regarding: Visitor Kiosks - Grant Funding Request

The Wilsonville Area Chamber of Commerce manages 23 visitor kiosks in the Wilsonville region and the staffing was paid for previously out of the visitor information center contracts. The chamber has and will continue to use Dick Spence to manage the kiosk program, which has resulted in thousands of people acquiring community and visitor information at the various locations.

These materials include nearly 8,000 Wilsonville dining guides, 5,000 Wilsonville maps and 5,000 community directories, along with resources from the City of Wilsonville including the Wilsonville Bike and Walk Map, Wilsonville Parks, and SMART Bus Schedules & Route Info. Statewide resources are also available at the kiosks, including a ODOT Oregon State Map. The chamber's kiosks are the only option, other than our website, for important visitor information in Wilsonville, displaying the vitality of our City.

Since the closing of the Visitor Information Center, Mr. Spence has been volunteering his time and vehicle miles to assist the community and chamber with this project. He can no longer continue to donate his resources.

The chamber is requesting a total of \$6,602 for staffing (averages eight hours a week) and mileage expenses. Thank you for your consideration and time on this important request. Please don't hesitate to contact me with any questions or concerns. I can be reached at 503-682-0411 x 101.

Respectfully Submitted,



Steve Gilmore, CEO

MEMORANDUM

Date: April 9, 2014
To: Bryan Cosgrove
From: Cathy Rodocker
Subject: Property Tax Exemptions

Following up on the questions from Council regarding the income verification procedures for our property tax exemptions, I have compiled the following information.

NW Housing Alternatives: Charleston, Autumn Park, Creekside Apartments
Joe Gillock, Asset Manager

How often is the income criteria verified with your tenants?

Each of our three multi-family properties in Wilsonville have multiple funding sources, and the income restrictions and verification requirements vary for each. However, it is pretty standard that income is certified annually.

If a tenant no longer meets the low-income criteria, does the rent adjustment become available for another qualified tenant?

This depends on the funding source. To clarify, not all of our units offer project-based rent assistance. About half of the units at Creekside and 15 of the units at the Charleston have built-in assistance that ensure that residents pay no more than 30% of their income towards their housing. If the income of a resident in one of these units surpasses 80% of Area Median Income, they are no longer eligible for the unit and must move out, at which point someone else can move in. The rest of our units in Wilsonville are financed with the Low Income Housing Tax Credit, which helps keep the cost of the units well below market, but does not offer a rental subsidy, per se. residents can stay in their unit until their income reaches 120% of the Area Median Income. I want to emphasize that it is extremely rare for residents in any of our properties to surpass these income restrictions. The average income of our residents is closer to 40% AMI.

On average, how long does a tenant receive the rent adjustment?

This is difficult to answer. I will say that there is no restriction on how long residents can live in an assisted unit, and that residents living in units with a rental subsidy tend to stay in that unit unless their income increases substantially, which, again, is pretty rare.

The following chart displays the length of tenancy by property. Charleston opened in 2009 and Creekside in 2010.

<u>Years at property</u>	<u>Charleston</u>	<u>Autumn Park</u>	<u>Creekside</u>
0-1	26%	25%	17%
1-2	22%	16%	83%
2-3	22%	11%	
3-4	2%	8%	
4-5	28%	9%	
5-6		9%	
6-7		3%	
7-8		4%	
8-9		2%	
9-10		1%	
10+		13%	

Catholic Charities: Rain Garden Apartments

Sandra Perez, Asset & Facilities Manager

How often is the income criteria verified with your tenants?

Annually or at an interim annual income change.

If a tenant no longer meets the low-income criteria, does the rent adjustment become available for another qualified tenant?

Yes, Rental Assistance can float from one unit to another.

On average, how long does a tenant receive the rent adjustment?

So long as the qualifying housed can continue to qualify for the Rental Assistance annual, the assistance is granted for the full term of the household tenancy.

Cascade Management: Wiedemann Park Apartments

Carolina Abdaulah, Portfolio Manager

How often is the income criteria verified with your tenants?

We do an income recertification or verification at the time of move-in and every year thereafter. The actual tenant incomes and income limits are reviewed by Oregon Housing and Community Services once every year to verify compliance within the income guidelines.

If a tenant no longer meets the low-income criteria, does the rent adjustment become available for another qualified tenant?

Under the Low Income Housing Tax Credit (LIHTC) program, the rent is not adjustable; the rent is fixed at the affordability rate (the reduced rate from market) at the time of move-in and thereafter. Since 100% of the units are affordable and restricted, every new resident at Wiedemann Park must qualify under the income limit and every resident will receive and continue to receive the affordable rent (rent reduction).

On average, how long does a tenant receive the rent adjustment?

A tenant will continue to receive the rent reduction as long as they live at Wiedemann Park. There may be nominal increases in the rent amount but rents will always remain under the "maximum rents" as established by the IRS under the LIHTC program and as required by the ORS specific to the property tax exemption.

If further information is required, please let me know and I will be happy to contact Joe, Carolina and Sandra.

CITY OF WILSONVILLE - Fund Summaries - through March 31, 2014

Budget Year Elapsed → 75%

	Budget	Activity	% Used
Fund 110 General Fund:			
Taxes	8,476,065	7,003,104	83%
Intergovernmental	1,649,153	1,357,742	82%
Licenses and Permits	132,700	156,288	118%
Charges for Services	544,700	417,746	77%
Fines	385,000	196,046	51%
Investment Revenue	105,000	50,857	48%
Other Revenues	139,900	95,859	69%
Transfers	2,573,211	1,686,375	66%
Total Revenue	14,005,729	10,964,017	78%
Personal Services	6,568,875	4,462,131	68%
Materials and Services	7,013,219	5,021,501	72%
Capital Outlay	109,450	29,833	27%
Transfers	1,266,636	584,436	46%
Total Expense	14,958,180	10,097,900	68%
Fund 210 Fleet Fund:			
Charges for Services	1,203,110	902,340	75%
Investment Revenue	5,000	4,053	81%
Other Revenues	0	18,084	-%
Total Revenue	1,208,110	924,477	77%
Personal Services	547,190	386,200	71%
Materials and Services	677,041	488,136	72%
Capital Outlay	120,500	39,172	33%
Transfers	2,100	1,575	75%
Total Expense	1,346,831	915,083	68%
Fund 230 Building Fund:			
Licenses and Permits	568,345	604,196	106%
Licenses and Permits-Villebois	895,000	284,371	32%
Investment Revenue	9,500	7,715	81%
Other Revenues	0	1,069	-%
Transfers	20,800	12,669	61%
Total Revenue	1,493,645	910,019	61%
Personal Services	637,900	425,318	67%
Materials and Services	94,954	60,158	63%
Transfers	180,050	107,491	60%
Total Expense	912,904	592,967	65%
Fund 235 Community Development Fund:			
Intergovernmental	25,000	0	-%
Licenses and Permits	206,888	343,125	166%
Licenses and Permits-Villebois	366,320	288,366	79%
Charges for Services	757,150	640,853	85%
Investment Revenue	10,500	6,566	63%
Other Revenues	0	3,989	-%
Transfers	2,379,578	1,023,033	43%
Total Revenue	3,745,436	2,305,932	62%
Personal Services	2,662,700	1,826,151	69%
Materials and Services	518,556	236,419	46%
Capital Outlay	20,000	0	-%
Transfers	419,850	301,719	72%
Total Expense	3,621,106	2,364,289	65%
Fund 240 Road Operating Fund:			
Intergovernmental	1,127,500	732,741	65%
Investment Revenue	5,000	3,915	78%
Other Revenues	0	4,827	-%
Transfers	0	3,930	-%
Total Revenue	1,132,500	745,414	66%
Personal Services	334,610	234,229	70%
Materials and Services	441,966	226,371	51%
Capital Outlay	20,000	0	-%
Transfers	593,660	403,218	68%
Total Expense	1,390,236	863,818	62%

CITY OF WILSONVILLE - Fund Summaries - through March 31, 2014

Budget Year Elapsed → 75%

	Budget	Activity	% Used
Fund 245 Road Maintenance Fund:			
Charges for Services	659,000	497,835	76%
Investment Revenue	1,500	1,733	116%
Other Revenues	0	23,178	-%
Total Revenue	660,500	522,746	79%
Materials and Services	500	0	-%
Transfers	670,000	701,221	105%
Total Expense	670,500	701,221	105%
Fund 260 Transit Fund:			
Taxes	4,350,000	3,189,474	73%
Intergovernmental	1,354,109	728,246	54%
Charges for Services	199,000	167,505	84%
Investment Revenue	22,500	9,967	44%
Other Revenues	12,000	23,995	200%
Total Revenue	5,937,609	4,119,187	69%
Personal Services	2,968,660	2,070,107	70%
Materials and Services	1,835,860	1,187,563	65%
Capital Outlay	757,000	804,008	106%
Transfers	527,050	377,425	72%
Total Expense	6,088,570	4,439,103	73%
Fund 310 Water Operating Fund:			
Intergovernmental	0	3,876	-%
Charges for Services	6,835,000	5,315,642	78%
Fines	0	11,838	-%
Investment Revenue	32,700	18,562	57%
Other Revenues	0	3,020	-%
Transfers	350,000	350,000	100%
Total Revenue	7,217,700	5,702,938	79%
Personal Services	509,270	329,588	65%
Materials and Services	3,454,175	2,073,306	60%
Capital Outlay	54,000	0	-%
Debt Service	1,879,000	807,259	43%
Transfers	1,199,420	420,202	35%
Total Expense	7,095,865	3,630,354	51%
Fund 320 Sewer Operating Fund:			
Charges for Services	6,702,000	5,345,130	80%
Investment Revenue	52,500	41,509	79%
Other Revenues	18,216	22,121	121%
Transfers	600,000	600,000	100%
Total Revenue	7,372,716	6,008,760	81%
Personal Services	306,250	195,135	64%
Materials and Services	2,448,691	1,326,738	54%
Debt Service	3,586,000	1,283,956	36%
Transfers	4,627,580	1,096,877	24%
Total Expense	10,968,521	3,902,706	36%
Fund 350 Street Lighting Fund:			
Charges for Services	397,000	311,149	78%
Investment Revenue	5,000	3,338	67%
Total Revenue	402,000	314,487	78%
Materials and Services	304,574	177,985	58%
Transfers	389,840	80,153	21%
Total Expense	694,414	258,139	37%
Fund 370 Storm Water Operating Fund:			
Charges for Services	1,334,000	1,020,720	77%
Investment Revenue	3,500	1,318	38%
Other Revenues	0	1,722	-%
Total Revenue	1,337,500	1,023,760	77%
Personal Services	255,440	171,122	67%
Materials and Services	398,665	226,369	57%
Transfers	1,340,386	1,189,217	89%
Total Expense	1,994,491	1,586,709	80%



Patrick Duke
Library Director

LIBRARY BOARD
Hilly Alexander
Chair

Megan
Chuinard

Caroline Berry

Reggie Gaines

Alan Steiger

Wilsonville Public Library
Monthly Report to Council
April 2014

Headlines:

- **Family Night at the Library** – On April 24th, the Library will be hosting a family night for Hispanic families whose children attend Lowrie Primary School. The session was added after the success of 4 other family nights that the Library hosted this past spring. The Wilsonville Public Library Foundation will support giveaway books to be given to each child who attends with their parents.
- **Wilsonville History Night - "Political Corruption in 19th-Century Oregon" with Tom Marsh, McMenamins Tuesday, April 29 6:30pm** (doors open at 5pm)
- **The Wilsonville Garden Club will host their Spring Plant Sale on May 10th starting at 10am.** The Garden Club is a partner of the Library's and keeps the rose garden looking beautiful all summer. Proceeds from the Plant Sale benefit Horticulture scholarships at Clackamas Community College.
- **Library Board meeting. March 26th, 6:30pm** at the Library.

March Statistics

- **Physical item circulation: 41,724** items checked out or renewed, down 3%.
- **E-book and downloadable audiobook circulation 1,533**, up 41% from last year.
- **Volunteer hours donated to the library: 1,084**

Administration

Library Strategic Plan Goal 2

Enhance community access to information through technology

- The Library will be a resource for access to current technology and necessary training to remove barriers so that all residents can participate in the online world
- The Library will build and maintain a collection of online materials that are well selected, well used and effective.
- The Library will leverage its membership in the LINCC system to maximize resources

This goal has two areas of focus, to connect residents with technology and the internet and to use the internet to provide important resources to residents wherever they are.

- Target Outcomes are:
 1. Increase e-book and downloadable audiobook use by 20% per year.
 2. 95% of Internet users will be satisfied with services
 3. Increase database use by 10% annually
- Representative programs are:
 1. Wilsonville Fiber Project: increase library bandwidth to up to 1Gb
 2. Upgrade wireless access throughout the library
 3. Expand the library's online database selection
 4. Expand the library's e-book collection

Adult Services

- January adult programming attendance: **319**

Upcoming Programming (not mentioned above):

- **Performance Jam, May 1st 6pm**
- **Book Notes Concert: Al Andalus, May 10th, 2pm**
- **May Book Club: Mamma makes up her mind, by Bailey White**
Discuss this on **May 8th, 6pm**
- **The Great Books Discussion Group meets on May 21st at 4pm.** This month:
Othello by *William Shakespeare*

Youth Services

- January Youth Services programming attendance was **1,601**
The YS team took a break in March, so attendance is down.

Upcoming Programming

- **Storytime and other preschool programming:**

This year's schedule:

Toddler Time
Tuesdays 10 am

Babytime
Tuesdays 11 am

Family Storytime
Tuesday 6:30 pm
Wednesday 10:30 am,
and 1:00 pm
Thursday 10:30 am

**Haz un Titere y cuenta un
Cuento en Espanol e Ingles**
(Bilingual Storytime)
Monday 6 pm

School age programming
each month.

See more events at www.wilsonvillelibrary.org

Community Garden Registration Opens



The Community Garden opened for registration on March 20th. When the doors to the Community Center were opened at a 6:45 am, there were already 20+ individuals waiting in line trying to get their preferred garden plot. All 15 of the raised beds have been sold and at this point, there are only 11 of the 94 in-ground plots remaining.

The Parks crew is in the process of adding a new water line at the garden to provide for the expanded gardening area. The raised beds have been topped off with soil and the in-ground plots will be tilled before the end of the week. Once the garden is tilled the plots and pathways can be laid out with the anticipated opening of the garden the last week in April.

Clackamas County Meals on Wheels Donation

Clackamas County Meals on Wheels (CCMOW) is a not for profit organization that organized fundraising efforts to benefit senior nutrition and home delivered meal programs in Clackamas County.

Robin Grimm, president of CCMOW, presented all the Centers in Clackamas County with a check for \$1,000. Throughout the year, fundraising efforts included selling entertainment books, and partnerships with Safeway and Shari's restaurants. The funds will be used to enhance the Wilsonville Center's home delivered meals program. The meals are sent home five days a week to home bound seniors, and are prepared by Nutrition Coordinators Evie Proctor and Jennifer Nelson at the Community Center.



Park Rental Season in Full Swing

Park shelter and field rentals are now open to both Wilsonville residents and non residents.

Available time slots on the sports fields are quickly being reserved by local sports organizations for practices, league play, and tournaments. The River Shelter is the most popular of available shelters and is already booked for 7 of the 9 Fridays in July and August. The Stein Boozier Barn has steadily increased in usage over the past 3 years and is currently booked for 11 of the 12 weekends in July, August and September.

Priority was given to Wilsonville residents by allowing local citizens to submit their applications a week earlier than those living outside of the city.

Parks and Recreation

Parks Update

Staff Training

Training was completed by both the Parks and Public Works field staff in Hazardous Material Response. All 22 staff were trained to the Awareness and Operations levels. This will provide for a consistent response to concerns and enable us to work well with other responders.

The Parks staff attended a very informative class on chain saw safety and use. Following that we were able to put the training into practice by removing 12 dead Douglas Fir trees from Memorial Park.

Parks Maintenance Snap Shots

- * Preparations are under way for a Heritage tree event at the Park at Merryfield.
- * Landscape removal has begun as part of the remodel at the new Parks and Recreation building.
- * Work has been completed at the Community Garden reconfiguring the layout of the plots and extension of the water system will be completed by the end of the month.
- * A fresh spring look is apparent at several of the parks with tree and landscape areas receiving new bark dust.
- * The use of the sports fields is under way with soccer field use starting on April 13th.
- * Field maintenance has included the addition of surface conditioning materials to the infields of the 5 baseball/softball fields providing for improved playing conditions and less chance of games being rained out.



Upcoming Events and Programs

Wilsonville Egg Hunt - Saturday, April 19th, 10:00am, Memorial Park Ball Fields. The event is free and open to children up to 11 years old.

Wilsonville Wheelers Bike Club - The group is gearing up for another season of group rides. The group gathers on Thursdays at various locations in Wilsonville and surrounding areas for scenic rides, and stops at local establishments for refreshments and fun. Bike riders who wish to be included on the mailing list should email Pat Rehberg at: levitrehberg@frontier.com.

SMART

SOUTH METRO AREA REGIONAL TRANSIT

April 2014

Director's Report

SMART provides a variety of services, with our biggest focus on moving people from point "A" to point "B" in a comfortable, convenient and economical way. This includes both fixed route and demand response (dial-a-ride) services.

Demand response services, by their basic nature, must change from day to day, depending on the needs of our customers. Changing our fixed routes is a much more complicated process, for a variety of reasons. To the casual observer, it may sound like a simple process for SMART to decide to locate a new bus stop somewhere, or to curtail the use of another stop somewhere else. That is rarely true.

SMART had to deal with this in 2013, when the owners of a large apartment complex told us that they no longer wanted SMART buses using their parking lot as a bus stop and turnaround point for the east end of our Route #4. This came after SMART had been using that parking lot for many years. It was unfortunate from our perspective because that parking lot was an extremely convenient location for us to turn our buses around and head back the other direction for cross-town service. Still, the apartment owners had every right to tell us they no longer wanted us there.

SMART operations staff, as well as staff in the Engineering Division, looked at alternative ways that we could continue to provide the needed service to the apartments in the area and still have a turnaround point for our buses. In the end, we had to substantially reconfigure the route in order to avoid having our buses use a residential street for a turnaround, when we do not have regular passengers in that neighborhood.

Today we are faced with making another route change – not because property owners have requested it, but in the interest of safety. We are carefully considering moving the stop from inside the Fred Meyer parking lot, to a curbside location on Boones Ferry Road, adjacent to the shopping center. This has come at the request of a number of our drivers who have experienced situations where pedestrians have walked directly into the path of our buses in the parking lot. It seems that pedestrians in parking lots are just not very mindful of through traffic, even in the form of a full-sized bus.

Stephan Lashbrook

Think Smart. Ride SMART.

SMART Options Story

SMART puts travel planner kits into the hands of new Wilsonville employees. In them are walking routes that explore Wilsonville's parks, neighborhoods and commercial areas, along with maps, bus and train schedules and ridesharing information.

“Transportation is absolutely a factor.”

Steph has worked for Convergys (formerly Stream Global) for three and a half years. She and her wife moved from Beaverton to Wilsonville shortly after the company moved. Steph catches a free ride each morning and evening on the 4 bus. “I have a car but don't even keep it at my house,” she says. “It's been since August and we've not missed it.”

SMART Options gave her the info she needed to make the move to a low-car life. “I talked to them about where the routes were and how often they ran. It helped me decide where I ended up looking to live. I chose to live on the 4 route—the cross-town Wilsonville route—because it's very reliable. It runs all day, every day. My wife has multiple sclerosis and transportation was challenging in Beaverton. She had about a three-quarter mile walk to a TriMet stop from our place. This move has increased her mobility—which helps my life.”

For Steph, SMART's help was vital in helping her craft a home/work balance. “Transportation is absolutely a factor: it makes my work day easier when it only takes me 20 minutes to get to work and home. On days where I'm putting in a long day and work is stressful and crazy—boom—I'm home with no stress. I don't have to worry about traffic; the bus drops me right at my front door.”



Operations Update

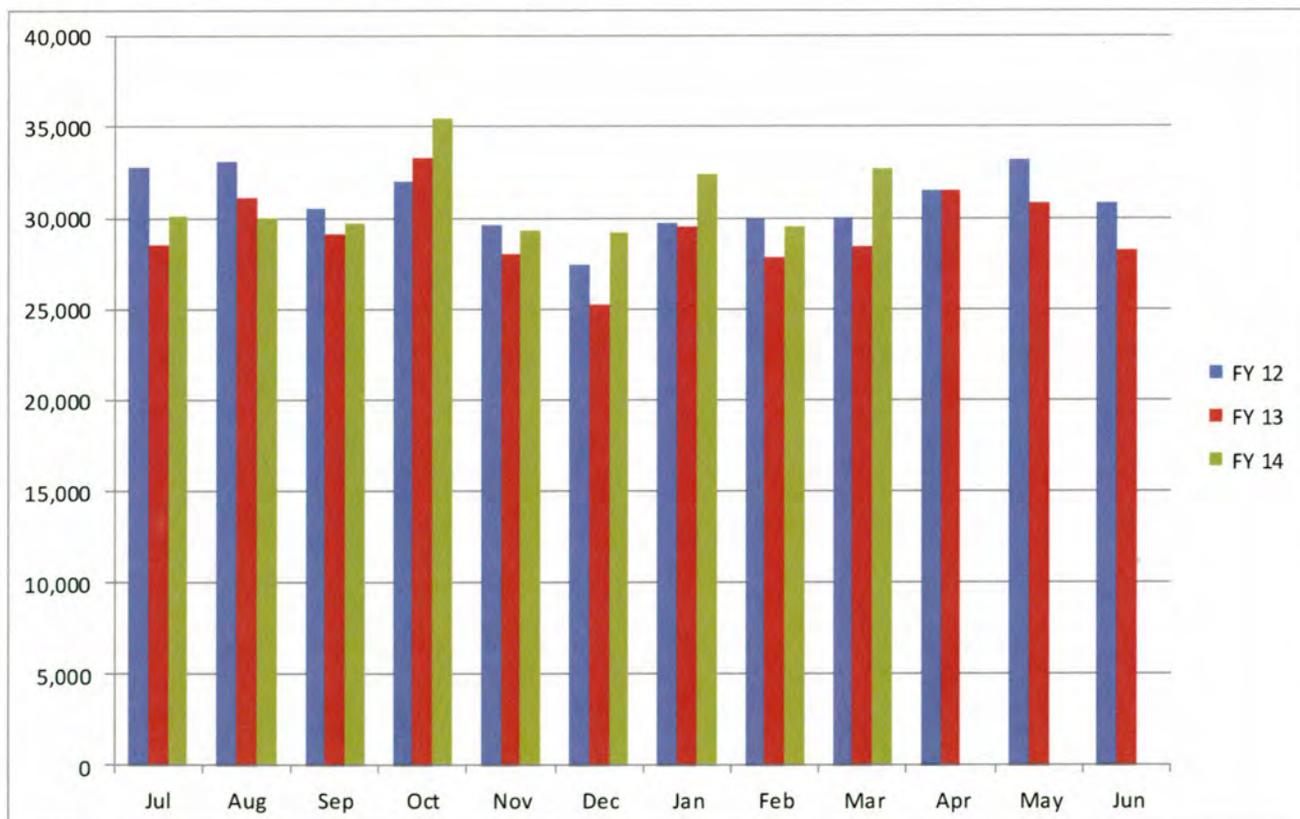
March saw record ridership for a March. As the table and graph show, 32,645 rode the bus, a 15% increase over last year, and outpacing the record year of FY12 by almost 9%. Although not a large number, it is interesting to note that Saturday ridership is up on both routes, the Route 2X that serves Tualatin Park and Ride on Saturdays, and the Route 4 Cross-town, which carried 1,153 Saturday riders during the month. More seniors taking SMART to the community center for lunch is up almost 25%.

SMART also experienced the most successful shuttle service ever provided.

Wilsonville High School hosted the Robotic competition. With limited parking at the high school and Mentor Graphics graciously allowing parking on their property, SMART carried well over 300 riders on a special shuttle bus, providing 15 minute service to and from the high school on Friday, March 18.

SMART will be experiencing some retirements in the driver ranks during the year. In anticipation of this, we are in the process of hiring 3-4 replacement drivers, with one having already been hired.

Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	Total
33,104	30,549	32,020	29,575	27,448	29,736	29,855	29,989	31,525	33,198	30,757	370,526
31,067	29,066	33,326	28,027	25,199	29,525	27,812	28,356	31,492	30,776	28,217	351,374
30,024	29,661	35,481	29,342	29,216	32,432	29,551	32,645				278,446



What Makes a Great Place?

The choices we make today about how we live, work and get around will determine the future of the region for generations to come.

Public comment period March 21 to May 5

Visit makeagreatplace.org to take a short survey to inform the plans below. You can also give more detailed feedback on the plans and programs that will shape our region for the next 25 years.

Information that you provide will inform:

- **2014 Regional Transportation Plan (RTP)**
- **Regional Active Transportation Plan**
- **2015-18 Metropolitan Transportation Improvement Program (MTIP)**
- **Climate Smart Communities Scenarios Project**

Metro has prepared the 2014 RTP and 2014-18 MTIP as required by federal law. The documents are available for public review and comment through this comment period. Download the documents at www.oregonmetro.gov/rtp and www.oregonmetro.gov/rtp or call 503-797-1776 to request copies. Metro's public participation process for the 2014-18 MTIP is designed to satisfy SMART's regional coordination requirements for the program of projects.

Share your vision for the future of your community and the region and help shape the investments and actions to make that vision a reality.



2014 National Walk @ Lunch Day

Join **Walk SMART** enthusiasts and begin walking toward a healthier America—and a healthier you.

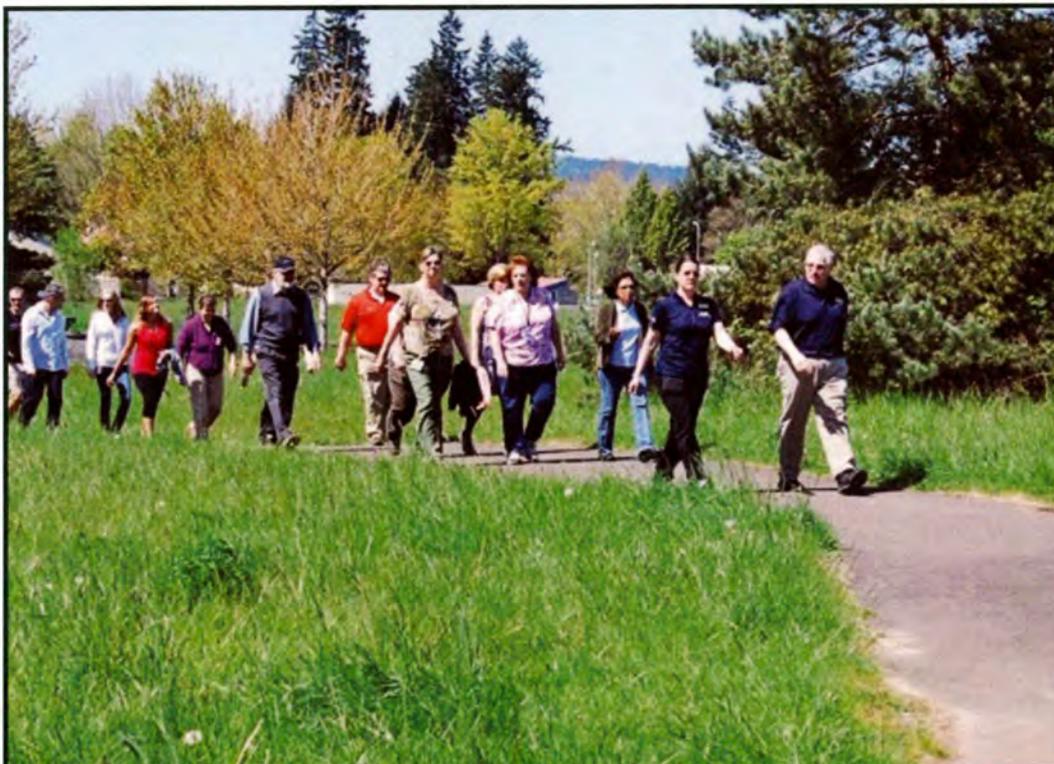
On **Wednesday, April 30**, local Blue Cross and Blue Shield companies, businesses large and small and state legislatures across the nation will encourage employees to wear comfortable shoes and take a walk at lunch.

Schools are also encouraged to participate in National Walk @ Lunch Day by setting personal goals for students and teachers, and incorporating walking into the school day as a first step toward long-term prevention of health problems for future generations.

Join us for a group walk!

When: Wednesday, April 30, 12:00 pm — 12:30 pm

Where: Wilsonville City Hall east entrance on Town Center Loop



2013 National Walk @ Lunch Day

Contact Us

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Program Manager
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Public Works

March / April 2014

HazMat Training

To be in compliance with OSHA, the Public Works Department completed eight hours of Hazardous Material (Hazmat) Operations Level training on April 3. In addition to the class room training, staff also participated in some hands on exercises to learn new techniques on booming, damming and diking of materials.



Memorial Park Parking Lot Resurfacing

In the spirit of partnership and to help keep the project costs down, the installation of signage and pavement marking was removed from the construction contract for the Memorial Park Parking Lot project and the Public Works Crews installed all the signage and Thermoplastic pavement markings. By doing this work in-house the City saved around \$10,000.



INSIDE THIS ISSUE

1 HazMat Training

Memorial Park Parking Lot Project

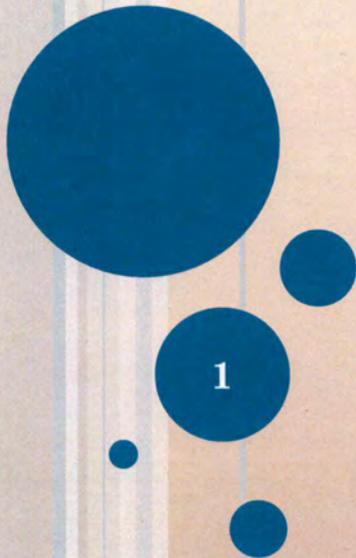
Public Works

Public Works Department

Wilsonville City Council

April 7, 2014

**COUNCIL GOALS
QUARTERLY UPDATE**



COMPLETE A FORMAL CONCEPT PLAN FOR
ADVANCE ROAD AND FROG POND
RESIDENTIAL AREAS

KEY PERFORMANCE AREA: *THOUGHTFUL LAND USE*

PROBLEM/OPPORTUNITY

- Adequate Residential Land Supply
- Expanding Tax Base
- Livable Neighborhoods
- Jobs/Housing Balance

WHAT SUCCESS LOOKS LIKE

- Plan Complete
- Advance Road Eligible for UGB Expansion in 2015
- Frog Pond Ready to Develop in 2016

APRIL 2014 UPDATE

- Goal 10 housing is 95% complete; Public hearing was on April 9, 2014
- Develop a concept plan for full 500-Acre Plan; Project is underway. Scheduled completion for April 2015.
- 200-Acre Frog Pond Area; Scheduled to begin March 2015

COMPLETE A FEASIBILITY STUDY FOR A
COMMUNITY RECREATIONAL/AQUATIC
CENTER IN WILSONVILLE

KEY PERFORMANCE AREA: *COMMUNITY AMENITIES AND RECREATION*

PROBLEM/OPPORTUNITY

- Community interest in a community recreational/aquatic center

WHAT SUCCESS LOOKS LIKE

- Completed Feasibility Study Presented to Council by July 1, 2014

APRIL 2014 UPDATE

- Feasibility/market study and site alternatives; The consultant team began in late February. Task force kick off meeting was on March 26, 2014,

DEVELOP A PLAN TO IMPROVE BIKE AND
PEDESTRIAN CONNECTIVITY THROUGHOUT
THE COMMUNITY AND INTEGRATE THE PLAN
IN THE CITY'S CAPITAL IMPROVEMENT PLAN

KEY PERFORMANCE AREA: *CLEAR VISION AND COMMUNITY DESIGN*

PROBLEM/OPPORTUNITY

- Limited Bike and Pedestrian Connections

WHAT SUCCESS LOOKS LIKE

- Review Current Plans/Recommend Amendments
- Prioritize Projects/Develop Capital Improvements Fund
- Complete Project
- Increase The Walk Score From 42 to 70

APRIL 2014 UPDATE

Goal completed

*lb updated
annually*

SUCCESSFULLY CONNECT LIVE, WORK,
AND PLAY AREAS THROUGHOUT THE
CITY FOR BOTH EXISTING AND PLANNED
DEVELOPMENT

KEY PERFORMANCE AREA: *COMMUNITY AMENITIES AND RECREATION*

PROBLEM/OPPORTUNITY

- Limited Funds To Build Connections

WHAT SUCCESS LOOKS LIKE

- Sense Of Community
- Easy To Use
- Identified Network Connectivity

APRIL 2014 UPDATE

- Master Plans, CIP , land use and zoning; Rescheduled for Spring 2014
- Summary memo; Rescheduled Fall 2014

**DEVELOP AND BEGIN TO IMPLEMENT A
STRATEGY TO INCREASE OCCUPANCY BY
FILLING VACANT STORE FRONTS**

KEY PERFORMANCE AREA: *ECONOMIC DEVELOPMENT*

PROBLEM/OPPORTUNITY

- Large Number Of Vacant Store Fronts

WHAT SUCCESS LOOKS LIKE

- Increase Occupancy Of Currently Vacant Storefronts

APRIL 2014 UPDATE

*retail lease study
budgeted for FY 2014-15
to be done next 12 mo*

**DEVELOP A FUNDING AND ANNEXATION
STRATEGY FOR IMPLEMENTING COFFEE
CREEK INDUSTRIAL AREA IN 18 MONTHS**

KEY PERFORMANCE AREA:

ECONOMIC DEVELOPMENT

PROBLEM/OPPORTUNITY

- Low Inventory Of Industrial Land/Shovel Ready Multiple Land Use
- Lack Of Funding
- Basalt Creek and Coffee Creek already in UGB

WHAT SUCCESS LOOKS LIKE

- Funding For Building Infrastructure
- Strategy for Aggregating The Land

APRIL 2014 UPDATE

- Development of URA Strategic Plan and Review of Coffee Creek Infrastructural Analysis ; Underway.

COMPLETE AND ADOPT BASALT CREEK
INDUSTRIAL AREA CONCEPT PLAN IN
THE NEXT 18 TO 24 MONTHS

KEY PERFORMANCE AREA: *ECONOMIC DEVELOPMENT*

PROBLEM/OPPORTUNITY

- Low Inventory Of Industrial Land/Shovel Ready Multiple Land Use
- Lack Of Funding
- UGB Has Approved Basalt and CC

WHAT SUCCESS LOOKS LIKE

- Funding For Building Infrastructure
- Funding for Aggregating The Land

APRIL 2014 UPDATE

- Concept plan currently in development

DEVELOP A STRATEGIC BRANDING PLAN,
INCLUDING COMPLETE VISUAL IDENTITY
PLAN AND LOGO, TO PROMOTE THE CITY'S
LIVABILITY AND ECONOMIC OPPORTUNITIES
BY APRIL 2014

KEY PERFORMANCE AREA:

ECONOMIC DEVELOPMENT

PROBLEM/OPPORTUNITY

- Lack of uniform, communication and marketing strategy
- No single clear message identifying Wilsonville
- Opportunity to promote Wilsonville for economic growth

WHAT SUCCESS LOOKS LIKE

- A broad message is developed including logo and marketing material unique to Wilsonville
- Message represents the community values
- Message is easily recognizable by prospective employers, residents, and promotes the community

APRIL 2014 UPDATE

Spoke in favor of ordinance,

City of Wilsonville
April 21, 2014 City Council Meeting

SPEAKER CARD

NAME: ANCIE STOFFREGEN

ADDRESS: 28800 SW MEADOWS LOOP

TELEPHONE: 503-682-2505 E-MAIL angiestoff@cc.com

AGENDA ITEM YOU WANT TO ADDRESS: ORDINANCE ~~737~~ (737)

Please limit your comments to 3 minutes. Thank you.

City of Wilsonville
City Council Meeting
April 21, 2014 Sign In Sheet

Name	Mailing Address
Ken Wise	
Ken Wise	
Dick & Leanne Spence	on record
JOHN & ANGIE STOFFREGEN	28800 SW MEADOWS LOOP, WILSONVILLE

King, Sandy

From: Callaway, Tamara
Sent: Tuesday, April 01, 2014 1:52 PM
To: King, Sandy
Subject: FW: Oregon Health Authority Issues Draft Rules Implementing SB 1531
Importance: High

Can you assist me in making sure that we do the following?

From: Jacobson, Barbara
Sent: Monday, March 31, 2014 1:59 PM
To: Callaway, Tamara
Subject: FW: Oregon Health Authority Issues Draft Rules Implementing SB 1531
Importance: High

Let's make sure we do this. Can you double check that what I drafted has A SUNSET DATE OF May 1, 2015.

Barbara A. Jacobson
Assistant City Attorney

From: Sean O'Day [<mailto:soday@orcities.org>]
Sent: Monday, March 31, 2014 1:42 PM
To: OCAA List
Subject: [ocaa] Oregon Health Authority Issues Draft Rules Implementing SB 1531

Listmates,

For those of you with clients that have or intend to adopt a moratorium ordinance pursuant to SB 1531, please note, Oregon Health Authority (OHA) published its draft rules today. You can view them at <http://www.oregon.gov/oha/mmj/Pages/rules.aspx>. The section applicable to moratoriums is 333-008-1400. The rules become effective tomorrow.

There are two things to note: First, the rules require the moratorium ordinance to expressly state the moratorium is limited to May 1, 2015 or sooner. Discussions with OHA staff indicate they will not acknowledge a moratorium ordinance that does not have a sunset date on or before May 1, 2015. Second, per the rules, notice (and a copy of the ordinance, which must be enacted before May 1, 2014) must be sent either by mail to P.O. Box 14116, Portland, OR 97293; or by e-mail to medmj.dispensaries@state.or.us.

Sean



Sean E. O'Day, General Counsel

soday@orcities.org
(503) 588-6550 | (800) 452-0338 | (503) 540-6572 direct
1201 Court St. NE, Suite 200 | Salem, Oregon 97301
www.orcities.org
Helping Cities Succeed

ORD 740



29799 SW Town Center Loop East
Wilsonville, OR 97070
Phone 503-682-0411
Fax 503-682-1015
TDD 503-682-0843
Web www.ci.wilsonville.or.us

**WILSONVILLE CITY COUNCIL
NOTICE OF DECISION
RESOLUTION NO. 2456**

FILE NO: RESOLUTION NO. 2456

**APPLICANT: JOSH VEENTJER
WILSONVILLE DEVCO, LLC**

After conducting a public hearing on March 17, 2014 and adoption of the Findings of Fact on April 21, 2014 the City Council voted to adopt Resolution No. 2456 as submitted and adopted findings and conclusions to support their action.

This decision has been finalized in written form as

Resolution No. 2456

Resolution To Issue An Order By The City Council Approving The Appeal Of The Stage II Final Plan Revision, Site Design Review, And Master Sign Plan Revision And Sign Waiver Of A New 450 Square Foot Drive-Thru Coffee Kiosk At The Corner Of 95th Avenue And Boones Ferry Road. The Subject Site Is Located On Tax Lot 302 Of Section 2DB, T3S, R1W, Washington County, Oregon. Applicant/ Appellant/Owner Wilsonville Devco, LLC. Application Nos. DB 13-0046, DB 13-0047, And DB 13-0048.

And placed on file in the city records at the Wilsonville City Hall the 22nd day of April 2014, and is available for public inspection. The date of filing is the date of decision. Any appeal(s) must be filed with the Land Use Board of Appeals (LUBA) in accordance with ORS Chapter 197, within twenty-one days from the date of decision. Copies of Ordinance No. 724 may be obtained from the City Recorder, 29799 SW Town Center Loop East, Wilsonville, OR 97070, (503) 570-1506, or via email at king@ci.wilsonville.or.us

For further information, please contact the Wilsonville Planning Division, City Hall, 29799 SW Town Center Loop East, Wilsonville, OR 97070 or telephone (503) 682-4960.

City of Wilsonville

**April 21, 2014
City Council Meeting
Action Minutes**

COUNCILORS	STAFF	STAFF	STAFF
Mayor Knapp	Bryan Cosgrove	Barbara Jacobson	
Councilor Goddard	Mike Kohlhoff	Kristin Retherford	
Councilor Starr	Jeanna Troha	Jon Gail	
Councilor Fitzgerald	Sandra King	Stan Sherer	
Councilor Stevens	Stephan Lashbrook	Kerry Rappold	
	Chris Neamtzu	Angela Handran	
	Katie Mangle		

AGENDA	ACTIONS
WORK SESSION	
<u>Council Concerns</u>	
<ul style="list-style-type: none"> • Rooftop signs at The Grove • Schedule a meeting with WL-Wv School Board to discuss bonds and shared resources • Landover resident complaint about speeding in the neighborhood, and on Wilsonville Rd. Large semi-trucks using Wilsonville Rd and speeding 	<p>Staff will follow up.</p> <p>Scheduling process will begin</p> <p>Speed studies being done throughout town. Information on truck routes will be brought back to Council.</p>
<ul style="list-style-type: none"> • Basalt Creek Concept Plan Update 	Staff presented the progress made to date on the joint planning project with Tualatin. Frequent updates will be presented throughout the planning process.
<ul style="list-style-type: none"> • Frog Pond / Advance Road Update 	Staff provided an overview of the planning steps to be taken over the next year. Councilors Stevens and Goddard volunteered to sit on the Task Force.
<ul style="list-style-type: none"> • Ordinance 737 – amending Chapter 10 of W.C. re: leashing dogs on public property 	The reasons for the amendments to the Code were highlighted, and it was noted the ordinance pertained to public property only.
<ul style="list-style-type: none"> • Joint MPAC/JPAC Retreat Discussion of Climate Smart Communities 	At the joint meeting program scenarios were discussed and focus areas identified to implement the program. Funding the program will be discussed when the two groups meet in late May.
REGULAR MEETING	
<u>Mayor's Business</u>	
<ul style="list-style-type: none"> • Recognize Dick Spence for Community Volunteering 	Mayor presented certificate of appreciation to Mr. Spence.
<u>Communications</u>	
<ul style="list-style-type: none"> • Imagination Library Update 	An update on the program was given; Wilsonville has 40% of the eligible children participating in the program.
<ul style="list-style-type: none"> • Earth Day Proclamation 	Mayor read the proclamation for the record.
<u>New Business</u>	

Resolution No. 2466 – authorizing the CM to sign development agreement with Mentor Graphics for Canyon Creek Road extension.	Motion carried 5-0.
Public Hearing	
• Ordinance No. 737 – amending Chapter 10 of W.C. re: control of dogs	Adopted on first reading 5-0.
Continuing Business	
• Ordinance No. 735 – prohibiting smoking within 20 feet of bus stop/shelter	Adopted 5-0.
• Ordinance No. 738 – approving comprehensive plan map amendment for Renaissance at Canyon Creek II	Adopted 5-0.
• Ordinance No. 739 – approving zone map amendment for Renaissance at Canyon Creek II	Adopted 5-0.
• Ordinance No. 740 – declaring moratorium on medical marijuana facilities	Adopted 5-0.
• Resolution No. 2456 – approving appeal of Human Bean and adopting findings of fact	Adopted 3-0-2.
City Manager’s Business	
• Council goals Quarterly Update	Status of goals presented. Next update in July.
Legal Business – No report	
URBAN RENEWAL	
• URA Resolution No. 243 - authorizing the executive director to sign development agreement with Mentor Graphics for Canyon Creek Road extension.	Adopted 5-0.
Adjourn 9:10 pm	

RECORDED BY: SCK



29799 SW Town Center Loop East
Wilsonville, OR 97070
Phone 503-682-0411
Fax 503-682-1015
TDD 503-682-0843
Web www.ci.wilsonville.or.us

**WILSONVILLE CITY COUNCIL
NOTICE OF DECISION
ORDINANCE NO. 738 and ORDINANCE NO. 739**

FILE NO: ORDINANCE NO. 738 and ORDINANCE NO. 739

APPLICANT:

After conducting a public hearing on April 7, 2014 and second reading on April 21, 2014 the City Council voted to adopt Ordinance No. 738 and Ordinance No. 739 as submitted and adopted findings and conclusions to support their action.

This decision has been finalized in written form as:

Ordinance No. 738

An Ordinance Of The City Of Wilsonville Approving A Comprehensive Plan Map Amendment From Residential 0 – 1 Du/Ac To Residential 4 – 5 Du/Ac On 1.79 Acres Comprising Tax Lot 5000 Of Section 13BA, T3S, R1W, Clackamas County, Oregon; Renaissance At Canyon Creek II; Renaissance Development, Applicant.

Ordinance No. 739

An Ordinance Of The City Of Wilsonville Approving A Zone Map Amendment From The Residential Agricultural - Holding (Ra-H) Zone To The Planned Development Residential - 3 (PDR-3) Zone On 1.79 Acres Comprising Tax Lot 5000 Of Section 13BA, T3S, R1W, Clackamas County, Oregon. Renaissance Development Corp., Applicant.

And placed on file in the city records at the Wilsonville City Hall the 22nd day of April 2014, and is available for public inspection. The date of filing is the date of decision. Any appeal(s) must be filed with the Land Use Board of Appeals (LUBA) in accordance with ORS Chapter 197, within twenty-one days from the date of decision. Copies of Ordinance No.738 and Ordinance No. 739 may be obtained from the City Recorder, 29799 SW Town Center Loop East, Wilsonville, OR 97070, (503) 570-1506, or via email at king@ci.wilsonville.or.us

For further information, please contact the Wilsonville Planning Division, City Hall, 29799 SW Town Center Loop East, Wilsonville, OR 97070 or telephone (503) 682-4960.

March 13, 2014

DEVELOPMENT REVIEW BOARD PANEL A

**DEVELOPMENT REVIEW BOARD NOTICE OF DECISION AND
RECOMMENDATION TO CITY COUNCIL**

Project Name: Renaissance at Canyon Creek II Subdivision

Case Files: DB13-0050 (A) Comprehensive Plan Map Amendment
DB13-0051 (B) Zone Map Amendment
DB13-0052 (C) Stage I Preliminary Plan
DB13-0053 (D) Stage II Final Plan
DB13-0054 (E) Waiver
DB13-0055 (F) Tentative Subdivision Plat
DB13-0056 (G) Site Design Review
DB13-0057 (H) Type 'C' Tree Plan

Property Owners: James Dillon and Debra Gruber

Applicant: Renaissance Development

**Applicant's
Representative:** SFA Design Group LLC

**Property
Description:** Tax Lots 5000 of Section 13BA; T3S R1W; Clackamas County;
Wilsonville, Oregon.

Location: 28325 SW Canyon Creek Road South

On March 10, 2014, at the meeting of the Development Review Board Panel A, the following action was taken on the above-referenced proposed development applications:

Requests A and B: The DRB has forwarded a recommendation of approval to the City Council. *A Council hearing date is scheduled for Monday, April 7, 2014 to hear these items.*

Requests C, D, E, F, G and H:
Approved, together with conditions of approval.
These approvals are contingent upon City Council's approval of Requests A and B.

An appeal of Requests C, D, E, F, G and H to the City Council by anyone who is adversely affected or aggrieved, and who has participated in this hearing, orally or in writing, must be filed with the City Recorder within fourteen (14) calendar days of the mailing of this Notice of Decision. *WC Sec. 4.022(.02)*. A person who has been mailed this written notice of decision cannot appeal the decision directly to the Land Use Board of Appeals under *ORS 197.830*.

This decision has been finalized in written form and placed on file in the City records at the Wilsonville City Hall this 13th day of March 2014 and is available for public inspection. The decision regarding Requests C, D, E, F, G and H shall become final and effective on the fifteenth (15th) calendar day after the postmarked date of this written Notice of Decision, unless appealed or called up for review by the Council in accordance with *WC Sec. 4.022(.09)*.

Written decision is attached

For further information, please contact the Wilsonville Planning Division at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon 97070, or phone 503-682-4960.

Attachments: DRB Resolution No. 271, including adopted staff report with conditions of approval.

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 271**

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL OF A COMPREHENSIVE PLAN MAP AMENDMENT FROM RESIDENTIAL 0-1 DU/AC TO RESIDENTIAL 4-5 DU/AC AND A ZONE MAP AMENDMENT FROM RA-H TO PDR-3 AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE I PRELIMINARY PLAN, STAGE II FINAL PLAN, WAIVER, TENTATIVE SUBDIVISION PLAT, SITE DESIGN REVIEW AND TYPE 'C' TREE PLAN FOR DEVELOPMENT OF EIGHT (8) RESIDENTIAL LOTS. THE SUBJECT 1.79 ACRE PROPERTY IS LOCATED ON TAX LOT 5000 OF SECTION 13BA, T3S, R1W, CLACKAMAS COUNTY, OREGON. SFA DESIGN GROUP - REPRESENTATIVE FOR RENAISSANCE DEVELOPMENT - APPLICANT.

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 of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared staff report on the above-captioned subject dated March 3, 2014, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on March 10, 2014, at which time exhibits, together with findings and public testimony were entered into the public record, and

WHEREAS, the Development Review Board considered the subject and the recommendations 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 Development Review Board Panel A of the City of Wilsonville recommends that the City Council approve a Comprehensive Plan Map Amendment a Zone Map Amendment (Case Files DB13-0050 and DB13-0051), approve a Stage I Preliminary Plan, Stage II Final Plan, Waiver, Tentative Subdivision Plat, Site Design Review and Type 'C' Tree Plan, and does hereby adopt the staff report attached hereto as Exhibit A1 with modified findings, recommendations and conditions placed on the record herein and authorizes the Planning Director to issue approvals consistent with said recommendations for Case File(s):

DB13-0050 (A) Comprehensive Plan Map Amendment

DB13-0051 (B) Zone Map Amendment

DB13-0052 (C) Stage I Preliminary Plan

DB13-0053 (D) Stage II Final Plan

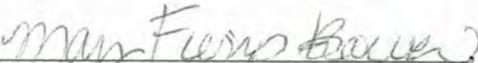
DB13-0054 (E) Waiver

DB13-0055 (F) Tentative Subdivision Plat

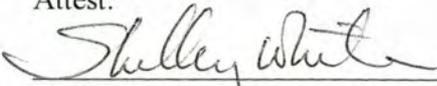
DB13-0056 (G) Site Design Review

DB13-0057 (H) Type 'C' Tree Plan

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 10th day of March 2014 and filed with the Planning Administrative Assistant on March 13, 2014. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per *WC Sec 4.022(.09)* unless appealed per *WC Sec 4.022(.02)* or called up for review by the council in accordance with *WC Sec 4.022(.03)*.


Mary Fierros-Bower, Chair, Panel A
Wilsonville Development Review Board

Attest:


Shelley White, Planning Administrative Assistant

**WILSONVILLE PLANNING DIVISION
DEVELOPMENT REVIEW BOARD PANEL 'A'
AMENDED AND ADOPTED QUASI-JUDICIAL STAFF REPORT
RENAISSANCE AT CANYON CREEK II SUBDIVISION**

Public Hearing Date: March 10, 2014
Date of Report: March 3, 2014
Application Numbers: DB13-0050 (A) Comprehensive Plan Map Amendment
DB13-0051 (B) Zone Map Amendment
DB13-0052 (C) Stage I Preliminary Plan
DB13-0053 (D) Stage II Final Plan
DB13-0054 (E) Waiver
DB13-0055 (F) Tentative Subdivision Plat
DB13-0056 (G) Site Design Review
DB13-0057 (H) Type 'C' Tree Plan
Property Owners: James Dillon and Debra Gruber
Applicant: Renaissance Development Corp.

REQUEST: SFA Design Group, LLC, acting as agent for Renaissance Development Corp., applicant, proposes the development of eight (8) residential lots in one phase, along with associated site improvements, for the property located east of SW Canyon Creek Road (arterial), south of SW Summerton Street, and west of SW Canyon Creek Road South. The development site area is comprised of one parcel, the area of which is approximately 1.79 acres.

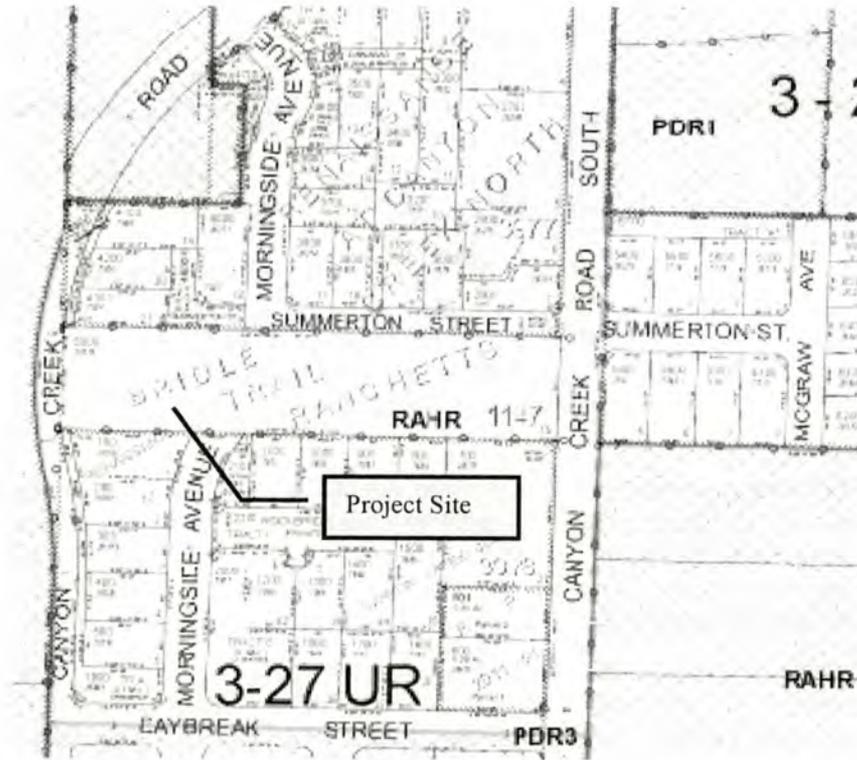
The following requests apply to the subject property, as defined in the applicant's submittal documents: Approve a Comprehensive Plan Map Amendment, Zone Map Amendment, Tentative Subdivision Plat, Stage I Preliminary Plan, Stage II Final Plan, Type 'C' Tree Removal Plan, and Site Design Review Plan for the common elements of the proposed subdivision, and one (1) waiver.

Current Comprehensive Plan Designation: Residential 0 - 1 du/ac

Current Zone Map Designation: Residential Agricultural - Holding Zone (RA-H)

STAFF RECOMMENDATION: Approve the applications, with recommended conditions.

Project Location: 28325 SW Canyon Creek Road South. The property lies east of SW Canyon Creek Road (arterial), south of SW Summerton Street, and west of SW Canyon Creek Road South. The subject property is more particularly described as being Tax Lot 5000 in Section 13BA; Township 3S, Range 1W; Clackamas County; Wilsonville, Oregon.



Vicinity and Tax Map

APPLICABLE REVIEW CRITERIA:

Zoning Review Criteria:	Description
Sections 4.008-4.015	Application Procedures
Section 4.113	Standards Applying to Residential Development in Any Zone
Section 4.118 (as applicable)	Standards Applying to All Planned Development Zones
Section 4.120 (as applicable)	Residential Agricultural - Holding (RA-H) Zone
Section 4.124	Standards Applying to All Planned Development Residential Zones
Section 4.124.3 (as applicable)	Planned Development Residential (PDR-3) Zone
Section 4.140	Planned Development Regulations
Section 4.140(.07)	Planned Development Regulations – Stage I
Section 4.140(.08)	Planned Development Regulations – Stage II
Section 4.154	Bicycle, Pedestrian and Transit Facilities
Section 4.155	Parking, Loading and Bicycle Parking
Section 4.167	Access, Ingress and Egress
Section 4.171	Protection of Natural Resources
Section 4.175	Public Safety and Crime Prevention
Section 4.176	Landscaping, Screening and Buffering
Section 4.177	Street Improvement Standards
Section 4.178	Sidewalk and Pathway Standards
Section 4.197	Zone Map Amendments
Section 4.198	Comprehensive Plan Map Amendments
Section 4.199	Outdoor Lighting
Section 4.200 – 4.270	Land Divisions
Section 4.300 – 4.320	Underground Utilities
Sections 4.400 – 4.450	Site Design Review
Sections 4.600 -4.620(.20)	Tree Preservation and Protection
Other Planning Documents:	
Metro’s Urban Growth Management Functional Plan	
Storm Water Master Plan	
Transportation Systems Plan	

Staff Reviewer: Michael R. Wheeler, Associate Planner

BACKGROUND

On August 23, 2004, Development Review Board approved 03 DB 43 for a 79-lot residential planned development (i.e., Renaissance at Canyon Creek). A companion Comprehensive Plan Map Amendment and Zone Map Amendment was approved by the City Council on September 20, 2004. Four of the nine approved phases have been constructed; more partitions are enabled, in order to achieve full build-out of the project.

The subject site was not a part of the approval of Renaissance at Canyon Creek, although the parcel's development potential was accounted for during the review, illustrating compliance with code provisions in effect at that time. Despite the fact that some code provisions have been revised since then, the applicant proposes to implement most of the original concept for Tax Lot 5000. Staff's review of the modified proposal begins next, below.

SUMMARY AND ISSUES

A project narrative is provided by the applicant, found in Section 2 of Exhibit B1. The applicant's narrative adequately describes the proposed application components, and provides proposed findings regarding applicable review criteria. Except where necessary to examine issues identified in this report, staff has relied upon the applicant's submitted documents, rather than repeat their contents again here.

Request A - Comprehensive Plan Map Amendment

The applicant proposes to amend the current Comprehensive Plan residential density range from 0 - 1 du/ac to 4 - 5 du/ac, to correspond with that of the previous Renaissance at Canyon Creek development.

Request B - Zone Map Amendment

The applicant proposes a Zone Map Amendment from the current RA-H (Residential Agricultural - Holding Zone) zone to a PDR-3 (Planned Development Residential) zone.

Request C - Stage I Preliminary Plan

The applicant's intent is for the site to be used for residential development in compliance with the proposed Comprehensive Plan designation of 4 - 5 dwelling units per acre. This intent, typically achieved through a preliminary plan, is implemented per Section 4.210(.01)(B)(19), as reviewed in Request C, and the Tentative Subdivision Plat, as reviewed in Request F, below.

Request D – Stage II Final Plan

The location, design, size and residential use of the proposed project are consistent with the proposed Comprehensive Plan, proposed zone, and with other applicable plan, development map or ordinance adopted by the City Council.

The location, design, size and uses of the proposed project are such that traffic generated by the development can be accommodated safely and without congestion in excess of level service "D", defined in the highway capacity manual published by the National Highway Research Board on existing or immediately planned arterial or collector streets.

The location, design, size and uses of the proposed project are such that the residents or establishments to be accommodated will be adequately served by "existing or immediately planned facilities and services."

Request E – One (1) Waiver

The applicant is requesting one (1) waiver to required minimum side yard setback, as identified in Section and 2 of Exhibit B1.

Request F – Tentative Subdivision Plat

The applicant proposes to record a subdivision plat for eight (8) lots, together with two (2) tracts to be held in common by the collective owners of those lots.

The configuration of the subdivision's proposed vehicle and pedestrian circulation has been found to satisfy applicable Code provisions.

The solid waste franchisee previously noted that garbage service can be provided, based upon the circulation design.

The project provides the requisite 'usable' open space necessary to satisfy the minimum acreage requirement for a project of this size (i.e., eight lots). The applicant proposes 14,438 sq. ft. of usable open space in Tract A; 5,496 sq. ft. of open space in Tract B; resulting in a 'usable' area, totaling 19,934 sq. ft. (Sheet 1 of 6 of Exhibit B2).

The configuration of a proposed Tentative Subdivision Plat can be made to meet all applicable Code requirements regarding vehicle circulation, through the imposition of related conditions of approval (Exhibit D1.2).

Request G – Site Design Review

Due to the provision of usable open space, compliance with the minimum open space required, and the submitted landscape plan, approval of the proposed Site Design Review plan may be granted.

Request H – Type C Tree Plan

The proposed Type C Tree Plan for the removal of 20 trees is in substantial compliance with the applicable provisions of Subsection 4.610.40 and 4.620.00. The Board may approve the Type C Tree Removal Plan, together with recommended conditions of approval.

ANALYSIS OF ISSUES

Issue – Lighting Plan Not Clear: The applicant has illustrated and labeled the location of proposed street lights, but has not provided specifications or ‘cut sheets’ illustrating the composition of those lights. See the discussion found beginning on page 46.

Issue – Waiver: The applicant is requesting one (1) waiver from the PDR-3 standards:

- Minimum side yard less than 7 feet for two stories - **Proposed minimum side yard five (5) feet for 2+ stories.**

The proposed waiver is reasonable, and its merits demonstrated by the applicant. See Request E of this report beginning on page 39 for a discussion regarding the requested waivers.

RECOMMENDED CONDITIONS OF APPROVAL

Condition Numbering Key	
(Prefix = Division or Department)	
PD = Planning Division Conditions	
BD = Building Division Conditions	
PF = Engineering Conditions.	
NR = Natural Resources Conditions	
TR = SMART/Transit Conditions	
FD = Tualatin Valley Fire & Rescue Conditions	

Request A: DB13-0050: Comprehensive Plan Map Amendment

Planning Division Conditions:

On the basis of findings A1 through A17 this action recommends approval of the proposed Comprehensive Plan Map Amendment from Residential 0 – 1 du/ac to Residential 4 – 5 du/ac, and forwards this recommendation to the City Council with no conditions of approval.

Request B: DB13-0051: Zone Map Amendment

Planning Division Conditions:

On the basis of findings B1 through B24 this action recommends approval of the proposed Zone Map Amendment from Residential Agricultural - Holding Zone (RA-H) to Planned Development Residential (PDR-3), and forwards this recommendation to the City Council with no proposed conditions of approval.

Request C: DB13-0052: Stage I Preliminary Plan

Planning Division Conditions:

PDC 1. On the basis of findings C1 through C6, this action approves the Stage I Preliminary Plan submitted with this application for eight (8) residential lots (Sheet 1 of Exhibit B2), as entered into the record on March 10, 2014, approved by the Development Review Board, and stamped “Approved Planning Division.” Approval of the Stage I preliminary Plan is contingent on City Council approval of Requests A and B for a Comprehensive Plan Map Amendment and a Zone Map Amendment, respectively.

Request D: DB13-0053: Stage II Final Plan

Planning Division Conditions:

PDD 1. This action approves the request regarding DB13-0053, for the plans submitted with this application, approved by the Development Review Board, and stamped “Approved Planning Division”. Approval for the Stage II Final Plan will expire two years after this action, per Section 4.140(.09)(I).

PDD 2. The Applicant/Owner shall develop the site for use as an eight (8) lot residential planned development, unless altered by a subsequent Board approval, or minor

revisions are approved by the Planning Director under a Class I administrative review process.

PDD 3. The Applicant/Owner shall provide the general contractor for the proposed project with a copy of the approved plans and conditions of approval adopted by the City.

PDD 4. The Applicant/Owner shall provide all future purchasers of lots in the project with a copy of the conditions of approval adopted by the City.

Building Division Conditions:

BDD 1. FIRE HYDRANTS. Tualatin Valley Fire & Rescue shall approve the design of the fire hydrant system serving these homes.

Engineering Division Conditions:

Standard Comments:

PFD 1. All construction or improvements to public works facilities shall be in conformance to the City of Wilsonville Public Works Standards.

PFD 2. Applicant shall submit insurance requirements to the City of Wilsonville in the following amounts:

General Aggregate	\$2,000,000
Products-Completed Operations Aggregate	\$2,000,000
Each Occurrence	\$2,000,000
Automobile Insurance	\$1,000,000
Fire Damage (any one fire)	\$ 50,000
Medical Expense (any one person)	\$ 10,000

PFD 3. No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, right-of-way and easements have been obtained and Staff is notified a minimum of 24 hours in advance.

PFD 4. All public utility/improvement plans submitted for review shall be based upon a 22"x 34" format and shall be prepared in accordance with the City of Wilsonville Public Work's Standards.

PFD 5. Plans submitted for review shall meet the following general criteria:

- a. Utility improvements that shall be maintained by the public and are not contained within a public right-of-way shall be provided a maintenance access acceptable to the City. The public utility improvements shall be centered in a minimum 15-ft. wide public easement for single utilities and a minimum 20-ft wide public easement for two parallel utilities and shall be conveyed to the City on its dedication forms.
- b. Design of any public utility improvements shall be approved at the time of the issuance of a Public Works Permit. Private utility improvements are subject to

- review and approval by the City Building Department.
- c. In the plan set for the PW Permit, existing utilities and features, and proposed new private utilities shall be shown in a lighter, grey print. Proposed public improvements shall be shown in bolder, black print.
 - d. All elevations on design plans and record drawings shall be based on NAVD 88 Datum.
 - e. All proposed on and off-site public/private utility improvements shall comply with the State of Oregon and the City of Wilsonville requirements and any other applicable codes.
 - f. Design plans shall identify locations for street lighting, gas service, power lines, telephone poles, cable television, mailboxes and any other public or private utility within the general construction area.
 - g. As per City of Wilsonville Ordinance No. 615, all new gas, telephone, cable, fiber-optic and electric improvements etc. shall be installed underground. Existing overhead utilities shall be undergrounded wherever reasonably possible.
 - h. Any final site landscaping and signing shall not impede any proposed or existing driveway or interior maneuvering sight distance.
 - i. Erosion Control Plan that conforms to City of Wilsonville Ordinance No. 482.
 - j. Existing/proposed right-of-way, easements and adjacent driveways shall be identified.
 - k. All engineering plans shall be stamped by a Professional Engineer registered in the State of Oregon.

PFD 6. Submit plans in the following general format and order for all public works construction to be maintained by the City:

- a. Cover sheet
- b. City of Wilsonville construction note sheet
- c. General construction note sheet
- d. Existing conditions plan.
- e. Erosion control and tree protection plan.
- f. Site plan. Include property line boundaries, water quality pond boundaries, sidewalk improvements, right-of-way (existing/proposed), easements (existing/proposed), and sidewalk and road connections to adjoining properties.
- g. Grading plan, with 1-foot contours.
- h. Composite utility plan; identify storm, sanitary, and water lines; identify storm and sanitary manholes.
- i. Detailed plans; show plan view and either profile view or provide i.e.'s at all utility crossings; include laterals in profile view or provide table with i.e.'s at crossings; vertical scale 1"= 5', horizontal scale 1"= 20' or 1"= 30'.
- j. Street plans.
- k. Storm sewer/drainage plans; number all lines, manholes, catch basins, and cleanouts for easier reference
- l. Water and sanitary sewer plans; plan; number all lines, manholes, and cleanouts for easier reference.
- m. Detailed plan for storm water detention facility (both plan and profile views),

including water quality orifice diameter and manhole rim elevations. Provide detail of inlet structure and energy dissipation device. Provide details of drain inlets, structures, and piping for outfall structure. Note that although storm water detention facilities are typically privately maintained they will be inspected by engineering, and the plans must be part of the Public Works Permit set.

- n. Detailed plan for water quality facility (both plan and profile views). Note that although storm water quality facilities are typically privately maintained they will be inspected by Natural Resources, and the plans must be part of the Public Works Permit set.
- o. Composite franchise utility plan.
- p. City of Wilsonville detail drawings.
- q. Illumination plan.
- r. Striping and signage plan.
- s. Landscape plan.

PFD 7. Prior to manhole and sewer line testing, design engineer shall coordinate with the City and update the sanitary and stormwater sewer systems to reflect the City's numbering system. Video testing and sanitary manhole testing will refer to the updated numbering system. Design engineer shall also show the updated numbering system on As-Built drawings submitted to the City.

PFD 8. The applicant shall install, operate and maintain adequate erosion control measures in conformance with the standards adopted by the City of Wilsonville Ordinance No. 482 during the construction of any public/private utility and building improvements until such time as approved permanent vegetative materials have been installed.

PFD 9. Applicant shall work with City's Natural Resources office before disturbing any soil on the respective site. If 5 or more acres of the site will be disturbed applicant shall obtain a 1200-C permit from the Oregon Department of Environmental Quality. If 1 to less than 5 acres of the site will be disturbed a 1200-CN permit from the City of Wilsonville is required.

PFD 10. To lessen the impact of the proposed project on the downstream storm drain system, and adjacent properties, project run-off from the site shall be detained and limited to the difference between a developed 25-year storm and an undeveloped 25-year storm. The detention and outfall facilities shall be designed and constructed in conformance with the Public Works Standards.

PFD 11. A storm water analysis prepared by a Professional Engineer registered in the State of Oregon shall be submitted for review and approval by the City to address appropriate pipe and detention facility sizing.

PFD 12. The applicant shall be in conformance with all water quality requirements for the proposed development per the Public Works Standards. If a mechanical water quality system is used, prior to City acceptance of the project the applicant shall provide a letter from the system manufacturer stating that the system was installed per specifications and is functioning as

	designed.
PFD 13.	Storm water quality facilities shall have approved landscape planted and/or some other erosion control method installed and approved by the City of Wilsonville prior to streets and/or alleys being paved.
PFD 14.	Fire hydrants shall be located in compliance with TVF&R fire prevention ordinance and approval of TVF&R.
PFD 15.	The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Any existing well shall be limited to irrigation purposes only. Proper separation, in conformance with applicable State standards, shall be maintained between irrigation systems, public water systems, and public sanitary systems. Should the project abandon any existing wells, they shall be properly abandoned in conformance with State standards.
PFD 16.	All survey monuments on the subject site, or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff.
PFD 17.	Sidewalks, crosswalks and pedestrian linkages in the public right-of-way shall be in compliance with the requirements of the U.S. Access Board.
PFD 18.	No surcharging of sanitary or storm water manholes is allowed.
PFD 19.	The project shall connect to an existing manhole or install a manhole at each connection point to the public storm system and sanitary sewer system.
PFD 20.	The applicant shall provide a 'stamped' engineering plan and supporting information that shows the proposed street light locations meet the appropriate AASHTO lighting standards for all proposed streets and pedestrian alleyways.
PFD 21.	All required pavement markings, in conformance with the Transportation Systems Plan and the Bike and Pedestrian Master Plan, shall be completed in conjunction with any conditioned street improvements.
PFD 22.	Street and traffic signs shall have a hi-intensity prismatic finish meeting ASTM 4956 Spec Type 4 standards.
PFD 23.	The applicant shall provide adequate sight distance at all project driveways by driveway placement or vegetation control. Specific designs to be submitted and approved by the City Engineer. Coordinate and align proposed driveways with driveways on the opposite side of the proposed project site.
PFD 24.	Access requirements, including sight distance, shall conform to the City's

	Transportation Systems Plan (TSP) or as approved by the City Engineer. Landscaping plantings shall be low enough to provide adequate sight distance at all street intersections and alley/street intersections.
PFD 25.	The applicant shall provide the City with a Stormwater Maintenance and Access Easement (on City approved forms) for City inspection of those portions of the storm system to be privately maintained. Stormwater or rainwater LID facilities may be located within the public right-of-way upon approval of the City Engineer. Applicant shall maintain all LID storm water components and private conventional storm water facilities; maintenance shall transfer to the respective homeowners association when it is formed.
PFD 26.	Applicant shall provide a minimum 6-foot Public Utility Easement on lot frontages to all public right-of-ways. An 8-foot PUE shall be provided along Minor and Major Collectors. A 10-ft PUE shall be provided along Minor and Major Arterials.
PFD 27.	For any new public easements created with the project the Applicant shall be required to produce the specific survey exhibits establishing the easement and shall provide the City with the appropriate Easement document (on City approved forms).
PFD 28.	<p>Mylar Record Drawings:</p> <p>At the completion of the installation of any required public improvements, and before a 'punch list' inspection is scheduled, the Engineer shall perform a record survey. Said survey shall be the basis for the preparation of 'record drawings' which will serve as the physical record of those changes made to the plans and/or specifications, originally approved by Staff, that occurred during construction. Using the record survey as a guide, the appropriate changes will be made to the construction plans and/or specifications and a complete revised 'set' shall be submitted. The 'set' shall consist of drawings on 3 mil. Mylar and an electronic copy in AutoCAD, current version, and a digitally signed PDF.</p>
PFD 29.	<p>Subdivision or Partition Plats:</p> <p>Paper copies of all proposed subdivision/partition plats shall be provided to the City for review. Once the subdivision/partition plat is approved, applicant shall have the documents recorded at the appropriate County office. Once recording is completed by the County, the applicant shall be required to provide the City with a 3 mil Mylar copy of the recorded subdivision/partition plat.</p>
PFD 30.	<p>Subdivision or Partition Plats:</p> <p>All newly created easements shown on a subdivision or partition plat shall also be accompanied by the City's appropriate Easement document (on City approved forms) with accompanying survey exhibits that shall be recorded immediately after the subdivision or partition plat.</p>
Specific Comments:	

PFD 31.	At the request of Staff, DKS Associates completed a Subdivision Trip Generation Update dated September 26, 2013. The project is hereby limited to no more than the following impacts.
	Estimated New PM Peak Hour Trips 8
	Estimated Weekday PM Peak Hour Trips Through Wilsonville Road Interchange Area 1
PFD 32.	On Morningside Avenue applicant has proposed to maintain the 32-foot curb-to-curb street width within a 51-foot street right-of-way dedication for the extension of this street. Improvements shall include asphalt roadway, curb and gutter, sidewalk, stormwater system, street trees, and streetlights.
PFD 33.	Summerton Street was previously approved with a 21.5-foot half street right-of-way. Applicant is approved to match the existing street design on the south side by dedicating an additional 13.5 feet of right-of-way (43 feet total), widening the road by 8 feet (32 foot total) and installing curb and gutter, 5-ft sidewalk, stormwater system, street trees, and streetlights.
PFD 34.	On frontage to Canyon Creek Road South the applicant shall be required to construct a 14-foot half-street improvement, face of curb to street centerline (asphalt roadway, curb and gutter, sidewalk, stormwater system, street trees, and streetlights) in compliance with Residential Street Standards as provided in the 2013 Transportation Systems Plan (note that this sidewalk needs to be offset.) Existing street right-of-way is 50 feet; no additional right-of-way dedication is required.
PFD 35.	The proposed site straddles two stormwater basins. Applicant shall design the project so that no net out-of-basin transfers will occur.
PFD 36.	Applicant shall connect storm service lines of lots to the existing or proposed storm systems where feasible; this would include lots 1 and 3 through 8.
PFD 37.	Applicant shall connect sanitary service lines of lots to the existing or proposed sanitary systems.
PFD 38.	Applicant shall be required to connect the existing 8" water systems in Morningside Avenue with extension of this street.
PFD 39.	Applicant shall obtain water service from the existing or proposed water systems.

Request E: DB13-0054: One (1) Waiver

Planning Division Conditions:

PDE 1. This action approves one (1) waiver, as follows:

- a. Minimum side yard less than 7 feet for two stories - **Proposed minimum side yard five (5) feet for 2+ stories, except adjacent to streets.**

Request F: DB13-0055: Tentative Subdivision Plat for Eight (8) lots

Planning Division Conditions:

PDF 1. This action approves the Tentative Subdivision Plat for eight (8) lots (Sheet 1 of Exhibit B2), as entered into the record on March 10, 2014, for the proposed project.

PDF 2. Prior to approval of the Final Subdivision Plat, the applicant/owner shall:

- a. Assure that the lots shall not be sold or conveyed until such time as the final plat is recorded with Clackamas County.
- b. Submit final construction plans, to be reviewed and approved by the Planning Director, City Engineer, the Tualatin Valley Fire and Rescue District, Natural Resources Manager, and the City Building Official, prior to the project's construction.
- c. The Applicant/Owners shall work with United Disposal Services, Inc (Allied Waste Company) which reviews access. The plat will be evaluated for compliance and conformance at the time of Final Subdivision Plat review.
- d. Submit final drawings and construction plans for the water quality/detention facilities and their outfalls for review and approval of the City Engineer, the Natural Resources Manager and the Environmental Services Division. These plans shall show the SROZ boundary over the development proposal.
- e. Supply the City with a performance bond, or other security acceptable to the Community Development Director, for all capital improvements required by the project.
- f. Submit an application for Final Plat review and approval on the Planning Division Site Development Application and Permit form. The Applicant/Owners shall also provide materials for review by the City's Planning Division in accordance with Section 4.220 of City's Development Code. Prepare the Final Plat in substantial accord with the Tentative Subdivision Plat dated February 20, 2014, as approved by the Development Review Board, and as amended by these conditions, except as may be subsequently altered by Board approval, or by minor revisions by the Planning Director.
- g. Illustrate existing and proposed easements, on the Final Plat.
- h. Dedicate all rights-of-way and easements necessary to construct all private and public improvements required for the project.
- i. Submit a waiver of the right of remonstrance against any local improvement district that may be formed to provide public improvements to serve the subject site.
- j. Provide the City with a recordable instrument guaranteeing the City the right to enter the site and plant, remove, or maintain approved street trees that are located on private property.
- k. Provide the City Attorney Conditions, Covenants, and Restrictions

	<p>(CC&Rs) for a Homeowners' Association that shall be formed as specified in Section 4.210.01(B)(17), for the development. The Association shall have responsibility for maintenance of all shared private drives, recreation facilities, treatment facilities, open spaces, and fences within the development. The CC&Rs shall be reviewed and approved by the City Attorney, prior to recording the Final Plat.</p> <p>1. The Applicant/Owners shall coordinate the proposed locations and associated infrastructure design with the franchise utilities. Should permanent/construction easements or rights-of-way be required to construct the public improvements or to relocate a franchised utility, the Applicant/Owners shall provide a copy of the recorded documents. Should the construction of public improvements impact existing utilities within the general area, the Applicant/Owners shall obtain written approval from the appropriate utility prior to commencing any construction. Any easements shall be shown on the final plat.</p>
PDF 3.	Prior to the Start of Construction, the applicant/owner shall:
a.	Assure that construction and site development shall be carried out in substantial conformance with the Tentative Subdivision Plat dated February 20, 2014, as approved by the Development Review Board, and as amended by these conditions, except as may be subsequently altered by Board approval, or with minor revisions by the Planning Director.
PDF 4.	The applicant/owner shall install all public streets and utilities.
PDF 5.	Prior to Final Plat approval, the applicant/owner shall provide the City with a recordable instrument guaranteeing the City the right to enter the site and plant, remove, or maintain approved street trees that are located on private property.
PDF 6.	The applicant/owner shall secure signatures of approval of the Final Plat from the Planning Director and Community Development Director. Following such authorization, the Final Plat may be recorded, according to the procedures employed by the City Engineer.
PDF 7.	The recommended conditions of the Development Engineering Manager and Building Plans Examiner, are hereby incorporated as conditions of approval (Exhibits D1.1, and D1.2).
PDF 8.	Approval of the Tentative Subdivision Plat will expire two years after final approval if substantial development has not occurred on the property within that time, unless extended by the DRB for just cause.
PDF 9.	All construction workers' vehicles and job shacks associated with this project shall be parked and located on site.
PDF 10.	The applicant/owner shall be required to provide the proportionate share of all system development charges that apply to this project. Such amount and proportion of these charges shall be determined by the Community Development Director.
PDF 11.	The City Engineer shall have the authority to grant final approval of the driveway alignments for all lots.

Request G: DB13-0056: Site Design Review

Planning Division Conditions:

PDG 1. This action approves the request regarding DB13-0056, for the Site Design Review plans dated February 20, 2014, submitted with this application, approved by the Development Review Board, and stamped "Approved Planning Division". Approval for the Site Design Review Plans will expire two years after this action, per Section 4.140(.09)(I).

PDG 2. The Applicant/Owner shall develop the site for use as a residential planned development, unless altered by a subsequent Board approval, or minor revisions are approved by the Planning Director under a Class I administrative review process.

PDG 3. The Applicant/Owner shall provide the general contractor for the proposed project with a copy of the approved plans and conditions of approval adopted by the City.

PDG 4. The Applicant/Owner shall provide all future purchasers of lots in the project with a copy of the conditions of approval adopted by the City.

PDG 5. Prior to installation of required landscape materials, the applicant/owner shall:

- a. Assure that construction and site development shall be carried out in substantial accord with the Site Design Review plans identified in condition PDG 1, above, as approved by the Development Review Board, and as amended by these conditions, except as may be subsequently altered by Board approval, or by minor revisions approved by the Planning Director.
- b. Submit final plant specifications for shrubs and street trees in the project's rights-of-way, planter strips, and pedestrian pathway/bicycle easements to Planning Division staff for review and approval. Prior to and during construction, Planning Division staff shall consider revisions to these specifications as a Class I development application. The applicant shall note that such approval does not require public notice. Following construction, Planning Division staff shall consider revisions to these specifications as a Class II development application. The applicant shall note that such approval requires public notice.
- c. Assure that all shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon cans when available. The landscaping plan shall be planted at such a density so as to provide a minimum of 95% coverage of landscape areas with vegetation, within a 3 year time period.
- d. Install water-wise or drip-type irrigation to ensure the longevity of all landscaped common areas. Such irrigation plan shall be submitted with the Building Permit drawings and shall be reviewed and approved by the Planning Division for consistency with this approval and landscape plan. Further, landscaping shall be professionally maintained by weeding, pruning and replacing dead plant material as necessary.

- e. Improve open space and recreation areas prior to occupancy of any dwelling or structure within the subdivision, in accordance with the plans approved at the March 10, 2014, public hearing.
- f. Assure that street light standards shall be positioned to illuminate the entrances to intersecting pedestrian paths. Exterior lights shall be positioned in such a way to prevent glare on adjacent streets. Repositioning of light standards and/or installation of hoods or baffles may subsequently be required by Planning Division staff to achieve this requirement.
- g. Coordinate with the U.S. Postal Service regarding the locations of mailbox stations. The U.S. Postmaster has specific standards for locating mail stations so as to provide convenient mail delivery and pickup and not obstruct handicapped accessibility. Furthermore, the mail stations shall be located so as to not diminish required sidewalk or pathway widths, nor obstruct pedestrian movement, nor interfere with fire hydrants or public and private utilities.

PDG 6. In the event that fences are proposed along Canyon Creek Road North, the applicant shall submit, and receive approval for, an application for Class I administrative review by the Planning Division staff, regarding the design of such fences.

PDG 7. Planning Division staff shall have authority to approve all retaining walls reviewed by the City's Building Division relative to materials and encroachment to the SROZ and its associated Impact Area.

PDG 8. The applicant shall submit a request to the Planning Division staff for review and approval of the final landscaping installation, prior to occupancy of any dwellings.

PDG 9. The applicant shall submit a final street tree planting plan, illustrating, at a minimum, one street tree per lot, and demonstrating compliance with the provisions of Section 4.176(.06)(D).

PDG 10. The applicant shall construct a minimum six (6) foot-wide pedestrian path per Section 4.237(.03)(B), over Tract "B" (Sheet L1 of Exhibit B2).

PDG 11. The applicant shall submit a final street lighting plan demonstrating compliance with the provisions of Section 4.199.10 – Section 4.199.60.

Request H: DB13-0057: Type C Tree Removal Plan

Planning Division Conditions:

PDH 1. The applicant shall provide the City's Planning Division with an accounting of trees to be removed in the required Type 'C' tree removal plan per the approval of the Development Review Board. Tree mitigation shall replace 20 trees, per Section 4.620 WC. See Finding H2.

PDH 2. The applicant shall obtain a Type 'C' tree removal permit prior to the issuance of a grading permit by the City's Building Division.

PDH 3. Prior to construction, the Applicant/Owner shall install six-foot-tall chain-link fencing, with ground-mounted metal stakes a maximum of eight (8) feet on centers, along the

driplines of all trees proposed to remain. This fencing shall remain in place throughout construction of the adjacent dwellings.

MASTER EXHIBITS LIST:

Note: The following exhibits are hereby entered into the public record by the Development Review Board in consideration of the current applications, as submitted:

Staff Materials:

- A. Staff Report

Applicant's Written and Graphic Materials:

B1. Land Use application, date received December 19, 2013, and including:

Section	Item
1	Application
2	Compliance Report
3	Zone Change Legal Description
4	Arborist's Report, dated 11/5/2013
5	Storm Drainage Report, dated 11/15/2013
6	Title Report, dated 11/27/2012
7	Traffic Impact Report, dated 9/26/2013
8	Notice Mailing List, dated 10/30/2013
9	Preliminary Plat (and Preliminary Plans, reduced size; see list below) (7 9 drawings) [Amended by the DRB on 3/10/2014.]
10	Prior Approval

B2. Full Size Drawings/Plan Sheets:

Sheet No.	Sheet Title
1	Cover Sheet, Sheet Index, and Preliminary Plat
2	Comprehensive Plan Map Amendment/Zone Map Amendment
3	Existing Conditions
4	Preliminary Grading and Demolition Plan
5	Site and Utility Plan
6	Aerial Photo
7	Comprehensive Plan Map [Amended by the DRB on 3/10/2014.]
8	Zone Map [Amended by the DRB on 3/10/2014.]
L1	Landscape Plan

C1. Letters (neither For nor Against): None submitted

C2. Letters (In Favor): None submitted

C3. Letters (Opposed): None submitted

D1. Staff Submittals

1. Memo from D. Walters; Building Plans Examiner; dated 2/26/2014
2. E-mail from S. Adams, Development Engineering Manager, with attachments; dated 2/26/2014
3. Comments from Public Works staff; dated 1/30/2014
4. Tax Map, 3S 1W Section 13BA; not dated
5. Tax Map, 3S 1W Section 13BA (relevant portion); not dated

E1. Exhibits Submitted at Hearing (Reserved)

FINDINGS OF FACT

1. Existing Site Conditions:

The subject site is comprised of one parcel, totaling 1.79 acres. The applicant has provided a site description in the project narrative (Section 2 of Exhibit B1). The subject property is currently zoned Residential Agricultural - Holding Zone (RA-H).

Surrounding Development: The adjacent land uses are as follows:

Compass Direction	Existing Use(s)
North	Residential Planned Development
East	Residential
South	Residential Planned Development
West	Vacant Industrial (Mentor Graphics)

Natural Characteristics:

The subject site contains gently-sloping terrain. A variety of evergreen and deciduous trees are scattered throughout the site. An existing house and accessory structures at 28325 SW Canyon Creek Road South (Tax Lot 5000) currently remain.

Streets:

The site abuts SW Canyon Creek Road (arterial) on the west, SW Summerton Street on the north, and SW Canyon Creek Road South on the east.

Previous Planning Applications Relevant to the subject property:

03 DB 43 (A – H)	Renaissance at Canyon Creek
AR13-0056	Venture Properties Interpretation

2. The applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.
3. Notice of the proposed project has been sent to the appropriate agencies involved in the review of public improvements. Comments and conditions of approval from the Building and Engineering Divisions, and Public Works comments were received and are incorporated into this staff report.
4. The statutory 120-day time limit applies to this application. The application was received on November 15, 2013. Additional materials were submitted on December 19, 2013. On January 31, 2014, staff conducted a completeness review, on which date the application was deemed complete. The City must render a final decision for the request, including any appeals, by May 31, 2014.

CONCLUSIONARY FINDINGS

The applicant's response findings to the applicable land development criteria and Comprehensive Plan goals, policies and implementation measures found in Section 2 of Exhibit B1, are hereby incorporated in this staff report as findings for the recommended action.

REQUEST 'A' – DB13-0050 COMPREHENSIVE PLAN MAP AMENDMENT

CONCLUSIONARY FINDINGS FOR REQUEST (A):

Comprehensive Plan – Comprehensive Plan Changes

Pages 7 through 10 of the City of Wilsonville's Comprehensive Plan updated April, 2013, provide the following procedure for amending the Comprehensive Plan:

Who May Initiate Plan Amendments

A1. The subject property owners through their authorized agent (the applicant) have made application to modify the Comprehensive Plan map designation for their property from 0-1 du/ac to 4-5 du/ac.

Application for Plan Amendment

A2. The applicant has met all applicable filing requirements for a Comprehensive Plan Map amendment.

Consideration of Plan Amendment

A3. The Planning Division received the application on November 11, 2013. Staff met with the applicant subsequent to the submittal of the application to discuss the completeness of the application and perceived deficiencies of the application. The Planning Division received revised plans on December 19, 2013. The application was deemed complete on January 31, 2014.

A4. The findings and recommended conditions of approval adopted by the Development Review Board in review of the application to modify the Comprehensive Plan Map designation will be forwarded as a recommendation to the City Council.

Standards for Development Review Board and City Council Approval of Plan Amendments (page 8 of the Comprehensive Plan):

- a. The proposed amendment is in conformance with those portions of the Plan that are 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 following factors have been adequately addressed in the proposed amendment:

Suitability of the various areas for particular land uses and improvements;

Land uses and improvements in the area;

Trends in land improvement;

Density of development;
Property values;
Needs of economic enterprises in the future development of the area;
Transportation access;
Natural resources; and
Public need for healthful, safe and aesthetic surroundings and conditions.

e. Proposed changes or amendments to the Comprehensive Plan do not result in conflicts with applicable Metro requirements.

A5. At the writing of this report, the applicant has satisfied Plan requirements of citizen involvement.

A6. Policy 4.1.4 and Implementation Measures 4.1.4.f, 4.1.4.l, and 4.1.4.p of the Comprehensive Plan speak to the City's desire to see the development of housing that is affordable to and serves employees working in the City. The proposed project would provide an incremental net increase of seven (7) new single-family homes within the City.

A7. The applicant has not provided findings relative to affordability of the homes in the project.

A8. The traffic study completed for this project (Section 7 of Exhibit B1), indicating that the proposed entry streets provide sufficient access for emergency vehicles and comply with the traffic level of service requirements of the Development Code and the Transportation Systems Plan.

A9. The property within the proposed project site is currently large lot, which includes a single-family home that was developed on what was rural residential land. The proposed project is currently surrounded by higher density, single-family homes on the south, east and west sides. Implementation Measures 4.1.4.b, d, and o speak to the City's desire to see a diversity of housing types and affordability. The applicant's proposal would provide eight (8) new homes, adding to the diversity of single family home choices in the City. Through the conditions of approval proposed by staff, the project could be adequately served with urban services and would minimize off-site impacts.

A10. Metro's Functional Plan limits cul-de-sac lengths and the distance between local roads. The applicant has provided findings addressing these concerns (Section 2 of Exhibit B1).

Public Notice

A11. Public Notice of the March 10, 2014, Development Review Board public hearing regarding this application was mailed and posted on February 18, 2014. A notice regarding the April 7, 2014, City Council will follow.

Wilsonville Development Code (WC) – Comprehensive Plan Changes

Subsection 4.198(.01) of the Development Code stipulates, "Proposals to amend the Comprehensive Plan, or to adopt new elements or sub-elements of the Plan, shall be subject to the procedures and criteria contained in the Comprehensive Plan. Each such

amendment shall include findings in support of the following:

Approval Criterion A: “That the proposed amendment meets a public need that has been identified;”

A12. The adjoining Renaissance at Canyon Creek subdivision is designated on the Comprehensive Plan as Residential 4 - 5 dwelling units per acre which is medium residential density. The “Residential Development” portion of the Comprehensive Plan (Policy 4.1.4) identifies the need for additional housing within the City to serve housing and economic needs of residents and employees working within the City. The March 2012 Development Summary completed by the City indicates that approximately 23% of 4,502 acres of land within the City is zoned Planned Development Residential (PDR).

City Wide Housing Units

Type	New	YTD	Total
Apartment	0	0	4591
Condominium	0	0	563
Duplex	0	0	68
Mobile Homes	0	0	20
Mobile Home park	0	0	143
Single Family	21	21	3696
Totals	21	21	9081

On the basis of the above inventory there are 56.75% multi-family (including 563 condominiums), 41.5% single-family (including 68 duplexes) and 1.75% mobile homes. Adjusting the housing units to include the recently approved Brenchley Estates - North project comprising 320 apartment units and 39 single-family units, the revised housing unit split is 58.4% multi-family, 40.3% single family and 1.3% mobile homes. The proposed 15 apartment unit project would increase the percentage of land in PDR zoning and apartment units by a negligible amount. The proposed project would increase the percentage of land in PDR zoning and the number of additional single-family houses by a negligible amount.

Though the City has historically through an older version of the Comprehensive Plan sought to achieve 50 percent in single-family houses, 40 percent in multi-family units and 10 percent in manufactured houses at mobile home parks those percentages the Comprehensive Plan no longer has a stated goal of maintaining those percentages. The Comprehensive Plan was revised in its entirety by City Council Ordinance No. 517 on October 16, 2000. Housing is now determined by density ranges in Table 1 in Finding B2 for each mapped zoning district. Residential development must also be balanced with Policy 4.1.4 and its implementation measures that seek to “provide opportunities for a wide range of housing types, sizes, and densities at prices and rent levels to accommodate people who are employed in Wilsonville.” In the near future, multi-family and single-family housing percentages will become more balanced with the construction of Tonquin Woods (27 homes); Tonquin Woods 2 (168 homes); Copper Creek (21 homes); Jory Trail at the Grove (30 homes); Brenchley Estates – North (27 homes); Retherford Meadows (88 homes); SAP-East, Phase 3 (185 homes) and Willamette Landing (33 homes), for

total 579 homes.

Approval Criterion B: “That the proposed amendment meets the identified public need at least as well as any other amendment or change that could reasonably be made;”

A13. The current Comprehensive Plan designation for the subject properties is Residential with a density range of 0-1 dwelling units per acre. The Zoning Map identifies the subject properties as Residential Agricultural – Holding (RA-H). The Planned Development Regulations of the Development Code require that the subdivision of properties such as the subject properties (over two acres) result in a Planned Development community. The applicant proposes a net density of 5.16 dwelling units per acre. The Comprehensive Plan allows a range of densities from 0-1 dwelling units per acre to over 20 dwelling units per acre. The properties to the north, south, and east of the proposed project are designated residential on the Comprehensive Plan Map of the City. The subject property has a Comprehensive Plan designation of ‘Residential’ with a density of 0-1 dwelling units per acre, while the properties to the north, south and east have a designation of 4-5 dwelling unit per acre. It is appropriate to continue to designate these properties as Residential. In addition, the proposed subdivision has similarities in site density and housing product to other subdivisions nearby such as Renaissance at Canyon Creek, Wilsonville Meadows and Landover subdivisions, making the proposed transitional density of 4-5 du/ac appropriate. Comparisons to the single family density of Wilsonville Meadows need to consider the overall density of the project that includes multi-family projects such as Berkshire Court and Hathaway Village that are part of the overall master plan.

Approval Criterion C: “That the proposed amendment supports applicable Statewide Planning Goals, or a Goal exception has been found to be appropriate;”

A14. With the implementation of the proposed conditions of approval, the project supports the applicable Statewide Planning Goals.

Approval Criterion D: “That the proposed change will not result in conflicts with any portion of the Comprehensive Plan that is not being amended.”

A15. The applicant is requesting an amendment of the Comprehensive Plan Map for the subject properties. The applicant does not propose to modify or amend any other portion of the Comprehensive Plan or Plan Map.

METRO'S URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN

A16. Title 1 of the Urban Growth Management Functional Plan (UGMFP) requires 80% Maximum density at build-out of any particular parcel. With the rewrite of the City's Development Code in November 2000, the lower end of the planned density range was increased to reflect this 80% requirement. The applicant is requesting a zone change to Planned Development Residential (PDR-3), which corresponds to a Comprehensive Plan Map density of 4-5 dwelling units per acre.

SUMMARY FINDING FOR REQUEST (A):

A17. The applicant's proposed Comprehensive Plan Map Amendment meets all applicable requirements, and its approval may be recommend to the City Council.

STAFF RECOMMENDATION FOR REQUEST (A):

Based on findings of fact 1 - 3, analysis and conclusionary findings A1 through A17, staff recommends that the Development Review Board forward the Comprehensive Plan Map Amendment to City Council for a hearing on April 7, 2014, along with the recommended conditions necessary to fully comply with the requirements of the Code. Proposed conditions of approval are found beginning on page 7 of this report.

REQUEST 'B' – DB13-0051 ZONE MAP AMENDMENT

The subject property is currently zoned Residential Agricultural Holding (RA-H). The purpose of the RA-H Zone is set forth in the 4.120 of the Code. The proposed Zone Map amendment from RA-H to PDR-3 is intended to serve as a procedure to evaluate the conversion of urbanizeable land to urban land consistent with the Comprehensive Plan. Because the service levels vary throughout the City, the zoning process allows for a case-by-case analysis of the availability of public facilities and services and to determine specific conditions related to needed public facilities improvements. All land development proposals are reviewed for conformity with the Comprehensive Plan and specific standards set forth in the zoning ordinance. As set forth in Subsection 4.197(.02) of the Wilsonville Code, in recommending approval or denial of a proposed zone map amendment, the Development Review Board must at a minimum, adopt findings addressing Criteria A-G, below.

Criterion 'A'

“That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008 or, in the case of a Planned Development, Section 4.140.”

B1. The applicant has provided findings in Section 2 of Exhibit B1 addressing the tentative plat criteria and the zone map amendment criteria.

Criterion 'B'

“That the proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with the applicable goals, policies and objectives, set forth in the Comprehensive Plan text.”

B2. The applicant has provided findings in Section 2 of Exhibit B1 in response to these Code criteria. Staff is recommending approval of the proposed Comprehensive Plan Map amendment, with conditions of approval contained in this staff report. Approval of the proposed amendment to the zoning map is contingent upon approval of the Comprehensive Plan map amendment by the City Council.

B3. The land area of the proposed subdivision is 1.79 acres. The applicant is proposing to change the Comprehensive Plan designation from 0-1 dwelling units per acre to 4-5 dwelling units per acre. Proposed are a total of eight (8) lots, making the gross density of the proposed subdivision 4.47 dwelling units per acre. Net density (gross minus streets) is 5.16 dwelling units per acre.

Comprehensive Plan – Residential Development

Variety/Diversity of Housing

Implementation Measures 4.1.4.c, 4.1.4.g, 4.1.4.j, 4.1.4.k, 4.1.4.l, and 4.1.4.p speak to the City’s desire to plan for and establish a variety and diversity of housing types that meet the social and economic needs of the residents, including the need for affordable housing and a balance of housing with jobs.

B4. The applicant’s proposal would provide an incremental net addition of seven (7) single-family houses to the one (1) existing dwelling. Response findings to 4.198(.01)(A) speak to the need for additional single-family housing in the City.

Implementation Measures 4.1.1.j, 4.1.4.i, 4.1.4.o, and 4.1.4.r speak to the City’s desire to approve new residential development concurrent with the availability of public facilities.

B5. Water, sanitary sewer, and storm sewer are either available to the proposed project (with appropriate connections) or can be supplied to the project. The applicant/owner will be responsible for providing on-site storm water detention for water quality and quantity. The applicant will also be responsible for providing public streets within the project with appropriate right-of-way. The applicant will be required to cap all existing on-site utilities prior to the issuance of building permits by the City.

Implementation Measure 4.1.4.h: “Require new housing developments to pay an equitable share of the cost of required capital improvements for public services.”

B6. The applicant/owner will be required to pay the equitable share (as determined by the Community Development Director) of the capital improvement costs for public services.

B7. The entirety of the subject properties has a Comprehensive Plan designation of Residential, 0-1 dwelling units per acre. The applicant is proposing a Comprehensive Plan Map designation of 4-5 dwelling units per acre. See Request A, beginning on page 21 of this report.

Zone Map

B8. The subject properties are currently zoned Residential Agricultural – Holding (RA-H). The applicant proposes a change to Planned Development Residential (PDR-3) zone to accommodate a total of eight (8) single-family lots averaging 5,969 SF (Section 2 of Exhibit B1).

Significant Natural Resources

B9. While vegetation exists throughout the site, it is not found to be within an area identified by the Comprehensive Plan as Significant Resource Overlay Zone.

Area of Special Concern

B10. The Comprehensive Plan does not identify the subject property as an area of special concern.

Criterion ‘C’

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

B11. The subject properties are designated “Residential” on the City’s Comprehensive Plan Map. The above section of the Comprehensive Plan, mentioned by the applicant regarding this subsection of the Development Code, refers to an older version of the Comprehensive Plan. The corrected references are shown below:

Goal 4.3	Implementation Measure 4.1.4.b
Objective 4.3.3	Implementation Measure 4.1.4.d
Objective 4.3.4	Implementation Measure 4.1.4.e
Policy 4.4.2	Implementation Measure 4.1.4.q
Policy 4.4.8	Implementation Measure 4.1.4.x

The current text is as follows:

“In the event that the subject property, or any portion thereof, is designated as "Residential" on the City's Comprehensive Plan Map; specific findings shall be made addressing substantial compliance with Implementation Measures 4.1.4.b, d, e, q, and x of Wilsonville's Comprehensive Plan text...”

Implementation Measure 4.1.4.b – Variety in Housing Type

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

B12. The applicant has indicated that the proposed project would develop a housing type similar to that of surrounding subdivisions. The applicant has not provided findings as to how the proposed housing project of this proposal meets the affordability criteria of the Comprehensive Plan. The low vacancy rates of similar subdivisions in the City provide circumstantial evidence that there is demand for the housing product proposed by the applicant. Adequate public services could be made available to the site.

Implementation Measure 4.1.4.d – Diversity of Housing Types

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

B13. The applicant has not indicated whether a variety of house models are proposed for the subdivision.

Implementation Measure 4.1.4.e

“Targets are to be set in order to meet the City’s Goals for housing and to assure compliance with State and regional standards.”

B14. The City has established a 50% multi-family, 40% single-family target for housing in the City. The December 2012 Housing Inventory Report shows a mix of 57% multi-family, and 43% single-family (including rowhouses) dwellings.

Implementation Measure 4.1.4.q

“The City will continue to allow for mobile homes and manufactured dwellings, subject to development review processes that are similar to those used for other forms of housing. Individual units will continue to be allowed on individual lots, subject to design standards. Mobile home parks and subdivisions shall be subject to the same procedures as other forms of planned developments.”

B15. The applicant is not proposing mobile homes in this application.

Implementation Measure 4.1.4.x

“Apartments and mobile homes are to be located to produce an optimum living environment for the occupants and surrounding residential areas. Development criteria includes:

- 1. Buffering by means of landscaping, fencing, and distance from conflicting uses.**
- 2. Compatibility of design, recognizing the architectural differences between apartment buildings and houses.**

3. **On-site recreation space as well as pedestrian and bicycle access to parks, schools, mass transit stops and convenience shopping.**

4. **The siting of buildings to minimize the visual effects of parking areas and to increase the availability of privacy and natural surveillance for security.”**

B16. The applicant is proposing neither apartments nor mobile homes in this application.

Criterion ‘D’ – Public Facilities

“That the existing primary public facilities, i.e., roads and sidewalks, water, sewer and storm sewer are available and are of adequate size to serve the proposed development; or, that adequate facilities can be provided in conjunction with project development. The Planning Commission and Development Review Board shall utilize any and all means to insure that all primary facilities are available and are adequately sized.”

B17. The City Engineer’s Public Facilities (PF) conditions, imposed upon the subsequent Stage II Final Plan application, will require the applicant to provide adequate road, water, and sewer infrastructure to serve the proposed project. These conditions require that all Public Works permits granted to the applicant/owner will be in accordance with the need determined by the City Engineer to serve the proposed project.

Criterion ‘E’ – Significant Resource Overlay Zone

“That the proposed development does not have a significant adverse effect upon Significant Resource Overlay Zone areas, an identified natural hazard, or an identified geologic hazard. When Significant Resource Overlay Zone areas or natural hazard, and/or geologic hazard are located on or abut the proposed development, the Planning Commission or Development Review Board shall use appropriate measures to mitigate and significantly reduce conflicts between the development and identified hazard or Significant Resource Overlay Zone.”

B18. The SROZ does not affect the subject property.

Criterion ‘F’

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

B19. The applicant indicates that the full build-out of the proposed lots will begin in 2014.

Criterion ‘G’

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

B20. Staff is recommending conditions of approval for the proposed project where necessary to bring the project into compliance with all applicable development standards.

Subsection 4.197(.03) provides that “If affirmative findings cannot be made for all applicable criteria listed above the Planning Commission or Development Review Board shall recommend that the proposed text or map amendment, as the case may be, be denied.”

B21. Staff has made affirmative findings for subsection 4.197(.02)(A)-(G), above. Staff is also recommending conditions of approval for the project to ensure compliance with the subject code criteria.

Subsection 4.197(.04) stipulates that the “City Council action approving a change in zoning shall be in the form of a Zoning Order.”

B22. Staff is recommending approval of the Stage I Preliminary Plan of the proposed project, together with conditions of approval, and a recommendation for approval of the proposed Zone Map Amendment. A City Council Zoning Order will be required prior to approval of the remaining applications, reviewed later in this report.

Subsection 4.197(.05) provides “In cases where a property owner or other applicant has requested a change in zoning and the City Council has approved the change subject to conditions, the owner or applicant shall sign a statement accepting, and agreeing to complete the conditions of approval before the zoning shall be changed.”

B23. Staff is recommending a condition of approval that would implement the City Council Zoning Order, contingent on the completion of the conditions of approval adopted by City Council.

SUMMARY FINDING FOR REQUEST (B):

B24. The applicant’s proposed Zone Map Amendment meets all applicable requirements, and its approval may be recommend to the City Council.

STAFF RECOMMENDATION FOR REQUEST (B):

Based on findings of fact 1 - 3, analysis and conclusionary findings B1 through B24, staff recommends that the Development Review Board forward the Zone Map Amendment to City Council for a hearing on April 7, 2014, together with the recommended conditions necessary to fully comply with the requirements of the Code. Proposed conditions of approval are found on page 7 of this report.

REQUEST ‘C’ – DB13-0053 STAGE I PRELIMINARY PLAN

CONCLUSIONARY FINDINGS FOR REQUEST (C):

Tentative Plat Submission – 4.210(.01)(B)(19)

- C1. As enabled by the section referenced above, the tentative subdivision plat "...shall be considered as the Stage I Preliminary Plan." The tentative plat is reviewed in Request C, this section.
- C2. The applicant proposes to develop eight (8) lots. Calculations demonstrating compliance with applicable review criteria are found in Sections 1 Exhibit B1.

Site Information. Subsections 4.009(.01) and 4.140(.07)(A)(1):

- C3. The applicant has demonstrated ownership of the subject property in the form of written consent of the two current property owners (Section 1 of Exhibit B1).
- C4. The subject property is proposed to be rezoned from Residential Agricultural - Holding Zone (RA-H) to a Planned Development Residential (PDR-3) zone. The proposed residential use of the property is in compliance with uses typically found in the zone.

Subsection 4.140(.05): Planned Development Permit Process

- C5. The applicant's response to these criteria is found in the narrative (Section 2 of Exhibit B1). The proposed project is not allowed to proceed nor receive a building permit until all applicable review criteria have been satisfied. By the applicant's submittal, these criteria have been met.

Subsection 4.140(.07)(A): Preliminary Approval (Stage One) Application Requirements

- C6. The applicant's proposal is provided by professional services in response to this criterion, as found in Section 2 of Exhibit B1. This criterion is satisfied.

Subsections 4.140(.07)(B) & 4.035(.04): Preliminary Approval (Stage One) Application Requirements and Site Development Permit Application

- C7. The applicant's response to Subsection 4.140(.07)(B) can be found in Section 2 of Exhibit B1. The applicant has submitted evidence of the intention to commence construction of the project in 2014, within two years of receiving Stage II Final Plan approval, and a commitment to install, or provide acceptable security for the capital improvements required by the project, at the time of Stage II Final Plan. These criteria are met.

SUMMARY FINDING FOR REQUEST (C):

C8. The applicant's proposal satisfies all applicable Code requirements and standards, as discussed above.

STAFF RECOMMENDATION FOR REQUEST (C):

Based on findings of fact 1 - 3, analysis and conclusionary findings C1 through C8, staff recommends that the Development Review Board approve the applicant's request for Stage I Preliminary Plan as illustrated in the Preliminary Plat (Sheet 1 of Exhibit B2), together with the recommended conditions necessary to fully comply with the requirements of the Code. Proposed conditions of approval are found on page 7 of this report.

REQUEST 'D' – DB13-0053 – STAGE II FINAL DEVELOPMENT PLAN

The applicant is proposing a Stage II Final Plan for eight (8) lots, each for a single family dwelling, and related site improvements. Staff has reviewed the proposed Stage II Final Plan to determine compliance with the Planned Development Regulations. Proposed is a single phase development plan (Sheet 1 of Exhibit B2). The key Stage II Final Plan review standards are the following:

Subsections 4.140.09(C-F): *Stage II Final Plan*

D1. The applicant's submittal documents provide sufficient detail to satisfy the requirements of Section 4.140.09(C) & (D). These criteria are met.

Subsection 4.140(.09)(J) – Final Plan approval

Subsection 4.140(.09)(J)(1-3) stipulates the following criteria for Final Plan approval:

- 1. The location, design, size and uses, both separately and as a whole, are consistent with the Comprehensive Plan, and with any other applicable plan, development map or Ordinance adopted by the City Council.**
- 2. That the location, design, size and uses are such that traffic generated by the development can be accommodated safely and without congestion in excess of level service "D" defined in the highway capacity manual published by the National Highway Research Board on existing or immediately planned arterial or collector streets and will, in the case of commercial or industrial developments, avoid traversing local streets.**
- 3. That the location, design, size and uses are such that the residents or establishments to be accommodated will be adequately served by existing or immediately planned facilities and services.**

ZONING, Sections 4.100-4.141

Subsection 4.140(.09)(J): A planned development permit may be granted by the Development Review Board only if it is found that the development conforms to all the following criteria, as well as to the planned development regulations in Section 4.140.

Additionally, Subsection 4.140(.09)(J)(1) states: The location, design, size and uses, both separately and as a whole, are consistent with the Comprehensive Plan, and with any other

applicable plan, development map or Ordinance adopted by the City Council.

Comprehensive Plan and Zoning: *Planned Development Residential zone*

D2. The subject property contains one zoning district Residential Agricultural - Holding Zone (RA-H) for which the applicant has requested a Zone Map Amendment to Planned Development Residential (PDR-3). The Comprehensive Plan currently identifies the subject property as Residential 0 - 1 dwelling units per acre, although the applicant has requested a Comprehensive Plan Map Amendment to Residential 4 - 5 dwelling units per acre. Required minimum density is achieved by the applicant's proposal. See page 24 for a discussion of density.

Subsection 4.118.03(B): *Waivers.*

D3. The applicant is seeking one (1) waiver to the Planned Development Regulations. This requested waiver is discussed in Request E of this report.

Subsection 4.113: *Standards Applying to Residential Developments in any Zone:*

Subsection 4.113 provides for the required open space in new residential developments. In addition, Implementation Measures 4.1.5.d, 4.1.5.j, and 4.1.5.k speak to the Comprehensive Plan's desire to create and conserve open space in the City for specified objectives.

Subsection 4.113.02(A) – Outdoor Recreational Area - Standards Applying To Residential Developments In Any Zone.

(.01) Outdoor Recreational Area in Residential Developments.

A. Purpose. The purposes of the following standards for outdoor recreational area are to provide adequate light, air, open space and usable recreational facilities to occupants of each residential development. Outdoor recreational area shall be:

1. **Designed with a reasonable amount of privacy balanced between indoor and outdoor living areas. Such outdoor recreational area shall be provided consistent with the requirements of this Section.**
2. **Recreational areas shall be provided in keeping with the needs of the prospective tenants and shall not be located in required yards, parking, or maneuvering areas, or areas that are inaccessible. Standards for outdoor recreational areas may be waived by the Development Review Board upon finding that the recreational needs of the residents will be adequately met through the use of other recreational facilities that are available in the area.**
3. **In mixed-use developments containing residential uses, the Development Review Board shall establish appropriate requirements for outdoor recreational area, consistent with this Section.**
4. **The Development Review Board may establish conditions of approval to alter the amount of required outdoor recreation area, based on findings of projected need for the development. Multi-family developments shall provide at least the following minimum recreational area:**

- a. For ten (10) or fewer dwelling units, 1000 square feet of usable recreation area;
 - b. For eleven (11) through nineteen (19) units, 200 square feet per unit;
 - c. For twenty (20) or more units, 300 square feet per unit.
5. Outdoor recreational area shall be considered to be part of the open space required in the following subsection.

(02) Open Space Area shall be provided in the following manner:

A. In all residential subdivisions including subdivision portions of mixed use Development where (1) the majority of the developed square footage is to be in residential use or (2) the density of residential units is equal or greater than 3 units per acre, at least twenty-five percent (25%) of the area shall be in open space excluding streets. Open space must include, as a minimum natural areas that are preserved under the City's SROZ regulations and usable open space such as public park area, tot lots, swimming and wading pools, grass area for picnics and recreational play, walking paths, and other like space. For subdivisions with less than 25% SROZ lands and those with no SROZ lands, the minimum requirement shall be ¼ acre of usable park area for 50 or less lots ½ acre of usable park area for 51 to 100 lots, and pro rata amounts based on this formula for subdivisions exceeding 100 lots. Front, side and rear yards of individual residential lots shall not be counted towards the 25% open space.

Provided, however, where SROZ is greater than 25% of the developable area for any development, the development must also provide ¼ acre of usable park area for a development of less than 100 lots, and ½ acre of usable park area for a development of 100 lots, and pro rata amounts based on this formula for subdivisions exceeding 100 lots. The Development Review Board may waive the usable open space requirement if there is substantial evidence in the record to support a finding that the intent and purpose of the requirement will be met in alternative ways. Irrespective of the amount of SROZ, a development may not use phasing to avoid the minimum usable space requirement.

Multi-family developments shall provide a minimum of 25% open space excluding streets. Open space must include, as a minimum natural areas that are preserved under the City's SROZ regulations, and outdoor recreational area as provided in 4.113(.01)(A)(1) through (5) [Amended by Ord. 589 8/15/05]

- B. Open space area required by this Section may, at the discretion of the Development Review Board, be protected by a conservation easement or dedicated to the City, either rights in fee or easement, without altering the density or other development standards of the proposed development. Provided that, if the dedication is for public park purposes, the size and amount of the proposed dedication shall meet the criteria of the City parks standards. The square footage of any land, whether dedicated or not, which is used for open space shall be deemed a part of the development site for the purpose of computing density or allowable lot coverage.**

C. The Development Review Board may specify the method of assuring the long term protection and maintenance of open space and/or recreational areas. Where such protection or maintenance are the responsibility of a private party or homeowners' association, the City Attorney shall review any pertinent bylaws, covenants, or agreements prior to recordation.

- D4. The above residential development standards require that 25% of the site be set aside for outdoor and recreation space. Those requirements are met through proposed Tracts A and B, totaling 19,934 sq. ft., which is 25.6% of the site area, meeting code. The nearest public park is Canyon Creek Park.
- D5. The above criteria also require that a minimum of one-quarter acre (10,890 square feet) of usable recreation area be provided. This recreation area can be included in the 25% parks and open space requirement. A total of 19,934 sq. ft. is proposed, satisfying this minimum Code requirement.
- D6. Covenants, Conditions, and Restrictions of the Homeowner's Association will be required, in order to place the ownership and maintenance responsibilities for the common areas upon the Homeowners Association (HOA). Condition PDF 2.k is recommended to achieve this result.

Subsection 4.113(.03)(B) – Building Setbacks

- D7. See Request E, below, for the discussion of proposed waivers to building setbacks.

Subsection 4.113(.04) – Building Height

- D8. The applicant does not propose to exceed the maximum 35' height limitation. This criterion is satisfied as a result.

Subsection 4.113(.07) – Fences

- D9. The applicant is proposing to complete the existing masonry wall along SW Canyon Creek Road (west), connecting the existing segments with masonry pilasters and wooden fence panels (Sheet L.1 of Exhibit B2). Sideline fences are proposed between the proposed lots, completing the pattern of existing fences constructed as part of Renaissance at Canyon Creek.

Subsection 4.171(.04): Natural Resource Protection – Trees and Wooded Areas

- D10. The applicant's arborist report (Section 4 of Exhibit B1), identifies 28 on-site trees. Only one of these trees is a native species (Douglas-fir). The applicant proposes to retain eight (8) trees. Conformance of the proposed project with the City's tree ordinance is considered in a report regarding proposed tree removal (Case File DB13-0057), which is a companion to this application, and found in Request H of this report.

Parking - Section 4.155 of the Wilsonville Code sets forth the minimum parking standards for off-street parking. The applicable subsections of this code are the following:

Subsection 4.155(.03)(B)(8) and Table 5: Parking Standards.

- D11. Each proposed dwelling would be required to provide one (1) off-street parking space, which is accomplished with garage or driveway parking on each of the eight (8) proposed home sites.

Schools

- D12. The applicant has not estimated how many school-age children will reside within the project at full build-out, but has provided response findings regarding schools (page 12 of Section 2 of Exhibit B1). Given the small number of proposed dwelling units, the impact to existing schools will be equally small. While not required by the Development Code, staff suggests the applicant provide the West Linn/Wilsonville School District with this estimate to aid in the school district's planning of future facilities.

Traffic

Comprehensive Plan– Implementation Measures 3.1.6a-3.1.6.cc - Transportation

- D13. The street layout aligns to the existing topography. Proposed are two (2) public streets and sidewalks, providing to access the proposed houses.

Subsection 4.140(.09)(J)(2): Traffic Concurrency.

Subsection 4.140(.09)(J)(2) of the Wilsonville Code stipulates review criteria for Stage II of the planned development process:

“That the location, design, size and uses are such that traffic generated by the development at the most probable used intersection(s) can be accommodated safely and without congestion in excess of Level of Service D, as defined in the Highway Capacity manual published by the National Highway Research Board, on existing or immediately planned arterial or collector streets and will, in the case of commercial or industrial developments, avoid traversing local streets. Immediately planned arterial and collector streets are those listed in the City’s adopted Capital Improvement Program, for which funding has been approved or committed, and that are scheduled for completion within two years of occupancy of the development or four year if they are an associated crossing, interchange, or approach street improvement to Interstate 5.”

Additionally, Subsection 4.140(.09)(J)(2)(a)(ii) requires that the traffic study performed to determine whether a proposed project will generate traffic in excess of Level of Service D (LOS D) look at “what impact the estimate generated traffic will have on existing level of service including traffic generated by (1) the development itself, (2) all existing developments, (3) Stage II developments approved but not yet built, and (4) all developments that have vested traffic generation rights under section 4.140(.10), through the most probable used intersection(s), including state and county intersections, at the time of peak level of traffic.”

- D14. The traffic study for the project estimates eight (8) total daily trips, seven (7) of which are new p.m. peak hour trips¹ (Section 7 of Exhibit B1).

¹ The number of approved dwellings reviewed in the original Traffic Impact Analysis was for 86 lots, but was reduced to 79 lots (including future partitions), based upon materials in the original case file.

- D15. Prior to the issuance of building permits by the City, the property owner shall be responsible for paying all applicable systems development charges (SDCs) for the proposed project.
- D16. The Oregon Department of Transportation (ODOT) seeks to preserve traffic capacity on the freeway system, so ODOT was notified of this proposal. No comments have been received from ODOT.

Streets

- D17. No additional dedication of right-of-way is required along SW Canyon Creek Road (west). A dedicated public right-of-way connection between two existing segments of SW Morningside Avenue is proposed, to provide access through the project. The Engineering Division staff further requires widening of the 21.5-foot-wide paved existing improvement of SW Summerton Street, from SW Morningside Avenue to SW Canyon Creek Road South, located on the east side of the project. In addition, the Engineering Division will require a 14-foot-wide half-street improvement to SW Canyon Creek Road South. See Conditions PFD 32, PFD 33, and PFD 34.

Section 4.167: Access, Ingress, and Egress

Subsection 4.177(.01)(H): Access Drives and Lanes

- D18. The applicant's proposed vehicular circulation and access from SW Morningside Avenue to SW Canyon Creek Road South is depicted in Sheet 1 of Exhibit B2. The Engineering Division staff requires a 32-foot-wide paved improvement for the proposed connection of SW Morningside Avenue at the west end of the project, and a widened 32-foot-wide paved improvement of the existing segment of SW Summerton Street, from SW Morningside Avenue to the existing right-of-way of SW Canyon Creek Road South, located on the east side of the project (Exhibit D1.2). Conditions PFD 32, PFD 33, and PFD 34 are recommended to achieve these requirements.

Subsection 4.177.01(B): Sidewalk Requirements

- D19. The applicant's proposed pedestrian circulation is found on Sheet 5 of Exhibit B2, which includes sidewalks along all proposed public streets. A pedestrian walkway is proposed for Tract B, with a proposed connection to the private drive located abutting to the north.

Subsection 4.140(.09)(J)(3): Public Facilities.

Subsection 4.140.09(J)(3) stipulates, "That the location, design, size and uses are such that the residents or establishments to be accommodated will be adequately served by existing or immediately planned facilities and services."

Public Services

- D20. Staff has requested comment from public service providers (e.g., Wilsonville Police, Tualatin Valley Fire & Rescue, South Metro Area Rapid Transit, etc.) within the City about the potential of providing service to the subject project. No comments were subsequently received.

Subsection 4.140.09(J)(3) – Adequate Facilities and Services

- D21. Policy 3.1.2 and Implementation Measures 3.1.2.a and 3.1.2.e of the Comprehensive Plan

require that urban development only be allowed where necessary facilities and services can be provided. The proposed project has available to it, or will be required to make available to it, adequate facilities to serve the project.

Sanitary Sewer

- D22. Policy 3.1.4 and Implementation Measures 3.1.4.b and 3.1.4.f specify the responsibilities for providing sanitary sewer service to new development. A 12-inch sanitary sewer line running parallel to the westerly property line of the site in SW Canyon Creek Road serves the project, as well as 8-inch lines in SW Morningside Avenue, SW Summerton Street, and SW Canyon Creek Road South. The applicant/owner will be required to install and fund, including the payment of system development charges, all improvements necessary to provide the project with sanitary sewer service. Any existing septic systems on site shall be removed prior to the issuance of a final grading permit of that particular phase.

Water

- D23. Policy 3.1.5 and Implementation Measures 3.1.5.c and 3.1.5.d specify the responsibility for providing water service to new development. Public water is available to the site in a 12-inch water line running parallel to the westerly property line of the site in SW Canyon Creek Road (west), as well as 8-inch lines in SW Morningside Avenue, SW Summerton Street, and SW Canyon Creek Road South.. The applicant illustrates that a water line will be looped through the project to ensure adequate fire flows. Any existing wells will need to be capped prior to the issuance of building permits.

Storm Drainage

- D24. A 12-inch storm drainage line running parallel to the westerly property line of the site in SW Canyon Creek Road serves the project, as well as 12-inch lines in SW Morningside Avenue, and SW Summerton Street. There is currently not a storm drainage line available in SW Canyon Creek Road South. The developer of the project has the responsibility to fund and install all necessary storm water facilities to meet the requirements of the City's Storm Water Master Plan. The final design and installation of all storm water facilities will require a public works permit from the City's Engineering Division. See Condition PFD 11.

Semi-Public Utilities

- D25. The applicant will need to consult with the private utility providers (e.g., gas, electric, cable, waste collection, etc.) within the City about the potential of providing service to the subject project. Allied Waste Services (now named Republic Services) provided input in the initial review of Renaissance at Canyon Creek, indicating their ability to serve the project. The currently proposed circulation design was considered at that time. Although that design is proposed to be adjusted (eliminating access for two lots from the existing private drive), the circulation design remains largely as originally conceived.

Subsection 4.140(.09)(I): Duration of Stage II Approval

D26. Approval of the Stage II Final Plan will expire two years after the approval date, if substantial development has not occurred on the property in that time. Upon application, the DRB may grant three (3) subsequent one-year extensions to this approval, upon findings of good faith efforts to develop the property per this code criterion.

SUMMARY FINDINGS FOR REQUEST D:

As demonstrated in findings D1 through D27, the proposed Stage II Final Plan **meets** all the City criteria in Subsection 4.140(.09)(J)(1) - Land Use, as follows:

- D27. The location and uses of the proposed housing project are consistent with the Comprehensive Plan, and with any other applicable plan, development map or Ordinance adopted by the City Council. The project's modified density complies with the proposed density range required by the Comprehensive Plan.
- D28. The location, design, size and uses of the proposed housing project are such that traffic generated by the development can be accommodated safely and without congestion in excess of level service "D" defined in the highway capacity manual published by the National Highway Research Board on existing or immediately planned arterial or collector streets.
- D29. The location, design, size and uses of the proposed housing project are such that the residents or establishments to be accommodated will be adequately served by existing or immediately planned facilities and services.

REQUEST 'E' – DB13-0054 WAIVER

Section 4.118.03 Notwithstanding the provisions of Section 4.140 to the contrary, the Development Review Board, in order to implement the purposes and objectives of Section 4.140, and based on findings of fact supported by the record may:

A. Waive the following typical development standards:

- 1. minimum lot area;**
- 2. lot width and frontage;**
- 3. height and yard requirements;**
- 4. Lot coverage;**
- 5. lot depth;**
- 6. street widths;**
- 7. sidewalk requirements;**
- 8. height of buildings other than signs;**
- 9. parking space configuration;**
- 10. minimum number of parking or loading spaces;**
- 11. shade tree islands in parking lots, provided that alternative shading is provided;**
- 12. fence height;**
- 13. architectural design standards;**
- 14. transit facilities; and**
- 15. solar access standards, as provided in Section 4.137.**

- E1. The code (Section 4.140(.07)(B)(7)) requires that all waivers be specified at the time of Stage I Preliminary Plan (i.e., Preliminary Plat) approval. Regarding this requirement, the applicant is requesting the following waiver from the PDR-3 zone requirements:
- Minimum side yard less than 7 feet for two stories - **Proposed minimum side yard five (5) feet for 2+ stories.**
- E2. The applicant's response findings, found in Section 1 of Exhibit B1, provide evidence necessary for the Board to approve the proposed waiver.
- E3. Staff finds that the requested waiver is necessary to enable construction of single-family dwellings similar to those in the existing portions of Renaissance at Canyon Creek.

SUMMARY FINDINGS FOR REQUEST E:

- E4. Based upon the applicant's response findings found in Section 1 of Exhibit B1, the request for one (1) waiver may be approved.

REQUEST 'F' – DB13-0055 TENTATIVE SUBDIVISION PLAT

Tentative Plat Submission – 4.210(.01)(B)

- F1. The proposed tentative subdivision plat (Sheet 1 of Exhibit B2) illustrates eight (8) lots, and shows existing and proposed easements, meeting this criterion.

General Requirements – Streets

Section 4.236(.01) – Conformity to the Master Plan or Map

- F2. Canyon Creek Road (west) is listed in the City's 2013 Transportation System Plan as a minor arterial. The existing improvement was constructed in 2004 to accommodate the traffic impact of this classification, meeting this criterion.
- F3. Summerton Street and Canyon Creek Road South are both local streets, each of which will require improvements as a part of this action. See the discussion found beginning on page 37.

Section 4.236(.02)(A) - Relation to Adjoining Streets

- F4. The existing circulation pattern in the Renaissance at Canyon Creek subdivision (in two recorded plats), abutting to the west, north and south, provides an opportunity for a through-street connection (i.e., SW Morningside Avenue), and widening of SW Summerton Street, enabling a loop configuration through the intervening subject parcel, Tax Lot 5000.

Section 4.236(.08) – Existing Streets

- F5. The City Engineer's Public Facilities conditions require that all right-of-way dedications, easements and street improvements are to be completed to the requirements of the City's 2013 Transportation System Plan.
- F6. An existing private street, west of SW Morningside Avenue, abutting to the north side of the subject property, is ineligible to provide access, due to provision of the Development Code enacted in 2010 (Section 4.178(.02)(A)). Access to Lots 7 and 8 is proposed from the proposed extension of SW Morningside Avenue.

Subsection 4.177(.01)(G) – Dead End Streets

This section requires that "new dead-end streets or cul-de-sacs shall not exceed 200 feet in length, unless the adjoining land contains barriers such as existing buildings, railroads or freeways, or environmental constraints such as steep slopes, or major streams or rivers, that prevent future street extension and connection."

- F7. No dead-end streets or culs-de-sac are proposed as part of this project.

Section 4.237(.02) – Easements

- F8. Engineering Division staff have noted that an existing 8-inch public water line in SW Morningside Avenue must be extended through the site. See Condition PFD 39.
- F9. The applicant's submittal documents indicate that appropriate easements will be provided as part of the final plat. The Engineering Division requires that all easements on the final plat be specified per the City's Public Works Standards and approved by the City Engineer prior to the issuance of Engineering Division permits for the project.

Section 4.237(.03) – Pedestrian and bicycle pathways.

- F10. The proposed Tentative Subdivision Plat specifies five (5) foot-wide sidewalks along the proposed frontages of SW Morningside Avenue, SW Summerton Street and SW Canyon Creek Road South.

Section 4.237(.04) – Tree Planting

- F11. Sheet L1 of Exhibit B2 identifies the location and species of proposed street trees. The applicant will be required to provide a recorded instrument guaranteeing the City the right to enter the site and plant, remove, or maintain approved street trees that are located on private property.

Section 4.237(.05) – Lot Size and Shape

Subsection 4.124.3, PDR-3 specifies the following for lot size and shape:

- “(01) **Average lot size:** 7,000 square feet.
- (.02) **Minimum lot size:** 5,000 square feet.
- (.03) **Minimum density at build-out:** One unit per 8,000 square feet.
- (.04) **Other standards:**
 - A. **Minimum lot width at building line:** Forty (40) feet.
 - B. **Minimum street frontage of lot:** Forty (40) feet...
 - C. **Minimum lot depth:** Sixty (60) feet.
 - D. **Setbacks:** per Section 4.113(.03).
 - E. **Maximum building or structure height:** Thirty-five (35) feet.
 - F. **Maximum lot coverage:** Fifty percent (50%) for lots containing less than 7,000 square feet...

- F12. The applicant proposes to comply with all but one of the requirements listed above. The applicant is requesting one (1) waiver from the setbacks required by Section 4.113(.03), as follows:
- Minimum side yard less than 7 feet for two stories - **Proposed minimum side yard five (5) feet, including 2+ stories.**

See Request E, beginning on page 39 of this report, for the staff analysis of the proposed waiver.

- F13. The proposed dwellings will be less than 35 feet in height, meeting code.

Subsection 4.124.3(.04)(A) – Minimum Lot Width at Building Line

- F14. The PDR-3 Zone requires a minimum lot width at the building line of 40 feet. All proposed lots meet this requirement.

- F15. The applicant is proposing to provide intersection improvements to SW Canyon Creek Road South, which will provide one of three public access points for the project.

Section 4.237(.08) – Side Lot Lines

- F16. The applicant has requested a waiver to the minimum side yard, requesting that it be less than 7 feet for two stories. The proposed minimum side yard is five (5) feet, including structures with two or more stories. See the discussion of the waiver in Request E, beginning on page 39 of this report.

Section 4.237(.10) – Building Line

- F17. The proposed Stage II Final Plan (Sheet 1 of Exhibit B2) illustrates building lines relative to yard setbacks, for which one (1) waiver has been requested. See Request E for proposed waiver.

Section 4.237(.11) – Build-To-Line

- F18. The proposed Stage II Final Plan (Sheet 1 of Exhibit B2) does not propose build-to-lines.

Section 4.237(.12) – Land for Public Purposes

- F19. The applicant will be required to dedicate all public utility easements deemed necessary by the City Engineer for the project, prior to approval of any final inspection requested subsequent to this action, if approved.

Section 4.237(.13) – Corner Lots

- F20. All radii within the proposed subdivision are in excess of 10 feet, which meet this criterion.

Section 4.262 – Improvements – Requirements

- F21. The City Engineer's conditions require the installation of all public utilities to the City's Public Works standards.

4.264 – Improvements – Assurance

- F22. The applicant has not yet furnished an assurance to the City for the complete installation of all improvements. The applicant will be required to provide a cost estimate and security acceptable to the City Engineer for the completion of all public improvements.

SUMMARY FINDING FOR REQUEST F:

- F23. With the proposed 14,438 sq. ft. of usable open space, and 5,496 sq. ft. of additional open space, for a total of 19,934 sq. ft. overall, the proposed Tentative Subdivision Plat for eight (8) lots has demonstrated compliance with all applicable Code requirements.

REQUEST 'G' – DB13-0056 SITE DESIGN REVIEW:

Subsection 4.125.18(P)(1): An application for approval of a Site Design Review Plan shall be subject to the provisions of Section 4.421.

- G1. The applicant has provided response findings to the applicable criteria (Section 1 of Exhibit B1). Staff concurs with these findings except where otherwise noted.

Section 4.421: Site and Design Review - Criteria and Application of Design Standards

(.01) The following standards shall be utilized by Board in reviewing the plans, drawings, sketches and other documents required for Site Design Review. These standards are intended to provide a frame of reference for the applicant in the development of site and building plans as well as a method of review for the Board. These standards shall not be regarded as inflexible requirements. They are not intended to discourage creativity, invention or innovation. The specification of one or more particular architectural styles is not included in these standards.

A. Preservation of Landscape. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soils removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.

- G2. The proposed Type C Tree Removal Plan requires the review and approval of the Development Review Board (DRB), and is being processed concurrently with this request. Removal of 20 trees is proposed (Section 4 of Exhibit B1). This proposed removal is reviewed in Request H, beginning on page 49 of this report.

B. Relation of Proposed Buildings to Environment. Proposed structures shall be located and designed to assure harmony with the natural environment, including protection of steep slopes, vegetation and other naturally sensitive areas for wildlife habitat and shall provide proper buffering from less intensive uses in accordance with Sections 4.171 and 4.139 and 4.139.5. The achievement of such relationship may include the enclosure of space in conjunction with other existing buildings or other proposed buildings and the creation of focal points with respect to avenues of approach, street access or relationships to natural features such as vegetation or topography.

- G3. This proposal includes a review of the medium density residential requirements. It also includes the review of landscaping and open space. The purpose of this Site Design Plan is to provide more detailed landscape information.

C. Drives, Parking and Circulation. With respect to vehicular and pedestrian circulation, including walkways, interior drives and parking, special attention shall be given to location and number of access points, general interior circulation, separation of pedestrian and vehicular traffic, and arrangement of parking areas that are safe and convenient and, insofar as practicable, do not detract from the design of proposed buildings and structures and the neighboring properties.

- G4. The proposed project is large enough to provide a circulation system for transportation options (automobiles, bicyclists and pedestrians). The current design provides for all of these methods of transportation, as required by the City's engineering standards.

Parking Analysis:

- G5. Table 5 of Section 4.155 requires 1 parking space per dwelling unit. The eight (8) dwelling units proposed require a minimum of eight (8) parking spaces. Sheet of Exhibit B2 and Section 2 of Exhibit B1 indicates the ability to provide a total of eight (8) garage or driveway parking spaces.

Lighting:

- G6. Although site lighting appears to be comprised of mast lighting, this is not confirmed by the applicant's utility plan. To assure compliance, a condition will be imposed, requiring lighting to comply with the current provisions of Section 4.199.10 – 4.199.60. See Condition PFD 20.

Section 4.176: Landscaping

- G7. A detailed landscape plan is provided with this request, in accordance with the requirements of Section 4.176(.09), and 4.440(.01)(B) [Sheet L1 of Exhibit B2]. The proposed landscape design meets minimum code requirements.
- G8. Street trees are a major component of proposed landscaping (Sheet L1 of Exhibit B2). Proposed are 17 street trees at 2.5" caliper.

Subsection 4.176.02(D): Low Screen Landscape Standard

- G9. The proposed landscape plan (Sheet L1 of Exhibit B2) illustrates the plant materials proposed, according to the landscape plan. The landscape plan lists a combination of 11 different types of grasses and large and small shrubs. A combination of primarily deciduous trees is proposed throughout the site. The proposed landscape plan meets this criterion.

Subsection 4.176.03: Landscape Area.

- G10. As illustrated on the landscape plan (Sheet L1 of Exhibit B2), the proposed landscape exceeds 15% minimum coverage (i.e., the total area of Tracts A and B), meeting code.

Subsection 4.176.04(C) & (D): Buffering and Screening

- G11. The submittal documents do not indicate the location of the heating, ventilation, and air condition (HVAC) equipment. The City reserves the right to require further screening of the HVAC equipment should it be visible from off-site, ground level view.

Subsection 4.176(.06)(A-E): Plant Materials.

- G12. This request includes landscaping treatment on common property, Tracts A and B. Installation of landscaping on private property is the developer's responsibility. A homeowners association will be made responsible for professional maintenance of the landscaping. The proposed landscape plan meets this criterion.
- G13. The proposed landscape plan (Sheet L1 of Exhibit B2) will be required to meet the spread requirement of 10" to 12". The specified tree and ground cover types are of a size and spacing that can meet the criteria of 4.176(.06)(A)(1) and (2), and (B).
- G14. The proposed landscape specifications for secondary and accent trees meet code criterion for caliper size and/or height. This code criterion is met.

Subsection 4.176(.07)(A-D): Installation and Maintenance

- G15. Plant materials, once approved by the DRB, shall be installed to current industry standards and shall be properly staked to assure survival. Support devices (guy wires, etc.) shall not be allowed to interfere with normal pedestrian or vehicular movement. Maintenance of landscaped areas is the on-going responsibility of the property owner. Any landscaping installed to meet the requirements of this code, or any condition of approval established by city decision-making body acting on an application, shall be continuously maintained in a healthy, vital and acceptable manner. Plants that die are to be replaced in kind, within one growing season, unless the city approves appropriate substitute species. Failure to maintain landscaping as required in this subsection shall constitute a violation of the city code for which appropriate legal remedies, including the revocation of any applicable land development permits, may result.

Subsection 4.176(.10): Completion of Landscaping

- G16. The applicant's submittal documents do not specify whether a deferment of the installation of the proposed planting plan is requested. The applicant will be required to post a bond or other security acceptable to the Community Development Director for the installation of the approved landscaping, should the approved landscaping not be installed by the time of final occupancy.

Section 4.175: Public Safety and Crime Prevention

- G17. The utility plan (Sheet 5 of Exhibit B2) depicts the proposed location of lighting fixtures. A final lighting plan will be required to be submitted as a condition of this action. See Condition PFD 20.

Section 4.450: Installation of Landscaping

- G18. All landscaping approved by the Development Review Board must be installed prior to issuance of occupancy permits, unless security equal to one hundred and ten percent (110%) of the cost for landscaping is filed with the City.

Subsection 4.176(.10) – Completion of Landscaping

- G19. The applicant will be required to post a bond or other security acceptable to the Community Development Director for the installation of the landscaping. If the proposed project proceeds in more than one phase, the applicant will be required to post a bond or other security for each phase of the project.

Section 4.176(.12)(D): Irrigation

- G20. A conceptual irrigation plan has not been provided. A permanent underground irrigation system is required to be provided for all lawn, shrub and tree plantings at the time building permits are issued for projects. Irrigation must not be excessive to harm existing trees. The City may approve temporary irrigation to beautify selected landscaped areas for marketing reasons, but irrigation must be above ground installation, and it must be removed to comply with the final landscape and in-ground irrigation plans as determined by the City. The irrigation plan will need to be provided, including the information required in Subsections 4.179.09(A)-(D). See condition PDG 5.d.

Section 4.800: Wireless communications facilities

- G21. A conditional use permit is required for any wireless communications pursuant to Section 4.800 of the Wilsonville Code. No such facilities are currently proposed.

SUMMARY FINDING FOR REQUEST G:

- G22. As demonstrated in findings G1 through G21, with conditions of approval referenced therein, the proposed Site Design Review Plans may be approved.

REQUEST 'H' – DB13-0057 TYPE 'C' TREE PLAN

Section 4.600 – Tree Preservation and Protection

(.50) Application for Tree Removal Permit

- (.02) **Time of Application: Application for a Tree Removal Permit shall be made before removing or transplanting trees, except in emergency situations as provided in WC 4.600.40 (1)(B) above. Where the site is proposed for development necessitating site plan or plat review, application for a Tree Removal Permit shall be made as part of the site development application as specified in this subchapter,**

Also Subsection 4.610.40: Type C Permit

- H1. An arborist report has been provided (Section J of Exhibit B2). The arborist report documents the condition, viability, and which trees will be retained on the site and which will be removed because of construction or condition on the project site. The inventory that was provided by the arborist lists tree species, size, condition and recommended treatment. The recommended treatments were based on tree characteristics as well as location within the site.

A total of 13 different tree species was inventoried on the site, of which only one (1) is a native species.

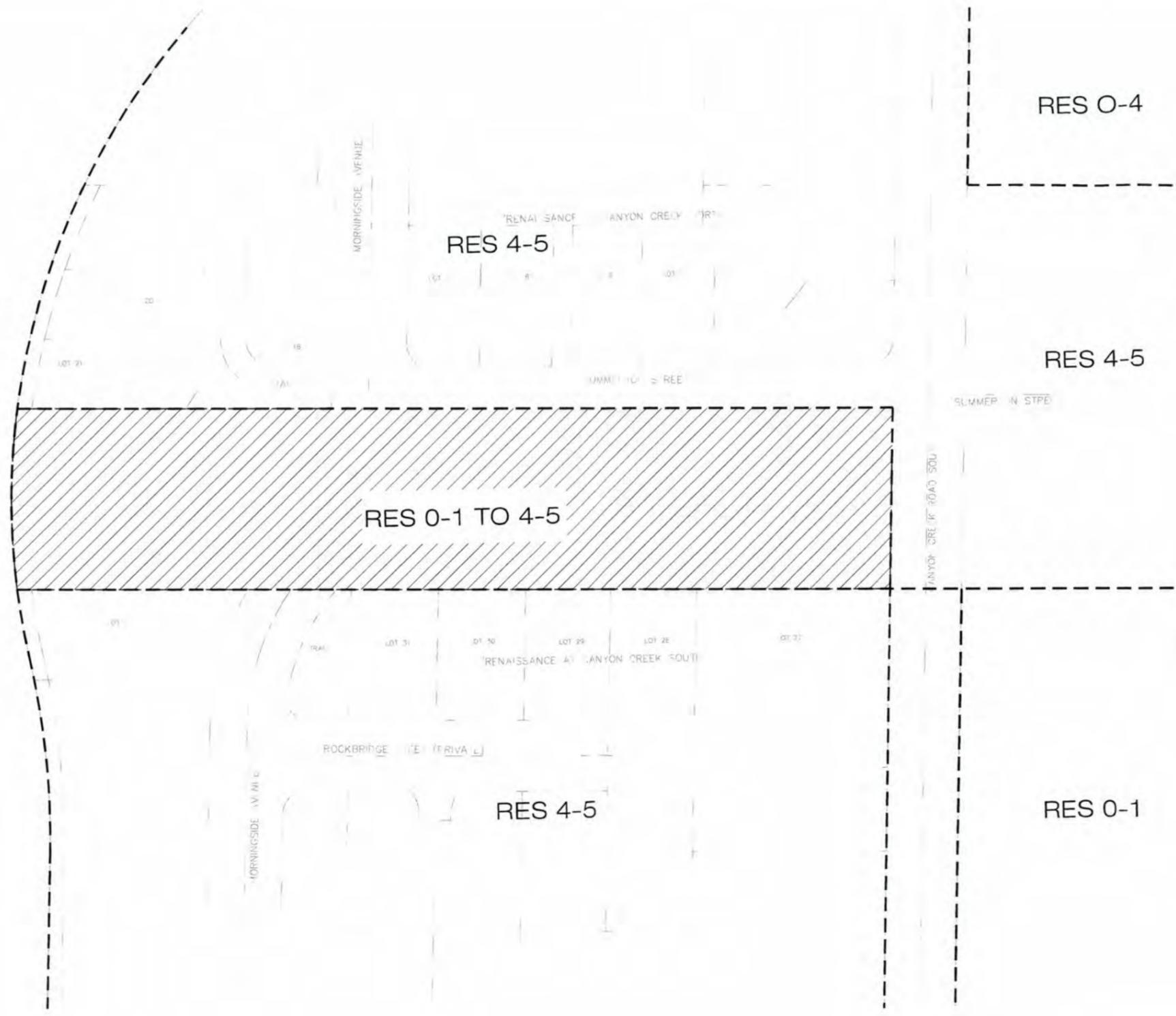
Subsection 4.620.00: Tree Relocation, Mitigation, or Replacement

- H2. The City of Wilsonville requires mitigation planting when live trees are removed. The 20 trees currently proposed for removal are subject to mitigation requirements. The 17 proposed street trees and six (6) trees proposed in the open space (west), to be planted as shown on the landscape plan (Sheet L1 of Exhibit B2), are sufficient to replace those proposed to be removed. Staff recommends Condition PDH 1 to assure compliance with this criterion.
- H3. **Tree Protection During Construction:** Tree protection specifications are proposed and are included in the arborist report, meeting code.

SUMMARY FINDINGS FOR REQUEST H:

- H4. The proposed Type C Tree Removal Plan is in substantial compliance with the applicable provisions of Subsection 4.610.40 and 4.620.00, subject to compliance with the recommended conditions of approval.

INDUSTRIAL



RES 0-4

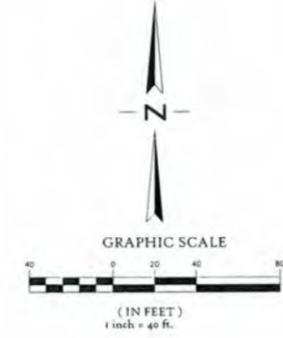
RES 4-5

RES 4-5

RES 0-1 TO 4-5

RES 4-5

RES 0-1



LEGEND

PROPOSED ZONE CHANGE RES 0-1 TO 4-5

City of Wilsonville
EXHIBIT **B2.7**

SFA Design Group, LLC
STRUCTURAL / CIVIL / PLANNING / SURVEYING
3028 SW Washington Square Dr, Suite 305
Portland, Oregon 97223
Ph: (503) 641-4311 Fax: (503) 643-7965
http://www.sfdg.com

**COMP PLAN MAP
CANYON CREEK II**
38325 SW OLD CANYON CREEK ROAD
CLACKAMAS COUNTY, OREGON

NO.	DATE	REVISION	BY

DESIGNED BY: M.S. DATE: 3/2014
DRAWN BY: D.M. DATE: 3/2014
REVIEWED BY: M.S. DATE: 3/2014
PROJECT NO: 106-016 REF: _____
SCALE: 1"=40'

SHEET **2A** OF **6**

PROJECT **CANYON CREEK II**
NO. **106-016**
TYPE **PLANNING**

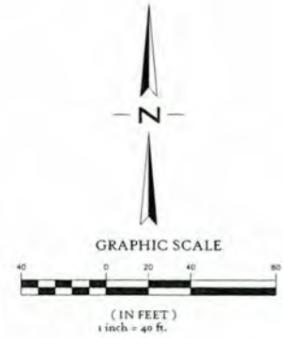
RAHI



PDR-1

PDR-3

RA-H



LEGEND

 PROPOSED ZONE CHANGE
RA-H TO PDR-3

 City of Wilsonville
EXHIBIT **B2.3**

SFA Design Group, LLC
STRUCTURAL | CIVIL | PLANNING | SURVEYING
3628 SW Washington Square Dr, Suite 365
Portland, Oregon 97225
Ph: (503) 641-4311 Fax: (503) 643-7965
<http://www.sfdsg.com>



ZONE MAP II
CANYON CREEK II
38325 SW OLD CANYON CREEK ROAD
CLACKAMAS COUNTY, OREGON

NO.	DATE	REVISION	BY

DESIGNED BY: M.S. DATE: 3/20/04
DRAWN BY: DFM DATE: 3/20/04
REVIEWED BY: M.S. DATE: 3/20/04
PROJECT NO.: 106-016 REF.:
SCALE: 1"=40'
10616_02zone.dwg

SHEET 2 OF 6
PROJECT CANYON CREEK II
NO. 106-016
TYPE PLANNING

8

DEVELOPMENT REVIEW BOARD MEETING

MONDAY, MARCH 10, 2014

6:30 PM

VII. Public Hearing:

- A. Resolution No. 271. Renaissance at Canyon Creek II: SFA Design Group – Representative for Renaissance Development – Applicant.** The applicant is requesting approval of a Comprehensive Plan Map Amendment, Zone Map Amendment, Stage I Preliminary Plan, Stage II Final Plan, Waiver, Tentative Subdivision Plat, Site Design Review and Type 'C' Tree Plan for Development of eight (8) residential lots. The subject 1.79 acre property is located on Tax Lot 5000 of Section 13BA, T3S R1W, Clackamas County, Oregon. Staff: Michael Wheeler

Case Files: DB13-0050 – Comprehensive Plan Map Amendment
DB13-0051 – Zone Map Amendment
DB13-0052 – Stage I Preliminary Plan
DB13-0053 – Stage II Final Plan
DB13-0054 – Waiver
DB13-0055 – Tentative Subdivision Plat
DB13-0056 – Site Design Review
DB13-0057 – Type 'C' Tree Plan

The DRB action on the Comprehensive Plan Map Amendment and Zone Map Amendment is a recommendation to the City Council.

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 271**

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL OF A COMPREHENSIVE PLAN MAP AMENDMENT FROM RESIDENTIAL 0-1 DU/AC TO RESIDENTIAL 4-5 DU/AC AND A ZONE MAP AMENDMENT FROM RA-H TO PDR-3 AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE I PRELIMINARY PLAN, STAGE II FINAL PLAN, WAIVER, TENTATIVE SUBDIVISION PLAT, SITE DESIGN REVIEW AND TYPE 'C' TREE PLAN FOR DEVELOPMENT OF EIGHT (8) RESIDENTIAL LOTS. THE SUBJECT 1.79 ACRE PROPERTY IS LOCATED ON TAX LOT 5000 OF SECTION 13BA, T3S, R1W, CLACKAMAS COUNTY, OREGON. SFA DESIGN GROUP - REPRESENTATIVE FOR RENAISSANCE DEVELOPMENT - APPLICANT.

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 of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared staff report on the above-captioned subject dated March 3, 2014, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on March 10, 2014, at which time exhibits, together with findings and public testimony were entered into the public record, and

WHEREAS, the Development Review Board considered the subject and the recommendations 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 Development Review Board Panel A of the City of Wilsonville recommends that the City Council approve a Comprehensive Plan Map Amendment a Zone Map Amendment (Case Files DB13-0050 and DB13-0051), approve a Stage I Preliminary Plan, Stage II Final Plan, Waiver, Tentative Subdivision Plat, Site Design Review and Type 'C' Tree Plan, and does hereby adopt the staff report attached hereto as Exhibit A1 with modified findings, recommendations and conditions placed on the record herein and authorizes the Planning Director to issue approvals consistent with said recommendations for Case File(s):

**DB13-0050 (A) Comprehensive Plan Map Amendment
DB13-0051 (B) Zone Map Amendment
DB13-0052 (C) Stage I Preliminary Plan
DB13-0053 (D) Stage II Final Plan
DB13-0054 (E) Waiver
DB13-0055 (F) Tentative Subdivision Plat
DB13-0056 (G) Site Design Review
DB13-0057 (H) Type 'C' Tree Plan**

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 10th day of March 2014 and filed with the Planning Administrative Assistant on _____ . This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per *WC Sec 4.022(.09)* unless appealed per *WC Sec 4.022(.02)* or called up for review by the council in accordance with *WC Sec 4.022(.03)*.

Mary Fierros-Bower, Chair, Panel A
Wilsonville Development Review Board

Attest:

Shelley White, Planning Administrative Assistant

**WILSONVILLE PLANNING DIVISION
DEVELOPMENT REVIEW BOARD PANEL 'A'
QUASI-JUDICIAL STAFF REPORT
RENAISSANCE AT CANYON CREEK II SUBDIVISION**

Public Hearing Date:	March 10, 2014
Date of Report:	March 3, 2014
Application Numbers:	DB13-0050 (A) Comprehensive Plan Map Amendment DB13-0051 (B) Zone Map Amendment DB13-0052 (C) Stage I Preliminary Plan DB13-0053 (D) Stage II Final Plan DB13-0054 (E) Waiver DB13-0055 (F) Tentative Subdivision Plat DB13-0056 (G) Site Design Review DB13-0057 (H) Type 'C' Tree Plan
Property Owners: Applicant:	James Dillon and Debra Gruber Renaissance Development Corp.

REQUEST: SFA Design Group, LLC, acting as agent for Renaissance Development Corp., applicant, proposes the development of eight (8) residential lots in one phase, along with associated site improvements, for the property located east of SW Canyon Creek Road (arterial), south of SW Summerton Street, and west of SW Canyon Creek Road South. The development site area is comprised of one parcel, the area of which is approximately 1.79 acres.

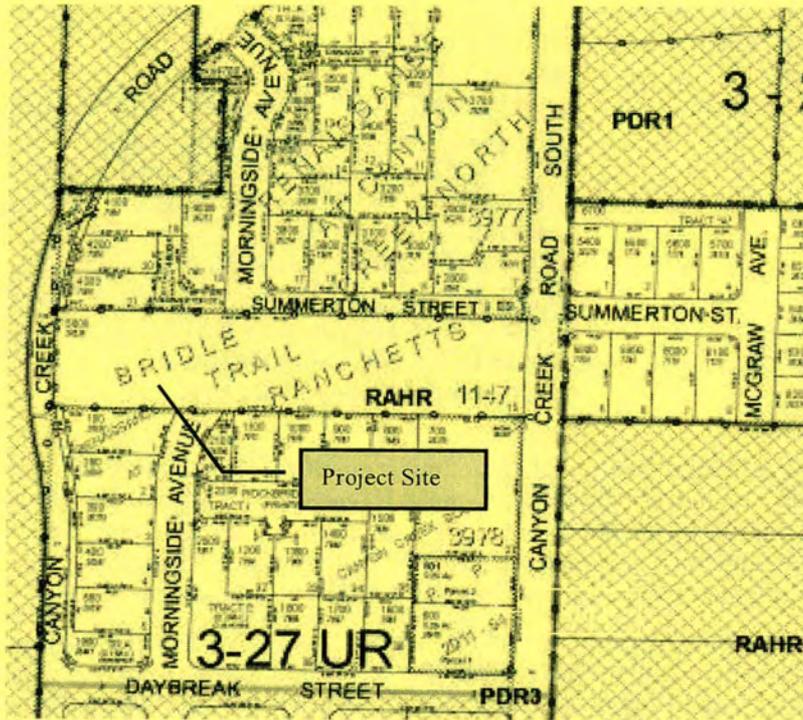
The following requests apply to the subject property, as defined in the applicant's submittal documents: Approve a Comprehensive Plan Map Amendment, Zone Map Amendment, Tentative Subdivision Plat, Stage I Preliminary Plan, Stage II Final Plan, Type 'C' Tree Removal Plan, and Site Design Review Plan for the common elements of the proposed subdivision, and one (1) waiver.

Current Comprehensive Plan Designation: Residential 0 - 1 du/ac

Current Zone Map Designation: Residential Agricultural - Holding Zone (RA-H)

STAFF RECOMMENDATION: Approve the applications, with recommended conditions.

Project Location: 28325 SW Canyon Creek Road South. The property lies east of SW Canyon Creek Road (arterial), south of SW Summerton Street, and west of SW Canyon Creek Road South. The subject property is more particularly described as being Tax Lot 5000 in Section 13BA; Township 3S, Range 1W; Clackamas County; Wilsonville, Oregon.



Vicinity and Tax Map

APPLICABLE REVIEW CRITERIA:

Zoning Review Criteria:	Description
Sections 4.008-4.015	Application Procedures
Section 4.113	Standards Applying to Residential Development in Any Zone
Section 4.118 (as applicable)	Standards Applying to All Planned Development Zones
Section 4.120 (as applicable)	Residential Agricultural - Holding (RA-H) Zone
Section 4.124	Standards Applying to All Planned Development Residential Zones
Section 4.124.3 (as applicable)	Planned Development Residential (PDR-3) Zone
Section 4.140	Planned Development Regulations
Section 4.140(.07)	Planned Development Regulations – Stage I
Section 4.140(.08)	Planned Development Regulations – Stage II
Section 4.154	Bicycle, Pedestrian and Transit Facilities
Section 4.155	Parking, Loading and Bicycle Parking
Section 4.167	Access, Ingress and Egress
Section 4.171	Protection of Natural Resources
Section 4.175	Public Safety and Crime Prevention
Section 4.176	Landscaping, Screening and Buffering
Section 4.177	Street Improvement Standards
Section 4.178	Sidewalk and Pathway Standards
Section 4.197	Zone Map Amendments
Section 4.198	Comprehensive Plan Map Amendments
Section 4.199	Outdoor Lighting
Section 4.200 – 4.270	Land Divisions
Section 4.300 – 4.320	Underground Utilities
Sections 4.400 – 4.450	Site Design Review
Sections 4.600 -4.620(.20)	Tree Preservation and Protection
Other Planning Documents:	
Metro’s Urban Growth Management Functional Plan	
Storm Water Master Plan	
Transportation Systems Plan	

Staff Reviewer: Michael R. Wheeler, Associate Planner

BACKGROUND

On August 23, 2004, Development Review Board approved 03 DB 43 for a 79-lot residential planned development (i.e., Renaissance at Canyon Creek). A companion Comprehensive Plan Map Amendment and Zone Map Amendment was approved by the City Council on September 20, 2004. Four of the nine approved phases have been constructed; more partitions are enabled, in order to achieve full build-out of the project.

The subject site was not a part of the approval of Renaissance at Canyon Creek, although the parcel's development potential was accounted for during the review, illustrating compliance with code provisions in effect at that time. Despite the fact that some code provisions have been revised since then, the applicant proposes to implement most of the original concept for Tax Lot 5000. Staff's review of the modified proposal begins next, below.

SUMMARY AND ISSUES

A project narrative is provided by the applicant, found in Section 2 of Exhibit B1. The applicant's narrative adequately describes the proposed application components, and provides proposed findings regarding applicable review criteria. Except where necessary to examine issues identified in this report, staff has relied upon the applicant's submitted documents, rather than repeat their contents again here.

Request A - Comprehensive Plan Map Amendment

The applicant proposes to amend the current Comprehensive Plan residential density range from 0 – 1 du/ac to 4 – 5 du/ac, to correspond with that of the previous Renaissance at Canyon Creek development.

Request B – Zone Map Amendment

The applicant proposes a Zone Map Amendment from the current RA-H (Residential Agricultural - Holding Zone) zone to a PDR-3 (Planned Development Residential) zone.

Request C – Stage I Preliminary Plan

The applicant's intent is for the site to be used for residential development in compliance with the proposed Comprehensive Plan designation of 4 - 5 dwelling units per acre. This intent, typically achieved through a preliminary plan, is implemented per Section 4.210(.01)(B)(19), as reviewed in Request C, and the Tentative Subdivision Plat, as reviewed in Request F, below.

Request D – Stage II Final Plan

The location, design, size and residential use of the proposed project are consistent with the proposed Comprehensive Plan, proposed zone, and with other applicable plan, development map or ordinance adopted by the City Council.

The location, design, size and uses of the proposed project are such that traffic generated by the development can be accommodated safely and without congestion in excess of level service "D", defined in the highway capacity manual published by the National Highway Research Board on existing or immediately planned arterial or collector streets.

The location, design, size and uses of the proposed project are such that the residents or establishments to be accommodated will be adequately served by "existing or immediately planned facilities and services."

Request E – One (1) Waiver

The applicant is requesting one (1) waiver to required minimum side yard setback, as identified in Section and 2 of Exhibit B1.

Request F – Tentative Subdivision Plat

The applicant proposes to record a subdivision plat for eight (8) lots, together with two (2) tracts to be held in common by the collective owners of those lots.

The configuration of the subdivision's proposed vehicle and pedestrian circulation has been found to satisfy applicable Code provisions.

The solid waste franchisee previously noted that garbage service can be provided, based upon the circulation design.

The project provides the requisite 'usable' open space necessary to satisfy the minimum acreage requirement for a project of this size (i.e., eight lots). The applicant proposes 14,438 sq. ft. of usable open space in Tract A; 5,496 sq. ft. of open space in Tract B; resulting in a 'usable' area, totaling 19,934 sq. ft. (Sheet 1 of 6 of Exhibit B2).

The configuration of a proposed Tentative Subdivision Plat can be made to meet all applicable Code requirements regarding vehicle circulation, through the imposition of related conditions of approval (Exhibit D1.2).

Request G – Site Design Review

Due to the provision of usable open space, compliance with the minimum open space required, and the submitted landscape plan, approval of the proposed Site Design Review plan may be granted.

Request H – Type C Tree Plan

The proposed Type C Tree Plan for the removal of 20 trees is in substantial compliance with the applicable provisions of Subsection 4.610.40 and 4.620.00. The Board may approve the Type C Tree Removal Plan, together with recommended conditions of approval.

ANALYSIS OF ISSUES

Issue – Lighting Plan Not Clear: The applicant has illustrated and labeled the location of proposed street lights, but has not provided specifications or ‘cut sheets’ illustrating the composition of those lights. See the discussion found beginning on page 46.

Issue – Waiver: The applicant is requesting one (1) waiver from the PDR-3 standards:

- Minimum side yard less than 7 feet for two stories - **Proposed minimum side yard five (5) feet for 2+ stories.**

The proposed waiver is reasonable, and its merits demonstrated by the applicant. See Request E of this report beginning on page 39 for a discussion regarding the requested waivers.

RECOMMENDED CONDITIONS OF APPROVAL

Condition Numbering Key	
(Prefix = Division or Department)	
PD = Planning Division Conditions	
BD = Building Division Conditions	
PF = Engineering Conditions.	
NR = Natural Resources Conditions	
TR = SMART/Transit Conditions	
FD = Tualatin Valley Fire & Rescue Conditions	

Request A: DB13-0050: Comprehensive Plan Map Amendment

Planning Division Conditions:

On the basis of findings A1 through A17 this action recommends approval of the proposed Comprehensive Plan Map Amendment from Residential 0 – 1 du/ac to Residential 4 – 5 du/ac, and forwards this recommendation to the City Council with no conditions of approval.

Request B: DB13-0051: Zone Map Amendment

Planning Division Conditions:

On the basis of findings B1 through B24 this action recommends approval of the proposed Zone Map Amendment from Residential Agricultural - Holding Zone (RA-H) to Planned Development Residential (PDR-3), and forwards this recommendation to the City Council with no proposed conditions of approval.

Request C: DB13-0052: Stage I Preliminary Plan

Planning Division Conditions:

PDC 1. On the basis of findings C1 through C6, this action approves the Stage I Preliminary Plan submitted with this application for eight (8) residential lots (Sheet 1 of Exhibit B2), as entered into the record on March 10, 2014, approved by the Development Review Board, and stamped “Approved Planning Division.” Approval of the Stage I preliminary Plan is contingent on City Council approval of Requests A and B for a Comprehensive Plan Map Amendment and a Zone Map Amendment, respectively.

Request D: DB13-0053: Stage II Final Plan

Planning Division Conditions:

PDD 1. This action approves the request regarding DB13-0053, for the plans submitted with this application, approved by the Development Review Board, and stamped “Approved Planning Division”. Approval for the Stage II Final Plan will expire two years after this action, per Section 4.140(.09)(I).

PDD 2. The Applicant/Owner shall develop the site for use as an eight (8) lot residential planned development, unless altered by a subsequent Board approval, or minor

	revisions are approved by the Planning Director under a Class I administrative review process.
PDD 3.	The Applicant/Owner shall provide the general contractor for the proposed project with a copy of the approved plans and conditions of approval adopted by the City.
PDD 4.	The Applicant/Owner shall provide all future purchasers of lots in the project with a copy of the conditions of approval adopted by the City.

<u>Building Division Conditions:</u>	
BDD 1.	FIRE HYDRANTS. Tualatin Valley Fire & Rescue shall approve the design of the fire hydrant system serving these homes.

<u>Engineering Division Conditions:</u>													
Standard Comments:													
PFD 1.	All construction or improvements to public works facilities shall be in conformance to the City of Wilsonville Public Works Standards.												
PFD 2.	Applicant shall submit insurance requirements to the City of Wilsonville in the following amounts: <table border="0" style="margin-left: 40px;"> <tr> <td>General Aggregate</td> <td style="text-align: right;">\$2,000,000</td> </tr> <tr> <td>Products-Completed Operations Aggregate</td> <td style="text-align: right;">\$2,000,000</td> </tr> <tr> <td>Each Occurrence</td> <td style="text-align: right;">\$2,000,000</td> </tr> <tr> <td>Automobile Insurance</td> <td style="text-align: right;">\$1,000,000</td> </tr> <tr> <td>Fire Damage (any one fire)</td> <td style="text-align: right;">\$ 50,000</td> </tr> <tr> <td>Medical Expense (any one person)</td> <td style="text-align: right;">\$ 10,000</td> </tr> </table>	General Aggregate	\$2,000,000	Products-Completed Operations Aggregate	\$2,000,000	Each Occurrence	\$2,000,000	Automobile Insurance	\$1,000,000	Fire Damage (any one fire)	\$ 50,000	Medical Expense (any one person)	\$ 10,000
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Each Occurrence	\$2,000,000												
Automobile Insurance	\$1,000,000												
Fire Damage (any one fire)	\$ 50,000												
Medical Expense (any one person)	\$ 10,000												
PFD 3.	No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, right-of-way and easements have been obtained and Staff is notified a minimum of 24 hours in advance.												
PFD 4.	All public utility/improvement plans submitted for review shall be based upon a 22"x 34" format and shall be prepared in accordance with the City of Wilsonville Public Work's Standards.												
PFD 5.	Plans submitted for review shall meet the following general criteria: <ol style="list-style-type: none"> a. Utility improvements that shall be maintained by the public and are not contained within a public right-of-way shall be provided a maintenance access acceptable to the City. The public utility improvements shall be centered in a minimum 15-ft. wide public easement for single utilities and a minimum 20-ft wide public easement for two parallel utilities and shall be conveyed to the City on its dedication forms. b. Design of any public utility improvements shall be approved at the time of the issuance of a Public Works Permit. Private utility improvements are subject to 												

review and approval by the City Building Department.

- c. In the plan set for the PW Permit, existing utilities and features, and proposed new private utilities shall be shown in a lighter, grey print. Proposed public improvements shall be shown in bolder, black print.
- d. All elevations on design plans and record drawings shall be based on NAVD 88 Datum.
- e. All proposed on and off-site public/private utility improvements shall comply with the State of Oregon and the City of Wilsonville requirements and any other applicable codes.
- f. Design plans shall identify locations for street lighting, gas service, power lines, telephone poles, cable television, mailboxes and any other public or private utility within the general construction area.
- g. As per City of Wilsonville Ordinance No. 615, all new gas, telephone, cable, fiber-optic and electric improvements etc. shall be installed underground. Existing overhead utilities shall be undergrounded wherever reasonably possible.
- h. Any final site landscaping and signing shall not impede any proposed or existing driveway or interior maneuvering sight distance.
- i. Erosion Control Plan that conforms to City of Wilsonville Ordinance No. 482.
- j. Existing/proposed right-of-way, easements and adjacent driveways shall be identified.
- k. All engineering plans shall be stamped by a Professional Engineer registered in the State of Oregon.

PFD 6. Submit plans in the following general format and order for all public works construction to be maintained by the City:

- a. Cover sheet
- b. City of Wilsonville construction note sheet
- c. General construction note sheet
- d. Existing conditions plan.
- e. Erosion control and tree protection plan.
- f. Site plan. Include property line boundaries, water quality pond boundaries, sidewalk improvements, right-of-way (existing/proposed), easements (existing/proposed), and sidewalk and road connections to adjoining properties.
- g. Grading plan, with 1-foot contours.
- h. Composite utility plan; identify storm, sanitary, and water lines; identify storm and sanitary manholes.
- i. Detailed plans; show plan view and either profile view or provide i.e.'s at all utility crossings; include laterals in profile view or provide table with i.e.'s at crossings; vertical scale 1"= 5', horizontal scale 1"= 20' or 1"= 30'.
- j. Street plans.
- k. Storm sewer/drainage plans; number all lines, manholes, catch basins, and cleanouts for easier reference
- l. Water and sanitary sewer plans; plan; number all lines, manholes, and cleanouts for easier reference.
- m. Detailed plan for storm water detention facility (both plan and profile views),

	<p>including water quality orifice diameter and manhole rim elevations. Provide detail of inlet structure and energy dissipation device. Provide details of drain inlets, structures, and piping for outfall structure. Note that although storm water detention facilities are typically privately maintained they will be inspected by engineering, and the plans must be part of the Public Works Permit set.</p> <p>n. Detailed plan for water quality facility (both plan and profile views). Note that although storm water quality facilities are typically privately maintained they will be inspected by Natural Resources, and the plans must be part of the Public Works Permit set.</p> <p>o. Composite franchise utility plan.</p> <p>p. City of Wilsonville detail drawings.</p> <p>q. Illumination plan.</p> <p>r. Striping and signage plan.</p> <p>s. Landscape plan.</p>
PFD 7.	<p>Prior to manhole and sewer line testing, design engineer shall coordinate with the City and update the sanitary and stormwater sewer systems to reflect the City's numbering system. Video testing and sanitary manhole testing will refer to the updated numbering system. Design engineer shall also show the updated numbering system on As-Built drawings submitted to the City.</p>
PFD 8.	<p>The applicant shall install, operate and maintain adequate erosion control measures in conformance with the standards adopted by the City of Wilsonville Ordinance No. 482 during the construction of any public/private utility and building improvements until such time as approved permanent vegetative materials have been installed.</p>
PFD 9.	<p>Applicant shall work with City's Natural Resources office before disturbing any soil on the respective site. If 5 or more acres of the site will be disturbed applicant shall obtain a 1200-C permit from the Oregon Department of Environmental Quality. If 1 to less than 5 acres of the site will be disturbed a 1200-CN permit from the City of Wilsonville is required.</p>
PFD 10.	<p>To lessen the impact of the proposed project on the downstream storm drain system, and adjacent properties, project run-off from the site shall be detained and limited to the difference between a developed 25-year storm and an undeveloped 25-year storm. The detention and outfall facilities shall be designed and constructed in conformance with the Public Works Standards.</p>
PFD 11.	<p>A storm water analysis prepared by a Professional Engineer registered in the State of Oregon shall be submitted for review and approval by the City to address appropriate pipe and detention facility sizing.</p>
PFD 12.	<p>The applicant shall be in conformance with all water quality requirements for the proposed development per the Public Works Standards. If a mechanical water quality system is used, prior to City acceptance of the project the applicant shall provide a letter from the system manufacturer stating that the system was installed per specifications and is functioning as</p>

	designed.
PFD 13.	Storm water quality facilities shall have approved landscape planted and/or some other erosion control method installed and approved by the City of Wilsonville prior to streets and/or alleys being paved.
PFD 14.	Fire hydrants shall be located in compliance with TVF&R fire prevention ordinance and approval of TVF&R.
PFD 15.	The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Any existing well shall be limited to irrigation purposes only. Proper separation, in conformance with applicable State standards, shall be maintained between irrigation systems, public water systems, and public sanitary systems. Should the project abandon any existing wells, they shall be properly abandoned in conformance with State standards.
PFD 16.	All survey monuments on the subject site, or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff.
PFD 17.	Sidewalks, crosswalks and pedestrian linkages in the public right-of-way shall be in compliance with the requirements of the U.S. Access Board.
PFD 18.	No surcharging of sanitary or storm water manholes is allowed.
PFD 19.	The project shall connect to an existing manhole or install a manhole at each connection point to the public storm system and sanitary sewer system.
PFD 20.	The applicant shall provide a 'stamped' engineering plan and supporting information that shows the proposed street light locations meet the appropriate AASHTO lighting standards for all proposed streets and pedestrian alleyways.
PFD 21.	All required pavement markings, in conformance with the Transportation Systems Plan and the Bike and Pedestrian Master Plan, shall be completed in conjunction with any conditioned street improvements.
PFD 22.	Street and traffic signs shall have a hi-intensity prismatic finish meeting ASTM 4956 Spec Type 4 standards.
PFD 23.	The applicant shall provide adequate sight distance at all project driveways by driveway placement or vegetation control. Specific designs to be submitted and approved by the City Engineer. Coordinate and align proposed driveways with driveways on the opposite side of the proposed project site.
PFD 24.	Access requirements, including sight distance, shall conform to the City's

	Transportation Systems Plan (TSP) or as approved by the City Engineer. Landscaping plantings shall be low enough to provide adequate sight distance at all street intersections and alley/street intersections.
PFD 25.	The applicant shall provide the City with a Stormwater Maintenance and Access Easement (on City approved forms) for City inspection of those portions of the storm system to be privately maintained. Stormwater or rainwater LID facilities may be located within the public right-of-way upon approval of the City Engineer. Applicant shall maintain all LID storm water components and private conventional storm water facilities; maintenance shall transfer to the respective homeowners association when it is formed.
PFD 26.	Applicant shall provide a minimum 6-foot Public Utility Easement on lot frontages to all public right-of-ways. An 8-foot PUE shall be provided along Minor and Major Collectors. A 10-ft PUE shall be provided along Minor and Major Arterials.
PFD 27.	For any new public easements created with the project the Applicant shall be required to produce the specific survey exhibits establishing the easement and shall provide the City with the appropriate Easement document (on City approved forms).
PFD 28.	<p>Mylar Record Drawings:</p> <p>At the completion of the installation of any required public improvements, and before a 'punch list' inspection is scheduled, the Engineer shall perform a record survey. Said survey shall be the basis for the preparation of 'record drawings' which will serve as the physical record of those changes made to the plans and/or specifications, originally approved by Staff, that occurred during construction. Using the record survey as a guide, the appropriate changes will be made to the construction plans and/or specifications and a complete revised 'set' shall be submitted. The 'set' shall consist of drawings on 3 mil. Mylar and an electronic copy in AutoCAD, current version, and a digitally signed PDF.</p>
PFD 29.	<p>Subdivision or Partition Plats:</p> <p>Paper copies of all proposed subdivision/partition plats shall be provided to the City for review. Once the subdivision/partition plat is approved, applicant shall have the documents recorded at the appropriate County office. Once recording is completed by the County, the applicant shall be required to provide the City with a 3 mil Mylar copy of the recorded subdivision/partition plat.</p>
PFD 30.	<p>Subdivision or Partition Plats:</p> <p>All newly created easements shown on a subdivision or partition plat shall also be accompanied by the City's appropriate Easement document (on City approved forms) with accompanying survey exhibits that shall be recorded immediately after the subdivision or partition plat.</p>
Specific Comments:	

PFD 31.	At the request of Staff, DKS Associates completed a Subdivision Trip Generation Update dated September 26, 2013. The project is hereby limited to no more than the following impacts.
	Estimated New PM Peak Hour Trips 8
	Estimated Weekday PM Peak Hour Trips 1 Through Wilsonville Road Interchange Area
PFD 32.	On Morningside Avenue applicant has proposed to maintain the 32-foot curb-to-curb street width within a 51-foot street right-of-way dedication for the extension of this street. Improvements shall include asphalt roadway, curb and gutter, sidewalk, stormwater system, street trees, and streetlights.
PFD 33.	Summerton Street was previously approved with a 21.5-foot half street right-of-way. Applicant is approved to match the existing street design on the south side by dedicating an additional 13.5 feet of right-of-way (43 feet total), widening the road by 8 feet (32 foot total) and installing curb and gutter, 5-ft sidewalk, stormwater system, street trees, and streetlights.
PFD 34.	On frontage to Canyon Creek Road South the applicant shall be required to construct a 14-foot half-street improvement, face of curb to street centerline (asphalt roadway, curb and gutter, sidewalk, stormwater system, street trees, and streetlights) in compliance with Residential Street Standards as provided in the 2013 Transportation Systems Plan (note that this sidewalk needs to be offset.) Existing street right-of-way is 50 feet; no additional right-of-way dedication is required.
PFD 35.	The proposed site straddles two stormwater basins. Applicant shall design the project so that no net out-of-basin transfers will occur.
PFD 36.	Applicant shall connect storm service lines of lots to the existing or proposed storm systems where feasible; this would include lots 1 and 3 through 8.
PFD 37.	Applicant shall connect sanitary service lines of lots to the existing or proposed sanitary systems.
PFD 38.	Applicant shall be required to connect the existing 8" water systems in Morningside Avenue with extension of this street.
PFD 39.	Applicant shall obtain water service from the existing or proposed water systems.

Request E: DB13-0054: One (1) Waiver	
Planning Division Conditions:	
PDE 1.	This action approves one (1) waiver, as follows:
	a. Minimum side yard less than 7 feet for two stories - Proposed minimum side yard five (5) feet for 2+ stories, except adjacent to streets.

Request F: DB13-0055: Tentative Subdivision Plat for Eight (8) lots

Planning Division Conditions:

PDF 1. This action approves the Tentative Subdivision Plat for eight (8) lots (Sheet 1 of Exhibit B2), as entered into the record on March 10, 2014, for the proposed project.

PDF 2. Prior to approval of the Final Subdivision Plat, the applicant/owner shall:

- a. Assure that the lots shall not be sold or conveyed until such time as the final plat is recorded with Clackamas County.
- b. Submit final construction plans, to be reviewed and approved by the Planning Director, City Engineer, the Tualatin Valley Fire and Rescue District, Natural Resources Manager, and the City Building Official, prior to the project's construction.
- c. The Applicant/Owners shall work with United Disposal Services, Inc (Allied Waste Company) which reviews access. The plat will be evaluated for compliance and conformance at the time of Final Subdivision Plat review.
- d. Submit final drawings and construction plans for the water quality/detention facilities and their outfalls for review and approval of the City Engineer, the Natural Resources Manager and the Environmental Services Division. These plans shall show the SROZ boundary over the development proposal.
- e. Supply the City with a performance bond, or other security acceptable to the Community Development Director, for all capital improvements required by the project.
- f. Submit an application for Final Plat review and approval on the Planning Division Site Development Application and Permit form. The Applicant/Owners shall also provide materials for review by the City's Planning Division in accordance with Section 4.220 of City's Development Code. Prepare the Final Plat in substantial accord with the Tentative Subdivision Plat dated February 20, 2014, as approved by the Development Review Board, and as amended by these conditions, except as may be subsequently altered by Board approval, or by minor revisions by the Planning Director.
- g. Illustrate existing and proposed easements, on the Final Plat.
- h. Dedicate all rights-of-way and easements necessary to construct all private and public improvements required for the project.
- i. Submit a waiver of the right of remonstrance against any local improvement district that may be formed to provide public improvements to serve the subject site.
- j. Provide the City with a recordable instrument guaranteeing the City the right to enter the site and plant, remove, or maintain approved street trees that are located on private property.
- k. Provide the City Attorney Conditions, Covenants, and Restrictions

	<p>(CC&Rs) for a Homeowners' Association that shall be formed as specified in Section 4.210.01(B)(17), for the development. The Association shall have responsibility for maintenance of all shared private drives, recreation facilities, treatment facilities, open spaces, and fences within the development. The CC&Rs shall be reviewed and approved by the City Attorney, prior to recording the Final Plat.</p>
1.	<p>The Applicant/Owners shall coordinate the proposed locations and associated infrastructure design with the franchise utilities. Should permanent/construction easements or rights-of-way be required to construct the public improvements or to relocate a franchised utility, the Applicant/Owners shall provide a copy of the recorded documents. Should the construction of public improvements impact existing utilities within the general area, the Applicant/Owners shall obtain written approval from the appropriate utility prior to commencing any construction. Any easements shall be shown on the final plat.</p>
PDF 3.	<p>Prior to the Start of Construction, the applicant/owner shall:</p>
a.	<p>Assure that construction and site development shall be carried out in substantial conformance with the Tentative Subdivision Plat dated February 20, 2014, as approved by the Development Review Board, and as amended by these conditions, except as may be subsequently altered by Board approval, or with minor revisions by the Planning Director.</p>
PDF 4.	<p>The applicant/owner shall install all public streets and utilities.</p>
PDF 5.	<p>Prior to Final Plat approval, the applicant/owner shall provide the City with a recordable instrument guaranteeing the City the right to enter the site and plant, remove, or maintain approved street trees that are located on private property.</p>
PDF 6.	<p>The applicant/owner shall secure signatures of approval of the Final Plat from the Planning Director and Community Development Director. Following such authorization, the Final Plat may be recorded, according to the procedures employed by the City Engineer.</p>
PDF 7.	<p>The recommended conditions of the Development Engineering Manager and Building Plans Examiner, are hereby incorporated as conditions of approval (Exhibits D1.1, and D1.2).</p>
PDF 8.	<p>Approval of the Tentative Subdivision Plat will expire two years after final approval if substantial development has not occurred on the property within that time, unless extended by the DRB for just cause.</p>
PDF 9.	<p>All construction workers' vehicles and job shacks associated with this project shall be parked and located on site.</p>
PDF 10.	<p>The applicant/owner shall be required to provide the proportionate share of all system development charges that apply to this project. Such amount and proportion of these charges shall be determined by the Community Development Director.</p>
PDF 11.	<p>The City Engineer shall have the authority to grant final approval of the driveway alignments for all lots.</p>

Request G: DB13-0056: Site Design Review

Planning Division Conditions:

PDG 1. This action approves the request regarding DB13-0056, for the Site Design Review plans dated February 20, 2014, submitted with this application, approved by the Development Review Board, and stamped "Approved Planning Division". Approval for the Site Design Review Plans will expire two years after this action, per Section 4.140(.09)(I).

PDG 2. The Applicant/Owner shall develop the site for use as a residential planned development, unless altered by a subsequent Board approval, or minor revisions are approved by the Planning Director under a Class I administrative review process.

PDG 3. The Applicant/Owner shall provide the general contractor for the proposed project with a copy of the approved plans and conditions of approval adopted by the City.

PDG 4. The Applicant/Owner shall provide all future purchasers of lots in the project with a copy of the conditions of approval adopted by the City.

PDG 5. Prior to installation of required landscape materials, the applicant/owner shall:

- a. Assure that construction and site development shall be carried out in substantial accord with the Site Design Review plans identified in condition PDG 1, above, as approved by the Development Review Board, and as amended by these conditions, except as may be subsequently altered by Board approval, or by minor revisions approved by the Planning Director.
- b. Submit final plant specifications for shrubs and street trees in the project's rights-of-way, planter strips, and pedestrian pathway/bicycle easements to Planning Division staff for review and approval. Prior to and during construction, Planning Division staff shall consider revisions to these specifications as a Class I development application. The applicant shall note that such approval does not require public notice. Following construction, Planning Division staff shall consider revisions to these specifications as a Class II development application. The applicant shall note that such approval requires public notice.
- c. Assure that all shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon cans when available. The landscaping plan shall be planted at such a density so as to provide a minimum of 95% coverage of landscape areas with vegetation, within a 3 year time period.
- d. Install water-wise or drip-type irrigation to ensure the longevity of all landscaped common areas. Such irrigation plan shall be submitted with the Building Permit drawings and shall be reviewed and approved by the Planning Division for consistency with this approval and landscape plan. Further, landscaping shall be professionally maintained by weeding, pruning and replacing dead plant material as necessary.

<ul style="list-style-type: none"> e. Improve open space and recreation areas prior to occupancy of any dwelling or structure within the subdivision, in accordance with the plans approved at the March 10, 2014, public hearing. f. Assure that street light standards shall be positioned to illuminate the entrances to intersecting pedestrian paths. Exterior lights shall be positioned in such a way to prevent glare on adjacent streets. Repositioning of light standards and/or installation of hoods or baffles may subsequently be required by Planning Division staff to achieve this requirement. g. Coordinate with the U.S. Postal Service regarding the locations of mailbox stations. The U.S. Postmaster has specific standards for locating mail stations so as to provide convenient mail delivery and pickup and not obstruct handicapped accessibility. Furthermore, the mail stations shall be located so as to not diminish required sidewalk or pathway widths, nor obstruct pedestrian movement, nor interfere with fire hydrants or public and private utilities.
<p>PDG 6. In the event that fences are proposed along Canyon Creek Road North, the applicant shall submit, and receive approval for, an application for Class I administrative review by the Planning Division staff, regarding the design of such fences.</p>
<p>PDG 7. Planning Division staff shall have authority to approve all retaining walls reviewed by the City's Building Division relative to materials and encroachment to the SROZ and its associated Impact Area.</p>
<p>PDG 8. The applicant shall submit a request to the Planning Division staff for review and approval of the final landscaping installation, prior to occupancy of any dwellings.</p>
<p>PDG 9. The applicant shall submit a final street tree planting plan, illustrating, at a minimum, one street tree per lot, and demonstrating compliance with the provisions of Section 4.176(.06)(D).</p>
<p>PDG 10. The applicant shall construct a minimum six (6) foot-wide pedestrian path per Section 4.237(.03)(B), over Tract "B" (Sheet L1 of Exhibit B2).</p>
<p>PDG 11. The applicant shall submit a final street lighting plan demonstrating compliance with the provisions of Section 4.199.10 – Section 4.199.60.</p>

<p><i>Request H: DB13-0057: Type C Tree Removal Plan</i></p>
<p><u>Planning Division Conditions:</u></p>
<p>PDH 1. The applicant shall provide the City's Planning Division with an accounting of trees to be removed in the required Type 'C' tree removal plan per the approval of the Development Review Board. Tree mitigation shall replace 20 trees, per Section 4.620 WC. See Finding H2.</p>
<p>PDH 2. The applicant shall obtain a Type 'C' tree removal permit prior to the issuance of a grading permit by the City's Building Division.</p>
<p>PDH 3. Prior to construction, the Applicant/Owner shall install six-foot-tall chain-link fencing, with ground-mounted metal stakes a maximum of eight (8) feet on centers, along the</p>

driplines of all trees proposed to remain. This fencing shall remain in place throughout construction of the adjacent dwellings.

MASTER EXHIBITS LIST:

Note: The following exhibits are hereby entered into the public record by the Development Review Board in consideration of the current applications, as submitted:

Staff Materials:

- A. Staff Report

Applicant's Written and Graphic Materials:

B1. Land Use application, date received December 19, 2013, and including:

Section	Item
1	Application
2	Compliance Report
3	Zone Change Legal Description
4	Arborist's Report, dated 11/5/2013
5	Storm Drainage Report, dated 11/15/2013
6	Title Report, dated 11/27/2012
7	Traffic Impact Report, dated 9/26/2013
8	Notice Mailing List, dated 10/30/2013
9	Preliminary Plat (and Preliminary Plans, reduced size; see list below) (7 drawings)
10	Prior Approval

B2. Full Size Drawings/Plan Sheets:

Sheet No.	Sheet Title
1	Cover Sheet, Sheet Index, and Preliminary Plat
2	Comprehensive Plan Map Amendment/Zone Map Amendment
3	Existing Conditions
4	Preliminary Grading and Demolition Plan
5	Site and Utility Plan
6	Aerial Photo
L1	Landscape Plan

C1. Letters (neither For nor Against): None submitted

C2. Letters (In Favor): None submitted

C3. Letters (Opposed): None submitted

D1. Staff Submittals

- 1. Memo from D. Walters; Building Plans Examiner; dated 2/26/2014
- 2. E-mail from S. Adams, Development Engineering Manager, with attachments; dated 2/26/2014
- 3. Comments from Public Works staff; dated 1/30/2014
- 4. Tax Map, 3S 1W Section 13BA; not dated
- 5. Tax Map, 3S 1W Section 13BA (relevant portion); not dated

E1. Exhibits Submitted at Hearing (Reserved)

FINDINGS OF FACT

1. Existing Site Conditions:

The subject site is comprised of one parcel, totaling 1.79 acres. The applicant has provided a site description in the project narrative (Section 2 of Exhibit B1). The subject property is currently zoned Residential Agricultural - Holding Zone (RA-H).

Surrounding Development: The adjacent land uses are as follows:

Compass Direction	Existing Use(s)
North	Residential Planned Development
East	Residential
South	Residential Planned Development
West	Vacant Industrial (Mentor Graphics)

Natural Characteristics:

The subject site contains gently-sloping terrain. A variety of evergreen and deciduous trees are scattered throughout the site. An existing house and accessory structures at 28325 SW Canyon Creek Road South (Tax Lot 5000) currently remain.

Streets:

The site abuts SW Canyon Creek Road (arterial) on the west, SW Summerton Street on the north, and SW Canyon Creek Road South on the east.

Previous Planning Applications Relevant to the subject property:

03 DB 43 (A – H)	Renaissance at Canyon Creek
AR13-0056	Venture Properties Interpretation

2. The applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.
3. Notice of the proposed project has been sent to the appropriate agencies involved in the review of public improvements. Comments and conditions of approval from the Building and Engineering Divisions, and Public Works comments were received and are incorporated into this staff report.
4. The statutory 120-day time limit applies to this application. The application was received on November 15, 2013. Additional materials were submitted on December 19, 2013. On January 31, 2014, staff conducted a completeness review, on which date the application was deemed complete. The City must render a final decision for the request, including any appeals, by May 31, 2014.

CONCLUSIONARY FINDINGS

The applicant's response findings to the applicable land development criteria and Comprehensive Plan goals, policies and implementation measures found in Section 2 of Exhibit B1, are hereby incorporated in this staff report as findings for the recommended action.

REQUEST 'A' – DB13-0050 COMPREHENSIVE PLAN MAP AMENDMENT

CONCLUSIONARY FINDINGS FOR REQUEST (A):

Comprehensive Plan – Comprehensive Plan Changes

Pages 7 through 10 of the City of Wilsonville's Comprehensive Plan updated April, 2013, provide the following procedure for amending the Comprehensive Plan:

Who May Initiate Plan Amendments

A1. The subject property owners through their authorized agent (the applicant) have made application to modify the Comprehensive Plan map designation for their property from 0-1 du/ac to 4-5 du/ac.

Application for Plan Amendment

A2. The applicant has met all applicable filing requirements for a Comprehensive Plan Map amendment.

Consideration of Plan Amendment

A3. The Planning Division received the application on November 11, 2013. Staff met with the applicant subsequent to the submittal of the application to discuss the completeness of the application and perceived deficiencies of the application. The Planning Division received revised plans on December 19, 2013. The application was deemed complete on January 31, 2014.

A4. The findings and recommended conditions of approval adopted by the Development Review Board in review of the application to modify the Comprehensive Plan Map designation will be forwarded as a recommendation to the City Council.

Standards for Development Review Board and City Council Approval of Plan Amendments (page 8 of the Comprehensive Plan):

- a. The proposed amendment is in conformance with those portions of the Plan that are 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 following factors have been adequately addressed in the proposed amendment:

Suitability of the various areas for particular land uses and improvements;

Land uses and improvements in the area;

Trends in land improvement;

Density of development;
Property values;
Needs of economic enterprises in the future development of the area;
Transportation access;
Natural resources; and
Public need for healthful, safe and aesthetic surroundings and conditions.

e. Proposed changes or amendments to the Comprehensive Plan do not result in conflicts with applicable Metro requirements.

A5. At the writing of this report, the applicant has satisfied Plan requirements of citizen involvement.

A6. Policy 4.1.4 and Implementation Measures 4.1.4.f, 4.1.4.l, and 4.1.4.p of the Comprehensive Plan speak to the City's desire to see the development of housing that is affordable to and serves employees working in the City. The proposed project would provide an incremental net increase of seven (7) new single-family homes within the City.

A7. The applicant has not provided findings relative to affordability of the homes in the project.

A8. The traffic study completed for this project (Section 7 of Exhibit B1), indicating that the proposed entry streets provide sufficient access for emergency vehicles and comply with the traffic level of service requirements of the Development Code and the Transportation Systems Plan.

A9. The property within the proposed project site is currently large lot, which includes a single-family home that was developed on what was rural residential land. The proposed project is currently surrounded by higher density, single-family homes on the south, east and west sides. Implementation Measures 4.1.4.b, d, and o speak to the City's desire to see a diversity of housing types and affordability. The applicant's proposal would provide eight (8) new homes, adding to the diversity of single family home choices in the City. Through the conditions of approval proposed by staff, the project could be adequately served with urban services and would minimize off-site impacts.

A10. Metro's Functional Plan limits cul-de-sac lengths and the distance between local roads. The applicant has provided findings addressing these concerns (Section 2 of Exhibit B1).

Public Notice

A11. Public Notice of the March 10, 2014, Development Review Board public hearing regarding this application was mailed and posted on February 18, 2014. A notice regarding the April 7, 2014, City Council will follow.

Wilsonville Development Code (WC) – Comprehensive Plan Changes

Subsection 4.198(.01) of the Development Code stipulates, "Proposals to amend the Comprehensive Plan, or to adopt new elements or sub-elements of the Plan, shall be subject to the procedures and criteria contained in the Comprehensive Plan. Each such

amendment shall include findings in support of the following:

Approval Criterion A: "That the proposed amendment meets a public need that has been identified;"

A12. The adjoining Renaissance at Canyon Creek subdivision is designated on the Comprehensive Plan as Residential 4 - 5 dwelling units per acre which is medium residential density. The "Residential Development" portion of the Comprehensive Plan (Policy 4.1.4) identifies the need for additional housing within the City to serve housing and economic needs of residents and employees working within the City. The March 2012 Development Summary completed by the City indicates that approximately 23% of 4,502 acres of land within the City is zoned Planned Development Residential (PDR).

City Wide Housing Units

Type	New	YTD	Total
Apartment	0	0	4591
Condominium	0	0	563
Duplex	0	0	68
Mobile Homes	0	0	20
Mobile Home/park	0	0	143
Single Family	21	21	3696
Totals	21	21	9081

On the basis of the above inventory there are 56.75% multi-family (including 563 condominiums), 41.5% single-family (including 68 duplexes) and 1.75% mobile homes. Adjusting the housing units to include the recently approved Brenchley Estates - North project comprising 320 apartment units and 39 single-family units, the revised housing unit split is 58.4% multi-family, 40.3% single family and 1.3% mobile homes. The proposed 15 apartment unit project would increase the percentage of land in PDR zoning and apartment units by a negligible amount. The proposed project would increase the percentage of land in PDR zoning and the number of additional single-family houses by a negligible amount.

Though the City has historically through an older version of the Comprehensive Plan sought to achieve 50 percent in single-family houses, 40 percent in multi-family units and 10 percent in manufactured houses at mobile home parks those percentages the Comprehensive Plan no longer has a stated goal of maintaining those percentages. The Comprehensive Plan was revised in its entirety by City Council Ordinance No. 517 on October 16, 2000. Housing is now determined by density ranges in Table 1 in Finding B2 for each mapped zoning district. Residential development must also be balanced with Policy 4.1.4 and its implementation measures that seek to "provide opportunities for a wide range of housing types, sizes, and densities at prices and rent levels to accommodate people who are employed in Wilsonville." In the near future, multi-family and single-family housing percentages will become more balanced with the construction of Tonquin Woods (27 homes); Tonquin Woods 2 (168 homes); Copper Creek (21 homes); Jory Trail at the Grove (30 homes); Brenchley Estates - North (27 homes); Retherford Meadows (88 homes); SAP-East, Phase 3 (185 homes) and Willamette Landing (33 homes), for

total 579 homes.

Approval Criterion B: “That the proposed amendment meets the identified public need at least as well as any other amendment or change that could reasonably be made;”

A13. The current Comprehensive Plan designation for the subject properties is Residential with a density range of 0-1 dwelling units per acre. The Zoning Map identifies the subject properties as Residential Agricultural – Holding (RA-H). The Planned Development Regulations of the Development Code require that the subdivision of properties such as the subject properties (over two acres) result in a Planned Development community. The applicant proposes a net density of 5.16 dwelling units per acre. The Comprehensive Plan allows a range of densities from 0-1 dwelling units per acre to over 20 dwelling units per acre. The properties to the north, south, and east of the proposed project are designated residential on the Comprehensive Plan Map of the City. The subject property has a Comprehensive Plan designation of ‘Residential’ with a density of 0-1 dwelling units per acre, while the properties to the north, south and east have a designation of 4-5 dwelling unit per acre. It is appropriate to continue to designate these properties as Residential. In addition, the proposed subdivision has similarities in site density and housing product to other subdivisions nearby such as Renaissance at Canyon Creek, Wilsonville Meadows and Landover subdivisions, making the proposed transitional density of 4-5 du/ac appropriate. Comparisons to the single family density of Wilsonville Meadows need to consider the overall density of the project that includes multi-family projects such as Berkshire Court and Hathaway Village that are part of the overall master plan.

Approval Criterion C: “That the proposed amendment supports applicable Statewide Planning Goals, or a Goal exception has been found to be appropriate;”

A14. With the implementation of the proposed conditions of approval, the project supports the applicable Statewide Planning Goals.

Approval Criterion D: “That the proposed change will not result in conflicts with any portion of the Comprehensive Plan that is not being amended.”

A15. The applicant is requesting an amendment of the Comprehensive Plan Map for the subject properties. The applicant does not propose to modify or amend any other portion of the Comprehensive Plan or Plan Map.

METRO'S URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN

A16. Title 1 of the Urban Growth Management Functional Plan (UGMFP) requires 80% Maximum density at build-out of any particular parcel. With the rewrite of the City's Development Code in November 2000, the lower end of the planned density range was increased to reflect this 80% requirement. The applicant is requesting a zone change to Planned Development Residential (PDR-3), which corresponds to a Comprehensive Plan Map density of 4-5 dwelling units per acre.

SUMMARY FINDING FOR REQUEST (A):

A17. The applicant's proposed Comprehensive Plan Map Amendment meets all applicable requirements, and its approval may be recommend to the City Council.

STAFF RECOMMENDATION FOR REQUEST (A):

Based on findings of fact 1 - 3, analysis and conclusionary findings A1 through A17, staff recommends that the Development Review Board forward the Comprehensive Plan Map Amendment to City Council for a hearing on April 7, 2014, along with the recommended conditions necessary to fully comply with the requirements of the Code. Proposed conditions of approval are found beginning on page 7 of this report.

REQUEST 'B' – DB13-0051 ZONE MAP AMENDMENT

The subject property is currently zoned Residential Agricultural Holding (RA-H). The purpose of the RA-H Zone is set forth in the 4.120 of the Code. The proposed Zone Map amendment from RA-H to PDR-3 is intended to serve as a procedure to evaluate the conversion of urbanizeable land to urban land consistent with the Comprehensive Plan. Because the service levels vary throughout the City, the zoning process allows for a case-by-case analysis of the availability of public facilities and services and to determine specific conditions related to needed public facilities improvements. All land development proposals are reviewed for conformity with the Comprehensive Plan and specific standards set forth in the zoning ordinance. As set forth in Subsection 4.197(.02) of the Wilsonville Code, in recommending approval or denial of a proposed zone map amendment, the Development Review Board must at a minimum, adopt findings addressing Criteria A-G, below.

Criterion 'A'

“That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008 or, in the case of a Planned Development, Section 4.140.”

B1. The applicant has provided findings in Section 2 of Exhibit B1 addressing the tentative plat criteria and the zone map amendment criteria.

Criterion 'B'

“That the proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with the applicable goals, policies and objectives, set forth in the Comprehensive Plan text.”

B2. The applicant has provided findings in Section 2 of Exhibit B1 in response to these Code criteria. Staff is recommending approval of the proposed Comprehensive Plan Map amendment, with conditions of approval contained in this staff report. Approval of the proposed amendment to the zoning map is contingent upon approval of the Comprehensive Plan map amendment by the City Council.

B3. The land area of the proposed subdivision is 1.79 acres. The applicant is proposing to change the Comprehensive Plan designation from 0-1 dwelling units per acre to 4-5 dwelling units per acre. Proposed are a total of eight (8) lots, making the gross density of the proposed subdivision 4.47 dwelling units per acre. Net density (gross minus streets) is 5.16 dwelling units per acre.

Comprehensive Plan – Residential Development

Variety/Diversity of Housing

Implementation Measures 4.1.4.c, 4.1.4.g, 4.1.4.j, 4.1.4.k, 4.1.4.l, and 4.1.4.p speak to the City’s desire to plan for and establish a variety and diversity of housing types that meet the social and economic needs of the residents, including the need for affordable housing and a balance of housing with jobs.

B4. The applicant’s proposal would provide an incremental net addition of seven (7) single-family houses to the one (1) existing dwelling. Response findings to 4.198(.01)(A) speak to the need for additional single-family housing in the City.

Implementation Measures 4.1.1.j, 4.1.4.i, 4.1.4.o, and 4.1.4.r speak to the City’s desire to approve new residential development concurrent with the availability of public facilities.

B5. Water, sanitary sewer, and storm sewer are either available to the proposed project (with appropriate connections) or can be supplied to the project. The applicant/owner will be responsible for providing on-site storm water detention for water quality and quantity. The applicant will also be responsible for providing public streets within the project with appropriate right-of-way. The applicant will be required to cap all existing on-site utilities prior to the issuance of building permits by the City.

Implementation Measure 4.1.4.h: “Require new housing developments to pay an equitable share of the cost of required capital improvements for public services.”

B6. The applicant/owner will be required to pay the equitable share (as determined by the Community Development Director) of the capital improvement costs for public services.

B7. The entirety of the subject properties has a Comprehensive Plan designation of Residential, 0-1 dwelling units per acre. The applicant is proposing a Comprehensive Plan Map designation of 4-5 dwelling units per acre. See Request A, beginning on page 21 of this report.

Zone Map

B8. The subject properties are currently zoned Residential Agricultural – Holding (RA-H). The applicant proposes a change to Planned Development Residential (PDR-3) zone to accommodate a total of eight (8) single-family lots averaging 5,969 SF (Section 2 of Exhibit B1).

Significant Natural Resources

B9. While vegetation exists throughout the site, it is not found to be within an area identified by the Comprehensive Plan as Significant Resource Overlay Zone.

Area of Special Concern

B10. The Comprehensive Plan does not identify the subject property as an area of special concern.

Criterion ‘C’

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

B11. The subject properties are designated “Residential” on the City’s Comprehensive Plan Map. The above section of the Comprehensive Plan, mentioned by the applicant regarding this subsection of the Development Code, refers to an older version of the Comprehensive Plan. The corrected references are shown below:

Goal 4.3	Implementation Measure 4.1.4.b
Objective 4.3.3	Implementation Measure 4.1.4.d
Objective 4.3.4	Implementation Measure 4.1.4.e
Policy 4.4.2	Implementation Measure 4.1.4.q
Policy 4.4.8	Implementation Measure 4.1.4.x

The current text is as follows:

“In the event that the subject property, or any portion thereof, is designated as "Residential" on the City's Comprehensive Plan Map; specific findings shall be made addressing substantial compliance with Implementation Measures 4.1.4.b, d, e, q, and x of Wilsonville's Comprehensive Plan text...”

Implementation Measure 4.1.4.b – Variety in Housing Type

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

B12. The applicant has indicated that the proposed project would develop a housing type similar to that of surrounding subdivisions. The applicant has not provided findings as to how the proposed housing project of this proposal meets the affordability criteria of the Comprehensive Plan. The low vacancy rates of similar subdivisions in the City provide circumstantial evidence that there is demand for the housing product proposed by the applicant. Adequate public services could be made available to the site.

Implementation Measure 4.1.4.d – Diversity of Housing Types

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

B13. The applicant has not indicated whether a variety of house models are proposed for the subdivision.

Implementation Measure 4.1.4.e

“Targets are to be set in order to meet the City’s Goals for housing and to assure compliance with State and regional standards.”

B14. The City has established a 50% multi-family, 40% single-family target for housing in the City. The December 2012 Housing Inventory Report shows a mix of 57% multi-family, and 43% single-family (including rowhouses) dwellings.

Implementation Measure 4.1.4.q

“The City will continue to allow for mobile homes and manufactured dwellings, subject to development review processes that are similar to those used for other forms of housing. Individual units will continue to be allowed on individual lots, subject to design standards. Mobile home parks and subdivisions shall be subject to the same procedures as other forms of planned developments.”

B15. The applicant is not proposing mobile homes in this application.

Implementation Measure 4.1.4.x

“Apartments and mobile homes are to be located to produce an optimum living environment for the occupants and surrounding residential areas. Development criteria includes:

- 1. Buffering by means of landscaping, fencing, and distance from conflicting uses.**
- 2. Compatibility of design, recognizing the architectural differences between apartment buildings and houses.**

3. **On-site recreation space as well as pedestrian and bicycle access to parks, schools, mass transit stops and convenience shopping.**

4. **The siting of buildings to minimize the visual effects of parking areas and to increase the availability of privacy and natural surveillance for security.”**

B16. The applicant is proposing neither apartments nor mobile homes in this application.

Criterion ‘D’ – Public Facilities

“That the existing primary public facilities, i.e., roads and sidewalks, water, sewer and storm sewer are available and are of adequate size to serve the proposed development; or, that adequate facilities can be provided in conjunction with project development. The Planning Commission and Development Review Board shall utilize any and all means to insure that all primary facilities are available and are adequately sized.”

B17. The City Engineer’s Public Facilities (PF) conditions, imposed upon the subsequent Stage II Final Plan application, will require the applicant to provide adequate road, water, and sewer infrastructure to serve the proposed project. These conditions require that all Public Works permits granted to the applicant/owner will be in accordance with the need determined by the City Engineer to serve the proposed project.

Criterion ‘E’ – Significant Resource Overlay Zone

“That the proposed development does not have a significant adverse effect upon Significant Resource Overlay Zone areas, an identified natural hazard, or an identified geologic hazard. When Significant Resource Overlay Zone areas or natural hazard, and/or geologic hazard are located on or abut the proposed development, the Planning Commission or Development Review Board shall use appropriate measures to mitigate and significantly reduce conflicts between the development and identified hazard or Significant Resource Overlay Zone.”

B18. The SROZ does not affect the subject property.

Criterion ‘F’

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

B19. The applicant indicates that the full build-out of the proposed lots will begin in 2014.

Criterion ‘G’

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

B20. Staff is recommending conditions of approval for the proposed project where necessary to bring the project into compliance with all applicable development standards.

Subsection 4.197(.03) provides that “If affirmative findings cannot be made for all applicable criteria listed above the Planning Commission or Development Review Board shall recommend that the proposed text or map amendment, as the case may be, be denied.”

B21. Staff has made affirmative findings for subsection 4.197(.02)(A)-(G), above. Staff is also recommending conditions of approval for the project to ensure compliance with the subject code criteria.

Subsection 4.197(.04) stipulates that the “City Council action approving a change in zoning shall be in the form of a Zoning Order.”

B22. Staff is recommending approval of the Stage I Preliminary Plan of the proposed project, together with conditions of approval, and a recommendation for approval of the proposed Zone Map Amendment. A City Council Zoning Order will be required prior to approval of the remaining applications, reviewed later in this report.

Subsection 4.197(.05) provides “In cases where a property owner or other applicant has requested a change in zoning and the City Council has approved the change subject to conditions, the owner or applicant shall sign a statement accepting, and agreeing to complete the conditions of approval before the zoning shall be changed.”

B23. Staff is recommending a condition of approval that would implement the City Council Zoning Order, contingent on the completion of the conditions of approval adopted by City Council.

SUMMARY FINDING FOR REQUEST (B):

B24. The applicant’s proposed Zone Map Amendment meets all applicable requirements, and its approval may be recommend to the City Council.

STAFF RECOMMENDATION FOR REQUEST (B):

Based on findings of fact 1 - 3, analysis and conclusionary findings B1 through B24, staff recommends that the Development Review Board forward the Zone Map Amendment to City Council for a hearing on April 7, 2014, together with the recommended conditions necessary to fully comply with the requirements of the Code. Proposed conditions of approval are found on page 7 of this report.

REQUEST ‘C’ – DB13-0053 STAGE I PRELIMINARY PLAN

CONCLUSIONARY FINDINGS FOR REQUEST (C):

Tentative Plat Submission – 4.210(.01)(B)(19)

- C1. As enabled by the section referenced above, the tentative subdivision plat "...shall be considered as the Stage I Preliminary Plan." The tentative plat is reviewed in Request C, this section.
- C2. The applicant proposes to develop eight (8) lots. Calculations demonstrating compliance with applicable review criteria are found in Sections 1 Exhibit B1.

Site Information. Subsections 4.009(.01) and 4.140(.07)(A)(1):

- C3. The applicant has demonstrated ownership of the subject property in the form of written consent of the two current property owners (Section 1 of Exhibit B1).
- C4. The subject property is proposed to be rezoned from Residential Agricultural - Holding Zone (RA-H) to a Planned Development Residential (PDR-3) zone. The proposed residential use of the property is in compliance with uses typically found in the zone.

Subsection 4.140(.05): Planned Development Permit Process

- C5. The applicant's response to these criteria is found in the narrative (Section 2 of Exhibit B1). The proposed project is not allowed to proceed nor receive a building permit until all applicable review criteria have been satisfied. By the applicant's submittal, these criteria have been met.

Subsection 4.140(.07)(A): Preliminary Approval (Stage One) Application Requirements

- C6. The applicant's proposal is provided by professional services in response to this criterion, as found in Section 2 of Exhibit B1. This criterion is satisfied.

Subsections 4.140(.07)(B) & 4.035(.04): Preliminary Approval (Stage One) Application Requirements and Site Development Permit Application

- C7. The applicant's response to Subsection 4.140(.07)(B) can be found in Section 2 of Exhibit B1. The applicant has submitted evidence of the intention to commence construction of the project in 2014, within two years of receiving Stage II Final Plan approval, and a commitment to install, or provide acceptable security for the capital improvements required by the project, at the time of Stage II Final Plan. These criteria are met.

SUMMARY FINDING FOR REQUEST (C):

C8. The applicant's proposal satisfies all applicable Code requirements and standards, as discussed above.

STAFF RECOMMENDATION FOR REQUEST (C):

Based on findings of fact 1 - 3, analysis and conclusionary findings C1 through C8, staff recommends that the Development Review Board approve the applicant's request for Stage I Preliminary Plan as illustrated in the Preliminary Plat (Sheet 1 of Exhibit B2), together with the recommended conditions necessary to fully comply with the requirements of the Code. Proposed conditions of approval are found on page 7 of this report.

REQUEST 'D' – DB13-0053 – STAGE II FINAL DEVELOPMENT PLAN

The applicant is proposing a Stage II Final Plan for eight (8) lots, each for a single family dwelling, and related site improvements. Staff has reviewed the proposed Stage II Final Plan to determine compliance with the Planned Development Regulations. Proposed is a single phase development plan (Sheet 1 of Exhibit B2). The key Stage II Final Plan review standards are the following:

Subsections 4.140.09(C-F): *Stage II Final Plan*

D1. The applicant's submittal documents provide sufficient detail to satisfy the requirements of Section 4.140.09(C) & (D). These criteria are met.

Subsection 4.140(.09)(J) – Final Plan approval

Subsection 4.140(.09)(J)(1-3) stipulates the following criteria for Final Plan approval:

1. The location, design, size and uses, both separately and as a whole, are consistent with the Comprehensive Plan, and with any other applicable plan, development map or Ordinance adopted by the City Council.
2. That the location, design, size and uses are such that traffic generated by the development can be accommodated safely and without congestion in excess of level service "D" defined in the highway capacity manual published by the National Highway Research Board on existing or immediately planned arterial or collector streets and will, in the case of commercial or industrial developments, avoid traversing local streets.
3. That the location, design, size and uses are such that the residents or establishments to be accommodated will be adequately served by existing or immediately planned facilities and services.

ZONING, Sections 4.100-4.141

Subsection 4.140(.09)(J): A planned development permit may be granted by the Development Review Board only if it is found that the development conforms to all the following criteria, as well as to the planned development regulations in Section 4.140.

Additionally, Subsection 4.140(.09)(J)(1) states: The location, design, size and uses, both separately and as a whole, are consistent with the Comprehensive Plan, and with any other

applicable plan, development map or Ordinance adopted by the City Council.

Comprehensive Plan and Zoning: *Planned Development Residential zone*

D2. The subject property contains one zoning district Residential Agricultural - Holding Zone (RA-H) for which the applicant has requested a Zone Map Amendment to Planned Development Residential (PDR-3). The Comprehensive Plan currently identifies the subject property as Residential 0 - 1 dwelling units per acre, although the applicant has requested a Comprehensive Plan Map Amendment to Residential 4 - 5 dwelling units per acre. Required minimum density is achieved by the applicant's proposal. See page 24 for a discussion of density.

Subsection 4.118.03(B): *Waivers.*

D3. The applicant is seeking one (1) waiver to the Planned Development Regulations. This requested waiver is discussed in Request E of this report.

Subsection 4.113: *Standards Applying to Residential Developments in any Zone:*

Subsection 4.113 provides for the required open space in new residential developments. In addition, Implementation Measures 4.1.5.d, 4.1.5.j, and 4.1.5.k speak to the Comprehensive Plan's desire to create and conserve open space in the City for specified objectives.

Subsection 4.113.02(A) – Outdoor Recreational Area - Standards Applying To Residential Developments In Any Zone.

(.01) Outdoor Recreational Area in Residential Developments.

A. Purpose. The purposes of the following standards for outdoor recreational area are to provide adequate light, air, open space and usable recreational facilities to occupants of each residential development. Outdoor recreational area shall be:

1. Designed with a reasonable amount of privacy balanced between indoor and outdoor living areas. Such outdoor recreational area shall be provided consistent with the requirements of this Section.
2. Recreational areas shall be provided in keeping with the needs of the prospective tenants and shall not be located in required yards, parking, or maneuvering areas, or areas that are inaccessible. Standards for outdoor recreational areas may be waived by the Development Review Board upon finding that the recreational needs of the residents will be adequately met through the use of other recreational facilities that are available in the area.
3. In mixed-use developments containing residential uses, the Development Review Board shall establish appropriate requirements for outdoor recreational area, consistent with this Section.
4. The Development Review Board may establish conditions of approval to alter the amount of required outdoor recreation area, based on findings of projected need for the development. Multi-family developments shall provide at least the following minimum recreational area:

- a. For ten (10) or fewer dwelling units, 1000 square feet of usable recreation area;
 - b. For eleven (11) through nineteen (19) units, 200 square feet per unit;
 - c. For twenty (20) or more units, 300 square feet per unit.
5. Outdoor recreational area shall be considered to be part of the open space required in the following subsection.

(02) Open Space Area shall be provided in the following manner:

A. In all residential subdivisions including subdivision portions of mixed use Development where (1) the majority of the developed square footage is to be in residential use or (2) the density of residential units is equal or greater than 3 units per acre, at least twenty-five percent (25%) of the area shall be in open space excluding streets. Open space must include, as a minimum natural areas that are preserved under the City's SROZ regulations and usable open space such as public park area, tot lots, swimming and wading pools, grass area for picnics and recreational play, walking paths, and other like space. For subdivisions with less than 25% SROZ lands and those with no SROZ lands, the minimum requirement shall be $\frac{1}{4}$ acre of usable park area for 50 or less lots $\frac{1}{2}$ acre of usable park area for 51 to 100 lots, and pro rata amounts based on this formula for subdivisions exceeding 100 lots. Front, side and rear yards of individual residential lots shall not be counted towards the 25% open space.

Provided, however, where SROZ is greater than 25% of the developable area for any development, the development must also provide $\frac{1}{4}$ acre of usable park area for a development of less than 100 lots, and $\frac{1}{2}$ acre of usable park area for a development of 100 lots, and pro rata amounts based on this formula for subdivisions exceeding 100 lots. The Development Review Board may waive the usable open space requirement if there is substantial evidence in the record to support a finding that the intent and purpose of the requirement will be met in alternative ways. Irrespective of the amount of SROZ, a development may not use phasing to avoid the minimum usable space requirement.

Multi-family developments shall provide a minimum of 25% open space excluding streets. Open space must include, as a minimum natural areas that are preserved under the City's SROZ regulations, and outdoor recreational area as provided in 4.113(.01)(A)(1) through (5) [Amended by Ord. 589 8/15/05]

- B. Open space area required by this Section may, at the discretion of the Development Review Board, be protected by a conservation easement or dedicated to the City, either rights in fee or easement, without altering the density or other development standards of the proposed development. Provided that, if the dedication is for public park purposes, the size and amount of the proposed dedication shall meet the criteria of the City parks standards. The square footage of any land, whether dedicated or not, which is used for open space shall be deemed a part of the development site for the purpose of computing density or allowable lot coverage.

C. The Development Review Board may specify the method of assuring the long term protection and maintenance of open space and/or recreational areas. Where such protection or maintenance are the responsibility of a private party or homeowners' association, the City Attorney shall review any pertinent bylaws, covenants, or agreements prior to recordation.

- D4. The above residential development standards require that 25% of the site be set aside for outdoor and recreation space. Those requirements are met through proposed Tracts A and B, totaling 19,934 sq. ft., which is 25.6% of the site area, meeting code. The nearest public park is Canyon Creek Park.
- D5. The above criteria also require that a minimum of one-quarter acre (10,890 square feet) of usable recreation area be provided. This recreation area can be included in the 25% parks and open space requirement. A total of 19,934 sq. ft. is proposed, satisfying this minimum Code requirement.
- D6. Covenants, Conditions, and Restrictions of the Homeowner's Association will be required, in order to place the ownership and maintenance responsibilities for the common areas upon the Homeowners Association (HOA). Condition PDF 2.k is recommended to achieve this result.

Subsection 4.113(.03)(B) – Building Setbacks

- D7. See Request E, below, for the discussion of proposed waivers to building setbacks.

Subsection 4.113(.04) – Building Height

- D8. The applicant does not propose to exceed the maximum 35' height limitation. This criterion is satisfied as a result.

Subsection 4.113(.07) – Fences

- D9. The applicant is proposing to complete the existing masonry wall along SW Canyon Creek Road (west), connecting the existing segments with masonry pilasters and wooden fence panels (Sheet L.1 of Exhibit B2). Sideline fences are proposed between the proposed lots, completing the pattern of existing fences constructed as part of Renaissance at Canyon Creek.

Subsection 4.171(.04): Natural Resource Protection – Trees and Wooded Areas

- D10. The applicant's arborist report (Section 4 of Exhibit B1), identifies 28 on-site trees. Only one of these trees is a native species (Douglas-fir). The applicant proposes to retain eight (8) trees. Conformance of the proposed project with the City's tree ordinance is considered in a report regarding proposed tree removal (Case File DB13-0057), which is a companion to this application, and found in Request H of this report.

Parking - Section 4.155 of the Wilsonville Code sets forth the minimum parking standards for off-street parking. The applicable subsections of this code are the following:

Subsection 4.155(.03)(B)(8) and Table 5: Parking Standards.

- D11. Each proposed dwelling would be required to provide one (1) off-street parking space, which is accomplished with garage or driveway parking on each of the eight (8) proposed home sites.

Schools

- D12. The applicant has not estimated how many school-age children will reside within the project at full build-out, but has provided response findings regarding schools (page 12 of Section 2 of Exhibit B1). Given the small number of proposed dwelling units, the impact to existing schools will be equally small. While not required by the Development Code, staff suggests the applicant provide the West Linn/Wilsonville School District with this estimate to aid in the school district's planning of future facilities.

Traffic

Comprehensive Plan– Implementation Measures 3.1.6a-3.1.6.cc - Transportation

- D13. The street layout aligns to the existing topography. Proposed are two (2) public streets and sidewalks, providing to access the proposed houses.

Subsection 4.140(.09)(J)(2): Traffic Concurrency.

Subsection 4.140(.09)(J)(2) of the Wilsonville Code stipulates review criteria for Stage II of the planned development process:

“That the location, design, size and uses are such that traffic generated by the development at the most probable used intersection(s) can be accommodated safely and without congestion in excess of Level of Service D, as defined in the Highway Capacity manual published by the National Highway Research Board, on existing or immediately planned arterial or collector streets and will, in the case of commercial or industrial developments, avoid traversing local streets. Immediately planned arterial and collector streets are those listed in the City’s adopted Capital Improvement Program, for which funding has been approved or committed, and that are scheduled for completion within two years of occupancy of the development or four year if they are an associated crossing, interchange, or approach street improvement to Interstate 5.”

Additionally, Subsection 4.140(.09)(J)(2)(a)(ii) requires that the traffic study performed to determine whether a proposed project will generate traffic in excess of Level of Service D (LOS D) look at “what impact the estimate generated traffic will have on existing level of service including traffic generated by (1) the development itself, (2) all existing developments, (3) Stage II developments approved but not yet built, and (4) all developments that have vested traffic generation rights under section 4.140(.10), through the most probable used intersection(s), including state and county intersections, at the time of peak level of traffic.”

- D14. The traffic study for the project estimates eight (8) total daily trips, seven (7) of which are new p.m. peak hour trips¹ (Section 7 of Exhibit B1).

¹ The number of approved dwellings reviewed in the original Traffic Impact Analysis was for 86 lots, but was reduced to 79 lots (including future partitions), based upon materials in the original case file.

- D15. Prior to the issuance of building permits by the City, the property owner shall be responsible for paying all applicable systems development charges (SDCs) for the proposed project.
- D16. The Oregon Department of Transportation (ODOT) seeks to preserve traffic capacity on the freeway system, so ODOT was notified of this proposal. No comments have been received from ODOT.

Streets

- D17. No additional dedication of right-of-way is required along SW Canyon Creek Road (west). A dedicated public right-of-way connection between two existing segments of SW Morningside Avenue is proposed, to provide access through the project. The Engineering Division staff further requires widening of the 21.5-foot-wide paved existing improvement of SW Summerton Street, from SW Morningside Avenue to SW Canyon Creek Road South, located on the east side of the project. In addition, the Engineering Division will require a 14-foot-wide half-street improvement to SW Canyon Creek Road South. See Conditions PFD 32, PFD 33, and PFD 34.

Section 4.167: Access, Ingress, and Egress

Subsection 4.177(.01)(H): Access Drives and Lanes

- D18. The applicant's proposed vehicular circulation and access from SW Morningside Avenue to SW Canyon Creek Road South is depicted in Sheet 1 of Exhibit B2. The Engineering Division staff requires a 32-foot-wide paved improvement for the proposed connection of SW Morningside Avenue at the west end of the project, and a widened 32-foot-wide paved improvement of the existing segment of SW Summerton Street, from SW Morningside Avenue to the existing right-of-way of SW Canyon Creek Road South, located on the east side of the project (Exhibit D1.2). Conditions PFD 32, PFD 33, and PFD 34 are recommended to achieve these requirements.

Subsection 4.177.01(B): Sidewalk Requirements

- D19. The applicant's proposed pedestrian circulation is found on Sheet 5 of Exhibit B2, which includes sidewalks along all proposed public streets. A pedestrian walkway is proposed for Tract B, with a proposed connection to the private drive located abutting to the north.

Subsection 4.140(.09)(J)(3): Public Facilities.

Subsection 4.140.09(J)(3) stipulates, "*That the location, design, size and uses are such that the residents or establishments to be accommodated will be adequately served by existing or immediately planned facilities and services.*"

Public Services

- D20. Staff has requested comment from public service providers (e.g., Wilsonville Police, Tualatin Valley Fire & Rescue, South Metro Area Rapid Transit, etc.) within the City about the potential of providing service to the subject project. No comments were subsequently received.

Subsection 4.140.09(J)(3) – Adequate Facilities and Services

- D21. Policy 3.1.2 and Implementation Measures 3.1.2.a and 3.1.2.e of the Comprehensive Plan

require that urban development only be allowed where necessary facilities and services can be provided. The proposed project has available to it, or will be required to make available to it, adequate facilities to serve the project.

Sanitary Sewer

- D22. Policy 3.1.4 and Implementation Measures 3.1.4.b and 3.1.4.f specify the responsibilities for providing sanitary sewer service to new development. A 12-inch sanitary sewer line running parallel to the westerly property line of the site in SW Canyon Creek Road serves the project, as well as 8-inch lines in SW Morningside Avenue, SW Summerton Street, and SW Canyon Creek Road South. The applicant/owner will be required to install and fund, including the payment of system development charges, all improvements necessary to provide the project with sanitary sewer service. Any existing septic systems on site shall be removed prior to the issuance of a final grading permit of that particular phase.

Water

- D23. Policy 3.1.5 and Implementation Measures 3.1.5.c and 3.1.5.d specify the responsibility for providing water service to new development. Public water is available to the site in a 12-inch water line running parallel to the westerly property line of the site in SW Canyon Creek Road (west), as well as 8-inch lines in SW Morningside Avenue, SW Summerton Street, and SW Canyon Creek Road South.. The applicant illustrates that a water line will be looped through the project to ensure adequate fire flows. Any existing wells will need to be capped prior to the issuance of building permits.

Storm Drainage

- D24. A 12-inch storm drainage line running parallel to the westerly property line of the site in SW Canyon Creek Road serves the project, as well as 12-inch lines in SW Morningside Avenue, and SW Summerton Street. There is currently not a storm drainage line available in SW Canyon Creek Road South. The developer of the project has the responsibility to fund and install all necessary storm water facilities to meet the requirements of the City's Storm Water Master Plan. The final design and installation of all storm water facilities will require a public works permit from the City's Engineering Division. See Condition PFD 11.

Semi-Public Utilities

- D25. The applicant will need to consult with the private utility providers (e.g., gas, electric, cable, waste collection, etc.) within the City about the potential of providing service to the subject project. Allied Waste Services (now named Republic Services) provided input in the initial review of Renaissance at Canyon Creek, indicating their ability to serve the project. The currently proposed circulation design was considered at that time. Although that design is proposed to be adjusted (eliminating access for two lots from the existing private drive), the circulation design remains largely as originally conceived.

Subsection 4.140(.09)(I): Duration of Stage II Approval

D26. Approval of the Stage II Final Plan will expire two years after the approval date, if substantial development has not occurred on the property in that time. Upon application, the DRB may grant three (3) subsequent one-year extensions to this approval, upon findings of good faith efforts to develop the property per this code criterion.

SUMMARY FINDINGS FOR REQUEST D:

As demonstrated in findings D1 through D27, the proposed Stage II Final Plan **meets** all the City criteria in Subsection 4.140(.09)(J)(1) - Land Use, as follows:

- D27. The location and uses of the proposed housing project are consistent with the Comprehensive Plan, and with any other applicable plan, development map or Ordinance adopted by the City Council. The project's modified density complies with the proposed density range required by the Comprehensive Plan.
- D28. The location, design, size and uses of the proposed housing project are such that traffic generated by the development can be accommodated safely and without congestion in excess of level service "D" defined in the highway capacity manual published by the National Highway Research Board on existing or immediately planned arterial or collector streets.
- D29. The location, design, size and uses of the proposed housing project are such that the residents or establishments to be accommodated will be adequately served by existing or immediately planned facilities and services.

REQUEST 'E' – DB13-0054 WAIVER

Section 4.118.03 Notwithstanding the provisions of Section 4.140 to the contrary, the Development Review Board, in order to implement the purposes and objectives of Section 4.140, and based on findings of fact supported by the record may:

A. Waive the following typical development standards:

- 1. minimum lot area;**
- 2. lot width and frontage;**
- 3. height and yard requirements;**
- 4. Lot coverage;**
- 5. lot depth;**
- 6. street widths;**
- 7. sidewalk requirements;**
- 8. height of buildings other than signs;**
- 9. parking space configuration;**
- 10. minimum number of parking or loading spaces;**
- 11. shade tree islands in parking lots, provided that alternative shading is provided;**
- 12. fence height;**
- 13. architectural design standards;**
- 14. transit facilities; and**
- 15. solar access standards, as provided in Section 4.137.**

- E1. The code (Section 4.140(.07)(B)(7)) requires that all waivers be specified at the time of Stage I Preliminary Plan (i.e., Preliminary Plat) approval. Regarding this requirement, the applicant is requesting the following waiver from the PDR-3 zone requirements:
- Minimum side yard less than 7 feet for two stories - **Proposed minimum side yard five (5) feet for 2+ stories.**
- E2. The applicant's response findings, found in Section 1 of Exhibit B1, provide evidence necessary for the Board to approve the proposed waiver.
- E3. Staff finds that the requested waiver is necessary to enable construction of single-family dwellings similar to those in the existing portions of Renaissance at Canyon Creek.

SUMMARY FINDINGS FOR REQUEST E:

- E4. Based upon the applicant's response findings found in Section 1 of Exhibit B1, the request for one (1) waiver may be approved.

REQUEST 'F' – DB13-0055 TENTATIVE SUBDIVISION PLAT

Tentative Plat Submission – 4.210(.01)(B)

- F1. The proposed tentative subdivision plat (Sheet 1 of Exhibit B2) illustrates eight (8) lots, and shows existing and proposed easements, meeting this criterion.

General Requirements – Streets

Section 4.236(.01) – Conformity to the Master Plan or Map

- F2. Canyon Creek Road (west) is listed in the City's 2013 Transportation System Plan as a minor arterial. The existing improvement was constructed in 2004 to accommodate the traffic impact of this classification, meeting this criterion.
- F3. Summerton Street and Canyon Creek Road South are both local streets, each of which will require improvements as a part of this action. See the discussion found beginning on page 37.

Section 4.236(.02)(A) - Relation to Adjoining Streets

- F4. The existing circulation pattern in the Renaissance at Canyon Creek subdivision (in two recorded plats), abutting to the west, north and south, provides an opportunity for a through-street connection (i.e., SW Morningside Avenue), and widening of SW Summerton Street, enabling a loop configuration through the intervening subject parcel, Tax Lot 5000.

Section 4.236(.08) – Existing Streets

- F5. The City Engineer's Public Facilities conditions require that all right-of-way dedications, easements and street improvements are to be completed to the requirements of the City's 2013 Transportation System Plan.
- F6. An existing private street, west of SW Morningside Avenue, abutting to the north side of the subject property, is ineligible to provide access, due to provision of the Development Code enacted in 2010 (Section 4.178(.02)(A)). Access to Lots 7 and 8 is proposed from the proposed extension of SW Morningside Avenue.

Subsection 4.177(.01)(G) – Dead End Streets

This section requires that "new dead-end streets or cul-de-sacs shall not exceed 200 feet in length, unless the adjoining land contains barriers such as existing buildings, railroads or freeways, or environmental constraints such as steep slopes, or major streams or rivers, that prevent future street extension and connection."

- F7. No dead-end streets or culs-de-sac are proposed as part of this project.

Section 4.237(.02) – Easements

- F8. Engineering Division staff have noted that an existing 8-inch public water line in SW Morningside Avenue must be extended through the site. See Condition PFD 39.
- F9. The applicant's submittal documents indicate that appropriate easements will be provided as part of the final plat. The Engineering Division requires that all easements on the final plat be specified per the City's Public Works Standards and approved by the City Engineer prior to the issuance of Engineering Division permits for the project.

Section 4.237(.03) – Pedestrian and bicycle pathways.

- F10. The proposed Tentative Subdivision Plat specifies five (5) foot-wide sidewalks along the proposed frontages of SW Morningside Avenue, SW Summerton Street and SW Canyon Creek Road South.

Section 4.237(.04) – Tree Planting

- F11. Sheet L1 of Exhibit B2 identifies the location and species of proposed street trees. The applicant will be required to provide a recorded instrument guaranteeing the City the right to enter the site and plant, remove, or maintain approved street trees that are located on private property.

Section 4.237(.05) – Lot Size and Shape

Subsection 4.124.3, PDR-3 specifies the following for lot size and shape:

- “(01) Average lot size: 7,000 square feet.
- (.02) Minimum lot size: 5,000 square feet.
- (.03) Minimum density at build-out: One unit per 8,000 square feet.
- (.04) Other standards:
 - A. Minimum lot width at building line: Forty (40) feet.
 - B. Minimum street frontage of lot: Forty (40) feet...
 - C. Minimum lot depth: Sixty (60) feet.
 - D. Setbacks: per Section 4.113(.03).
 - E. Maximum building or structure height: Thirty-five (35) feet.
 - F. Maximum lot coverage: Fifty percent (50%) for lots containing less than 7,000 square feet...

- F12. The applicant proposes to comply with all but one of the requirements listed above. The applicant is requesting one (1) waiver from the setbacks required by Section 4.113(.03), as follows:

- Minimum side yard less than 7 feet for two stories - **Proposed minimum side yard five (5) feet, including 2+ stories.**

See Request E, beginning on page 39 of this report, for the staff analysis of the proposed waiver.

- F13. The proposed dwellings will be less than 35 feet in height, meeting code.

Subsection 4.124.3(.04)(A) – Minimum Lot Width at Building Line

- F14. The PDR-3 Zone requires a minimum lot width at the building line of 40 feet. All proposed lots meet this requirement.
- F15. The applicant is proposing to provide intersection improvements to SW Canyon Creek Road South, which will provide one of three public access points for the project.

Section 4.237(.08) – Side Lot Lines

- F16. The applicant has requested a waiver to the minimum side yard, requesting that it be less than 7 feet for two stories. The proposed minimum side yard is five (5) feet, including structures with two or more stories. See the discussion of the waiver in Request E, beginning on page 39 of this report.

Section 4.237(.10) – Building Line

- F17. The proposed Stage II Final Plan (Sheet 1 of Exhibit B2) illustrates building lines relative to yard setbacks, for which one (1) waiver has been requested. See Request E for proposed waiver.

Section 4.237(.11) – Build-To-Line

- F18. The proposed Stage II Final Plan (Sheet 1 of Exhibit B2) does not propose build-to-lines.

Section 4.237(.12) – Land for Public Purposes

- F19. The applicant will be required to dedicate all public utility easements deemed necessary by the City Engineer for the project, prior to approval of any final inspection requested subsequent to this action, if approved.

Section 4.237(.13) – Corner Lots

- F20. All radii within the proposed subdivision are in excess of 10 feet, which meet this criterion.

Section 4.262 – Improvements – Requirements

- F21. The City Engineer's conditions require the installation of all public utilities to the City's Public Works standards.

4.264 – Improvements – Assurance

- F22. The applicant has not yet furnished an assurance to the City for the complete installation of all improvements. The applicant will be required to provide a cost estimate and security acceptable to the City Engineer for the completion of all public improvements.

SUMMARY FINDING FOR REQUEST F:

- F23. With the proposed 14,438 sq. ft. of usable open space, and 5,496 sq. ft. of additional open space, for a total of 19,934 sq. ft. overall, the proposed Tentative Subdivision Plat for eight (8) lots has demonstrated compliance with all applicable Code requirements.

REQUEST 'G' – DB13-0056 SITE DESIGN REVIEW:

Subsection 4.125.18(P)(1): An application for approval of a Site Design Review Plan shall be subject to the provisions of Section 4.421.

- G1. The applicant has provided response findings to the applicable criteria (Section 1 of Exhibit B1). Staff concurs with these findings except where otherwise noted.

Section 4.421: Site and Design Review - Criteria and Application of Design Standards

(.01) The following standards shall be utilized by Board in reviewing the plans, drawings, sketches and other documents required for Site Design Review. These standards are intended to provide a frame of reference for the applicant in the development of site and building plans as well as a method of review for the Board. These standards shall not be regarded as inflexible requirements. They are not intended to discourage creativity, invention or innovation. The specification of one or more particular architectural styles is not included in these standards.

A. Preservation of Landscape. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soils removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.

- G2. The proposed Type C Tree Removal Plan requires the review and approval of the Development Review Board (DRB), and is being processed concurrently with this request. Removal of 20 trees is proposed (Section 4 of Exhibit B1). This proposed removal is reviewed in Request H, beginning on page 49 of this report.

B. Relation of Proposed Buildings to Environment. Proposed structures shall be located and designed to assure harmony with the natural environment, including protection of steep slopes, vegetation and other naturally sensitive areas for wildlife habitat and shall provide proper buffering from less intensive uses in accordance with Sections 4.171 and 4.139 and 4.139.5. The achievement of such relationship may include the enclosure of space in conjunction with other existing buildings or other proposed buildings and the creation of focal points with respect to avenues of approach, street access or relationships to natural features such as vegetation or topography.

- G3. This proposal includes a review of the medium density residential requirements. It also includes the review of landscaping and open space. The purpose of this Site Design Plan is to provide more detailed landscape information.

C. Drives, Parking and Circulation. With respect to vehicular and pedestrian circulation, including walkways, interior drives and parking, special attention shall be given to location and number of access points, general interior circulation, separation of pedestrian and vehicular traffic, and arrangement of parking areas that are safe and convenient and, insofar as practicable, do not detract from the design of proposed buildings and structures and the neighboring properties.

- G4. The proposed project is large enough to provide a circulation system for transportation options (automobiles, bicyclists and pedestrians). The current design provides for all of these methods of transportation, as required by the City's engineering standards.

Parking Analysis:

- G5. Table 5 of Section 4.155 requires 1 parking space per dwelling unit. The eight (8) dwelling units proposed require a minimum of eight (8) parking spaces. Sheet of Exhibit B2 and Section 2 of Exhibit B1 indicates the ability to provide a total of eight (8) garage or driveway parking spaces.

Lighting:

- G6. Although site lighting appears to be comprised of mast lighting, this is not confirmed by the applicant's utility plan. To assure compliance, a condition will be imposed, requiring lighting to comply with the current provisions of Section 4.199.10 – 4.199.60. See Condition PFD 20.

Section 4.176: Landscaping

- G7. A detailed landscape plan is provided with this request, in accordance with the requirements of Section 4.176(.09), and 4.440(.01)(B) [Sheet L1 of Exhibit B2]. The proposed landscape design meets minimum code requirements.
- G8. Street trees are a major component of proposed landscaping (Sheet L1 of Exhibit B2). Proposed are 17 street trees at 2.5" caliper.

Subsection 4.176.02(D): Low Screen Landscape Standard

- G9. The proposed landscape plan (Sheet L1 of Exhibit B2) illustrates the plant materials proposed, according to the landscape plan. The landscape plan lists a combination of 11 different types of grasses and large and small shrubs. A combination of primarily deciduous trees is proposed throughout the site. The proposed landscape plan meets this criterion.

Subsection 4.176.03: Landscape Area.

- G10. As illustrated on the landscape plan (Sheet L1 of Exhibit B2), the proposed landscape exceeds 15% minimum coverage (i.e., the total area of Tracts A and B), meeting code.

Subsection 4.176.04(C) & (D): Buffering and Screening

- G11. The submittal documents do not indicate the location of the heating, ventilation, and air condition (HVAC) equipment. The City reserves the right to require further screening of the HVAC equipment should it be visible from off-site, ground level view.

Subsection 4.176(.06)(A-E): Plant Materials.

- G12. This request includes landscaping treatment on common property, Tracts A and B. Installation of landscaping on private property is the developer's responsibility. A homeowners association will be made responsible for professional maintenance of the landscaping. The proposed landscape plan meets this criterion.
- G13. The proposed landscape plan (Sheet L1 of Exhibit B2) will be required to meet the spread requirement of 10" to 12". The specified tree and ground cover types are of a size and spacing that can meet the criteria of 4.176(.06)(A)(1) and (2), and (B).
- G14. The proposed landscape specifications for secondary and accent trees meet code criterion for caliper size and/or height. This code criterion is met.

Subsection 4.176(.07)(A-D): Installation and Maintenance

- G15. Plant materials, once approved by the DRB, shall be installed to current industry standards and shall be properly staked to assure survival. Support devices (guy wires, etc.) shall not be allowed to interfere with normal pedestrian or vehicular movement. Maintenance of landscaped areas is the on-going responsibility of the property owner. Any landscaping installed to meet the requirements of this code, or any condition of approval established by city decision-making body acting on an application, shall be continuously maintained in a healthy, vital and acceptable manner. Plants that die are to be replaced in kind, within one growing season, unless the city approves appropriate substitute species. Failure to maintain landscaping as required in this subsection shall constitute a violation of the city code for which appropriate legal remedies, including the revocation of any applicable land development permits, may result.

Subsection 4.176(.10): Completion of Landscaping

- G16. The applicant's submittal documents do not specify whether a deferment of the installation of the proposed planting plan is requested. The applicant will be required to post a bond or other security acceptable to the Community Development Director for the installation of the approved landscaping, should the approved landscaping not be installed by the time of final occupancy.

Section 4.175: Public Safety and Crime Prevention

- G17. The utility plan (Sheet 5 of Exhibit B2) depicts the proposed location of lighting fixtures. A final lighting plan will be required to be submitted as a condition of this action. See Condition PFD 20.

Section 4.450: Installation of Landscaping

- G18. All landscaping approved by the Development Review Board must be installed prior to issuance of occupancy permits, unless security equal to one hundred and ten percent (110%) of the cost for landscaping is filed with the City.

Subsection 4.176(.10) – Completion of Landscaping

- G19. The applicant will be required to post a bond or other security acceptable to the Community Development Director for the installation of the landscaping. If the proposed project proceeds in more than one phase, the applicant will be required to post a bond or other security for each phase of the project.

Section 4.176(.12)(D): Irrigation

- G20. A conceptual irrigation plan has not been provided. A permanent underground irrigation system is required to be provided for all lawn, shrub and tree plantings at the time building permits are issued for projects. Irrigation must not be excessive to harm existing trees. The City may approve temporary irrigation to beautify selected landscaped areas for marketing reasons, but irrigation must be above ground installation, and it must be removed to comply with the final landscape and in-ground irrigation plans as determined by the City. The irrigation plan will need to be provided, including the information required in Subsections 4.179.09(A)-(D). See condition PDG 5.d.

Section 4.800: Wireless communications facilities

- G21. A conditional use permit is required for any wireless communications pursuant to Section 4.800 of the Wilsonville Code. No such facilities are currently proposed.

SUMMARY FINDING FOR REQUEST G:

- G22. As demonstrated in findings G1 through G21, with conditions of approval referenced therein, the proposed Site Design Review Plans may be approved.

REQUEST 'H' – DB13-0057 TYPE 'C' TREE PLAN

Section 4.600 – Tree Preservation and Protection

- (.50) **Application for Tree Removal Permit**
- (.02) **Time of Application: Application for a Tree Removal Permit shall be made before removing or transplanting trees, except in emergency situations as provided in WC 4.600.40 (1)(B) above. Where the site is proposed for development necessitating site plan or plat review, application for a Tree Removal Permit shall be made as part of the site development application as specified in this subchapter,**

Also Subsection 4.610.40: Type C Permit

- H1. An arborist report has been provided (Section J of Exhibit B2). The arborist report documents the condition, viability, and which trees will be retained on the site and which will be removed because of construction or condition on the project site. The inventory that was provided by the arborist lists tree species, size, condition and recommended treatment. The recommended treatments were based on tree characteristics as well as location within the site.

A total of 13 different tree species was inventoried on the site, of which only one (1) is a native species.

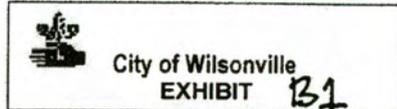
Subsection 4.620.00: Tree Relocation, Mitigation, or Replacement

- H2. The City of Wilsonville requires mitigation planting when live trees are removed. The 20 trees currently proposed for removal are subject to mitigation requirements. The 17 proposed street trees and six (6) trees proposed in the open space (west), to be planted as shown on the landscape plan (Sheet L1 of Exhibit B2), are sufficient to replace those proposed to be removed. Staff recommends Condition PDH 1 to assure compliance with this criterion.
- H3. **Tree Protection During Construction:** Tree protection specifications are proposed and are included in the arborist report, meeting code.

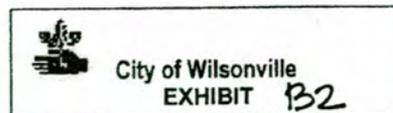
SUMMARY FINDINGS FOR REQUEST H:

- H4. The proposed Type C Tree Removal Plan is in substantial compliance with the applicable provisions of Subsection 4.610.40 and 4.620.00, subject to compliance with the recommended conditions of approval.

This exhibit is too large to reproduce.



This exhibit is too large to reproduce.



Development Review Template

DATE: 2/26/14
TO: MIKE WHEELER, ASSOCIATE PLANNER
FROM: DON WALTERS
SUBJECT: DEVELOPMENT REVIEW # DB13-0050-57

WORK DESCRIPTION: CANYON CREEK II. A NEW 8-LOT SUBDIVISION

Building Division Conditions:

BD 1. FIRE HYDRANTS. Tualatin Valley Fire & Rescue shall approve the design of the fire hydrant system serving these homes.



City of Wilsonville
EXHIBIT **D1.1**

Wheeler, Mike

From: Adams, Steve
Sent: Wednesday, February 26, 2014 12:04 PM
To: Wheeler, Mike
Subject: Renaissance @ Canyon Creek II (DB13-0050).doc
Attachments: Renaissance @ Canyon Creek II (DB13-0050).doc

Mike,

Here you go.

Steve R. Adams, P.E.

Development Engineering Manager
City of Wilsonville
29799 SW Town Center Loop E
Wilsonville, OR 97070

ph: 503-682-4960
email: adams@ci.wilsonville.or.us

PUBLIC RECORDS LAW DISCLOSURE: Messages to and from this e-mail address is a public record of the City of Wilsonville and may be subject to public disclosure. This e-mail is subject to the State Retention Schedule.



City of Wilsonville
EXHIBIT **D1.2**

**EXHIBIT A
PLANNING DIVISION
STAFF REPORT**

RENAISSANCE @ CANYON CREEK II

**DEVELOPMENT REVIEW BOARD PANEL ' ___ ' ,
QUASI JUDICIAL HEARING**

Public Hearing Date:
Date of Report:
Application Numbers:

Request A: DB13-0053 Stage II Final Plan

**Property
Owners/Applicants:**

**PD = Planning Division conditions
BD = Building Division Conditions
PF = Engineering Conditions.
NR = Natural Resources Conditions
TR = SMART/Transit Conditions
FD = Tualatin Valley Fire and Rescue Conditions**

Standard Comments:

PFA 1. All construction or improvements to public works facilities shall be in conformance to the City of Wilsonville Public Works Standards.

PFA 2. Applicant shall submit insurance requirements to the City of Wilsonville in the following amounts:

General Aggregate	\$2,000,000
Products-Completed Operations Aggregate	\$2,000,000
Each Occurrence	\$2,000,000
Automobile Insurance	\$1,000,000
Fire Damage (any one fire)	\$ 50,000
Medical Expense (any one person)	\$ 10,000

PFA 3. No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, right-of-way and easements have been obtained and Staff is notified a minimum of 24 hours in advance.

PFA 4. All public utility/improvement plans submitted for review shall be based upon a 22"x 34" format and shall be prepared in accordance with the City of Wilsonville Public Work's Standards.

PFA 5. Plans submitted for review shall meet the following general criteria:

- a. Utility improvements that shall be maintained by the public and are not contained within a public right-of-way shall be provided a maintenance access acceptable to the City. The public utility improvements shall be centered in a minimum 15-ft. wide public easement for single utilities and a minimum 20-ft wide public easement for two parallel utilities and shall be conveyed to the City on its dedication forms.
- b. Design of any public utility improvements shall be approved at the time of the issuance of a Public Works Permit. Private utility improvements are subject to review and approval by the City Building Department.
- c. In the plan set for the PW Permit, existing utilities and features, and proposed new private utilities shall be shown in a lighter, grey print. Proposed public improvements shall be shown in bolder, black print.
- d. All elevations on design plans and record drawings shall be based on NAVD 88 Datum.
- e. All proposed on and off-site public/private utility improvements shall comply with the State of Oregon and the City of Wilsonville requirements and any other applicable codes.
- f. Design plans shall identify locations for street lighting, gas service, power lines, telephone poles, cable television, mailboxes and any other public or private utility within the general construction area.
- g. As per City of Wilsonville Ordinance No. 615, all new gas, telephone, cable, fiber-optic and electric improvements etc. shall be installed underground. Existing overhead utilities shall be undergrounded wherever reasonably possible.
- h. Any final site landscaping and signing shall not impede any proposed or existing driveway or interior maneuvering sight distance.

- i. Erosion Control Plan that conforms to City of Wilsonville Ordinance No. 482.
- j. Existing/proposed right-of-way, easements and adjacent driveways shall be identified.
- k. All engineering plans shall be stamped by a Professional Engineer registered in the State of Oregon.

PFA 6. Submit plans in the following general format and order for all public works construction to be maintained by the City:

- a. Cover sheet
- b. City of Wilsonville construction note sheet
- c. General construction note sheet
- d. Existing conditions plan.
- e. Erosion control and tree protection plan.
- f. Site plan. Include property line boundaries, water quality pond boundaries, sidewalk improvements, right-of-way (existing/proposed), easements (existing/proposed), and sidewalk and road connections to adjoining properties.
- g. Grading plan, with 1-foot contours.
- h. Composite utility plan; identify storm, sanitary, and water lines; identify storm and sanitary manholes.
- i. Detailed plans; show plan view and either profile view or provide i.e.'s at all utility crossings; include laterals in profile view or provide table with i.e.'s at crossings; vertical scale 1"= 5', horizontal scale 1"= 20' or 1"= 30'.
- j. Street plans.
- k. Storm sewer/drainage plans; number all lines, manholes, catch basins, and cleanouts for easier reference
- l. Water and sanitary sewer plans; plan; number all lines, manholes, and cleanouts for easier reference.
- m. Detailed plan for storm water detention facility (both plan and profile views), including water quality orifice diameter and manhole rim elevations. Provide detail of inlet structure and energy dissipation device. Provide details of drain inlets, structures, and piping for outfall structure. Note that although storm water detention facilities are typically privately maintained they will be inspected by engineering, and the plans must be part of the Public Works Permit set.
- n. Detailed plan for water quality facility (both plan and profile views). Note that although storm water quality facilities are typically privately maintained they will be inspected by Natural Resources, and the plans must be part of the Public Works Permit set.
- o. Composite franchise utility plan.
- p. City of Wilsonville detail drawings.
- q. Illumination plan.
- r. Striping and signage plan.
- s. Landscape plan.

PFA 7. Prior to manhole and sewer line testing, design engineer shall coordinate with the City and update the sanitary and stormwater sewer systems to reflect the City's numbering system. Video testing and sanitary manhole testing will refer to the updated numbering system. Design engineer shall also show the updated numbering system on As-Built drawings submitted to the City.

PFA 8. The applicant shall install, operate and maintain adequate erosion control measures in conformance with the standards adopted by the City of Wilsonville Ordinance No. 482 during the construction of any public/private

	utility and building improvements until such time as approved permanent vegetative materials have been installed.
PFA 9.	Applicant shall work with City's Natural Resources office before disturbing any soil on the respective site. If 5 or more acres of the site will be disturbed applicant shall obtain a 1200-C permit from the Oregon Department of Environmental Quality. If 1 to less than 5 acres of the site will be disturbed a 1200-CN permit from the City of Wilsonville is required.
PFA 10.	To lessen the impact of the proposed project on the downstream storm drain system, and adjacent properties, project run-off from the site shall be detained and limited to the difference between a developed 25-year storm and an undeveloped 25-year storm. The detention and outfall facilities shall be designed and constructed in conformance with the Public Works Standards.
PFA 11.	A storm water analysis prepared by a Professional Engineer registered in the State of Oregon shall be submitted for review and approval by the City to address appropriate pipe and detention facility sizing.
PFA 12.	The applicant shall be in conformance with all water quality requirements for the proposed development per the Public Works Standards. If a mechanical water quality system is used, prior to City acceptance of the project the applicant shall provide a letter from the system manufacturer stating that the system was installed per specifications and is functioning as designed.
PFA 13.	Storm water quality facilities shall have approved landscape planted and/or some other erosion control method installed and approved by the City of Wilsonville prior to streets and/or alleys being paved.
PFA 14.	Fire hydrants shall be located in compliance with TVF&R fire prevention ordinance and approval of TVF&R.
PFA 15.	The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Any existing well shall be limited to irrigation purposes only. Proper separation, in conformance with applicable State standards, shall be maintained between irrigation systems, public water systems, and public sanitary systems. Should the project abandon any existing wells, they shall be properly abandoned in conformance with State standards.
PFA 16.	All survey monuments on the subject site, or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff.
PFA 17.	Sidewalks, crosswalks and pedestrian linkages in the public right-of-way

	shall be in compliance with the requirements of the U.S. Access Board.
PFA 18.	No surcharging of sanitary or storm water manholes is allowed.
PFA 19.	The project shall connect to an existing manhole or install a manhole at each connection point to the public storm system and sanitary sewer system.
PFA 20.	The applicant shall provide a 'stamped' engineering plan and supporting information that shows the proposed street light locations meet the appropriate AASHTO lighting standards for all proposed streets and pedestrian alleyways.
PFA 21.	All required pavement markings, in conformance with the Transportation Systems Plan and the Bike and Pedestrian Master Plan, shall be completed in conjunction with any conditioned street improvements.
PFA 22.	Street and traffic signs shall have a hi-intensity prismatic finish meeting ASTM 4956 Spec Type 4 standards.
PFA 23.	The applicant shall provide adequate sight distance at all project driveways by driveway placement or vegetation control. Specific designs to be submitted and approved by the City Engineer. Coordinate and align proposed driveways with driveways on the opposite side of the proposed project site.
PFA 24.	Access requirements, including sight distance, shall conform to the City's Transportation Systems Plan (TSP) or as approved by the City Engineer. Landscaping plantings shall be low enough to provide adequate sight distance at all street intersections and alley/street intersections.
PFA 25.	The applicant shall provide the City with a Stormwater Maintenance and Access Easement (on City approved forms) for City inspection of those portions of the storm system to be privately maintained. Stormwater or rainwater LID facilities may be located within the public right-of-way upon approval of the City Engineer. Applicant shall maintain all LID storm water components and private conventional storm water facilities; maintenance shall transfer to the respective homeowners association when it is formed.
PFA 26.	Applicant shall provide a minimum 6-foot Public Utility Easement on lot frontages to all public right-of-ways. An 8-foot PUE shall be provided along Minor and Major Collectors. A 10-ft PUE shall be provided along Minor and Major Arterials.
PFA 27.	For any new public easements created with the project the Applicant shall be required to produce the specific survey exhibits establishing the easement and shall provide the City with the appropriate Easement document (on City approved forms).
PFA 28.	Mylar Record Drawings: At the completion of the installation of any required public improvements, and before a 'punch list' inspection is scheduled, the Engineer shall perform a record survey. Said survey shall be the basis for the preparation of 'record drawings' which will serve as the physical record of those changes made to the plans and/or specifications, originally approved by Staff, that occurred

	during construction. Using the record survey as a guide, the appropriate changes will be made to the construction plans and/or specifications and a complete revised 'set' shall be submitted. The 'set' shall consist of drawings on 3 mil. Mylar and an electronic copy in AutoCAD, current version, and a digitally signed PDF.				
PFA 29.	<p>Subdivision or Partition Plats:</p> <p>Paper copies of all proposed subdivision/partition plats shall be provided to the City for review. Once the subdivision/partition plat is approved, applicant shall have the documents recorded at the appropriate County office. Once recording is completed by the County, the applicant shall be required to provide the City with a 3 mil Mylar copy of the recorded subdivision/partition plat.</p>				
PFA 30.	<p>Subdivision or Partition Plats:</p> <p>All newly created easements shown on a subdivision or partition plat shall also be accompanied by the City's appropriate Easement document (on City approved forms) with accompanying survey exhibits that shall be recorded immediately after the subdivision or partition plat.</p>				
Specific Comments:					
PFA 31.	<p>At the request of Staff, DKS Associates completed a Subdivision Trip Generation Update dated September 26, 2013. The project is hereby limited to no more than the following impacts.</p> <table border="0" style="margin-left: 40px;"> <tr> <td>Estimated New PM Peak Hour Trips</td> <td style="text-align: right;">8</td> </tr> <tr> <td>Estimated Weekday PM Peak Hour Trips Through Wilsonville Road Interchange Area</td> <td style="text-align: right;">1</td> </tr> </table>	Estimated New PM Peak Hour Trips	8	Estimated Weekday PM Peak Hour Trips Through Wilsonville Road Interchange Area	1
Estimated New PM Peak Hour Trips	8				
Estimated Weekday PM Peak Hour Trips Through Wilsonville Road Interchange Area	1				
PFA 32.	On Morningside Avenue applicant has proposed to maintain the 32-foot curb-to-curb street width within a 51-foot street right-of-way dedication for the extension of this street. Improvements shall include asphalt roadway, curb and gutter, sidewalk, stormwater system, street trees, and streetlights.				
PFA 33.	Summerton Street was previously approved with a 21.5-foot half street right-of-way. Applicant is approved to match the existing street design on the south side by dedicating an additional 13.5 feet of right-of-way (43 feet total), widening the road by 8 feet (32 foot total) and installing curb and gutter, 5-ft sidewalk, stormwater system, street trees, and streetlights.				
PFA 34.	On frontage to Canyon Creek Road South the applicant shall be required to construct a 14-foot half-street improvement, face of curb to street centerline (asphalt roadway, curb and gutter, sidewalk, stormwater system, street trees, and streetlights) in compliance with Residential Street Standards as provided in the 2013 Transportation Systems Plan (note that this sidewalk needs to be offset.) Existing street right-of-way is 50 feet; no additional right-of-way dedication is required.				
PFA 35.	The proposed site straddles two stormwater basins. Applicant shall design				

	the project so that no net out-of-basin transfers will occur.
PFA 36.	Applicant shall connect storm service lines of lots to the existing or proposed storm systems where feasible; this would include lots 1 and 3 through 8.
PFA 37.	Applicant shall connect sanitary service lines of lots to the existing or proposed sanitary systems.
PFA 38.	Applicant shall be required to connect the existing 8" water systems in Morningside Avenue with extension of this street.
PFA 39.	Applicant shall obtain water service from the existing or proposed water systems.

<u>Engineering Division Conditions:</u>	
PFB 1.	
PFB 2.	

<u>Engineering Division Conditions:</u>	
PFC 1.	
PFC 2.	
PFC 3.	

Public Works Plan Review Comments

Plans for Review: Renaissance at Canyon Creek II
Return All Comments To: Mike Wheeler
Issue Date: January 30, 2014 Due Date: February 20, 2014

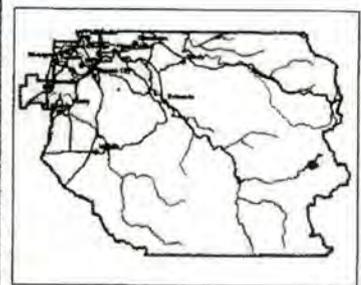
Name	Page No.	Comments	Engineering's Response
Randy Watson			
Matt Baker			
Steve Munsterman		No Comments	
Arnie Gray		No Comments	
Ralph Thorp			
Jason Labrie / Steve Gering		No Comments	
Mark Folz / Paul Havens			

Page 62 of 64

3 1 W 13 BA
 WILSONVILLE
 N.E.1/4 N.W.1/4 SEC.13 T.3S. R.1W. W.M.
 Clackamas County
 1" = 100'

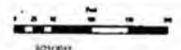
Cancelled Taxlots

- Parcel Boundary
- Private Road ROW
- Historical Boundary
- Railroad Centerline
- TaxCodeLines
- Map Index
- WaterLines
- Land Use Zoning
- Plets
- Water
- Corner
- Section Corner
- 1/16th Line
- Govt Lot Line
- D/C Line
- Meander Line
- PLSS Section Line
- ⊕ Historic Corridor 40'
- ⊙ Historic Corridor 20'

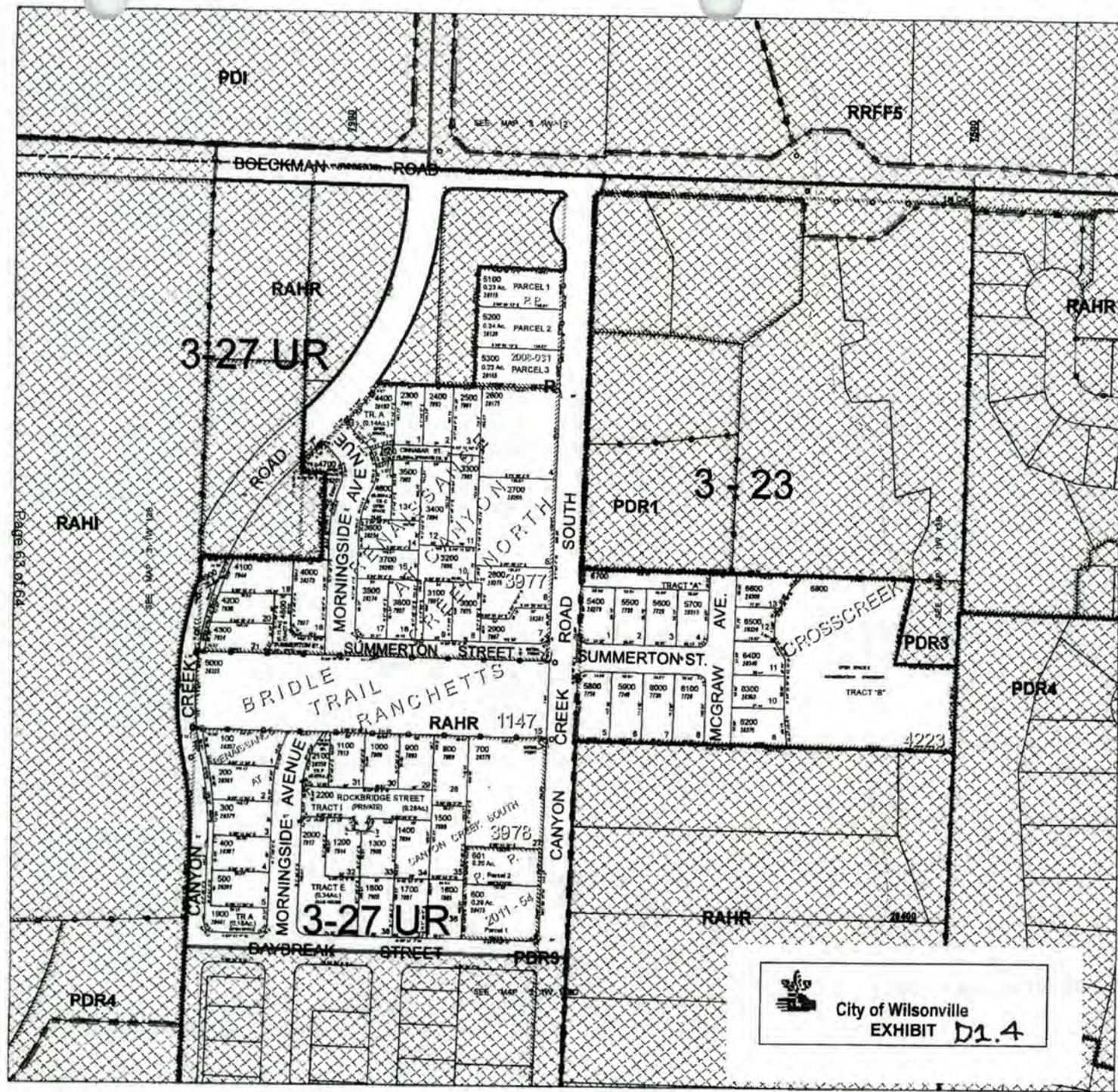


 City of Wilsonville
 EXHIBIT D1.4

THIS MAP IS FOR ASSESSMENT
 PURPOSES ONLY



3 1 W 13 BA
 WILSONVILLE



Page 63 of 63



City of Wilsonville
Permit Receipt
RECEIPT NUMBER 00014143

Account Number: 006039

Date: 11/15/2013

Applicant: RENAISSANCE CUSTOM HOMES, LLC

Type: check # 18509 **Description:** Canyon Creek II Subdivision

Note:

<u>Permit Number</u>	<u>Fee Description</u>	<u>Amount</u>
	On Account	10,069.00
		0.00
	Total:	\$10,069.00

This electronic fill-in form cannot be submitted electronically. Please sign a printed copy and submit to the Wilsonville Planning Division. Please call 503-682-4960 if you have any questions.

CITY OF WILSONVILLE

29799 SW Town Center Loop East
 Wilsonville, OR 97070
 Phone: 503.682.4960
 Fax: 503.682.7025
 Web: www.ci.wilsonville.or.us

**Planning Division
 Development Permit Application**

Final action on development application or zone change is required within 120 days in accordance with provisions of ORS 227.175

A pre application conference is normally required prior to submittal of an application. Please visit the City's website for submittal requirements

Incomplete applications will not be scheduled for public hearing until all of the required materials are submitted.

Pre-Application meeting date: _____

TO BE COMPLETED BY APPLICANT:

Please PRINT legibly

Legal Property Owner's Name:

James Dillon & Debra Gruber

Authorized Representative:

Ben Altman, SFA Design Group

Address: 3175 NE Fremont Dr.
 Portland, OR 97220

Address: 9020 SW Washington Sq. Rd., Suite 505
 Portland, OR 97223

Phone: 509-981-2274

Phone: 503-641-8311

Fax:

Fax:

E-mail: dagruber9@hotmail.com

E-mail: baltman@sfadg.com

Property Owner or

Authorized Signature: *Debra A. Gruber*

Printed Name _____

Title: *Co-Owner*

Date _____

Site Location and Description:

Project Address if Available: 28325 SW Canyon Creek Road Suite/Unit _____

Project Location: _____

Tax Map #(s): T3S R1W 13BA Tax Lot #(s): 5000 County: Clackamas

Request: Plan Map amendment RA-H to PDR-4; PDR Preliminary Plat (Stage I & II), with Waivers; Tree Removal Plan; and Site Design Review

Project Type: Class I Residential Class II Commercial Class III Industrial Other (describe below)

Application Type:

- | | | | |
|--|---|---|---|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Appeal | <input type="checkbox"/> Comp Plan Map Amendment | <input type="checkbox"/> Conditional Use |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Major Partition | <input type="checkbox"/> Minor Partition | <input type="checkbox"/> Parks Plan Review |
| <input checked="" type="checkbox"/> Plan Amendment | <input checked="" type="checkbox"/> Planned Development | <input checked="" type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Request to Modify Condition |
| <input type="checkbox"/> Request for Special Meeting | <input type="checkbox"/> Request for Time Extension | <input type="checkbox"/> Signs | <input checked="" type="checkbox"/> Site Design Review |
| <input type="checkbox"/> SROZ/SRIR Review | <input type="checkbox"/> Staff Interpretation | <input checked="" type="checkbox"/> Stage I Master Plan | <input checked="" type="checkbox"/> Stage II Final Plan |
| <input checked="" type="checkbox"/> Type C Tree Removal Plan | <input type="checkbox"/> Tree Removal Permit (B or C) | <input type="checkbox"/> Temporary Use | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Villebois SAP | <input type="checkbox"/> Villebois PDP | <input type="checkbox"/> Villebois FDP | <input checked="" type="checkbox"/> Waiver |
| <input checked="" type="checkbox"/> Zone Map Amendment | <input type="checkbox"/> Other | | |

FOR STAFF USE ONLY:

Application Rec'd: _____ Fee: _____ Check #: _____ Application Complete: _____ By: _____

File No (s) _____

P

DEVELOPMENT REVIEW BOARD MEETING

MONDAY, MARCH 10, 2014

6:30 PM

VII. Public Hearing:

A. Resolution No. 271. Renaissance at Canyon Creek II: SFA Design Group – Representative for Renaissance Development – Applicant. The applicant is requesting approval of a Comprehensive Plan Map Amendment, Zone Map Amendment, Stage I Preliminary Plan, Stage II Final Plan, Waiver, Tentative Subdivision Plat, Site Design Review and Type ‘C’ Tree Plan for Development of eight (8) residential lots. The subject 1.79 acre property is located on Tax Lot 5000 of Section 13BA, T3S R1W, Clackamas County, Oregon. Staff: Michael Wheeler

- Case Files: DB13-0050 – Comprehensive Plan Map Amendment
DB13-0051 – Zone Map Amendment
DB13-0052 – Stage I Preliminary Plan
DB13-0053 – Stage II Final Plan
DB13-0054 – Waiver
DB13-0055 – Tentative Subdivision Plat
DB13-0056 – Site Design Review
DB13-0057 – Type ‘C’ Tree Plan

The DRB action on the Comprehensive Plan Map Amendment and Zone Map Amendment is a recommendation to the City Council.

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 271**

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL OF A COMPREHENSIVE PLAN MAP AMENDMENT FROM RESIDENTIAL 0-1 DU/AC TO RESIDENTIAL 4-5 DU/AC AND A ZONE MAP AMENDMENT FROM RA-H TO PDR-3 AND ADOPTING FINDINGS AND CONDITIONS APPROVING A STAGE I PRELIMINARY PLAN, STAGE II FINAL PLAN, WAIVER, TENTATIVE SUBDIVISION PLAT, SITE DESIGN REVIEW AND TYPE 'C' TREE PLAN FOR DEVELOPMENT OF EIGHT (8) RESIDENTIAL LOTS. THE SUBJECT 1.79 ACRE PROPERTY IS LOCATED ON TAX LOT 5000 OF SECTION 13BA, T3S, R1W, CLACKAMAS COUNTY, OREGON. SFA DESIGN GROUP – REPRESENTATIVE FOR RENAISSANCE DEVELOPMENT - APPLICANT.

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 of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared staff report on the above-captioned subject dated March 3, 2014, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on March 10, 2014, at which time exhibits, together with findings and public testimony were entered into the public record, and

WHEREAS, the Development Review Board considered the subject and the recommendations 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 Development Review Board Panel A of the City of Wilsonville recommends that the City Council approve a Comprehensive Plan Map Amendment a Zone Map Amendment (Case Files DB13-0050 and DB13-0051), approve a Stage I Preliminary Plan, Stage II Final Plan, Waiver, Tentative Subdivision Plat, Site Design Review and Type 'C' Tree Plan, and does hereby adopt the staff report attached hereto as Exhibit A1 with modified findings, recommendations and conditions placed on the record herein and authorizes the Planning Director to issue approvals consistent with said recommendations for Case File(s):

- DB13-0050 (A) Comprehensive Plan Map Amendment**
- DB13-0051 (B) Zone Map Amendment**
- DB13-0052 (C) Stage I Preliminary Plan**
- DB13-0053 (D) Stage II Final Plan**
- DB13-0054 (E) Waiver**
- DB13-0055 (F) Tentative Subdivision Plat**
- DB13-0056 (G) Site Design Review**
- DB13-0057 (H) Type 'C' Tree Plan**

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 10th day of March 2014 and filed with the Planning Administrative Assistant on _____. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per *WC Sec 4.022(.09)* unless appealed per *WC Sec 4.022(.02)* or called up for review by the council in accordance with *WC Sec 4.022(.03)*.

Mary Fierros-Bower, Chair, Panel A
Wilsonville Development Review Board

Attest:

Shelley White, Planning Administrative Assistant

**WILSONVILLE PLANNING DIVISION
DEVELOPMENT REVIEW BOARD PANEL 'A'
QUASI-JUDICIAL STAFF REPORT
RENAISSANCE AT CANYON CREEK II SUBDIVISION**

Public Hearing Date:	March 10, 2014
Date of Report:	March 3, 2014
Application Numbers:	DB13-0050 (A) Comprehensive Plan Map Amendment DB13-0051 (B) Zone Map Amendment DB13-0052 (C) Stage I Preliminary Plan DB13-0053 (D) Stage II Final Plan DB13-0054 (E) Waiver DB13-0055 (F) Tentative Subdivision Plat DB13-0056 (G) Site Design Review DB13-0057 (H) Type 'C' Tree Plan
Property Owners:	James Dillon and Debra Gruber
Applicant:	Renaissance Development Corp.

REQUEST: SFA Design Group, LLC, acting as agent for Renaissance Development Corp., applicant, proposes the development of eight (8) residential lots in one phase, along with associated site improvements, for the property located east of SW Canyon Creek Road (arterial), south of SW Summerton Street, and west of SW Canyon Creek Road South. The development site area is comprised of one parcel, the area of which is approximately 1.79 acres.

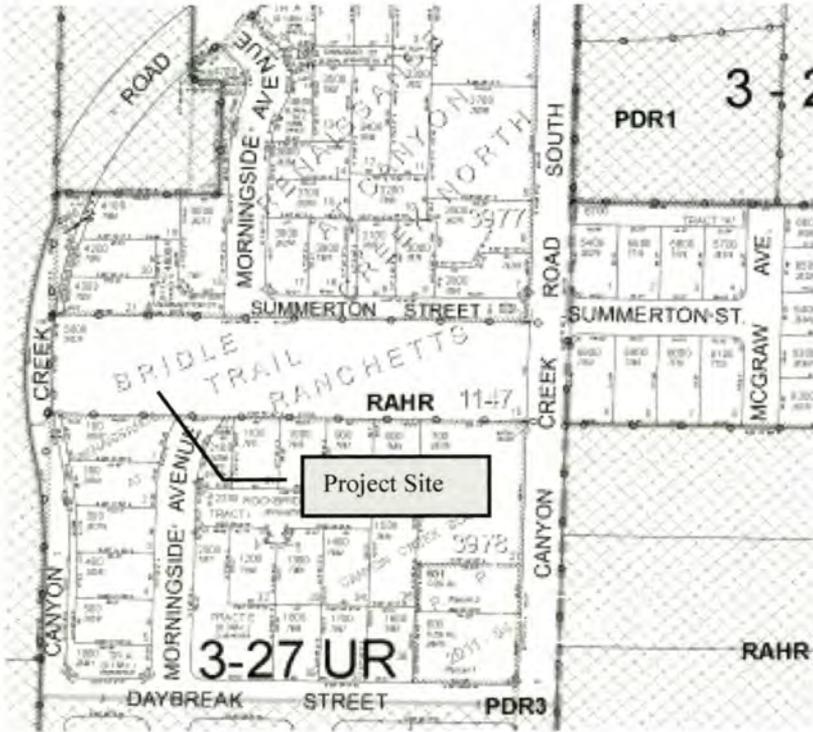
The following requests apply to the subject property, as defined in the applicant's submittal documents: Approve a Comprehensive Plan Map Amendment, Zone Map Amendment, Tentative Subdivision Plat, Stage I Preliminary Plan, Stage II Final Plan, Type 'C' Tree Removal Plan, and Site Design Review Plan for the common elements of the proposed subdivision, and one (1) waiver.

Current Comprehensive Plan Designation: Residential 0 - 1 du/ac

Current Zone Map Designation: Residential Agricultural - Holding Zone (RA-H)

STAFF RECOMMENDATION: Approve the applications, with recommended conditions.

Project Location: 28325 SW Canyon Creek Road South. The property lies east of SW Canyon Creek Road (arterial), south of SW Summerton Street, and west of SW Canyon Creek Road South. The subject property is more particularly described as being Tax Lot 5000 in Section 13BA; Township 3S, Range 1W; Clackamas County; Wilsonville, Oregon.



Vicinity and Tax Map

APPLICABLE REVIEW CRITERIA:

Zoning Review Criteria:	Description
Sections 4.008-4.015	Application Procedures
Section 4.113	Standards Applying to Residential Development in Any Zone
Section 4.118 (as applicable)	Standards Applying to All Planned Development Zones
Section 4.120 (as applicable)	Residential Agricultural - Holding (RA-H) Zone
Section 4.124	Standards Applying to All Planned Development Residential Zones
Section 4.124.3 (as applicable)	Planned Development Residential (PDR-3) Zone
Section 4.140	Planned Development Regulations
Section 4.140(.07)	Planned Development Regulations – Stage I
Section 4.140(.08)	Planned Development Regulations – Stage II
Section 4.154	Bicycle, Pedestrian and Transit Facilities
Section 4.155	Parking, Loading and Bicycle Parking
Section 4.167	Access, Ingress and Egress
Section 4.171	Protection of Natural Resources
Section 4.175	Public Safety and Crime Prevention
Section 4.176	Landscaping, Screening and Buffering
Section 4.177	Street Improvement Standards
Section 4.178	Sidewalk and Pathway Standards
Section 4.197	Zone Map Amendments
Section 4.198	Comprehensive Plan Map Amendments
Section 4.199	Outdoor Lighting
Section 4.200 – 4.270	Land Divisions
Section 4.300 – 4.320	Underground Utilities
Sections 4.400 – 4.450	Site Design Review
Sections 4.600 -4.620(.20)	Tree Preservation and Protection
Other Planning Documents:	
Metro’s Urban Growth Management Functional Plan	
Storm Water Master Plan	
Transportation Systems Plan	

Staff Reviewer: Michael R. Wheeler, Associate Planner

BACKGROUND

On August 23, 2004, Development Review Board approved 03 DB 43 for a 79-lot residential planned development (i.e., Renaissance at Canyon Creek). A companion Comprehensive Plan Map Amendment and Zone Map Amendment was approved by the City Council on September 20, 2004. Four of the nine approved phases have been constructed; more partitions are enabled, in order to achieve full build-out of the project.

The subject site was not a part of the approval of Renaissance at Canyon Creek, although the parcel’s development potential was accounted for during the review, illustrating compliance with code provisions in effect at that time. Despite the fact that some code provisions have been revised since then, the applicant proposes to implement most of the original concept for Tax Lot 5000. Staff’s review of the modified proposal begins next, below.

SUMMARY AND ISSUES

A project narrative is provided by the applicant, found in Section 2 of Exhibit B1. The applicant’s narrative adequately describes the proposed application components, and provides proposed findings regarding applicable review criteria. Except where necessary to examine issues identified in this report, staff has relied upon the applicant’s submitted documents, rather than repeat their contents again here.

Request A - Comprehensive Plan Map Amendment

The applicant proposes to amend the current Comprehensive Plan residential density range from 0 – 1 du/ac to 4 – 5 du/ac, to correspond with that of the previous Renaissance at Canyon Creek development.

Request B – Zone Map Amendment

The applicant proposes a Zone Map Amendment from the current RA-H (Residential Agricultural - Holding Zone) zone to a PDR-3 (Planned Development Residential) zone.

Request C – Stage I Preliminary Plan

The applicant’s intent is for the site to be used for residential development in compliance with the proposed Comprehensive Plan designation of 4 - 5 dwelling units per acre. This intent, typically achieved through a preliminary plan, is implemented per Section 4.210(.01)(B)(19), as reviewed in Request C, and the Tentative Subdivision Plat, as reviewed in Request F, below.

Request D – Stage II Final Plan

The location, design, size and residential use of the proposed project are consistent with the proposed Comprehensive Plan, proposed zone, and with other applicable plan, development map or ordinance adopted by the City Council.

The location, design, size and uses of the proposed project are such that traffic generated by the development can be accommodated safely and without congestion in excess of level service "D", defined in the highway capacity manual published by the National Highway Research Board on existing or immediately planned arterial or collector streets.

The location, design, size and uses of the proposed project are such that the residents or establishments to be accommodated will be adequately served by "existing or immediately planned facilities and services."

Request E – One (1) Waiver

The applicant is requesting one (1) waiver to required minimum side yard setback, as identified in Section and 2 of Exhibit B1.

Request F – Tentative Subdivision Plat

The applicant proposes to record a subdivision plat for eight (8) lots, together with two (2) tracts to be held in common by the collective owners of those lots.

The configuration of the subdivision's proposed vehicle and pedestrian circulation has been found to satisfy applicable Code provisions.

The solid waste franchisee previously noted that garbage service can be provided, based upon the circulation design.

The project provides the requisite 'usable' open space necessary to satisfy the minimum acreage requirement for a project of this size (i.e., eight lots). The applicant proposes 14,438 sq. ft. of usable open space in Tract A; 5,496 sq. ft. of open space in Tract B; resulting in a 'usable' area, totaling 19,934 sq. ft. (Sheet 1 of 6 of Exhibit B2).

The configuration of a proposed Tentative Subdivision Plat can be made to meet all applicable Code requirements regarding vehicle circulation, through the imposition of related conditions of approval (Exhibit D1.2).

Request G – Site Design Review

Due to the provision of usable open space, compliance with the minimum open space required, and the submitted landscape plan, approval of the proposed Site Design Review plan may be granted.

Request H – Type C Tree Plan

The proposed Type C Tree Plan for the removal of 20 trees is in substantial compliance with the applicable provisions of Subsection 4.610.40 and 4.620.00. The Board may approve the Type C Tree Removal Plan, together with recommended conditions of approval.

ANALYSIS OF ISSUES

Issue – Lighting Plan Not Clear: The applicant has illustrated and labeled the location of proposed street lights, but has not provided specifications or ‘cut sheets’ illustrating the composition of those lights. See the discussion found beginning on page 46.

Issue – Waiver: The applicant is requesting one (1) waiver from the PDR-3 standards:

- Minimum side yard less than 7 feet for two stories - **Proposed minimum side yard five (5) feet for 2+ stories.**

The proposed waiver is reasonable, and its merits demonstrated by the applicant. See Request E of this report beginning on page 39 for a discussion regarding the requested waivers.

RECOMMENDED CONDITIONS OF APPROVAL

Condition Numbering Key	
(Prefix = Division or Department)	
PD = Planning Division Conditions	
BD = Building Division Conditions	
PF = Engineering Conditions.	
NR = Natural Resources Conditions	
TR = SMART/Transit Conditions	
FD = Tualatin Valley Fire & Rescue Conditions	

Request A: DB13-0050: Comprehensive Plan Map Amendment

Planning Division Conditions:

On the basis of findings A1 through A17 this action recommends approval of the proposed Comprehensive Plan Map Amendment from Residential 0 – 1 du/ac to Residential 4 – 5 du/ac, and forwards this recommendation to the City Council with no conditions of approval.

Request B: DB13-0051: Zone Map Amendment

Planning Division Conditions:

On the basis of findings B1 through B24 this action recommends approval of the proposed Zone Map Amendment from Residential Agricultural - Holding Zone (RA-H) to Planned Development Residential (PDR-3), and forwards this recommendation to the City Council with no proposed conditions of approval.

Request C: DB13-0052: Stage I Preliminary Plan

Planning Division Conditions:

PDC 1. On the basis of findings C1 through C6, this action approves the Stage I Preliminary Plan submitted with this application for eight (8) residential lots (Sheet 1 of Exhibit B2), as entered into the record on March 10, 2014, approved by the Development Review Board, and stamped “Approved Planning Division.” Approval of the Stage I preliminary Plan is contingent on City Council approval of Requests A and B for a Comprehensive Plan Map Amendment and a Zone Map Amendment, respectively.

Request D: DB13-0053: Stage II Final Plan

Planning Division Conditions:

PDD 1. This action approves the request regarding DB13-0053, for the plans submitted with this application, approved by the Development Review Board, and stamped “Approved Planning Division”. Approval for the Stage II Final Plan will expire two years after this action, per Section 4.140(.09)(I).

PDD 2. The Applicant/Owner shall develop the site for use as an eight (8) lot residential planned development, unless altered by a subsequent Board approval, or minor

	revisions are approved by the Planning Director under a Class I administrative review process.
PDD 3.	The Applicant/Owner shall provide the general contractor for the proposed project with a copy of the approved plans and conditions of approval adopted by the City.
PDD 4.	The Applicant/Owner shall provide all future purchasers of lots in the project with a copy of the conditions of approval adopted by the City.

<u>Building Division Conditions:</u>	
BDD 1.	FIRE HYDRANTS. Tualatin Valley Fire & Rescue shall approve the design of the fire hydrant system serving these homes.

<u>Engineering Division Conditions:</u>													
Standard Comments:													
PFD 1.	All construction or improvements to public works facilities shall be in conformance to the City of Wilsonville Public Works Standards.												
PFD 2.	Applicant shall submit insurance requirements to the City of Wilsonville in the following amounts: <table data-bbox="433 1008 1186 1219"> <tr> <td>General Aggregate</td> <td>\$2,000,000</td> </tr> <tr> <td>Products-Completed Operations Aggregate</td> <td>\$2,000,000</td> </tr> <tr> <td>Each Occurrence</td> <td>\$2,000,000</td> </tr> <tr> <td>Automobile Insurance</td> <td>\$1,000,000</td> </tr> <tr> <td>Fire Damage (any one fire)</td> <td>\$ 50,000</td> </tr> <tr> <td>Medical Expense (any one person)</td> <td>\$ 10,000</td> </tr> </table>	General Aggregate	\$2,000,000	Products-Completed Operations Aggregate	\$2,000,000	Each Occurrence	\$2,000,000	Automobile Insurance	\$1,000,000	Fire Damage (any one fire)	\$ 50,000	Medical Expense (any one person)	\$ 10,000
General Aggregate	\$2,000,000												
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Each Occurrence	\$2,000,000												
Automobile Insurance	\$1,000,000												
Fire Damage (any one fire)	\$ 50,000												
Medical Expense (any one person)	\$ 10,000												
PFD 3.	No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, right-of-way and easements have been obtained and Staff is notified a minimum of 24 hours in advance.												
PFD 4.	All public utility/improvement plans submitted for review shall be based upon a 22"x 34" format and shall be prepared in accordance with the City of Wilsonville Public Work's Standards.												
PFD 5.	Plans submitted for review shall meet the following general criteria: <ol style="list-style-type: none"> a. Utility improvements that shall be maintained by the public and are not contained within a public right-of-way shall be provided a maintenance access acceptable to the City. The public utility improvements shall be centered in a minimum 15-ft. wide public easement for single utilities and a minimum 20-ft wide public easement for two parallel utilities and shall be conveyed to the City on its dedication forms. b. Design of any public utility improvements shall be approved at the time of the issuance of a Public Works Permit. Private utility improvements are subject to 												

- review and approval by the City Building Department.
- c. In the plan set for the PW Permit, existing utilities and features, and proposed new private utilities shall be shown in a lighter, grey print. Proposed public improvements shall be shown in bolder, black print.
 - d. All elevations on design plans and record drawings shall be based on NAVD 88 Datum.
 - e. All proposed on and off-site public/private utility improvements shall comply with the State of Oregon and the City of Wilsonville requirements and any other applicable codes.
 - f. Design plans shall identify locations for street lighting, gas service, power lines, telephone poles, cable television, mailboxes and any other public or private utility within the general construction area.
 - g. As per City of Wilsonville Ordinance No. 615, all new gas, telephone, cable, fiber-optic and electric improvements etc. shall be installed underground. Existing overhead utilities shall be undergrounded wherever reasonably possible.
 - h. Any final site landscaping and signing shall not impede any proposed or existing driveway or interior maneuvering sight distance.
 - i. Erosion Control Plan that conforms to City of Wilsonville Ordinance No. 482.
 - j. Existing/proposed right-of-way, easements and adjacent driveways shall be identified.
 - k. All engineering plans shall be stamped by a Professional Engineer registered in the State of Oregon.

PFD 6. Submit plans in the following general format and order for all public works construction to be maintained by the City:

- a. Cover sheet
- b. City of Wilsonville construction note sheet
- c. General construction note sheet
- d. Existing conditions plan.
- e. Erosion control and tree protection plan.
- f. Site plan. Include property line boundaries, water quality pond boundaries, sidewalk improvements, right-of-way (existing/proposed), easements (existing/proposed), and sidewalk and road connections to adjoining properties.
- g. Grading plan, with 1-foot contours.
- h. Composite utility plan; identify storm, sanitary, and water lines; identify storm and sanitary manholes.
- i. Detailed plans; show plan view and either profile view or provide i.e.'s at all utility crossings; include laterals in profile view or provide table with i.e.'s at crossings; vertical scale 1"= 5', horizontal scale 1"= 20' or 1"= 30'.
- j. Street plans.
- k. Storm sewer/drainage plans; number all lines, manholes, catch basins, and cleanouts for easier reference
- l. Water and sanitary sewer plans; plan; number all lines, manholes, and cleanouts for easier reference.
- m. Detailed plan for storm water detention facility (both plan and profile views),

	<p>including water quality orifice diameter and manhole rim elevations. Provide detail of inlet structure and energy dissipation device. Provide details of drain inlets, structures, and piping for outfall structure. Note that although storm water detention facilities are typically privately maintained they will be inspected by engineering, and the plans must be part of the Public Works Permit set.</p> <p>n. Detailed plan for water quality facility (both plan and profile views). Note that although storm water quality facilities are typically privately maintained they will be inspected by Natural Resources, and the plans must be part of the Public Works Permit set.</p> <p>o. Composite franchise utility plan.</p> <p>p. City of Wilsonville detail drawings.</p> <p>q. Illumination plan.</p> <p>r. Striping and signage plan.</p> <p>s. Landscape plan.</p>
PFD 7.	Prior to manhole and sewer line testing, design engineer shall coordinate with the City and update the sanitary and stormwater sewer systems to reflect the City's numbering system. Video testing and sanitary manhole testing will refer to the updated numbering system. Design engineer shall also show the updated numbering system on As-Built drawings submitted to the City.
PFD 8.	The applicant shall install, operate and maintain adequate erosion control measures in conformance with the standards adopted by the City of Wilsonville Ordinance No. 482 during the construction of any public/private utility and building improvements until such time as approved permanent vegetative materials have been installed.
PFD 9.	Applicant shall work with City's Natural Resources office before disturbing any soil on the respective site. If 5 or more acres of the site will be disturbed applicant shall obtain a 1200-C permit from the Oregon Department of Environmental Quality. If 1 to less than 5 acres of the site will be disturbed a 1200-CN permit from the City of Wilsonville is required.
PFD 10.	To lessen the impact of the proposed project on the downstream storm drain system, and adjacent properties, project run-off from the site shall be detained and limited to the difference between a developed 25-year storm and an undeveloped 25-year storm. The detention and outfall facilities shall be designed and constructed in conformance with the Public Works Standards.
PFD 11.	A storm water analysis prepared by a Professional Engineer registered in the State of Oregon shall be submitted for review and approval by the City to address appropriate pipe and detention facility sizing.
PFD 12.	The applicant shall be in conformance with all water quality requirements for the proposed development per the Public Works Standards. If a mechanical water quality system is used, prior to City acceptance of the project the applicant shall provide a letter from the system manufacturer stating that the system was installed per specifications and is functioning as

	designed.
PFD 13.	Storm water quality facilities shall have approved landscape planted and/or some other erosion control method installed and approved by the City of Wilsonville prior to streets and/or alleys being paved.
PFD 14.	Fire hydrants shall be located in compliance with TVF&R fire prevention ordinance and approval of TVF&R.
PFD 15.	The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Any existing well shall be limited to irrigation purposes only. Proper separation, in conformance with applicable State standards, shall be maintained between irrigation systems, public water systems, and public sanitary systems. Should the project abandon any existing wells, they shall be properly abandoned in conformance with State standards.
PFD 16.	All survey monuments on the subject site, or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff.
PFD 17.	Sidewalks, crosswalks and pedestrian linkages in the public right-of-way shall be in compliance with the requirements of the U.S. Access Board.
PFD 18.	No surcharging of sanitary or storm water manholes is allowed.
PFD 19.	The project shall connect to an existing manhole or install a manhole at each connection point to the public storm system and sanitary sewer system.
PFD 20.	The applicant shall provide a 'stamped' engineering plan and supporting information that shows the proposed street light locations meet the appropriate AASHTO lighting standards for all proposed streets and pedestrian alleyways.
PFD 21.	All required pavement markings, in conformance with the Transportation Systems Plan and the Bike and Pedestrian Master Plan, shall be completed in conjunction with any conditioned street improvements.
PFD 22.	Street and traffic signs shall have a hi-intensity prismatic finish meeting ASTM 4956 Spec Type 4 standards.
PFD 23.	The applicant shall provide adequate sight distance at all project driveways by driveway placement or vegetation control. Specific designs to be submitted and approved by the City Engineer. Coordinate and align proposed driveways with driveways on the opposite side of the proposed project site.
PFD 24.	Access requirements, including sight distance, shall conform to the City's

	Transportation Systems Plan (TSP) or as approved by the City Engineer. Landscaping plantings shall be low enough to provide adequate sight distance at all street intersections and alley/street intersections.
PFD 25.	The applicant shall provide the City with a Stormwater Maintenance and Access Easement (on City approved forms) for City inspection of those portions of the storm system to be privately maintained. Stormwater or rainwater LID facilities may be located within the public right-of-way upon approval of the City Engineer. Applicant shall maintain all LID storm water components and private conventional storm water facilities; maintenance shall transfer to the respective homeowners association when it is formed.
PFD 26.	Applicant shall provide a minimum 6-foot Public Utility Easement on lot frontages to all public right-of-ways. An 8-foot PUE shall be provided along Minor and Major Collectors. A 10-ft PUE shall be provided along Minor and Major Arterials.
PFD 27.	For any new public easements created with the project the Applicant shall be required to produce the specific survey exhibits establishing the easement and shall provide the City with the appropriate Easement document (on City approved forms).
PFD 28.	<p>Mylar Record Drawings:</p> <p>At the completion of the installation of any required public improvements, and before a 'punch list' inspection is scheduled, the Engineer shall perform a record survey. Said survey shall be the basis for the preparation of 'record drawings' which will serve as the physical record of those changes made to the plans and/or specifications, originally approved by Staff, that occurred during construction. Using the record survey as a guide, the appropriate changes will be made to the construction plans and/or specifications and a complete revised 'set' shall be submitted. The 'set' shall consist of drawings on 3 mil. Mylar and an electronic copy in AutoCAD, current version, and a digitally signed PDF.</p>
PFD 29.	<p>Subdivision or Partition Plats:</p> <p>Paper copies of all proposed subdivision/partition plats shall be provided to the City for review. Once the subdivision/partition plat is approved, applicant shall have the documents recorded at the appropriate County office. Once recording is completed by the County, the applicant shall be required to provide the City with a 3 mil Mylar copy of the recorded subdivision/partition plat.</p>
PFD 30.	<p>Subdivision or Partition Plats:</p> <p>All newly created easements shown on a subdivision or partition plat shall also be accompanied by the City's appropriate Easement document (on City approved forms) with accompanying survey exhibits that shall be recorded immediately after the subdivision or partition plat.</p>
Specific Comments:	

PFD 31.	At the request of Staff, DKS Associates completed a Subdivision Trip Generation Update dated September 26, 2013. The project is hereby limited to no more than the following impacts.				
	<table border="0" style="width: 100%;"> <tr> <td style="width: 80%;">Estimated New PM Peak Hour Trips</td> <td style="text-align: right;">8</td> </tr> <tr> <td>Estimated Weekday PM Peak Hour Trips Through Wilsonville Road Interchange Area</td> <td style="text-align: right;">1</td> </tr> </table>	Estimated New PM Peak Hour Trips	8	Estimated Weekday PM Peak Hour Trips Through Wilsonville Road Interchange Area	1
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Estimated Weekday PM Peak Hour Trips Through Wilsonville Road Interchange Area	1				
PFD 32.	On Morningside Avenue applicant has proposed to maintain the 32-foot curb-to-curb street width within a 51-foot street right-of-way dedication for the extension of this street. Improvements shall include asphalt roadway, curb and gutter, sidewalk, stormwater system, street trees, and streetlights.				
PFD 33.	Summerton Street was previously approved with a 21.5-foot half street right-of-way. Applicant is approved to match the existing street design on the south side by dedicating an additional 13.5 feet of right-of-way (43 feet total), widening the road by 8 feet (32 foot total) and installing curb and gutter, 5-ft sidewalk, stormwater system, street trees, and streetlights.				
PFD 34.	On frontage to Canyon Creek Road South the applicant shall be required to construct a 14-foot half-street improvement, face of curb to street centerline (asphalt roadway, curb and gutter, sidewalk, stormwater system, street trees, and streetlights) in compliance with Residential Street Standards as provided in the 2013 Transportation Systems Plan (note that this sidewalk needs to be offset.) Existing street right-of-way is 50 feet; no additional right-of-way dedication is required.				
PFD 35.	The proposed site straddles two stormwater basins. Applicant shall design the project so that no net out-of-basin transfers will occur.				
PFD 36.	Applicant shall connect storm service lines of lots to the existing or proposed storm systems where feasible; this would include lots 1 and 3 through 8.				
PFD 37.	Applicant shall connect sanitary service lines of lots to the existing or proposed sanitary systems.				
PFD 38.	Applicant shall be required to connect the existing 8" water systems in Morningside Avenue with extension of this street.				
PFD 39.	Applicant shall obtain water service from the existing or proposed water systems.				

<i>Request E: DB13-0054: One (1) Waiver</i>	
<u>Planning Division Conditions:</u>	
PDE 1.	This action approves one (1) waiver, as follows:
a.	Minimum side yard less than 7 feet for two stories - Proposed minimum side yard five (5) feet for 2+ stories, except adjacent to streets.

Request F: DB13-0055: Tentative Subdivision Plat for Eight (8) lots	
Planning Division Conditions:	
PDF 1.	This action approves the Tentative Subdivision Plat for eight (8) lots (Sheet 1 of Exhibit B2), as entered into the record on March 10, 2014, for the proposed project.
PDF 2.	Prior to approval of the Final Subdivision Plat, the applicant/owner shall:
	<ul style="list-style-type: none"> a. Assure that the lots shall not be sold or conveyed until such time as the final plat is recorded with Clackamas County. b. Submit final construction plans, to be reviewed and approved by the Planning Director, City Engineer, the Tualatin Valley Fire and Rescue District, Natural Resources Manager, and the City Building Official, prior to the project's construction. c. The Applicant/Owners shall work with United Disposal Services, Inc (Allied Waste Company) which reviews access. The plat will be evaluated for compliance and conformance at the time of Final Subdivision Plat review. d. Submit final drawings and construction plans for the water quality/detention facilities and their outfalls for review and approval of the City Engineer, the Natural Resources Manager and the Environmental Services Division. These plans shall show the SROZ boundary over the development proposal. e. Supply the City with a performance bond, or other security acceptable to the Community Development Director, for all capital improvements required by the project. f. Submit an application for Final Plat review and approval on the Planning Division Site Development Application and Permit form. The Applicant/Owners shall also provide materials for review by the City's Planning Division in accordance with Section 4.220 of City's Development Code. Prepare the Final Plat in substantial accord with the Tentative Subdivision Plat dated February 20, 2014, as approved by the Development Review Board, and as amended by these conditions, except as may be subsequently altered by Board approval, or by minor revisions by the Planning Director. g. Illustrate existing and proposed easements, on the Final Plat. h. Dedicate all rights-of-way and easements necessary to construct all private and public improvements required for the project. i. Submit a waiver of the right of remonstrance against any local improvement district that may be formed to provide public improvements to serve the subject site. j. Provide the City with a recordable instrument guaranteeing the City the right to enter the site and plant, remove, or maintain approved street trees that are located on private property. k. Provide the City Attorney Conditions, Covenants, and Restrictions

<p>(CC&Rs) for a Homeowners' Association that shall be formed as specified in Section 4.210.01(B)(17), for the development. The Association shall have responsibility for maintenance of all shared private drives, recreation facilities, treatment facilities, open spaces, and fences within the development. The CC&Rs shall be reviewed and approved by the City Attorney, prior to recording the Final Plat.</p> <p>1. The Applicant/Owners shall coordinate the proposed locations and associated infrastructure design with the franchise utilities. Should permanent/construction easements or rights-of-way be required to construct the public improvements or to relocate a franchised utility, the Applicant/Owners shall provide a copy of the recorded documents. Should the construction of public improvements impact existing utilities within the general area, the Applicant/Owners shall obtain written approval from the appropriate utility prior to commencing any construction. Any easements shall be shown on the final plat.</p>
<p>PDF 3. Prior to the Start of Construction, the applicant/owner shall:</p>
<p>a. Assure that construction and site development shall be carried out in substantial conformance with the Tentative Subdivision Plat dated February 20, 2014, as approved by the Development Review Board, and as amended by these conditions, except as may be subsequently altered by Board approval, or with minor revisions by the Planning Director.</p>
<p>PDF 4. The applicant/owner shall install all public streets and utilities.</p>
<p>PDF 5. Prior to Final Plat approval, the applicant/owner shall provide the City with a recordable instrument guaranteeing the City the right to enter the site and plant, remove, or maintain approved street trees that are located on private property.</p>
<p>PDF 6. The applicant/owner shall secure signatures of approval of the Final Plat from the Planning Director and Community Development Director. Following such authorization, the Final Plat may be recorded, according to the procedures employed by the City Engineer.</p>
<p>PDF 7. The recommended conditions of the Development Engineering Manager and Building Plans Examiner, are hereby incorporated as conditions of approval (Exhibits D1.1, and D1.2).</p>
<p>PDF 8. Approval of the Tentative Subdivision Plat will expire two years after final approval if substantial development has not occurred on the property within that time, unless extended by the DRB for just cause.</p>
<p>PDF 9. All construction workers' vehicles and job shacks associated with this project shall be parked and located on site.</p>
<p>PDF 10. The applicant/owner shall be required to provide the proportionate share of all system development charges that apply to this project. Such amount and proportion of these charges shall be determined by the Community Development Director.</p>
<p>PDF 11. The City Engineer shall have the authority to grant final approval of the driveway alignments for all lots.</p>

Request G: DB13-0056: Site Design Review	
Planning Division Conditions:	
PDG 1.	This action approves the request regarding DB13-0056, for the Site Design Review plans dated February 20, 2014, submitted with this application, approved by the Development Review Board, and stamped "Approved Planning Division". Approval for the Site Design Review Plans will expire two years after this action, per Section 4.140(.09)(I).
PDG 2.	The Applicant/Owner shall develop the site for use as a residential planned development, unless altered by a subsequent Board approval, or minor revisions are approved by the Planning Director under a Class I administrative review process.
PDG 3.	The Applicant/Owner shall provide the general contractor for the proposed project with a copy of the approved plans and conditions of approval adopted by the City.
PDG 4.	The Applicant/Owner shall provide all future purchasers of lots in the project with a copy of the conditions of approval adopted by the City.
PDG 5.	Prior to installation of required landscape materials, the applicant/owner shall:
a.	Assure that construction and site development shall be carried out in substantial accord with the Site Design Review plans identified in condition PDG 1, above, as approved by the Development Review Board, and as amended by these conditions, except as may be subsequently altered by Board approval, or by minor revisions approved by the Planning Director.
b.	Submit final plant specifications for shrubs and street trees in the project's rights-of-way, planter strips, and pedestrian pathway/bicycle easements to Planning Division staff for review and approval. Prior to and during construction, Planning Division staff shall consider revisions to these specifications as a Class I development application. The applicant shall note that such approval does not require public notice. Following construction, Planning Division staff shall consider revisions to these specifications as a Class II development application. The applicant shall note that such approval requires public notice.
c.	Assure that all shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon cans when available. The landscaping plan shall be planted at such a density so as to provide a minimum of 95% coverage of landscape areas with vegetation, within a 3 year time period.
d.	Install water-wise or drip-type irrigation to ensure the longevity of all landscaped common areas. Such irrigation plan shall be submitted with the Building Permit drawings and shall be reviewed and approved by the Planning Division for consistency with this approval and landscape plan. Further, landscaping shall be professionally maintained by weeding, pruning and replacing dead plant material as necessary.

<p>e. Improve open space and recreation areas prior to occupancy of any dwelling or structure within the subdivision, in accordance with the plans approved at the March 10, 2014, public hearing.</p> <p>f. Assure that street light standards shall be positioned to illuminate the entrances to intersecting pedestrian paths. Exterior lights shall be positioned in such a way to prevent glare on adjacent streets. Repositioning of light standards and/or installation of hoods or baffles may subsequently be required by Planning Division staff to achieve this requirement.</p> <p>g. Coordinate with the U.S. Postal Service regarding the locations of mailbox stations. The U.S. Postmaster has specific standards for locating mail stations so as to provide convenient mail delivery and pickup and not obstruct handicapped accessibility. Furthermore, the mail stations shall be located so as to not diminish required sidewalk or pathway widths, nor obstruct pedestrian movement, nor interfere with fire hydrants or public and private utilities.</p>
<p>PDG 6. In the event that fences are proposed along Canyon Creek Road North, the applicant shall submit, and receive approval for, an application for Class I administrative review by the Planning Division staff, regarding the design of such fences.</p>
<p>PDG 7. Planning Division staff shall have authority to approve all retaining walls reviewed by the City’s Building Division relative to materials and encroachment to the SROZ and its associated Impact Area.</p>
<p>PDG 8. The applicant shall submit a request to the Planning Division staff for review and approval of the final landscaping installation, prior to occupancy of any dwellings.</p>
<p>PDG 9. The applicant shall submit a final street tree planting plan, illustrating, at a minimum, one street tree per lot, and demonstrating compliance with the provisions of Section 4.176(.06)(D).</p>
<p>PDG 10. The applicant shall construct a minimum six (6) foot-wide pedestrian path per Section 4.237(.03)(B), over Tract “B” (Sheet L1 of Exhibit B2).</p>
<p>PDG 11. The applicant shall submit a final street lighting plan demonstrating compliance with the provisions of Section 4.199.10 – Section 4.199.60.</p>

<p><i>Request H: DB13-0057: Type C Tree Removal Plan</i></p>
<p><u>Planning Division Conditions:</u></p>
<p>PDH 1. The applicant shall provide the City’s Planning Division with an accounting of trees to be removed in the required Type ‘C’ tree removal plan per the approval of the Development Review Board. Tree mitigation shall replace 20 trees, per Section 4.620 WC. See Finding H2.</p>
<p>PDH 2. The applicant shall obtain a Type ‘C’ tree removal permit prior to the issuance of a grading permit by the City’s Building Division.</p>
<p>PDH 3. Prior to construction, the Applicant/Owner shall install six-foot-tall chain-link fencing, with ground-mounted metal stakes a maximum of eight (8) feet on centers, along the</p>

driplines of all trees proposed to remain. This fencing shall remain in place throughout construction of the adjacent dwellings.

MASTER EXHIBITS LIST:

Note: The following exhibits are hereby entered into the public record by the Development Review Board in consideration of the current applications, as submitted:

Staff Materials:

A. Staff Report

Applicant's Written and Graphic Materials:

B1. Land Use application, date received December 19, 2013, and including:

Section	Item
1	Application
2	Compliance Report
3	Zone Change Legal Description
4	Arborist's Report, dated 11/5/2013
5	Storm Drainage Report, dated 11/15/2013
6	Title Report, dated 11/27/2012
7	Traffic Impact Report, dated 9/26/2013
8	Notice Mailing List, dated 10/30/2013
9	Preliminary Plat (and Preliminary Plans, reduced size; see list below) (7 drawings)
10	Prior Approval

B2. Full Size Drawings/Plan Sheets:

Sheet No.	Sheet Title
1	Cover Sheet, Sheet Index, and Preliminary Plat
2	Comprehensive Plan Map Amendment/Zone Map Amendment
3	Existing Conditions
4	Preliminary Grading and Demolition Plan
5	Site and Utility Plan
6	Aerial Photo
L1	Landscape Plan

C1. Letters (neither For nor Against): None submitted

C2. Letters (In Favor): None submitted

C3. Letters (Opposed): None submitted

D1. Staff Submittals

1. Memo from D. Walters; Building Plans Examiner; dated 2/26/2014
2. E-mail from S. Adams, Development Engineering Manager, with attachments; dated 2/26/2014
3. Comments from Public Works staff; dated 1/30/2014
4. Tax Map, 3S 1W Section 13BA; not dated
5. Tax Map, 3S 1W Section 13BA (relevant portion); not dated

E1. Exhibits Submitted at Hearing (Reserved)

FINDINGS OF FACT

1. Existing Site Conditions:

The subject site is comprised of one parcel, totaling 1.79 acres. The applicant has provided a site description in the project narrative (Section 2 of Exhibit B1). The subject property is currently zoned Residential Agricultural - Holding Zone (RA-H).

Surrounding Development: The adjacent land uses are as follows:

Compass Direction	Existing Use(s)
North	Residential Planned Development
East	Residential
South	Residential Planned Development
West	Vacant Industrial (Mentor Graphics)

Natural Characteristics:

The subject site contains gently-sloping terrain. A variety of evergreen and deciduous trees are scattered throughout the site. An existing house and accessory structures at 28325 SW Canyon Creek Road South (Tax Lot 5000) currently remain.

Streets:

The site abuts SW Canyon Creek Road (arterial) on the west, SW Summerton Street on the north, and SW Canyon Creek Road South on the east.

Previous Planning Applications Relevant to the subject property:

03 DB 43 (A – H)	Renaissance at Canyon Creek
AR13-0056	Venture Properties Interpretation

2. The applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.
3. Notice of the proposed project has been sent to the appropriate agencies involved in the review of public improvements. Comments and conditions of approval from the Building and Engineering Divisions, and Public Works comments were received and are incorporated into this staff report.
4. The statutory 120-day time limit applies to this application. The application was received on November 15, 2013. Additional materials were submitted on December 19, 2013. On January 31, 2014, staff conducted a completeness review, on which date the application was deemed complete. The City must render a final decision for the request, including any appeals, by May 31, 2014.

CONCLUSIONARY FINDINGS

The applicant's response findings to the applicable land development criteria and Comprehensive Plan goals, policies and implementation measures found in Section 2 of Exhibit B1, are hereby incorporated in this staff report as findings for the recommended action.

REQUEST 'A' – DB13-0050 COMPREHENSIVE PLAN MAP AMENDMENT

CONCLUSIONARY FINDINGS FOR REQUEST (A):

Comprehensive Plan – Comprehensive Plan Changes
Pages 7 through 10 of the City of Wilsonville's Comprehensive Plan updated April, 2013, provide the following procedure for amending the Comprehensive Plan:

Who May Initiate Plan Amendments

A1. The subject property owners through their authorized agent (the applicant) have made application to modify the Comprehensive Plan map designation for their property from 0-1 du/ac to 4-5 du/ac.

Application for Plan Amendment

A2. The applicant has met all applicable filing requirements for a Comprehensive Plan Map amendment.

Consideration of Plan Amendment

A3. The Planning Division received the application on November 11, 2013. Staff met with the applicant subsequent to the submittal of the application to discuss the completeness of the application and perceived deficiencies of the application. The Planning Division received revised plans on December 19, 2013. The application was deemed complete on January 31, 2014.

A4. The findings and recommended conditions of approval adopted by the Development Review Board in review of the application to modify the Comprehensive Plan Map designation will be forwarded as a recommendation to the City Council.

Standards for Development Review Board and City Council Approval of Plan Amendments (page 8 of the Comprehensive Plan):

- a. The proposed amendment is in conformance with those portions of the Plan that are 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 following factors have been adequately addressed in the proposed amendment:

Suitability of the various areas for particular land uses and improvements;
Land uses and improvements in the area;
Trends in land improvement;

**Density of development;
Property values;
Needs of economic enterprises in the future development of the area;
Transportation access;
Natural resources; and
Public need for healthful, safe and aesthetic surroundings and conditions.**

e. Proposed changes or amendments to the Comprehensive Plan do not result in conflicts with applicable Metro requirements.

A5. At the writing of this report, the applicant has satisfied Plan requirements of citizen involvement.

A6. Policy 4.1.4 and Implementation Measures 4.1.4.f, 4.1.4.l, and 4.1.4.p of the Comprehensive Plan speak to the City’s desire to see the development of housing that is affordable to and serves employees working in the City. The proposed project would provide an incremental net increase of seven (7) new single-family homes within the City.

A7. The applicant has not provided findings relative to affordability of the homes in the project.

A8. The traffic study completed for this project (Section 7 of Exhibit B1), indicating that the proposed entry streets provide sufficient access for emergency vehicles and comply with the traffic level of service requirements of the Development Code and the Transportation Systems Plan.

A9. The property within the proposed project site is currently large lot, which includes a single-family home that was developed on what was rural residential land. The proposed project is currently surrounded by higher density, single-family homes on the south, east and west sides. Implementation Measures 4.1.4.b, d, and o speak to the City’s desire to see a diversity of housing types and affordability. The applicant’s proposal would provide eight (8) new homes, adding to the diversity of single family home choices in the City. Through the conditions of approval proposed by staff, the project could be adequately served with urban services and would minimize off-site impacts.

A10. Metro’s Functional Plan limits cul-de-sac lengths and the distance between local roads. The applicant has provided findings addressing these concerns (Section 2 of Exhibit B1).

Public Notice

A11. Public Notice of the March 10, 2014, Development Review Board public hearing regarding this application was mailed and posted on February 18, 2014. A notice regarding the April 7, 2014, City Council will follow.

Wilsonville Development Code (WC) – Comprehensive Plan Changes

Subsection 4.198(.01) of the Development Code stipulates, “Proposals to amend the Comprehensive Plan, or to adopt new elements or sub-elements of the Plan, shall be subject to the procedures and criteria contained in the Comprehensive Plan. Each such

amendment shall include findings in support of the following:

Approval Criterion A: “That the proposed amendment meets a public need that has been identified;”

A12. The adjoining Renaissance at Canyon Creek subdivision is designated on the Comprehensive Plan as Residential 4 - 5 dwelling units per acre which is medium residential density. The “Residential Development” portion of the Comprehensive Plan (Policy 4.1.4) identifies the need for additional housing within the City to serve housing and economic needs of residents and employees working within the City. The March 2012 Development Summary completed by the City indicates that approximately 23% of 4,502 acres of land within the City is zoned Planned Development Residential (PDR).

<u>City Wide Housing Units</u>			
Type	New	YTD	Total
Apartment	0	0	4591
Condominium	0	0	563
Duplex	0	0	68
Mobile Homes	0	0	20
Mobile Home park	0	0	143
Single Family	21	21	3696
Totals	21	21	9081

On the basis of the above inventory there are 56.75% multi-family (including 563 condominiums), 41.5% single-family (including 68 duplexes) and 1.75% mobile homes. Adjusting the housing units to include the recently approved Brenchley Estates - North project comprising 320 apartment units and 39 single-family units, the revised housing unit split is 58.4% multi-family, 40.3% single family and 1.3% mobile homes. The proposed 15 apartment unit project would increase the percentage of land in PDR zoning and apartment units by a negligible amount. The proposed project would increase the percentage of land in PDR zoning and the number of additional single-family houses by a negligible amount.

Though the City has historically through an older version of the Comprehensive Plan sought to achieve 50 percent in single-family houses, 40 percent in multi-family units and 10 percent in manufactured houses at mobile home parks those percentages the Comprehensive Plan no longer has a stated goal of maintaining those percentages. The Comprehensive Plan was revised in its entirety by City Council Ordinance No. 517 on October 16, 2000. Housing is now determined by density ranges in Table 1 in Finding B2 for each mapped zoning district. Residential development must also be balanced with Policy 4.1.4 and its implementation measures that seek to “provide opportunities for a wide range of housing types, sizes, and densities at prices and rent levels to accommodate people who are employed in Wilsonville.” In the near future, multi-family and single-family housing percentages will become more balanced with the construction of Tonquin Woods (27 homes); Tonquin Woods 2 (168 homes); Copper Creek (21 homes); Jory Trail at the Grove (30 homes); Brenchley Estates – North (27 homes); Retherford Meadows (88 homes); SAP-East, Phase 3 (185 homes) and Willamette Landing (33 homes), for

total 579 homes.

Approval Criterion B: “That the proposed amendment meets the identified public need at least as well as any other amendment or change that could reasonably be made;”

A13. The current Comprehensive Plan designation for the subject properties is Residential with a density range of 0-1 dwelling units per acre. The Zoning Map identifies the subject properties as Residential Agricultural – Holding (RA-H). The Planned Development Regulations of the Development Code require that the subdivision of properties such as the subject properties (over two acres) result in a Planned Development community. The applicant proposes a net density of 5.16 dwelling units per acre. The Comprehensive Plan allows a range of densities from 0-1 dwelling units per acre to over 20 dwelling units per acre. The properties to the north, south, and east of the proposed project are designated residential on the Comprehensive Plan Map of the City. The subject property has a Comprehensive Plan designation of ‘Residential’ with a density of 0-1 dwelling units per acre, while the properties to the north, south and east have a designation of 4-5 dwelling unit per acre. It is appropriate to continue to designate these properties as Residential. In addition, the proposed subdivision has similarities in site density and housing product to other subdivisions nearby such as Renaissance at Canyon Creek, Wilsonville Meadows and Landover subdivisions, making the proposed transitional density of 4-5 du/ac appropriate. Comparisons to the single family density of Wilsonville Meadows need to consider the overall density of the project that includes multi-family projects such as Berkshire Court and Hathaway Village that are part of the overall master plan.

Approval Criterion C: “That the proposed amendment supports applicable Statewide Planning Goals, or a Goal exception has been found to be appropriate;”

A14. With the implementation of the proposed conditions of approval, the project supports the applicable Statewide Planning Goals.

Approval Criterion D: “That the proposed change will not result in conflicts with any portion of the Comprehensive Plan that is not being amended.”

A15. The applicant is requesting an amendment of the Comprehensive Plan Map for the subject properties. The applicant does not propose to modify or amend any other portion of the Comprehensive Plan or Plan Map.

METRO'S URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN

A16. Title 1 of the Urban Growth Management Functional Plan (UGMFP) requires 80% Maximum density at build-out of any particular parcel. With the rewrite of the City's Development Code in November 2000, the lower end of the planned density range was increased to reflect this 80% requirement. The applicant is requesting a zone change to Planned Development Residential (PDR-3), which corresponds to a Comprehensive Plan Map density of 4-5 dwelling units per acre.

SUMMARY FINDING FOR REQUEST (A):

A17. The applicant's proposed Comprehensive Plan Map Amendment meets all applicable requirements, and its approval may be recommend to the City Council.

STAFF RECOMMENDATION FOR REQUEST (A):

Based on findings of fact 1 - 3, analysis and conclusionary findings A1 through A17, staff recommends that the Development Review Board forward the Comprehensive Plan Map Amendment to City Council for a hearing on April 7, 2014, along with the recommended conditions necessary to fully comply with the requirements of the Code. Proposed conditions of approval are found beginning on page 7 of this report.

REQUEST 'B' – DB13-0051 ZONE MAP AMENDMENT

The subject property is currently zoned Residential Agricultural Holding (RA-H). The purpose of the RA-H Zone is set forth in the 4.120 of the Code. The proposed Zone Map amendment from RA-H to PDR-3 is intended to serve as a procedure to evaluate the conversion of urbanizable land to urban land consistent with the Comprehensive Plan. Because the service levels vary throughout the City, the zoning process allows for a case-by-case analysis of the availability of public facilities and services and to determine specific conditions related to needed public facilities improvements. All land development proposals are reviewed for conformity with the Comprehensive Plan and specific standards set forth in the zoning ordinance. As set forth in Subsection 4.197(.02) of the Wilsonville Code, in recommending approval or denial of a proposed zone map amendment, the Development Review Board must at a minimum, adopt findings addressing Criteria A-G, below.

Criterion 'A'

“That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008 or, in the case of a Planned Development, Section 4.140.”

B1. The applicant has provided findings in Section 2 of Exhibit B1 addressing the tentative plat criteria and the zone map amendment criteria.

Criterion 'B'

“That the proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with the applicable goals, policies and objectives, set forth in the Comprehensive Plan text.”

B2. The applicant has provided findings in Section 2 of Exhibit B1 in response to these Code criteria. Staff is recommending approval of the proposed Comprehensive Plan Map amendment, with conditions of approval contained in this staff report. Approval of the proposed amendment to the zoning map is contingent upon approval of the Comprehensive Plan map amendment by the City Council.

B3. The land area of the proposed subdivision is 1.79 acres. The applicant is proposing to change the Comprehensive Plan designation from 0-1 dwelling units per acre to 4-5 dwelling units per acre. Proposed are a total of eight (8) lots, making the gross density of the proposed subdivision 4.47 dwelling units per acre. Net density (gross minus streets) is 5.16 dwelling units per acre.

Comprehensive Plan – Residential Development

Variety/Diversity of Housing

Implementation Measures 4.1.4.c, 4.1.4.g, 4.1.4.j, 4.1.4.k, 4.1.4.l, and 4.1.4.p speak to the City’s desire to plan for and establish a variety and diversity of housing types that meet the social and economic needs of the residents, including the need for affordable housing and a balance of housing with jobs.

B4. The applicant’s proposal would provide an incremental net addition of seven (7) single-family houses to the one (1) existing dwelling. Response findings to 4.198(.01)(A) speak to the need for additional single-family housing in the City.

Implementation Measures 4.1.1.j, 4.1.4.i, 4.1.4.o, and 4.1.4.r speak to the City’s desire to approve new residential development concurrent with the availability of public facilities.

B5. Water, sanitary sewer, and storm sewer are either available to the proposed project (with appropriate connections) or can be supplied to the project. The applicant/owner will be responsible for providing on-site storm water detention for water quality and quantity. The applicant will also be responsible for providing public streets within the project with appropriate right-of-way. The applicant will be required to cap all existing on-site utilities prior to the issuance of building permits by the City.

Implementation Measure 4.1.4.h: “Require new housing developments to pay an equitable share of the cost of required capital improvements for public services.”

B6. The applicant/owner will be required to pay the equitable share (as determined by the Community Development Director) of the capital improvement costs for public services.

B7. The entirety of the subject properties has a Comprehensive Plan designation of Residential, 0-1 dwelling units per acre. The applicant is proposing a Comprehensive Plan Map designation of 4-5 dwelling units per acre. See Request A, beginning on page 21 of this report.

Zone Map

B8. The subject properties are currently zoned Residential Agricultural – Holding (RA-H). The applicant proposes a change to Planned Development Residential (PDR-3) zone to accommodate a total of eight (8) single-family lots averaging 5,969 SF (Section 2 of Exhibit B1).

Significant Natural Resources

B9. While vegetation exists throughout the site, it is not found to be within an area identified by the Comprehensive Plan as Significant Resource Overlay Zone.

Area of Special Concern

B10. The Comprehensive Plan does not identify the subject property as an area of special concern.

Criterion ‘C’

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

B11. The subject properties are designated “Residential” on the City’s Comprehensive Plan Map. The above section of the Comprehensive Plan, mentioned by the applicant regarding this subsection of the Development Code, refers to an older version of the Comprehensive Plan. The corrected references are shown below:

Goal 4.3	Implementation Measure 4.1.4.b
Objective 4.3.3	Implementation Measure 4.1.4.d
Objective 4.3.4	Implementation Measure 4.1.4.e
Policy 4.4.2	Implementation Measure 4.1.4.q
Policy 4.4.8	Implementation Measure 4.1.4.x

The current text is as follows:

“In the event that the subject property, or any portion thereof, is designated as "Residential" on the City's Comprehensive Plan Map; specific findings shall be made addressing substantial compliance with Implementation Measures 4.1.4.b, d, e, q, and x of Wilsonville's Comprehensive Plan text...”

Implementation Measure 4.1.4.b – Variety in Housing Type

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

B12. The applicant has indicated that the proposed project would develop a housing type similar to that of surrounding subdivisions. The applicant has not provided findings as to how the proposed housing project of this proposal meets the affordability criteria of the Comprehensive Plan. The low vacancy rates of similar subdivisions in the City provide circumstantial evidence that there is demand for the housing product proposed by the applicant. Adequate public services could be made available to the site.

Implementation Measure 4.1.4.d – Diversity of Housing Types

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

B13. The applicant has not indicated whether a variety of house models are proposed for the subdivision.

Implementation Measure 4.1.4.e

“Targets are to be set in order to meet the City’s Goals for housing and to assure compliance with State and regional standards.”

B14. The City has established a 50% multi-family, 40% single-family target for housing in the City. The December 2012 Housing Inventory Report shows a mix of 57% multi-family, and 43% single-family (including rowhouses) dwellings.

Implementation Measure 4.1.4.q

“The City will continue to allow for mobile homes and manufactured dwellings, subject to development review processes that are similar to those used for other forms of housing. Individual units will continue to be allowed on individual lots, subject to design standards. Mobile home parks and subdivisions shall be subject to the same procedures as other forms of planned developments.”

B15. The applicant is not proposing mobile homes in this application.

Implementation Measure 4.1.4.x

“Apartments and mobile homes are to be located to produce an optimum living environment for the occupants and surrounding residential areas. Development criteria includes:

- 1. Buffering by means of landscaping, fencing, and distance from conflicting uses.**
- 2. Compatibility of design, recognizing the architectural differences between apartment buildings and houses.**

3. **On-site recreation space as well as pedestrian and bicycle access to parks, schools, mass transit stops and convenience shopping.**
4. **The siting of buildings to minimize the visual effects of parking areas and to increase the availability of privacy and natural surveillance for security.”**

B16. The applicant is proposing neither apartments nor mobile homes in this application.

Criterion ‘D’ – Public Facilities

“That the existing primary public facilities, i.e., roads and sidewalks, water, sewer and storm sewer are available and are of adequate size to serve the proposed development; or, that adequate facilities can be provided in conjunction with project development. The Planning Commission and Development Review Board shall utilize any and all means to insure that all primary facilities are available and are adequately sized.”

B17. The City Engineer’s Public Facilities (PF) conditions, imposed upon the subsequent Stage II Final Plan application, will require the applicant to provide adequate road, water, and sewer infrastructure to serve the proposed project. These conditions require that all Public Works permits granted to the applicant/owner will be in accordance with the need determined by the City Engineer to serve the proposed project.

Criterion ‘E’ – Significant Resource Overlay Zone

“That the proposed development does not have a significant adverse effect upon Significant Resource Overlay Zone areas, an identified natural hazard, or an identified geologic hazard. When Significant Resource Overlay Zone areas or natural hazard, and/or geologic hazard are located on or abut the proposed development, the Planning Commission or Development Review Board shall use appropriate measures to mitigate and significantly reduce conflicts between the development and identified hazard or Significant Resource Overlay Zone.”

B18. The SROZ does not affect the subject property.

Criterion ‘F’

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

B19. The applicant indicates that the full build-out of the proposed lots will begin in 2014.

Criterion ‘G’

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

B20. Staff is recommending conditions of approval for the proposed project where necessary to bring the project into compliance with all applicable development standards.

Subsection 4.197(.03) provides that “If affirmative findings cannot be made for all applicable criteria listed above the Planning Commission or Development Review Board shall recommend that the proposed text or map amendment, as the case may be, be denied.”

B21. Staff has made affirmative findings for subsection 4.197(.02)(A)-(G), above. Staff is also recommending conditions of approval for the project to ensure compliance with the subject code criteria.

Subsection 4.197(.04) stipulates that the “City Council action approving a change in zoning shall be in the form of a Zoning Order.”

B22. Staff is recommending approval of the Stage I Preliminary Plan of the proposed project, together with conditions of approval, and a recommendation for approval of the proposed Zone Map Amendment. A City Council Zoning Order will be required prior to approval of the remaining applications, reviewed later in this report.

Subsection 4.197(.05) provides “In cases where a property owner or other applicant has requested a change in zoning and the City Council has approved the change subject to conditions, the owner or applicant shall sign a statement accepting, and agreeing to complete the conditions of approval before the zoning shall be changed.”

B23. Staff is recommending a condition of approval that would implement the City Council Zoning Order, contingent on the completion of the conditions of approval adopted by City Council.

SUMMARY FINDING FOR REQUEST (B):

B24. The applicant’s proposed Zone Map Amendment meets all applicable requirements, and its approval may be recommend to the City Council.

STAFF RECOMMENDATION FOR REQUEST (B):

Based on findings of fact 1 - 3, analysis and conclusionary findings B1 through B24, staff recommends that the Development Review Board forward the Zone Map Amendment to City Council for a hearing on April 7, 2014, together with the recommended conditions necessary to fully comply with the requirements of the Code. Proposed conditions of approval are found on page 7 of this report.

REQUEST ‘C’ – DB13-0053 STAGE I PRELIMINARY PLAN

CONCLUSIONARY FINDINGS FOR REQUEST (C):

Tentative Plat Submission – 4.210(.01)(B)(19)

- C1. As enabled by the section referenced above, the tentative subdivision plat "...shall be considered as the Stage I Preliminary Plan." The tentative plat is reviewed in Request C, this section.
- C2. The applicant proposes to develop eight (8) lots. Calculations demonstrating compliance with applicable review criteria are found in Sections 1 Exhibit B1.

Site Information. Subsections 4.009(.01) and 4.140(.07)(A)(1):

- C3. The applicant has demonstrated ownership of the subject property in the form of written consent of the two current property owners (Section 1 of Exhibit B1).
- C4. The subject property is proposed to be rezoned from Residential Agricultural - Holding Zone (RA-H) to a Planned Development Residential (PDR-3) zone. The proposed residential use of the property is in compliance with uses typically found in the zone.

Subsection 4.140(.05): Planned Development Permit Process

- C5. The applicant's response to these criteria is found in the narrative (Section 2 of Exhibit B1). The proposed project is not allowed to proceed nor receive a building permit until all applicable review criteria have been satisfied. By the applicant's submittal, these criteria have been met.

Subsection 4.140(.07)(A): Preliminary Approval (Stage One) Application Requirements

- C6. The applicant's proposal is provided by professional services in response to this criterion, as found in Section 2 of Exhibit B1. This criterion is satisfied.

Subsections 4.140(.07)(B) & 4.035(.04): Preliminary Approval (Stage One) Application Requirements and Site Development Permit Application

- C7. The applicant's response to Subsection 4.140(.07)(B) can be found in Section 2 of Exhibit B1. The applicant has submitted evidence of the intention to commence construction of the project in 2014, within two years of receiving Stage II Final Plan approval, and a commitment to install, or provide acceptable security for the capital improvements required by the project, at the time of Stage II Final Plan. These criteria are met.

SUMMARY FINDING FOR REQUEST (C):

C8. The applicant’s proposal satisfies all applicable Code requirements and standards, as discussed above.

STAFF RECOMMENDATION FOR REQUEST (C):

Based on findings of fact 1 - 3, analysis and conclusionary findings C1 through C8, staff recommends that the Development Review Board approve the applicant’s request for Stage I Preliminary Plan as illustrated in the Preliminary Plat (Sheet 1 of Exhibit B2), together with the recommended conditions necessary to fully comply with the requirements of the Code. Proposed conditions of approval are found on page 7 of this report.

REQUEST ‘D’ – DB13-0053 – STAGE II FINAL DEVELOPMENT PLAN

The applicant is proposing a Stage II Final Plan for eight (8) lots, each for a single family dwelling, and related site improvements. Staff has reviewed the proposed Stage II Final Plan to determine compliance with the Planned Development Regulations. Proposed is a single phase development plan (Sheet 1 of Exhibit B2). The key Stage II Final Plan review standards are the following:

Subsections 4.140.09(C-F): *Stage II Final Plan*

D1. The applicant’s submittal documents provide sufficient detail to satisfy the requirements of Section 4.140.09(C) & (D). These criteria are met.

Subsection 4.140(.09)(J) – Final Plan approval

Subsection 4.140(.09)(J)(1-3) stipulates the following criteria for Final Plan approval:

1. **The location, design, size and uses, both separately and as a whole, are consistent with the Comprehensive Plan, and with any other applicable plan, development map or Ordinance adopted by the City Council.**
2. **That the location, design, size and uses are such that traffic generated by the development can be accommodated safely and without congestion in excess of level service "D" defined in the highway capacity manual published by the National Highway Research Board on existing or immediately planned arterial or collector streets and will, in the case of commercial or industrial developments, avoid traversing local streets.**
3. **That the location, design, size and uses are such that the residents or establishments to be accommodated will be adequately served by existing or immediately planned facilities and services.**

ZONING, Sections 4.100-4.141

Subsection 4.140(.09)(J): A planned development permit may be granted by the Development Review Board only if it is found that the development conforms to all the following criteria, as well as to the planned development regulations in Section 4.140.

Additionally, Subsection 4.140(.09)(J)(1) states: The location, design, size and uses, both separately and as a whole, are consistent with the Comprehensive Plan, and with any other

applicable plan, development map or Ordinance adopted by the City Council.

Comprehensive Plan and Zoning: *Planned Development Residential zone*

D2. The subject property contains one zoning district Residential Agricultural - Holding Zone (RA-H) for which the applicant has requested a Zone Map Amendment to Planned Development Residential (PDR-3). The Comprehensive Plan currently identifies the subject property as Residential 0 - 1 dwelling units per acre, although the applicant has requested a Comprehensive Plan Map Amendment to Residential 4 – 5 dwelling units per acre. Required minimum density is achieved by the applicant’s proposal. See page 24 for a discussion of density.

Subsection 4.118.03(B): *Waivers.*

D3. The applicant is seeking one (1) waiver to the Planned Development Regulations. This requested waiver is discussed in Request E of this report.

Subsection 4.113: *Standards Applying to Residential Developments in any Zone:*

Subsection 4.113 provides for the required open space in new residential developments. In addition, Implementation Measures 4.1.5.d, 4.1.5.j, and 4.1.5.k speak to the Comprehensive Plan’s desire to create and conserve open space in the City for specified objectives.

Subsection 4.113.02(A) – Outdoor Recreational Area - Standards Applying To Residential Developments In Any Zone.

(.01) Outdoor Recreational Area in Residential Developments.

A. Purpose. The purposes of the following standards for outdoor recreational area are to provide adequate light, air, open space and usable recreational facilities to occupants of each residential development. Outdoor recreational area shall be:

1. Designed with a reasonable amount of privacy balanced between indoor and outdoor living areas. Such outdoor recreational area shall be provided consistent with the requirements of this Section.
2. Recreational areas shall be provided in keeping with the needs of the prospective tenants and shall not be located in required yards, parking, or maneuvering areas, or areas that are inaccessible. Standards for outdoor recreational areas may be waived by the Development Review Board upon finding that the recreational needs of the residents will be adequately met through the use of other recreational facilities that are available in the area.
3. In mixed-use developments containing residential uses, the Development Review Board shall establish appropriate requirements for outdoor recreational area, consistent with this Section.
4. The Development Review Board may establish conditions of approval to alter the amount of required outdoor recreation area, based on findings of projected need for the development. Multi-family developments shall provide at least the following minimum recreational area:

- a. For ten (10) or fewer dwelling units, 1000 square feet of usable recreation area;
 - b. For eleven (11) through nineteen (19) units, 200 square feet per unit;
 - c. For twenty (20) or more units, 300 square feet per unit.
5. Outdoor recreational area shall be considered to be part of the open space required in the following subsection.

(02) Open Space Area shall be provided in the following manner:

A. In all residential subdivisions including subdivision portions of mixed use Development where (1) the majority of the developed square footage is to be in residential use or (2) the density of residential units is equal or greater than 3 units per acre, at least twenty-five percent (25%) of the area shall be in open space excluding streets. Open space must include, as a minimum natural areas that are preserved under the City's SROZ regulations and usable open space such as public park area, tot lots, swimming and wading pools, grass area for picnics and recreational play, walking paths, and other like space. For subdivisions with less than 25% SROZ lands and those with no SROZ lands, the minimum requirement shall be $\frac{1}{4}$ acre of usable park area for 50 or less lots $\frac{1}{2}$ acre of usable park area for 51 to 100 lots, and pro rata amounts based on this formula for subdivisions exceeding 100 lots. Front, side and rear yards of individual residential lots shall not be counted towards the 25% open space.

Provided, however, where SROZ is greater than 25% of the developable area for any development, the development must also provide $\frac{1}{4}$ acre of usable park area for a development of less than 100 lots, and $\frac{1}{2}$ acre of usable park area for a development of 100 lots, and pro rata amounts based on this formula for subdivisions exceeding 100 lots. The Development Review Board may waive the usable open space requirement if there is substantial evidence in the record to support a finding that the intent and purpose of the requirement will be met in alternative ways. Irrespective of the amount of SROZ, a development may not use phasing to avoid the minimum usable space requirement.

Multi-family developments shall provide a minimum of 25% open space excluding streets. Open space must include, as a minimum natural areas that are preserved under the City's SROZ regulations, and outdoor recreational area as provided in 4.113(.01)(A)(1) through (5) [Amended by Ord. 589 8/15/05]

- B. Open space area required by this Section may, at the discretion of the Development Review Board, be protected by a conservation easement or dedicated to the City, either rights in fee or easement, without altering the density or other development standards of the proposed development. Provided that, if the dedication is for public park purposes, the size and amount of the proposed dedication shall meet the criteria of the City parks standards. The square footage of any land, whether dedicated or not, which is used for open space shall be deemed a part of the development site for the purpose of computing density or allowable lot coverage.

C. The Development Review Board may specify the method of assuring the long term protection and maintenance of open space and/or recreational areas. Where such protection or maintenance are the responsibility of a private party or homeowners' association, the City Attorney shall review any pertinent bylaws, covenants, or agreements prior to recordation.

- D4. The above residential development standards require that 25% of the site be set aside for outdoor and recreation space. Those requirements are met through proposed Tracts A and B, totaling 19,934 sq. ft., which is 25.6% of the site area, meeting code. The nearest public park is Canyon Creek Park.
- D5. The above criteria also require that a minimum of one-quarter acre (10,890 square feet) of usable recreation area be provided. This recreation area can be included in the 25% parks and open space requirement. A total of 19,934 sq. ft. is proposed, satisfying this minimum Code requirement.
- D6. Covenants, Conditions, and Restrictions of the Homeowner's Association will be required, in order to place the ownership and maintenance responsibilities for the common areas upon the Homeowners Association (HOA). Condition PDF 2.k is recommended to achieve this result.

Subsection 4.113(.03)(B) – Building Setbacks

- D7. See Request E, below, for the discussion of proposed waivers to building setbacks.

Subsection 4.113(.04) – Building Height

- D8. The applicant does not propose to exceed the maximum 35' height limitation. This criterion is satisfied as a result.

Subsection 4.113(.07) – Fences

- D9. The applicant is proposing to complete the existing masonry wall along SW Canyon Creek Road (west), connecting the existing segments with masonry pilasters and wooden fence panels (Sheet L.1 of Exhibit B2). Sideline fences are proposed between the proposed lots, completing the pattern of existing fences constructed as part of Renaissance at Canyon Creek.

Subsection 4.171(.04): Natural Resource Protection – Trees and Wooded Areas

- D10. The applicant's arborist report (Section 4 of Exhibit B1), identifies 28 on-site trees. Only one of these trees is a native species (Douglas-fir). The applicant proposes to retain eight (8) trees. Conformance of the proposed project with the City's tree ordinance is considered in a report regarding proposed tree removal (Case File DB13-0057), which is a companion to this application, and found in Request H of this report.

Parking - Section 4.155 of the Wilsonville Code sets forth the minimum parking standards for off-street parking. The applicable subsections of this code are the following:

Subsection 4.155(.03)(B)(8) and Table 5: Parking Standards.

D11. Each proposed dwelling would be required to provide one (1) off-street parking space, which is accomplished with garage or driveway parking on each of the eight (8) proposed home sites.

Schools

D12. The applicant has not estimated how many school-age children will reside within the project at full build-out, but has provided response findings regarding schools (page 12 of Section 2 of Exhibit B1). Given the small number of proposed dwelling units, the impact to existing schools will be equally small. While not required by the Development Code, staff suggests the applicant provide the West Linn/Wilsonville School District with this estimate to aid in the school district's planning of future facilities.

Traffic

Comprehensive Plan– Implementation Measures 3.1.6a-3.1.6.cc - Transportation

D13. The street layout aligns to the existing topography. Proposed are two (2) public streets and sidewalks, providing to access the proposed houses.

Subsection 4.140(.09)(J)(2): Traffic Concurrency.

Subsection 4.140(.09)(J)(2) of the Wilsonville Code stipulates review criteria for Stage II of the planned development process:

“That the location, design, size and uses are such that traffic generated by the development at the most probable used intersection(s) can be accommodated safely and without congestion in excess of Level of Service D, as defined in the Highway Capacity manual published by the National Highway Research Board, on existing or immediately planned arterial or collector streets and will, in the case of commercial or industrial developments, avoid traversing local streets. Immediately planned arterial and collector streets are those listed in the City’s adopted Capital Improvement Program, for which funding has been approved or committed, and that are scheduled for completion within two years of occupancy of the development or four year if they are an associated crossing, interchange, or approach street improvement to Interstate 5.”

Additionally, Subsection 4.140(.09)(J)(2)(a)(ii) requires that the traffic study performed to determine whether a proposed project will generate traffic in excess of Level of Service D (LOS D) look at “what impact the estimate generated traffic will have on existing level of service including traffic generated by (1) the development itself, (2) all existing developments, (3) Stage II developments approved but not yet built, and (4) all developments that have vested traffic generation rights under section 4.140(.10), through the most probable used intersection(s), including state and county intersections, at the time of peak level of traffic.”

D14. The traffic study for the project estimates eight (8) total daily trips, seven (7) of which are new p.m. peak hour trips¹ (Section 7 of Exhibit B1).

¹ The number of approved dwellings reviewed in the original Traffic Impact Analysis was for 86 lots, but was reduced to 79 lots (including future partitions), based upon materials in the original case file.

- D15. Prior to the issuance of building permits by the City, the property owner shall be responsible for paying all applicable systems development charges (SDCs) for the proposed project.
- D16. The Oregon Department of Transportation (ODOT) seeks to preserve traffic capacity on the freeway system, so ODOT was notified of this proposal. No comments have been received from ODOT.

Streets

- D17. No additional dedication of right-of-way is required along SW Canyon Creek Road (west). A dedicated public right-of-way connection between two existing segments of SW Morningside Avenue is proposed, to provide access through the project. The Engineering Division staff further requires widening of the 21.5-foot-wide paved existing improvement of SW Summerton Street, from SW Morningside Avenue to SW Canyon Creek Road South, located on the east side of the project. In addition, the Engineering Division will require a 14-foot-wide half-street improvement to SW Canyon Creek Road South. See Conditions PFD 32, PFD 33, and PFD 34.

Section 4.167: Access, Ingress, and Egress
Subsection 4.177(.01)(H): Access Drives and Lanes

- D18. The applicant’s proposed vehicular circulation and access from SW Morningside Avenue to SW Canyon Creek Road South is depicted in Sheet 1 of Exhibit B2. The Engineering Division staff requires a 32-foot-wide paved improvement for the proposed connection of SW Morningside Avenue at the west end of the project, and a widened 32-foot-wide paved improvement of the existing segment of SW Summerton Street, from SW Morningside Avenue to the existing right-of-way of SW Canyon Creek Road South, located on the east side of the project (Exhibit D1.2). Conditions PFD 32, PFD 33, and PFD 34 are recommended to achieve these requirements.

Subsection 4.177.01(B): Sidewalk Requirements

- D19. The applicant’s proposed pedestrian circulation is found on Sheet 5 of Exhibit B2, which includes sidewalks along all proposed public streets. A pedestrian walkway is proposed for Tract B, with a proposed connection to the private drive located abutting to the north.

Subsection 4.140(.09)(J)(3): Public Facilities.

Subsection 4.140.09(J)(3) stipulates, “That the location, design, size and uses are such that the residents or establishments to be accommodated will be adequately served by existing or immediately planned facilities and services.”

Public Services

- D20. Staff has requested comment from public service providers (e.g., Wilsonville Police, Tualatin Valley Fire & Rescue, South Metro Area Rapid Transit, etc.) within the City about the potential of providing service to the subject project. No comments were subsequently received.

Subsection 4.140.09(J)(3) – Adequate Facilities and Services

- D21. Policy 3.1.2 and Implementation Measures 3.1.2.a and 3.1.2.e of the Comprehensive Plan

require that urban development only be allowed where necessary facilities and services can be provided. The proposed project has available to it, or will be required to make available to it, adequate facilities to serve the project.

Sanitary Sewer

- D22. Policy 3.1.4 and Implementation Measures 3.1.4.b and 3.1.4.f specify the responsibilities for providing sanitary sewer service to new development. A 12-inch sanitary sewer line running parallel to the westerly property line of the site in SW Canyon Creek Road serves the project, as well as 8-inch lines in SW Morningside Avenue, SW Summerton Street, and SW Canyon Creek Road South. The applicant/owner will be required to install and fund, including the payment of system development charges, all improvements necessary to provide the project with sanitary sewer service. Any existing septic systems on site shall be removed prior to the issuance of a final grading permit of that particular phase.

Water

- D23. Policy 3.1.5 and Implementation Measures 3.1.5.c and 3.1.5.d specify the responsibility for providing water service to new development. Public water is available to the site in a 12-inch water line running parallel to the westerly property line of the site in SW Canyon Creek Road (west), as well as 8-inch lines in SW Morningside Avenue, SW Summerton Street, and SW Canyon Creek Road South.. The applicant illustrates that a water line will be looped through the project to ensure adequate fire flows. Any existing wells will need to be capped prior to the issuance of building permits.

Storm Drainage

- D24. A 12-inch storm drainage line running parallel to the westerly property line of the site in SW Canyon Creek Road serves the project, as well as 12-inch lines in SW Morningside Avenue, and SW Summerton Street. There is currently not a storm drainage line available in SW Canyon Creek Road South. The developer of the project has the responsibility to fund and install all necessary storm water facilities to meet the requirements of the City's Storm Water Master Plan. The final design and installation of all storm water facilities will require a public works permit from the City's Engineering Division. See Condition PFD 11.

Semi-Public Utilities

- D25. The applicant will need to consult with the private utility providers (e.g., gas, electric, cable, waste collection, etc.) within the City about the potential of providing service to the subject project. Allied Waste Services (now named Republic Services) provided input in the initial review of Renaissance at Canyon Creek, indicating their ability to serve the project. The currently proposed circulation design was considered at that time. Although that design is proposed to be adjusted (eliminating access for two lots from the existing private drive), the circulation design remains largely as originally conceived.

Subsection 4.140(.09)(I): Duration of Stage II Approval

D26. Approval of the Stage II Final Plan will expire two years after the approval date, if substantial development has not occurred on the property in that time. Upon application, the DRB may grant three (3) subsequent one-year extensions to this approval, upon findings of good faith efforts to develop the property per this code criterion.

SUMMARY FINDINGS FOR REQUEST D:

As demonstrated in findings D1 through D27, the proposed Stage II Final Plan **meets** all the City criteria in Subsection 4.140(.09)(J)(1) - Land Use, as follows:

- D27. The location and uses of the proposed housing project are consistent with the Comprehensive Plan, and with any other applicable plan, development map or Ordinance adopted by the City Council. The project's modified density complies with the proposed density range required by the Comprehensive Plan.
- D28. The location, design, size and uses of the proposed housing project are such that traffic generated by the development can be accommodated safely and without congestion in excess of level service "D" defined in the highway capacity manual published by the National Highway Research Board on existing or immediately planned arterial or collector streets.
- D29. The location, design, size and uses of the proposed housing project are such that the residents or establishments to be accommodated will be adequately served by existing or immediately planned facilities and services.

REQUEST 'E' – DB13-0054 WAIVER

Section 4.118.03 Notwithstanding the provisions of Section 4.140 to the contrary, the Development Review Board, in order to implement the purposes and objectives of Section 4.140, and based on findings of fact supported by the record may:

A. Waive the following typical development standards:

1. minimum lot area;
2. lot width and frontage;
3. height and yard requirements;
4. Lot coverage;
5. lot depth;
6. street widths;
7. sidewalk requirements;
8. height of buildings other than signs;
9. parking space configuration;
10. minimum number of parking or loading spaces;
11. shade tree islands in parking lots, provided that alternative shading is provided;
12. fence height;
13. architectural design standards;
14. transit facilities; and
15. solar access standards, as provided in Section 4.137.

- E1. The code (Section 4.140(.07)(B)(7)) requires that all waivers be specified at the time of Stage I Preliminary Plan (i.e., Preliminary Plat) approval. Regarding this requirement, the applicant is requesting the following waiver from the PDR-3 zone requirements:
- Minimum side yard less than 7 feet for two stories - **Proposed minimum side yard five (5) feet for 2+ stories.**
- E2. The applicant's response findings, found in Section 1 of Exhibit B1, provide evidence necessary for the Board to approve the proposed waiver.
- E3. Staff finds that the requested waiver is necessary to enable construction of single-family dwellings similar to those in the existing portions of Renaissance at Canyon Creek.

SUMMARY FINDINGS FOR REQUEST E:

- E4. Based upon the applicant's response findings found in Section 1 of Exhibit B1, the request for one (1) waiver may be approved.

REQUEST 'F' – DB13-0055 TENTATIVE SUBDIVISION PLAT

Tentative Plat Submission – 4.210(.01)(B)

- F1. The proposed tentative subdivision plat (Sheet 1 of Exhibit B2) illustrates eight (8) lots, and shows existing and proposed easements, meeting this criterion.

General Requirements – Streets

Section 4.236(.01) – Conformity to the Master Plan or Map

- F2. Canyon Creek Road (west) is listed in the City's 2013 Transportation System Plan as a minor arterial. The existing improvement was constructed in 2004 to accommodate the traffic impact of this classification, meeting this criterion.
- F3. Summerton Street and Canyon Creek Road South are both local streets, each of which will require improvements as a part of this action. See the discussion found beginning on page 37.

Section 4.236(.02)(A) - Relation to Adjoining Streets

- F4. The existing circulation pattern in the Renaissance at Canyon Creek subdivision (in two recorded plats), abutting to the west, north and south, provides an opportunity for a through-street connection (i.e., SW Morningside Avenue), and widening of SW Summerton Street, enabling a loop configuration through the intervening subject parcel, Tax Lot 5000.

Section 4.236(.08) – Existing Streets

- F5. The City Engineer's Public Facilities conditions require that all right-of-way dedications, easements and street improvements are to be completed to the requirements of the City's 2013 Transportation System Plan.
- F6. An existing private street, west of SW Morningside Avenue, abutting to the north side of the subject property, is ineligible to provide access, due to provision of the Development Code enacted in 2010 (Section 4.178(.02)(A)). Access to Lots 7 and 8 is proposed from the proposed extension of SW Morningside Avenue.

Subsection 4.177(.01)(G) – Dead End Streets

This section requires that "new dead-end streets or cul-de-sacs shall not exceed 200 feet in length, unless the adjoining land contains barriers such as existing buildings, railroads or freeways, or environmental constraints such as steep slopes, or major streams or rivers, that prevent future street extension and connection."

- F7. No dead-end streets or culs-de-sac are proposed as part of this project.

Section 4.237(.02) – Easements

- F8. Engineering Division staff have noted that an existing 8-inch public water line in SW Morningside Avenue must be extended through the site. See Condition PFD 39.
- F9. The applicant’s submittal documents indicate that appropriate easements will be provided as part of the final plat. The Engineering Division requires that all easements on the final plat be specified per the City’s Public Works Standards and approved by the City Engineer prior to the issuance of Engineering Division permits for the project.

Section 4.237(.03) – Pedestrian and bicycle pathways.

- F10. The proposed Tentative Subdivision Plat specifies five (5) foot-wide sidewalks along the proposed frontages of SW Morningside Avenue, SW Summerton Street and SW Canyon Creek Road South.

Section 4.237(.04) – Tree Planting

- F11. Sheet L1 of Exhibit B2 identifies the location and species of proposed street trees. The applicant will be required to provide a recorded instrument guaranteeing the City the right to enter the site and plant, remove, or maintain approved street trees that are located on private property.

Section 4.237(.05) – Lot Size and Shape

Subsection 4.124.3, PDR-3 specifies the following for lot size and shape:

- “(01) Average lot size: 7,000 square feet.
- (.02) Minimum lot size: 5,000 square feet.
- (.03) Minimum density at build-out: One unit per 8,000 square feet.
- (.04) Other standards:
 - A. Minimum lot width at building line: Forty (40) feet.
 - B. Minimum street frontage of lot: Forty (40) feet...
 - C. Minimum lot depth: Sixty (60) feet.
 - D. Setbacks: per Section 4.113(.03).
 - E. Maximum building or structure height: Thirty-five (35) feet.
 - F. Maximum lot coverage: Fifty percent (50%) for lots containing less than 7,000 square feet...

- F12. The applicant proposes to comply with all but one of the requirements listed above. The applicant is requesting one (1) waiver from the setbacks required by Section 4.113(.03), as follows:

- Minimum side yard less than 7 feet for two stories - **Proposed minimum side yard five (5) feet, including 2+ stories.**

See Request E, beginning on page 39 of this report, for the staff analysis of the proposed waiver.

- F13. The proposed dwellings will be less than 35 feet in height, meeting code.

Subsection 4.124.3(.04)(A) – Minimum Lot Width at Building Line

- F14. The PDR-3 Zone requires a minimum lot width at the building line of 40 feet. All proposed lots meet this requirement.
- F15. The applicant is proposing to provide intersection improvements to SW Canyon Creek Road South, which will provide one of three public access points for the project.

Section 4.237(.08) – Side Lot Lines

- F16. The applicant has requested a waiver to the minimum side yard, requesting that it be less than 7 feet for two stories. The proposed minimum side yard is five (5) feet, including structures with two or more stories. See the discussion of the waiver in Request E, beginning on page 39 of this report.

Section 4.237(.10) – Building Line

- F17. The proposed Stage II Final Plan (Sheet 1 of Exhibit B2) illustrates building lines relative to yard setbacks, for which one (1) waiver has been requested. See Request E for proposed waiver.

Section 4.237(.11) – Build-To-Line

- F18. The proposed Stage II Final Plan (Sheet 1 of Exhibit B2) does not propose build-to-lines.

Section 4.237(.12) – Land for Public Purposes

- F19. The applicant will be required to dedicate all public utility easements deemed necessary by the City Engineer for the project, prior to approval of any final inspection requested subsequent to this action, if approved.

Section 4.237(.13) – Corner Lots

- F20. All radii within the proposed subdivision are in excess of 10 feet, which meet this criterion.

Section 4.262 – Improvements – Requirements

- F21. The City Engineer's conditions require the installation of all public utilities to the City's Public Works standards.

4.264 – Improvements – Assurance

F22. The applicant has not yet furnished an assurance to the City for the complete installation of all improvements. The applicant will be required to provide a cost estimate and security acceptable to the City Engineer for the completion of all public improvements.

SUMMARY FINDING FOR REQUEST F:

F23. With the proposed 14,438 sq. ft. of usable open space, and 5,496 sq. ft. of additional open space, for a total of 19,934 sq. ft. overall, the proposed Tentative Subdivision Plat for eight (8) lots has demonstrated compliance with all applicable Code requirements.

REQUEST 'G' – DB13-0056 SITE DESIGN REVIEW:

Subsection 4.125.18(P)(1): An application for approval of a Site Design Review Plan shall be subject to the provisions of Section 4.421.

- G1. The applicant has provided response findings to the applicable criteria (Section 1 of Exhibit B1). Staff concurs with these findings except where otherwise noted.

Section 4.421: Site and Design Review - Criteria and Application of Design Standards

(.01) The following standards shall be utilized by Board in reviewing the plans, drawings, sketches and other documents required for Site Design Review. These standards are intended to provide a frame of reference for the applicant in the development of site and building plans as well as a method of review for the Board. These standards shall not be regarded as inflexible requirements. They are not intended to discourage creativity, invention or innovation. The specification of one or more particular architectural styles is not included in these standards.

A. Preservation of Landscape. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soils removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.

- G2. The proposed Type C Tree Removal Plan requires the review and approval of the Development Review Board (DRB), and is being processed concurrently with this request. Removal of 20 trees is proposed (Section 4 of Exhibit B1). This proposed removal is reviewed in Request H, beginning on page 49 of this report.

B. Relation of Proposed Buildings to Environment. Proposed structures shall be located and designed to assure harmony with the natural environment, including protection of steep slopes, vegetation and other naturally sensitive areas for wildlife habitat and shall provide proper buffering from less intensive uses in accordance with Sections 4.171 and 4.139 and 4.139.5. The achievement of such relationship may include the enclosure of space in conjunction with other existing buildings or other proposed buildings and the creation of focal points with respect to avenues of approach, street access or relationships to natural features such as vegetation or topography.

- G3. This proposal includes a review of the medium density residential requirements. It also includes the review of landscaping and open space. The purpose of this Site Design Plan is to provide more detailed landscape information.

C. Drives, Parking and Circulation. With respect to vehicular and pedestrian circulation, including walkways, interior drives and parking, special attention shall be given to location and number of access points, general interior circulation, separation of pedestrian and vehicular traffic, and arrangement of parking areas that are safe and convenient and, insofar as practicable, do not detract from the design of proposed buildings and structures and the neighboring properties.

- G4. The proposed project is large enough to provide a circulation system for transportation options (automobiles, bicyclists and pedestrians). The current design provides for all of these methods of transportation, as required by the City's engineering standards.

Parking Analysis:

- G5. Table 5 of Section 4.155 requires 1 parking space per dwelling unit. The eight (8) dwelling units proposed require a minimum of eight (8) parking spaces. Sheet of Exhibit B2 and Section 2 of Exhibit B1 indicates the ability to provide a total of eight (8) garage or driveway parking spaces.

Lighting:

- G6. Although site lighting appears to be comprised of mast lighting, this is not confirmed by the applicant's utility plan. To assure compliance, a condition will be imposed, requiring lighting to comply with the current provisions of Section 4.199.10 – 4.199.60. See Condition PFD 20.

Section 4.176: Landscaping

- G7. A detailed landscape plan is provided with this request, in accordance with the requirements of Section 4.176(.09), and 4.440(.01)(B) [Sheet L1 of Exhibit B2]. The proposed landscape design meets minimum code requirements.
- G8. Street trees are a major component of proposed landscaping (Sheet L1 of Exhibit B2). Proposed are 17 street trees at 2.5" caliper.

Subsection 4.176.02(D): Low Screen Landscape Standard

- G9. The proposed landscape plan (Sheet L1 of Exhibit B2) illustrates the plant materials proposed, according to the landscape plan. The landscape plan lists a combination of 11 different types of grasses and large and small shrubs. A combination of primarily deciduous trees is proposed throughout the site. The proposed landscape plan meets this criterion.

Subsection 4.176.03: Landscape Area.

- G10. As illustrated on the landscape plan (Sheet L1 of Exhibit B2), the proposed landscape exceeds 15% minimum coverage (i.e., the total area of Tracts A and B), meeting code.

Subsection 4.176.04(C) & (D): Buffering and Screening

- G11. The submittal documents do not indicate the location of the heating, ventilation, and air condition (HVAC) equipment. The City reserves the right to require further screening of the HVAC equipment should it be visible from off-site, ground level view.

Subsection 4.176(.06)(A-E): Plant Materials.

- G12. This request includes landscaping treatment on common property, Tracts A and B. Installation of landscaping on private property is the developer's responsibility. A homeowners association will be made responsible for professional maintenance of the landscaping. The proposed landscape plan meets this criterion.
- G13. The proposed landscape plan (Sheet L1 of Exhibit B2) will be required to meet the spread requirement of 10" to 12". The specified tree and ground cover types are of a size and spacing that can meet the criteria of 4.176(.06)(A)(1) and (2), and (B).
- G14. The proposed landscape specifications for secondary and accent trees meet code criterion for caliper size and/or height. This code criterion is met.

Subsection 4.176(.07)(A-D): Installation and Maintenance

- G15. Plant materials, once approved by the DRB, shall be installed to current industry standards and shall be properly staked to assure survival. Support devices (guy wires, etc.) shall not be allowed to interfere with normal pedestrian or vehicular movement. Maintenance of landscaped areas is the on-going responsibility of the property owner. Any landscaping installed to meet the requirements of this code, or any condition of approval established by city decision-making body acting on an application, shall be continuously maintained in a healthy, vital and acceptable manner. Plants that die are to be replaced in kind, within one growing season, unless the city approves appropriate substitute species. Failure to maintain landscaping as required in this subsection shall constitute a violation of the city code for which appropriate legal remedies, including the revocation of any applicable land development permits, may result.

Subsection 4.176(.10): Completion of Landscaping

- G16. The applicant's submittal documents do not specify whether a deferment of the installation of the proposed planting plan is requested. The applicant will be required to post a bond or other security acceptable to the Community Development Director for the installation of the approved landscaping, should the approved landscaping not be installed by the time of final occupancy.

Section 4.175: Public Safety and Crime Prevention

- G17. The utility plan (Sheet 5 of Exhibit B2) depicts the proposed location of lighting fixtures. A final lighting plan will be required to be submitted as a condition of this action. See Condition PFD 20.

Section 4.450: Installation of Landscaping

- G18. All landscaping approved by the Development Review Board must be installed prior to issuance of occupancy permits, unless security equal to one hundred and ten percent (110%) of the cost for landscaping is filed with the City.

Subsection 4.176(.10) – Completion of Landscaping

G19. The applicant will be required to post a bond or other security acceptable to the Community Development Director for the installation of the landscaping. If the proposed project proceeds in more than one phase, the applicant will be required to post a bond or other security for each phase of the project.

Section 4.176(.12)(D): Irrigation

G20. A conceptual irrigation plan has not been provided. A permanent underground irrigation system is required to be provided for all lawn, shrub and tree plantings at the time building permits are issued for projects. Irrigation must not be excessive to harm existing trees. The City may approve temporary irrigation to beautify selected landscaped areas for marketing reasons, but irrigation must be above ground installation, and it must be removed to comply with the final landscape and in-ground irrigation plans as determined by the City. The irrigation plan will need to be provided, including the information required in Subsections 4.179.09(A)-(D). See condition PDG 5.d.

Section 4.800: Wireless communications facilities

G21. A conditional use permit is required for any wireless communications pursuant to Section 4.800 of the Wilsonville Code. No such facilities are currently proposed.

SUMMARY FINDING FOR REQUEST G:

G22. As demonstrated in findings G1 through G21, with conditions of approval referenced therein, the proposed Site Design Review Plans may be approved.

REQUEST 'H' – DB13-0057 TYPE 'C' TREE PLAN

Section 4.600 – Tree Preservation and Protection

(.50) Application for Tree Removal Permit

- (.02) Time of Application:** Application for a Tree Removal Permit shall be made before removing or transplanting trees, except in emergency situations as provided in WC 4.600.40 (1)(B) above. Where the site is proposed for development necessitating site plan or plat review, application for a Tree Removal Permit shall be made as part of the site development application as specified in this subchapter,

Also Subsection 4.610.40: Type C Permit

- H1. An arborist report has been provided (Section J of Exhibit B2). The arborist report documents the condition, viability, and which trees will be retained on the site and which will be removed because of construction or condition on the project site. The inventory that was provided by the arborist lists tree species, size, condition and recommended treatment. The recommended treatments were based on tree characteristics as well as location within the site.

A total of 13 different tree species was inventoried on the site, of which only one (1) is a native species.

Subsection 4.620.00: Tree Relocation, Mitigation, or Replacement

- H2. The City of Wilsonville requires mitigation planting when live trees are removed. The 20 trees currently proposed for removal are subject to mitigation requirements. The 17 proposed street trees and six (6) trees proposed in the open space (west), to be planted as shown on the landscape plan (Sheet L1 of Exhibit B2), are sufficient to replace those proposed to be removed. Staff recommends Condition PDH 1 to assure compliance with this criterion.
- H3. **Tree Protection During Construction:** Tree protection specifications are proposed and are included in the arborist report, meeting code.

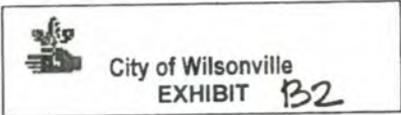
SUMMARY FINDINGS FOR REQUEST H:

- H4. The proposed Type C Tree Removal Plan is in substantial compliance with the applicable provisions of Subsection 4.610.40 and 4.620.00, subject to compliance with the recommended conditions of approval.

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This exhibit is too large to reproduce.



Development Review Template

DATE: 2/26/14
TO: MIKE WHEELER, ASSOCIATE PLANNER
FROM: DON WALTERS
SUBJECT: DEVELOPMENT REVIEW # DB13-0050-57

WORK DESCRIPTION: CANYON CREEK II. A NEW 8-LOT SUBDIVISION

<p><u>Building Division Conditions:</u></p> <p>BD 1. FIRE HYDRANTS. Tualatin Valley Fire & Rescue shall approve the design of the fire hydrant system serving these homes.</p>



Wheeler, Mike

From: Adams, Steve
Sent: Wednesday, February 26, 2014 12:04 PM
To: Wheeler, Mike
Subject: Renaissance @ Canyon Creek II (DB13-0050).doc
Attachments: Renaissance @ Canyon Creek II (DB13-0050).doc

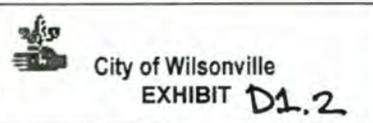
Mike,

Here you go.

Steve R. Adams, P.E.
Development Engineering Manager
City of Wilsonville
29799 SW Town Center Loop E
Wilsonville, OR 97070

ph: 503-682-4960
email: adams@ci.wilsonville.or.us

PUBLIC RECORDS LAW DISCLOSURE: Messages to and from this e-mail address is a public record of the City of Wilsonville and may be subject to public disclosure. This e-mail is subject to the State Retention Schedule.



**EXHIBIT A
PLANNING DIVISION
STAFF REPORT**

RENAISSANCE @ CANYON CREEK II

**DEVELOPMENT REVIEW BOARD PANEL ' ___ '
QUASI JUDICIAL HEARING**

Public Hearing Date:

Date of Report:

Application Numbers:

Request A: DB13-0053 Stage II Final Plan

Property

Owners/Applicants:

- PD = Planning Division conditions**
- BD – Building Division Conditions**
- PF = Engineering Conditions.**
- NR = Natural Resources Conditions**
- TR = SMART/Transit Conditions**
- FD = Tualatin Valley Fire and Rescue Conditions**

Standard Comments:													
PFA 1.	All construction or improvements to public works facilities shall be in conformance to the City of Wilsonville Public Works Standards.												
PFA 2.	<p>Applicant shall submit insurance requirements to the City of Wilsonville in the following amounts:</p> <table> <tr> <td>General Aggregate</td> <td>\$2,000,000</td> </tr> <tr> <td>Products-Completed Operations Aggregate</td> <td>\$2,000,000</td> </tr> <tr> <td>Each Occurrence</td> <td>\$2,000,000</td> </tr> <tr> <td>Automobile Insurance</td> <td>\$1,000,000</td> </tr> <tr> <td>Fire Damage (any one fire)</td> <td>\$ 50,000</td> </tr> <tr> <td>Medical Expense (any one person)</td> <td>\$ 10,000</td> </tr> </table>	General Aggregate	\$2,000,000	Products-Completed Operations Aggregate	\$2,000,000	Each Occurrence	\$2,000,000	Automobile Insurance	\$1,000,000	Fire Damage (any one fire)	\$ 50,000	Medical Expense (any one person)	\$ 10,000
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Products-Completed Operations Aggregate	\$2,000,000												
Each Occurrence	\$2,000,000												
Automobile Insurance	\$1,000,000												
Fire Damage (any one fire)	\$ 50,000												
Medical Expense (any one person)	\$ 10,000												
PFA 3.	No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, right-of-way and easements have been obtained and Staff is notified a minimum of 24 hours in advance.												
PFA 4.	All public utility/improvement plans submitted for review shall be based upon a 22"x 34" format and shall be prepared in accordance with the City of Wilsonville Public Work's Standards.												
PFA 5.	<p>Plans submitted for review shall meet the following general criteria:</p> <ol style="list-style-type: none"> Utility improvements that shall be maintained by the public and are not contained within a public right-of-way shall be provided a maintenance access acceptable to the City. The public utility improvements shall be centered in a minimum 15-ft. wide public easement for single utilities and a minimum 20-ft wide public easement for two parallel utilities and shall be conveyed to the City on its dedication forms. Design of any public utility improvements shall be approved at the time of the issuance of a Public Works Permit. Private utility improvements are subject to review and approval by the City Building Department. In the plan set for the PW Permit, existing utilities and features, and proposed new private utilities shall be shown in a lighter, grey print. Proposed public improvements shall be shown in bolder, black print. All elevations on design plans and record drawings shall be based on NAVD 88 Datum. All proposed on and off-site public/private utility improvements shall comply with the State of Oregon and the City of Wilsonville requirements and any other applicable codes. Design plans shall identify locations for street lighting, gas service, power lines, telephone poles, cable television, mailboxes and any other public or private utility within the general construction area. As per City of Wilsonville Ordinance No. 615, all new gas, telephone, cable, fiber-optic and electric improvements etc. shall be installed underground. Existing overhead utilities shall be undergrounded wherever reasonably possible. Any final site landscaping and signing shall not impede any proposed or existing driveway or interior maneuvering sight distance. 												

- i. Erosion Control Plan that conforms to City of Wilsonville Ordinance No. 482.
- j. Existing/proposed right-of-way, easements and adjacent driveways shall be identified.
- k. All engineering plans shall be stamped by a Professional Engineer registered in the State of Oregon.

PFA 6. Submit plans in the following general format and order for all public works construction to be maintained by the City:

- a. Cover sheet
- b. City of Wilsonville construction note sheet
- c. General construction note sheet
- d. Existing conditions plan.
- e. Erosion control and tree protection plan.
- f. Site plan. Include property line boundaries, water quality pond boundaries, sidewalk improvements, right-of-way (existing/proposed), easements (existing/proposed), and sidewalk and road connections to adjoining properties.
- g. Grading plan, with 1-foot contours.
- h. Composite utility plan; identify storm, sanitary, and water lines; identify storm and sanitary manholes.
- i. Detailed plans; show plan view and either profile view or provide i.e.'s at all utility crossings; include laterals in profile view or provide table with i.e.'s at crossings; vertical scale 1"= 5', horizontal scale 1"= 20' or 1"= 30'.
- j. Street plans.
- k. Storm sewer/drainage plans; number all lines, manholes, catch basins, and cleanouts for easier reference
- l. Water and sanitary sewer plans; plan; number all lines, manholes, and cleanouts for easier reference.
- m. Detailed plan for storm water detention facility (both plan and profile views), including water quality orifice diameter and manhole rim elevations. Provide detail of inlet structure and energy dissipation device. Provide details of drain inlets, structures, and piping for outfall structure. Note that although storm water detention facilities are typically privately maintained they will be inspected by engineering, and the plans must be part of the Public Works Permit set.
- n. Detailed plan for water quality facility (both plan and profile views). Note that although storm water quality facilities are typically privately maintained they will be inspected by Natural Resources, and the plans must be part of the Public Works Permit set.
- o. Composite franchise utility plan.
- p. City of Wilsonville detail drawings.
- q. Illumination plan.
- r. Striping and signage plan.
- s. Landscape plan.

PFA 7. Prior to manhole and sewer line testing, design engineer shall coordinate with the City and update the sanitary and stormwater sewer systems to reflect the City's numbering system. Video testing and sanitary manhole testing will refer to the updated numbering system. Design engineer shall also show the updated numbering system on As-Built drawings submitted to the City.

PFA 8. The applicant shall install, operate and maintain adequate erosion control measures in conformance with the standards adopted by the City of Wilsonville Ordinance No. 482 during the construction of any public/private

	utility and building improvements until such time as approved permanent vegetative materials have been installed.
PFA 9.	Applicant shall work with City's Natural Resources office before disturbing any soil on the respective site. If 5 or more acres of the site will be disturbed applicant shall obtain a 1200-C permit from the Oregon Department of Environmental Quality. If 1 to less than 5 acres of the site will be disturbed a 1200-CN permit from the City of Wilsonville is required.
PFA 10.	To lessen the impact of the proposed project on the downstream storm drain system, and adjacent properties, project run-off from the site shall be detained and limited to the difference between a developed 25-year storm and an undeveloped 25-year storm. The detention and outfall facilities shall be designed and constructed in conformance with the Public Works Standards.
PFA 11.	A storm water analysis prepared by a Professional Engineer registered in the State of Oregon shall be submitted for review and approval by the City to address appropriate pipe and detention facility sizing.
PFA 12.	The applicant shall be in conformance with all water quality requirements for the proposed development per the Public Works Standards. If a mechanical water quality system is used, prior to City acceptance of the project the applicant shall provide a letter from the system manufacturer stating that the system was installed per specifications and is functioning as designed.
PFA 13.	Storm water quality facilities shall have approved landscape planted and/or some other erosion control method installed and approved by the City of Wilsonville prior to streets and/or alleys being paved.
PFA 14.	Fire hydrants shall be located in compliance with TVF&R fire prevention ordinance and approval of TVF&R.
PFA 15.	The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Any existing well shall be limited to irrigation purposes only. Proper separation, in conformance with applicable State standards, shall be maintained between irrigation systems, public water systems, and public sanitary systems. Should the project abandon any existing wells, they shall be properly abandoned in conformance with State standards.
PFA 16.	All survey monuments on the subject site, or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff.
PFA 17.	Sidewalks, crosswalks and pedestrian linkages in the public right-of-way

	shall be in compliance with the requirements of the U.S. Access Board.
PFA 18.	No surcharging of sanitary or storm water manholes is allowed.
PFA 19.	The project shall connect to an existing manhole or install a manhole at each connection point to the public storm system and sanitary sewer system.
PFA 20.	The applicant shall provide a 'stamped' engineering plan and supporting information that shows the proposed street light locations meet the appropriate AASHTO lighting standards for all proposed streets and pedestrian alleyways.
PFA 21.	All required pavement markings, in conformance with the Transportation Systems Plan and the Bike and Pedestrian Master Plan, shall be completed in conjunction with any conditioned street improvements.
PFA 22.	Street and traffic signs shall have a hi-intensity prismatic finish meeting ASTM 4956 Spec Type 4 standards.
PFA 23.	The applicant shall provide adequate sight distance at all project driveways by driveway placement or vegetation control. Specific designs to be submitted and approved by the City Engineer. Coordinate and align proposed driveways with driveways on the opposite side of the proposed project site.
PFA 24.	Access requirements, including sight distance, shall conform to the City's Transportation Systems Plan (TSP) or as approved by the City Engineer. Landscaping plantings shall be low enough to provide adequate sight distance at all street intersections and alley/street intersections.
PFA 25.	The applicant shall provide the City with a Stormwater Maintenance and Access Easement (on City approved forms) for City inspection of those portions of the storm system to be privately maintained. Stormwater or rainwater LID facilities may be located within the public right-of-way upon approval of the City Engineer. Applicant shall maintain all LID storm water components and private conventional storm water facilities; maintenance shall transfer to the respective homeowners association when it is formed.
PFA 26.	Applicant shall provide a minimum 6-foot Public Utility Easement on lot frontages to all public right-of-ways. An 8-foot PUE shall be provided along Minor and Major Collectors. A 10-ft PUE shall be provided along Minor and Major Arterials.
PFA 27.	For any new public easements created with the project the Applicant shall be required to produce the specific survey exhibits establishing the easement and shall provide the City with the appropriate Easement document (on City approved forms).
PFA 28.	<p>Mylar Record Drawings:</p> <p>At the completion of the installation of any required public improvements, and before a 'punch list' inspection is scheduled, the Engineer shall perform a record survey. Said survey shall be the basis for the preparation of 'record drawings' which will serve as the physical record of those changes made to the plans and/or specifications, originally approved by Staff, that occurred</p>

	during construction. Using the record survey as a guide, the appropriate changes will be made to the construction plans and/or specifications and a complete revised 'set' shall be submitted. The 'set' shall consist of drawings on 3 mil. Mylar and an electronic copy in AutoCAD, current version, and a digitally signed PDF.				
PFA 29.	<p>Subdivision or Partition Plats:</p> <p>Paper copies of all proposed subdivision/partition plats shall be provided to the City for review. Once the subdivision/partition plat is approved, applicant shall have the documents recorded at the appropriate County office. Once recording is completed by the County, the applicant shall be required to provide the City with a 3 mil Mylar copy of the recorded subdivision/partition plat.</p>				
PFA 30.	<p>Subdivision or Partition Plats:</p> <p>All newly created easements shown on a subdivision or partition plat shall also be accompanied by the City's appropriate Easement document (on City approved forms) with accompanying survey exhibits that shall be recorded immediately after the subdivision or partition plat.</p>				
Specific Comments:					
PFA 31.	<p>At the request of Staff, DKS Associates completed a Subdivision Trip Generation Update dated September 26, 2013. The project is hereby limited to no more than the following impacts.</p> <table border="0" style="margin-left: 40px;"> <tr> <td>Estimated New PM Peak Hour Trips</td> <td style="text-align: right;">8</td> </tr> <tr> <td>Estimated Weekday PM Peak Hour Trips Through Wilsonville Road Interchange Area</td> <td style="text-align: right;">1</td> </tr> </table>	Estimated New PM Peak Hour Trips	8	Estimated Weekday PM Peak Hour Trips Through Wilsonville Road Interchange Area	1
Estimated New PM Peak Hour Trips	8				
Estimated Weekday PM Peak Hour Trips Through Wilsonville Road Interchange Area	1				
PFA 32.	On Morningside Avenue applicant has proposed to maintain the 32-foot curb-to-curb street width within a 51-foot street right-of-way dedication for the extension of this street. Improvements shall include asphalt roadway, curb and gutter, sidewalk, stormwater system, street trees, and streetlights.				
PFA 33.	Summerton Street was previously approved with a 21.5-foot half street right-of-way. Applicant is approved to match the existing street design on the south side by dedicating an additional 13.5 feet of right-of-way (43 feet total), widening the road by 8 feet (32 foot total) and installing curb and gutter, 5-ft sidewalk, stormwater system, street trees, and streetlights.				
PFA 34.	On frontage to Canyon Creek Road South the applicant shall be required to construct a 14-foot half-street improvement, face of curb to street centerline (asphalt roadway, curb and gutter, sidewalk, stormwater system, street trees, and streetlights) in compliance with Residential Street Standards as provided in the 2013 Transportation Systems Plan (note that this sidewalk needs to be offset.) Existing street right-of-way is 50 feet; no additional right-of-way dedication is required.				
PFA 35.	The proposed site straddles two stormwater basins. Applicant shall design				

	the project so that no net out-of-basin transfers will occur.
PFA 36.	Applicant shall connect storm service lines of lots to the existing or proposed storm systems where feasible; this would include lots 1 and 3 through 8.
PFA 37.	Applicant shall connect sanitary service lines of lots to the existing or proposed sanitary systems.
PFA 38.	Applicant shall be required to connect the existing 8" water systems in Morningside Avenue with extension of this street.
PFA 39.	Applicant shall obtain water service from the existing or proposed water systems.

<u>Engineering Division Conditions:</u>	
PFB 1.	
PFB 2.	

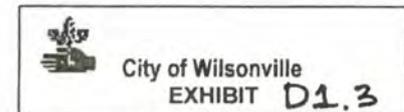
<u>Engineering Division Conditions:</u>	
PFC 1.	
PFC 2.	
PFC 3.	

Public Works Plan Review Comments

Plans for Review: Renaissance at Canyon Creek II
 Return All Comments To: Mike Wheeler
 Issue Date: January 30, 2014 Due Date: February 20, 2014

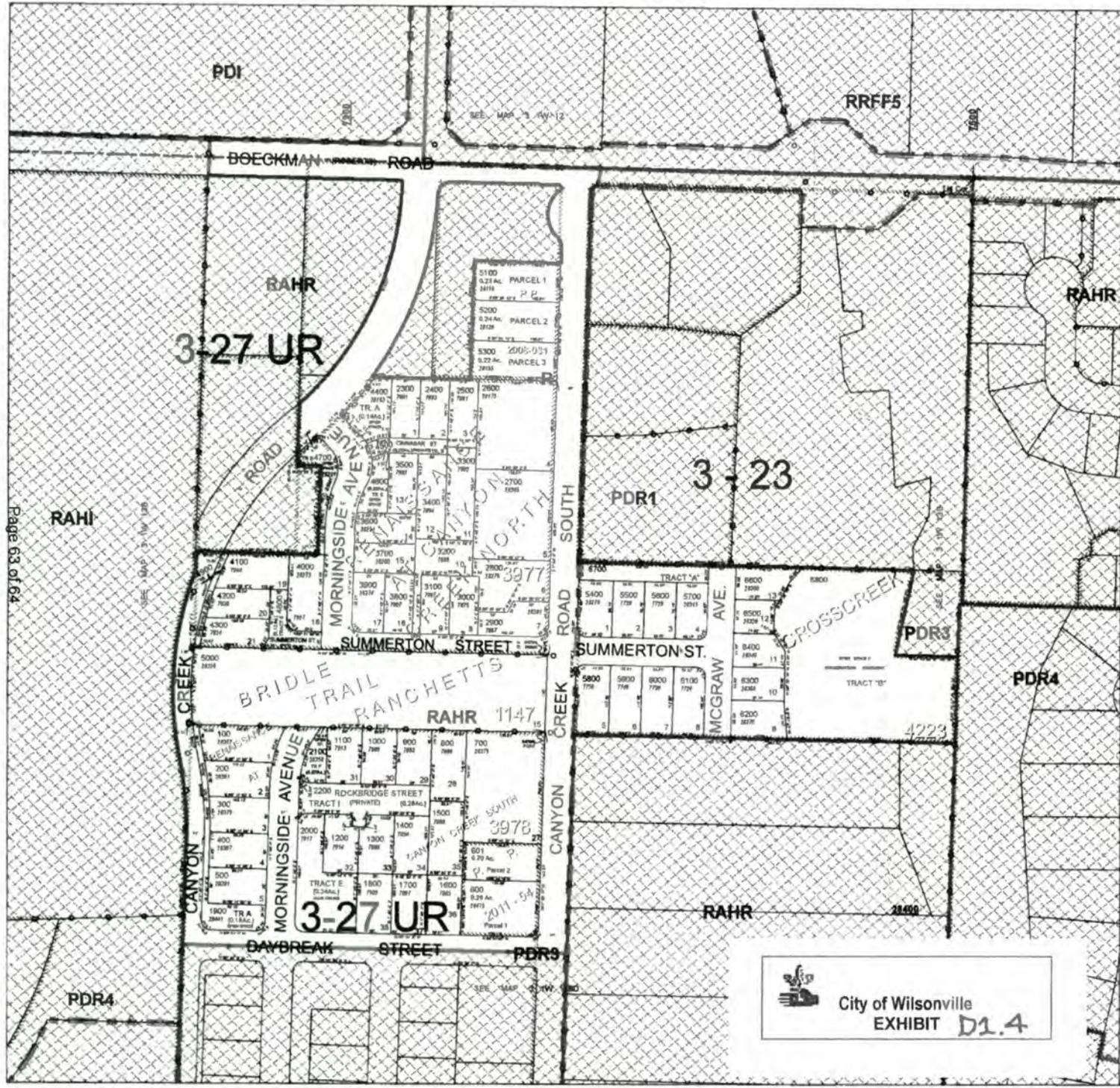
Name	Page No.	Comments	Engineering's Response
Randy Watson			
Matt Baker			
Steve Munsterman		No Comments	
Arnie Gray		No Comments	
Ralph Thorp			
Jason Labrie / Steve Gering		No Comments	
Mark Folz / Paul Havens			

Page 62 of 64

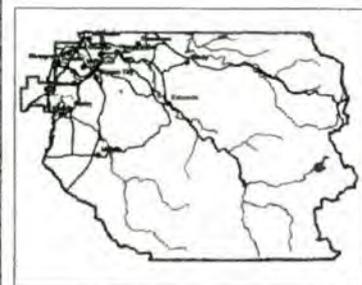


31 W 13 BA
 WILSONVILLE
 N.E. 1/4 N.W. 1/4 SEC. 13 T. 3S. R. 1W. W.M.
 Clackamas County
 1" = 100'

Cancelled Taxlots



- Parcel Boundary
- Private Road ROW
- Historical Boundary
- Railroad Centerline
- TaxCodeLines
- Map Index
- WaterLines
- Land Use Zoning
- Plats
- Water
- Corner
- Section Corner
- 1/16th Line
- Govt Lot Line
- DLC Line
- Meander Line
- PLSS Section Line
- Historic Corridor 40'
- Historic Corridor 20'



 City of Wilsonville
 EXHIBIT D1.4

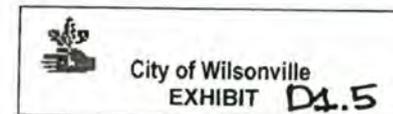
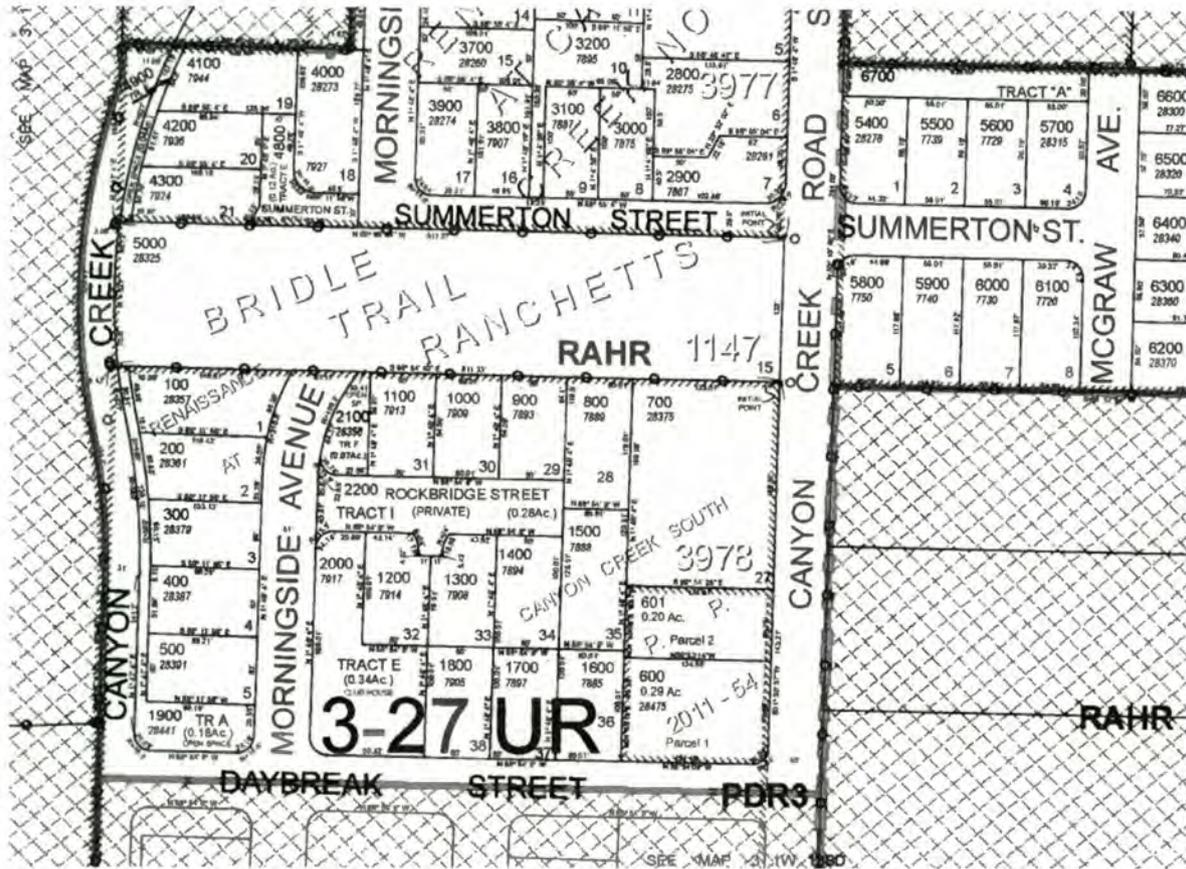
THIS MAP IS FOR ASSESSMENT
 PURPOSES ONLY



31 W 13 BA
 WILSONVILLE

Ordinance 739 DRB Packet 3.10.14

Page 63 of 64



8B1

**Land Use Application
City of Wilsonville, Oregon**

Renaissance Development

**Comprehensive Plan Map Amendment, Zone Map
Amendment; Modified Stage I Master Plan; PDR-3,
Stage II with Preliminary Plat, with Setback Waiver;
Type C Tree Removal and Preservation Plan; and Site
Design Review**

**Canyon Creek II
8-Lot
Planned Residential Development**

**November 15, 2013
Revised for Completeness 12-17-13**

APPLICANT:

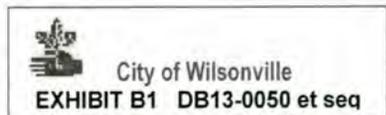
**Renaissance Development
16771 SW Boones Ferry Road
Lake Oswego, OR 97035
Phone: (503) 496-0616 Fax: (503) 635-8400
Contact: Amy Schnell**

APPLICANT'S REPRESENTATIVE:

**SFA Design Group, LLC
9020 SW Washington Square Drive, Suite 505
Portland, OR 97223
Phone: (503) 641-8311 Fax: (503) 643-7905
Contact: Ben Altman**

RECEIVED

DEC 19 2013



Application

This electronic fill-in form cannot be submitted electronically. Please sign a printed copy and submit to the Wilsonville Planning Division. Please call 503-682-4960 if you have any questions.

CITY OF WILSONVILLE 29799 SW Town Center Loop East Wilsonville, OR 97070 Phone: 503.682.4960 Fax: 503.682.7025 Web: www.ci.wilsonville.or.us		Planning Division Development Permit Application																																					
		<i>Final action on development application or zone change is required within 120 days in accordance with provisions of ORS 227.175</i> <i>A pre application conference is normally required prior to submittal of an application. Please visit the City's website for submittal requirements</i> <i>Incomplete applications will not be scheduled for public hearing until all of the required materials are submitted.</i>																																					
Pre-Application meeting date: _____ TO BE COMPLETED BY APPLICANT: <i>Please PRINT legibly</i>																																							
Legal Property Owner's Name: James Dillon & Debra Gruber		Authorized Representative: Ben Altman, SFA Design Group																																					
Address: 3175 NE Fremont Dr. Portland, OR 97220		Address: 9020 SW Washington Sq. Rd., Suite 505 Portland, OR 97223																																					
Phone: 509-981-2274		Phone: 503-641-8311																																					
Fax: _____		Fax: _____																																					
E-mail: dagruber9@hotmail.com		E-mail: baltman@sfadg.com																																					
Property Owner or Authorized Signature: <i>Debra A. Gruber</i>		Printed Name _____																																					
Title: <i>Co-Owner</i>		Date _____																																					
Site Location and Description: Project Address if Available: 28325 SW Canyon Creek Road Suite/Unit _____ Project Location: _____ Tax Map #(s): T3S R1W 13BA Tax Lot #(s): 5000 County: Clackamas																																							
Request: Plan Map amendment RA-H to PDR-4; PDR Preliminary Plat (Stage I & II), with Waivers; Tree Removal Plan; and Site Design Review																																							
<table style="width: 100%; border: none;"> <tr> <td style="width: 25%;">Project Type:</td> <td style="width: 25%;">Class I</td> <td style="width: 25%;">Class II</td> <td style="width: 25%;">Class III</td> </tr> <tr> <td><input checked="" type="checkbox"/> Residential</td> <td><input type="checkbox"/> Commercial</td> <td><input type="checkbox"/> Industrial</td> <td><input type="checkbox"/> Other (describe below)</td> </tr> </table>				Project Type:	Class I	Class II	Class III	<input checked="" type="checkbox"/> Residential	<input type="checkbox"/> Commercial	<input type="checkbox"/> Industrial	<input type="checkbox"/> Other (describe below)																												
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This electronic fill-in form cannot be submitted electronically. Please sign a printed copy and submit to the Wilsonville Planning Division. Please call 503-682-4960 if you have any questions.

CITY OF WILSONVILLE 29799 SW Town Center Loop East Wilsonville, OR 97070 Phone: 503.682.4960 Fax: 503.682.7025 Web: www.ci.wilsonville.or.us		Planning Division Development Permit Application <i>Final action on development application or some change is required within 120 days in accordance with provisions of ORS 227.175</i> <i>A pre-application conference is normally required prior to submittal of an application. Please visit the City's website for submittal requirements</i> <i>Incomplete applications will not be scheduled for public hearing until all of the required materials are submitted.</i>	
Pre-Application meeting date: _____ TO BE COMPLETED BY APPLICANT: <i>Please PRINT legibly</i>			
Legal Property Owner's Name: James Dillon & Debra Gruber		Authorized Representative: Ben Altman, SFA Design Group	
Address: 3175 NE Fremont Dr. Portland, OR 97220		Address: 9020 SW Washington Sq. Rd., Suite 505 Portland, OR 97223	
Phone: 509-981-2274		Phone: 503-641-8311	
Fax: _____		Fax: _____	
E-mail: dagnuber@hotmail.com		E-mail: baltman@sfadg.com	
Property Owner or Authorized Signature: <u>James Dillon</u>		Printed Name: <u>James Dillon</u>	
Title: <u>Owner</u>		Date: <u>9-14-2013</u>	
Site Location and Description: Project Address (if Available): <u>28325 SW Canyon Creek Road</u> Suite/Unit _____ Project Location: _____ Tax Map #(s): <u>T3S R1W 13BA</u> Tax Lot #(s): <u>5000</u> County: <u>Clackamas</u>			
Request: <u>Plan Map amendment RA-H to PDR-4; PDR Preliminary Plat (Stage I & II), with Waivers; Tree Removal Plan; and Site Design Review</u>			
Project Type: Class I Class II Class III			
<input checked="" type="checkbox"/> Residential <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Other (describe below)			
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FOR STAFF USE ONLY: Application Rec'd: _____ Fee: _____ Check #: _____ Application Complete: _____ By: _____ File No (s) _____			



Compliance Report

**Land Use Application
City of Wilsonville, Oregon**

Renaissance Development

**Comprehensive Plan Map Amendment, Zone Map
Amendment; Modified Stage I Master Plan; PDR-3,
Stage II with Preliminary Plat, with Setback Waiver;
Type C Tree Removal and Preservation Plan; and Site
Design Review**

**Canyon Creek II
8-Lot
Planned Residential Development**

**November 15, 2013
Revised for Completeness 12-17-13**

APPLICANT:

**Renaissance Development
16771 SW Boones Ferry Road
Lake Oswego, OR 97035
Phone: (503) 496-0616 Fax: (503) 635-8400
Contact: Amy Schnell**

APPLICANT'S REPRESENTATIVE:

**SFA Design Group, LLC
9020 SW Washington Square Drive, Suite 505
Portland, OR 97223
Phone: (503) 641-8311 Fax: (503) 643-7905
Contact: Ben Altman**

FACT SHEET

Project Name: Canyon Creek II

Proposed Actions: 8-Lot Single Family, Planned Residential Development, with Comprehensive Plan and Zone Map Amendments

Tax Maps: T3 R1W 13BA Tax Lots: 5000

Site Size: 78,000 Square Feet, 1.79 Acres

Address: 28325 SW Old Canyon Creek Road

Location: Remnant Parcel, Bridle Trail Ranchetts, Shadow Platted, but excluded from Renaissance at Canyon Creek

Comprehensive Plan: Residential 0-1 du/ac, with RA-H Zoning

Zoning: The requested amendments will be from Residential 0-1 du/ac, with RA-H zoning to Residential 4-5 du/ac, with PDR-3 zoning.

PROPERTY OWNER:

James Dillon & Debra Gruber
3175 NE Fremont
Portland, OR 97220
Phone: (509)981-2274

APPLICANT:

Renaissance Development
16771 SW Boones Ferry Road
Lake Oswego, OR 97035
Phone: (503) 496-0616 Fax: (503) 635-8400
Contact: Amy Schnell

APPLICANT'S REPRESENTATIVE:

SFA Design Group, LLC
9020 SW Washington Square Drive, Suite 505
Portland, OR 97223
Phone: (503) 641-8311 Fax: (503) 643-7905
Contact: Ben Altman or Matt Sprague
Email: baltman@sfadg.com msprague@sfadg.com

I. INTRODUCTION

General Information

This is a Pre-Application Conference Summary for a proposed Land Use and Development application, submitted on behalf of Renaissance Development. The application consists of a single Tax Lot 5000; Map T3S R1W 13BA. The land area of this tax lot is approximately 1.79 acres or 78,000 square feet, per survey.

Location

The subject site is situated west of Old Canyon Creek Road, east of Ash Meadows, south of Boeckman Road and the Mentor Graphics Campus, and north of the Sundial Apartments. It is surrounded by the Renaissance at Canyon Creek development.

Application

Consistent with the Renaissance development, the applicant is requesting the following land use actions:

1. A Comprehensive Plan Map Amendment, from Residential 0-1 du/ac to Residential 4-5 du/ac;
2. A Zone Map Amendment from RA-H to PDR-3
3. A Stage II Development Permit consisting of a Preliminary Plat for 8 Lot Subdivision, including Setback Waiver; and
4. Design Review of site improvements and common open space areas and landscaping.

Comprehensive Plan and Zone Map amendments from Residential 01 du/ac, with RA-H zoning to Residential 4-5 du/ac, with PDR-3 zoning. The applicant proposes to apply the same lot standards and setbacks as applied to the Renaissance development.

Existing Use - Vegetation

This suburban sized property has been developed with a single family home and a couple of out buildings. The front yard area is landscaped typical to residential uses, while the large rear yard has remained in more of an open pasture with a few random trees. However, along the western boundary, formal right-of-way landscaping and street trees has been provided by the Renaissance development.

Surrounding Uses

To the west is Canyon Creek Road South and Vacant industrial land, owned by Mentor Graphics. To the north and south is the Renaissance at Canyon Creek development. To the east of the property is Old Canyon Creek Road and the Cross Creek subdivision.

Topography

The topography of the site is relatively flat, ranging from 218 feet at Old Canyon Creek Road to 222 feet in the central portion of the site, and 220 at the western boundary, which is Canyon Creek Road South. There is no designated SROZ or 100 year flood plain associated with this property.

Comprehensive Plan and Zoning

This property is the last remaining parcel of the Bridle Trail Ranchettes, which were platted prior to incorporation of the City in 1969. It was Shadow Platted, for purposes of street configurations, as part of the Renaissance at Canyon Creek Master Plan, but was specifically excluded from the Subdivision Plat and Final Development Approval (Case File # 03DB43).

The subject properties are currently designated Residential, at 0-1 dwelling units per acre. This designation is consistent with the current large rural lotting pattern of the Ranchettes. This designation, however, is intended as an interim land use pending future urbanization.

The development to the south (Renaissance at Canyon Creek) is designated 4-5 units/acre and zoned PDR-3. The properties to the west is Mentor Graphics vacant land) designated as Industrial zoned RA-H. Renaissance at Canyon Creek, which surrounds this property was re-designated and re-zoned to Residential 4-5 du/ac, with PDR-3 zoning. The Cross Creek Development to the east of Old Canyon Creek Road is planned Residential 4-5 and Zoned PRD-3.

The applicant is proposing PDR-3 zoning in order to accommodate the City's new Open Space standards, while providing lots consistent with the original Renaissance at Canyon Creek development.

Applicable Open Space Standard

It is recognized that the City Development Code *Section 4.113. Standards Applying To Residential Developments In Any Zone (.02) Open Space Area*, was amended with regard to open space requirements for residential developments after approval of the Renaissance at Canyon Creek. The new Code requires 25% of the site be in Open Space, with a minimum of ¼ acre useable recreation space for developments with 50 lots or less.

The preliminary plan provides open space consistent with the new standard, with two open space tracts comprising 19,917 square feet. This amount of open space complies with the current standard, and provides the minimum ¼ acre of usable recreational area required for less than 50 lots.

II. COMPREHENSIVE PLAN AMENDMENT

Plan Compliance and Map Amendment

This section of the Compliance Report addresses compliance with the Comprehensive Plan policies. It also demonstrates how the requested Map amendments are consistent with the overall intent of the Plan, as well as Plan and Zoning designations applied to the surrounding neighborhoods.

The proposed density is consistent with the adjacent developments and Comprehensive Plan designations to the west, east and south. This remnant parcel (Bridal Trail Ranchettes) contains approximately 1.79 acres or 78,000 square feet.

The proposed preliminary plat provides for 8 lots, 7 net new lots counting a reconfigured lot replacing the existing home. The existing home will be removed. The new lotting pattern calculates to a gross density of 4.47 units per acre. Net density is discussed under the code compliance section below. The applicant believes this density best fits the Residential 4-5 du/ac designation, which may be implemented by the PDR-3 zone.

The development to the south (Renaissance at Canyon Creek) is designated 4-5 units/acre and zoned PDR-3. The properties to the west is Mentor Graphics vacant land) designated as Industrial zoned RA-H. Renaissance at Canyon Creek, which surrounds this property was re-designated and re-zoned to Residential 4-5 du/ac, with PDR-3 zoning. The Cross Creek Development to the east of Old Canyon Creek Road is Zoned PRD-3. The few remaining Ranchette lots, not included in this development, will remain designated at 0-1/acre and zoned RA-II.

However, following approval of that development, the City amended the open Space requirements section of the Code (4.113(.02), thereby eliminating the ability to calculate rear yards to meet open space requirements. Subsequently the Comprehensive Plan text (page D-47) was also amended creating new residential density ranges, as compared to those applicable at the time the Renaissance development was approved.

The subject property is currently designated Residential, at 0-1 dwelling units per acre. This designation is consistent with the current large rural lotting pattern of the Ranchettes. This designation, however, is intended as an interim land use pending future urbanization.

Consistent with this interim designation, the properties are currently zoned RA-H, Residential Agricultural – Holding Zone. This zone, as specified in Section 4.120 (.01) of the Development Code, states, *“It is the purpose of this zone the serve as a holding zone to preserve the future urban level development potential as undeveloped property designated for more intensive development. This zone has been applied to all urbanizable properties within the city which are planned for development and which have not previously received development approval in accordance with the Comprehensive Plan.”*

A. City of Wilsonville Comprehensive Plan

I. Citizen Involvement

Policy 1.1.1 The City of Wilsonville shall provide opportunities for a wide range of public involvement in City planning programs and processes.

Policy 1.2.1 The City of Wilsonville shall provide user-friendly information to assist the public in participating in City planning programs and processes.

Policy 1.3 The City of Wilsonville shall coordinate with other agencies and organizations involved with Wilsonville's planning programs and policies.

Response

The City has developed a citizen involvement program, which provides a variety of opportunities in different formats to encourage and accommodate citizen input. More specific to this application, the City has established a public hearing process for public review of land use decisions. This process provides for mailed notices to surrounding landowners, plus published notices of scheduled public hearings.

Since this application involves amendments to the comprehensive plan and zone maps, together with a PDR subdivision, there will actually be at least two public hearings. The first hearing will be before the Development Review Board, and the second hearing before the City Council. The city will provide public notices for both hearings. In addition, the City Council meetings are produced on the local public access cable TV network.

Once the city planning department determines that the application is complete, and notice of the hearing(s) have been made, the application information is made available to any interested person or party prior to the hearing.

Therefore the policies and procedures for citizen involvement will be met by public review of the proposed development.

B. Urban Growth Management

Policy 2.1.1. The City of Wilsonville shall support the development of all land within the City, other than designated open space lands, consistent with the land use designations of the Comprehensive Plan.

Implementation Measure 2.1.1.e. Allow new development to proceed concurrently with the availability of adequate public services and facilities as specified in Public Facilities and Services Section (Section C) of the Comprehensive Plan.

Implementation Measure 2.1.1.f. To insure timely, orderly and efficient use of public facilities and services, while maintaining livability within the community, the City shall establish and maintain growth management policies consistent with the City's regional growth allocation and coordinated with a Capital Improvements Plan.

1. *The Planning Commission shall periodically review growth-related data, e.g., the availability of public facilities, scheduled capital improvements, need for housing, commercial development and/or industrial development, etc.; and shall, as determined necessary following a public hearing, make recommendations to the City Council regarding Growth Management Plans.*
2. *To maximize design quality and conformity to the Comprehensive Plan, the City shall encourage master planning of large land areas. However, as an added growth management tool, the Development Review Board may, as a condition of approval, set an annual phasing schedule coordinated with scheduled Capital Improvements, particularly streets and related transportation facilities.*

Policy 2.2.1. The City of Wilsonville shall plan for the eventual urbanization of land within the local planning area, beginning with land within the Urban Growth Boundary.

Response

This area of the City has long been a central portion of the City limits and Urban Growth Boundary (UGB). It was part of the land originally included in the incorporation of the city in 1969.

As noted earlier, the Ranchettes were actually platted and built before the city was incorporated. At that time, there were not adequate public facilities in this area to support urban level development. So, the rural lotting pattern was an appropriate interim use.

Significant development has occurred surrounding this area of town over the past three decades, including the Mentor Graphics industrial campus on the north side of Boeckman Road. In 2003 Renaissance Development applied for the development at Canyon Creek, consisting of 79 lots, but excluding the subject property, at the owner's request. With the Canyon Creek and other subsequent neighborhood development, full urban services and local streets are now available. Within the immediate vicinity, the subject property is the only remaining Ranchette Lot not converted to an urban lotting pattern.

There are no open space or natural resource designations applied to any portion of the subject property.

Urban level compliance with the public facilities provisions identified in Measures 2.1.1.e. and 2.1.1.f. are addressed in the following section.

Therefore it is concluded that urban level development of this area is consistent with this section of the Comprehensive Plan.

3. PUBLIC FACILITIES AND SERVICES

The Comprehensive Plan includes provisions dealing specifically with different types of facilities and services. They are covered in the following order:

Primary facilities and services include: 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/services prior to or concurrently with urban level development. These facilities and services include:

Sanitary sewer;
Water service;
Roads and transportation;
Storm drainage;
Fire protection; and
Police protection and public safety.

Complementary Facilities and Services include: those which complement the public health, safety and general welfare of urban residents and workers, but are not necessarily directly linked to the land development process or public health and safety. These facilities include:

Schools, library, and educational services;
Parks, recreation, and open space;
Solid waste;
Semi-public utilities;
City administration; and
Health and social services.

While these complementary facilities and services affect the overall quality of urban living and should be planned for in anticipation of development, in some cases it is more economical and practical to determine service levels subsequent to actual development.

GOAL 3.1: To assure that good quality public facilities and services are available with adequate, but not excessive, capacity to meet community needs, while also assuring that growth does not exceed the community's commitment to provide adequate facilities and services.

Policy 3.1.1 The City of Wilsonville shall provide public facilities to enhance the health, safety, educational, and recreational aspects of urban living.

Implementation Measure 3.1.1.a The City will continue to prepare and implement master plans for facilities/services, as sub-elements of the City's Comprehensive Plan. Facilities/services will be designed and constructed to help implement the City's Comprehensive Plan.

Implementation Measure 3.1.1.b The City Engineer shall report annually, and at other times as needed, to the Planning Commission, Budget Committee, and City Council, and other City committees or commissions on the status and available capacity of urban services/facilities, including streets, bicycle and pedestrian facilities, water, sanitary sewer, and storm drainage.

Implementation Measure 3.1.1.c Developments shall continue to be required to extend services/facilities to the far side of the subject property – assuring that the adjacent properties have access to those services/facilities. It is noted that unusual existing circumstances may necessitate creative solutions for the extension of services/facilities.

Implementation Measure 3.1.1.d The City shall periodically review and, where necessary, update its development densities indicated in the land use element of the Plan, based on the capacity of existing or planned services and/or facilities.

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Implementation Measure 3.1.1.d The City shall periodically review and, where necessary, update its development densities indicated in the land use element of the Plan, based on the capacity of existing or planned services and/or facilities.

Response

Other urban development in the surrounding neighborhoods has made public facilities generally available to the subject site. All services are now available and adequate to support urban level development as proposed.

The City has recently completed and adopted updates to the utilities master plans, including sanitary sewer, storm drainage, and water. System improvements related to the proposed subdivision will be designed and constructed in accordance with these master plans.

The City has established financing mechanism for each of the utility systems, which all include system development charges (SDC's). This development will provide on-site improvements for each of the facilities systems. In addition the development will pay the appropriate SDC's as a proportionate share contribution for the overall systems.

Sanitary Sewer Plan

Policy 3.1.4: The City of Wilsonville shall continue to operate and maintain the wastewater treatment plant and system in conformance with federal, state, and regional water quality standards.

Implementation Measure 3.1.4.b The City shall continue to manage growth consistent with the capacity of sanitary sewer facilities.

Implementation Measure 3.1.4.f The cost of all line extensions and individual services shall be the responsibility of the developer and/or property owners(s) seeking service. When a major line is to be extended, the City may authorize and administer formation of a Local Improvement District (LID). All line extensions shall conform to the City Sanitary Sewer Collection System Master Plan, urbanization policies, and Public Works Standards.

Response

The most recent Sanitary Sewer Master Plan was adopted in 2012.

The subject site lies within the service area of the PT-1 sewer basin. The main interceptor for this basin is located in the Mentor Graphics property immediately west of the subject site. This 12" line gravity drains down through the Town Center to a line that crosses under the I-5 Freeway at Memorial Drive/5th Street, and then down Fir Street to the treatment plant.

The Canyon Creek development provided line sewer extensions to all the surrounding properties, including lines within the local street network. The proposed development will complete the lines necessary to serve the proposed 8 lots.

Water Service Plan

Policy 3.1.5 The City shall continue to develop, operate and maintain a water system, including wells, pumps, reservoirs, transmission mains and a surface water treatment plant capable of serving all urban development within the incorporated City limits, in conformance with federal, state, and regional water quality standards. The City shall also continue to maintain the lines of the distribution system once they have been installed and accepted by the City.

Implementation Measure 3.1.5.c Extensions shall be made at the cost of the developer or landowner of the property being served.

Implementation Measure 3.1.5.d All water lines shall be installed in accordance with the City's urban growth policies and Public Works Standards.

Response

The city has completed a Water System Master Plan update. The Updated Master Plan was adopted by the City Council in 2012.

Consistent with the new master plan, the City has constructed a water treatment plant, which treats water from the Willamette River. This plant went online in April 2002 and delivers an initial 10 million gallons a day. The plant was funded by voter-approved revenue bonds, which are being retired through the user based water rates system.

System development charges are also collected to support long term improvements to the distribution system. This development will pay its proportionate contribution to the system through SDC's.

The Renaissance at Canyon Creek development provided water line extensions to all the surrounding properties, including lines within the local street network. The proposed development will complete the lines necessary to serve the proposed 8 lots.

Storm Water Plan

There are increasing regulatory requirements that affect stormwater and the various drainage ways that convey that water. Federal standards regulate water quality (including temperature and turbidity) and the Endangered Species Act calls for the protection of native salmonid species.

With its 2012 Storm Water Master Plan, the City has set its own standards for development and land use activities to comply with relevant federal standards, and must also comply with regional and state requirements in the process.

The City's storm drainage responsibilities range from controlling the volume and speed of run-off through storm water detention facilities, to regulating land development activities to assure that individual private construction projects do not overburden the public systems or damage the environment without adequate mitigation. Additionally, the City must now regulate land uses to protect or improve riparian vegetation as feasible, along drainage ways.

Storm Drainage Plan

Policy 3.1.7 The City of Wilsonville shall develop and maintain an adequate storm drainage system. However, where the need for new facilities is the result of new development, the financial burden for drainage system improvements shall remain primarily the responsibility of developers. The City will use systems development charges, user fees, and/or other funding sources to construct facilities to improve storm water quality and control the volume of runoff.

Response

Storm drainage for the development will drain both west and east, consistent with the existing drainage basins and the 2012 Storm System Master Plan. Approximately half of the drainage will flow each direction, consistent with the Renaissance at Canyon Creek Development and the Storm Water Master Plan.

This project will tie into the two existing water quality and detention facilities constructed for the Renaissance at Canyon Creek Development. For flows directed east, the facility is located in Tract J. For the flows directed west, the facility is located on Mentor Graphics Property. The existing storm line was sized to accommodate future development of Mentor's property. And, the water quality/detention facility was designed in a manner so as to easily be expanded to accommodate future development of the Mentor property.

This development will be paying SDC's, which contribute towards overall system improvements. Therefore it is concluded that the proposed development complies with all applicable storm drainage design standards and policies.

Fire Protection Plan

Policy 3.1.8 The City of Wilsonville shall continue to coordinate planning for fire safety with the Tualatin Valley Fire and Rescue District.

Police Protection And Public Safety

Policy 3.1.9 The City of Wilsonville shall continue to provide adequate police protection.

Response

Fire protection is provided by Tualatin Valley Fire & Rescue. Police services are provided by Clackamas County through a service contract with the City. There is nothing unusual about this development that would cause undue service demands on either of these agencies. However, it is noted that the site is approximately mid-point between the two Wilsonville Fire stations, which provides for excellent emergency access. In addition, this development will complete the local street network, thereby enhancing overall neighborhood circulation.

Fire hydrants and fire flows will be provided consistent with City standards. The streets are designed to provide easy access and circulation, and they allow for good security surveillance of all properties. Water system improvements will also enhance fire service to the existing Canyon Creek neighborhood through the extension of a water line and provision of fire hydrants along (Old) Canyon Creek Road. In addition, streetlights will enhance safety within the old and new neighborhoods.

School And Educational Services

Policy 3.1.10 The City of Wilsonville shall continue to coordinate planning for educational facilities with all three local school districts and Clackamas Community College.

Implementation Measure 3.1.10.e It is the basic reasoning of these policies that development within the City should not be regulated based on the availability of school facilities and services. Rather, these services should be planned for and provided to meet the demands created by development. If, however, school facilities and/or services were determined to be severely inadequate and the school districts unable to provide satisfactory improvement, then growth limitations would be appropriate.

Response

As noted, the availability of school facilities is not a primary permit criterion. However, schools are important so we have addressed them.

There is a primary school and a high school within a mile of this development site, both on Wilsonville Road. The District has a primary school on the west side of town adjacent to Wood Middle School, and has just completed a second west-side primary school (Lowrie) in Villebois.

The District also regularly passed Special Options Levy, which provide funding for additional school facilities improvements, including expansion of the high school. There is also a community college facility located in the Town Center, which is about a mile from the site; and Oregon Tech has recently opened its new Metro Campus in Wilsonville, located in the former In-Focus building, on Parkway Avenue, adjacent to Mentor Graphics.

Parks/Recreation/Open Space

Policy 3.1.11: The City of Wilsonville shall conserve and create open space throughout the City for specified objectives including park land.

Implementation Measure 3.1.11.d Continue the acquisition, improvement, and maintenance of open space.

Implementation Measure 3.1.11.e Require small neighborhood parks (public or private) in residential areas and encourage maintenance of these parks by homeowner associations.

Implementation Measure 3.1.11.g Where appropriate, require developments to contribute to open space.

Response

There will be two open space tracks located within the proposed development, which provide a total of 19,917 square feet. Tract A is about 5,476 square feet, while Tract B contains approximately 14,441 square feet.

The applicant, retained the rights to join Canyon Creek HOA, and has coordinated with the Board of Directors to incorporate these 8 lots into the HOA, thereby sharing maintenance costs and providing access to the clubhouse and pool (Tract E).

Therefore the proposed development complies with the open space requirements.

Semi-Public Utilities

Policy 3.1.13 The City of Wilsonville shall coordinate planning activities with the utility companies, to insure orderly and efficient installation of needed service lines and equipment.

Response

PGE, Verizon, Comcast, and Northwest Natural provide electric power, telephone, natural gas, and cable TV service throughout the City. These services are all available to serve the proposed development.

Roads And Transportation Plan

The Wilsonville Comprehensive Plan includes, as sub-elements of the Plan, the City's Transportation Systems Plan (2013). There are no airports or marine transportation facilities within the city. The City has adopted 1-Year and 5-Year Capital Improvement

Plans which provide for the construction of transportation facilities, improvements and services necessary to support the City's Transportation Systems Plan, the Bicycle and Pedestrian Master Plan and the Transit Master Plan.

The City has a network of streets which serve the east side or the west side, with only three connection points east-west across I-5. These are Wilsonville Road, Boeckman Road and Elligsen Road. The recent extension of Boeckman Road to Grahams Ferry Road has provided an alternative east-west route resulting in a reduction of the trip levels on both Wilsonville and Elligsen Roads.

City street standards require provision of bicycle facilities and sidewalks on all new streets. Developments in areas without bicycle facilities and sidewalks are required to provide them as part of the development of their site. The City also maintains a sidewalk infill fund for construction of missing sidewalk segments in older neighborhoods. The Bicycle and Pedestrian Master Plan provides greater detail about the existing system and its deficiencies and identifies planned improvements and financial resources.

Table 2-1. Wilsonville's Transportation Goals

1 Safe Follow current safety practices for design, operations, and maintenance of transportation facilities.

2 Connected and Accessible

Provide all users with access to integrated facilities and services that connect Wilsonville's neighborhoods, parks, schools, employment centers, and retail areas to each other and to the surrounding region.

3 Functional and Reliable

Provide, manage, and maintain sufficient transportation infrastructure and services throughout Wilsonville to ensure functional and reliable multimodal and freight operations as development occurs.

4 Cost Effective Utilize diverse and stable funding sources to implement transportation solutions that provide the greatest benefit to Wilsonville residents and businesses, while mitigating impacts to the city's social, economic, and environmental resources.

5 Compatible Develop and manage a transportation system that is consistent with the City's Comprehensive Plan and coordinates with other local, regional, and state jurisdictions.

6 Robust Encourage and support the availability of a variety of transportation choices for moving people and goods.

7 Promotes Livability

Design and construct transportation facilities in a manner that enhances the livability of Wilsonville and health of its residents.

Response

Primary access to the site will be from Boeckman Road, via Canyon Creek Road and Morningside Avenue. This gives the proposed development quick and easy access to one of the city's only 3 east/west freeway crossing, thus allowing for excellent accessibility. Both Boeckman Road and the new Canyon Creek South Road are designated as minor arterials in the 2013 Transportation System Plan (TSP).

Along the frontage of the Mentor Graphics Campus Boeckman Road has been constructed consistent with the master plan designation and design standards, except that there is no sidewalk along the south side.

The Renaissance at Canyon Creek Development provided a local street network, which will also serve the subject property. It also provided a partial extension of Canyon Creek Road south of Boeckman Road (a major collector), which ultimately will link to the Town Center Loop at about Vlahos Drive.

The proposed plat does not create any new private streets. All lots will abut public streets. All street improvements will be consistent with the established local streets. The project will complete missing links within the neighborhood thereby enhancing circulation options.

Consistent with the existing streets, the abutting streets will be developed consistent with the residential standard with a 51-foot right-of-way, with 32 foot paved. Sidewalks will be provided on all streets. The private streets are designed with 20 foot wide pavement, and a sidewalk on one side.

As with all development reviews within the city, a traffic impact analysis was conducted by DKS for the City, and paid for by the applicant, see Index Tab. This study evaluates the traffic generation and trip distribution expected from the proposed development.

The DKS analysis compares traffic generation and trip distribution to existing capacities of the street system. It also draws conclusions relative to compliance with the "D" level of service (LOS) standard.

The proposed development has access to the areas of the City lying west of I-5 via the Boeckman Road overpass of the freeway without going through the Wilsonville Road Interchange area. The DKS report concludes that the development will meet the "D" LOS standard.

Sidewalks will be provided on all streets. The project will receive SDC credits for a portion of these improvements.

The existing street and pathway improvements provide adequate bike/pedestrian circulation consistent with the Bicycle and Pedestrian Master Plan. Therefore no new facilities are proposed.

Conclusion – Public Facilities and Transportation

Therefore it is concluded that the proposed development complies with all applicable public facilities and transportation master plans goals and policies.

4. LAND USE AND DEVELOPMENT

While commercial and industrial developments are generally associated with economic growth, housing is also an important element of the local economy. Housing development provides employment in planning, engineering, architecture, construction and real estate. More important, however, is the relationship of the availability of affordable housing to the local labor market.

RESIDENTIAL DEVELOPMENT

Policy 4.1.4: The City of Wilsonville shall provide opportunities for a wide range of housing types, sizes, and densities at prices and rent levels to accommodate people who are employed in Wilsonville.

Implementation Measure 4.1.4.b Plan for and permit a variety of housing types consistent with the objectives and policies set forth under this section of the Comprehensive Plan, while maintaining a reasonable balance between the economics of building and the cost of supplying public services. It is the City's desire to provide a variety of housing types needed to meet a wide range of personal preferences and income levels. The City also recognizes the fact that adequate public facilities and services must be available in order to build and maintain a decent, safe, and healthful living environment.

Implementation Measure 4.1.4.d Encourage the construction and development of diverse housing types, but maintain a general balance according to housing type and geographic distribution, both presently and in the future. Such housing types may include, but shall not be limited to: Apartments, single-family detached, single-family common wall, manufactured homes, mobile homes, modular homes, and condominiums in various structural forms.

Implementation Measure 4.1.4.e Targets are to be set in order to meet the City's Goals for housing and assure compliance with State and regional standards.

Response

In October 1999, the City's housing stock of 6,788 units consisted of 41.2% single-family 52.4% multi-family (including duplexes and condominiums), and 6.4% manufactured housing (mobile homes). The City's most recent inventory conducted in August 2013 revealed that the mix of multi-family to single family units has continued to shift towards more multi-family. The current percentages are 42% single-family and 58% multi-family. This mix of housing types indicates that the City has more than met the intent of the State's "Metro Housing Rule" and Metro's regional housing allocation applying to housing mix and overall density.

The recently updated housing and vacant lands data indicates:

- The City has capacity for housing beyond the regional growth allocation within the existing UGB, and Future Urban Planning Areas; and
- The City can expect a continued imbalance with a higher percentage of multi-family units even if the majority of new housing is detached single family.

While there appears to be increasing local concerns about the ratio of multi-family developments, there currently are no specific policies or ratios defining a balance of housing types defined within the Comprehensive Plan or Development Code.

The proposed development will create lots for 8 new single-family homes (net 7 new) that are consistent with the density pattern in the surrounding neighborhoods. In the surrounding neighborhoods consist of the Ash Meadows and Oak View Condo's, the Sundail Apartments, which area all multi-family or attached units; and Renaissance at Canyon Creek, and Cross Creekside, which are single family detached developments. This pattern combines to provide for a variation in housing types and choices within the larger neighborhood.

The proposed 8-Lots are in-fill and will essentially complete the development pattern established by Renaissance at Canyon Creek. The unit designs and lotting pattern will be consistent with the surrounding Canyon Creek project.

Therefore, we conclude that the addition of the proposed 8 single-family lots (7 net new, with existing house to be removed) will positively affect the balance of housing types, and will benefit the jobs to housing ratio by adding more local housing to the mix.

Implementation Measure 4.1.4.t Site plans will provide for adequate open space to (a) protect adjacent properties; and (b) provide ample yard space and play areas for residents. The residential character of established neighborhoods, particularly low density developments, shall also be protected as surrounding development occurs. Site development standards shall continue to be applied to ensure compatibility with adjacent land uses. High design standards will be established for signage and appearance, including the landscaping of setback areas and the designation of access points.

Implementation Measure 4.1.4.u To provide variety and flexibility in site design and densities, residential lands shown on the Land Use Map of the Comprehensive Plan have been divided into districts, with different density ranges for each district. In all residential developments, other than those that are so small that it is not mathematically feasible to achieve the prescribed minimum density, the 80% minimum shall apply. The following density ranges have been prescribed for each district:

**RESIDENTIAL PLANNING DISTRICTS SHOWN ON THE LAND USE MAP OF
THE COMPREHENSIVE PLAN**

*Density: 0-1 units/acre
2-3 units/acre
4-5 units/acre
6-7 units/acre
10-12 units/acre
18-20 units/acre*

Density (0-1 du/ac)

The purpose of this district is to provide for very low density housing areas to satisfy individuals desiring to own a large lot within an urban setting. This district recognizes and protects existing and future large-lot developments within the City. This density would generally fall under the PDR-1 zoning district category as outlined in the Development Code.

The following areas should be designated and developed at this density:

- 1. Areas, which are currently developed at suburban densities and where little need exists for redevelopment.*
- 2. Areas where transportation is limited to minor collector and local streets, and where high volume traffic would create safety problems.*
- 3. Areas where sensitivity to the natural environment or natural hazards warrant a reduced density.*

Density (2-3 or 4-5 du/ac)

The purpose of this district is to provide for low density residential areas. The 2-3 du/acre density would generally fall under the PDR-2 zoning district category as outlined in the Development Code. The 4-5 du/acre density would generally fall under the PDR-2 and PDR-3 (or other categories that could work out to this level of density) zoning district category as outlined in the Development Code.

The following areas should be designated and developed at this density:

- 1. Areas with access to a minor arterial, collector, or local streets. However, direct vehicular access from individual lots onto a minor arterial will be restricted.*
- 2. Undeveloped areas adjacent to existing lower density developments, or near the fringe of the Urban Growth Boundary.*
- 3. Areas where sensitivity to the natural environment or natural hazards warrant a reduced density.*

Density (6-7 or 10-12 du/ac)

The purpose of this district is to ensure an efficient use of urban land by providing for the development of medium density housing areas. This density would generally fall under the PDR 3 and PDR-4 (or other categories that could work out to this level of density) zoning districts category as outlined in the Development Code.

The following areas should be designated and developed as urban medium density:

- 1. Areas with access to a major or minor arterial or collector street. Siting should not, however, result in significant traffic impacts through lower density residential areas.*
- 2. Areas located near or adjacent to commercial areas, employment centers and/or mass transit routes.*

3. Areas adjacent to urban lower density developments or planning districts. Permitted uses in this district typically include single family dwellings, whether detached or attached, accessory dwelling units, multi-family dwellings, including duplexes and tri-plexes, and mobile home parks or subdivisions, multi-family developments, including duplexes and multiplexes and mobile home parks or subdivisions, will be subject to Development Review approval.

Neighborhood or convenience commercial uses may be permitted as part of a Planned Development but should be integrated into the design of the surrounding residential development, i.e., first floor of multi-story structure or similar design as residential units. Such commercial developments shall be limited to locations where there is clearly demonstrated local need. All such uses shall be subject to Development Review approval.

Response

The subject property is currently an over-sized rural lot, created prior to incorporation of the City and prior to the provision of urban services. However, with urban level development of much of the surrounding properties, this property is now an in-fill parcel. The properties are currently designated at 0-1 dwelling units per acre, while much of the surrounding properties have been re-designated and developed at urban densities.

The Plan and Zone designations for the surrounding properties are as follows:

- To the west (Ash Meadows Condo's and Mentor Graphics vacant residential land) are also designated at 6-7 units/acre, and zoned PDR-4.
- Renaissance at Canyon Creek, which surrounds this property was re-designated and re-zoned to Residential 4-5 du/ac, with PDR-3 zoning. The Cross Creek Development on the east side of Old Canyon Creek Road across from the subject property is also designated Residential 4-5 du/ac, with PDR-3 zoning.
- To the south of the Renaissance development is the Sundial Apartments, which are designated 6-7 units/acre and zoned PDR-4.

The applicant is requesting a Plan Map amendment to re-designate the properties to Residential 4-5 units per acre. This designation is complimentary to and consistent with the surrounding land use patterns set in the Comprehensive Plan. It provides for a logical transition from the rural ranchette lots to the higher density multi-family designations farther west and south. This lower density designation was also selected in order to allow compliance with the minimum density requirement of the new comprehensive plan.

The applicant is also proposing to re-zone the property from RA-H to PDR-3. This zone has been selected rather than PDR-4, because of the revised open space standards, and the need to comply with minimum lot size and density requirements. While the zoning will be different than the adjacent properties, the lotting pattern will remain consistent with Renaissance at Canyon Creek.

ENVIRONMENTAL RESOURCES AND COMMUNITY DESIGN

Policy 4.1.5: Protect valuable resource lands from incompatible development and protect people and property from natural hazards.

Response

There are no Environmentally Sensitive areas identified within the plat area. There are also no known natural hazards associated with these properties.

5. Section 4.198. Comprehensive Plan Changes - Adoption by the City Council.

(.01) Proposals to amend the Comprehensive Plan, or to adopt new elements or sub-elements of the Plan, shall be subject to the procedures and criteria contained in the Comprehensive Plan. Each such amendment shall include findings in support of the following:

A. That the proposed amendment meets a public need that has been identified;

Response

There is a continuing public need for more housing to accommodate projected growth within the City/UGB. This proposed development helps to meet this need by providing for 8 lots for a net of 7 new homes.

B. That the proposed amendment meets the identified public need at least as well as any other amendment or change that could reasonably be made;

Response

The requested change from very low density to urban low density meets the identified need as well as any of the other density choices provided within the comprehensive plan. The proposed density provides a logical progression from the once large rural lot neighborhood to the emerging surrounding urban density neighborhoods. It also provides a variation in the type and size of lots and homes available in the adjacent residential neighborhoods to the west, south and east.

C. That the proposed amendment supports applicable Statewide Planning Goals, or a Goal exception has been found to be appropriate;

Response

The state housing goal is the primary goal affected by this application, as the subject property is already designated for residential use. This proposal supports State Goal 10, which seeks to provide housing to meet projected needs. It provides for efficient utilization of urban land, and does not create any significant conflicts with other goals, because the area is predominantly residential in nature.

A Goal exception is not necessary for the development of this project, nor is one necessary to support the requested amendment.

- D. That the proposed change will not result in conflicts with any portion of the Comprehensive Plan that is not being amended.*

Response

We do not find any conflict with other portions of the comprehensive plan that are not proposed for amendment. This is a residential and industrial area, which is also near the commercial Town Center. There are no natural hazard areas within the property. There is also no portion of the site regulated by the SROZ provisions that protect sensitive natural and open space areas. The proposed density increase simply allows for more efficient use of valuable urban land for meeting residential needs.

Transportation and public facilities goals and policies are also complied with by this development. There are adequate public facilities and services available to support the proposed development. And, the traffic impact report concludes that the City's "D" LOS is maintained consistent with code standards.

Conclusion – Comprehensive Plan

Therefore we conclude the proposed development, Canyon Creek II, complies with the applicable comprehensive plan provisions and satisfies the applicable plan amendment criteria.

II. ZONE MAP AMENDMENTS

The following section addresses compliance with the criteria required for a zone change. The applicant is requesting a change from RA-H, Residential Agricultural to PDR-3, Planned Development Residential at 4-5 units per acre.

Section 4.197. Zone Changes and Amendments To This Code – Procedures.

- (.02) In recommending approval or denial of a proposed zone map amendment, the Planning Commission or Development Review Board shall at a minimum, adopt findings addressing the following criteria:*

- A. That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008, Section 4.125 (.18)(B)(2) or, in the case of a Planned Development, Section 4.140; and [Amended by Ord 557, adopted 9/5/03]*

Response

The applicant and the design team have discussed various aspects of the proposal with staff over the last few months. Specific attention was devoted to compliance with the revised open space and private street requirements adopted after the Canyon Creek

development was approved. The Design Team also met with city staff in a pre-application conference to assure that appropriate issues were being addressed and that the applicable criteria and standards could be met.

The specific requirements for submittal were reviewed in detail to ensure a complete application. Once an application is submitted the city planning staff is required to review it for completeness. This staff review ensures that the submittal conforms to the standards and procedures set forth in Section 4.008 and 4.140, prior to scheduling of a public hearing.

- A. That the proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with the applicable goals, policies and objectives, set forth in the Comprehensive Plan text;*

Response

This request is for a change to the map designation. The requested zone change is consistent with the requested Plan Map amendment, even though the PDR-3 zone is not specifically listed as an implementing zone for the 4-5 du/ac residential density designation. When applied to the subject property, the PDR-3 zone allows for compliance with the new open space standards, while also allowing for lot sizes and minimum density consistent with the Renaissance at Canyon Creek development, which is zoned PDR-3, see also PDR-3 Code Compliance section below. This zoning category is complimentary to and consistent with the designations for the immediately adjacent residential developments, to the south and west. Compliance with the applicable policies of the comprehensive plan was addressed above.

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

Response

We do not believe these criteria are relevant. The Plan references listed are actually from the old Comprehensive Plan. There does not appear to be any direct or complete correlation between these old goals and policies (goal 4.3, Objective 4.3.3, Objective 4.3.4, Policy 4.4.2 and Policy 4.4.8) and the new Plan policy (Policy 4.1.4 and Implementing Objectives 4.1.4.a to 4.1.4.dd).

Policies 4.4.2 and 4.1.8 would not have applied anyway, as they related to multi-family and manufactured home developments.

Goal 4.3, Objective 4.3.3 and 4.3.4 all related to the City's intent to balance the types of housing to be provided within the City, which was addressed above. However, that policy was not carried forward in the new Comprehensive Plan, so it is no longer applicable.

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

Response

All urban level services are available to serve the proposed development. Specifics were addressed above in the comprehensive plan section. Appropriate road improvements, including sidewalks will be made consistent with city standards. Additional details relative to code compliance are found in the following section of this report.

- D. *That the proposed development does not have a significant adverse effect upon Significant Resource Overlay Zone areas, an identified natural hazard, or an identified geologic hazard. When Significant Resource Overlay Zone areas or natural hazard, and/or geologic hazard are located on or about the proposed development, the Planning Commission or Development Review Board shall use appropriate measures to mitigate and significantly reduce conflicts between the development and identified hazard or Significant Resource Overlay Zone;*

Response

As noted, there are no identified significant resources or natural or geologic hazards associated with the subject site.

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

Response

The applicant is committed to initiate development as soon as possible following approvals for all required permits. Construction of the phase is planned for spring of 2014.

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

Response

As addressed within this report, this development is in full compliance with the zoning, subdivision and planned development regulations.

Conclusion – Zone Change Criteria

Based on the findings presented herein, the proposed development, Canyon Creek II, complies with the applicable Comprehensive Plan provisions and satisfies the applicable Plan and Zoning map amendment criteria.

III. COMPLIANCE WITH DEVELOPMENT CODE

This section presents information related to the proposed preliminary plat and addresses compliance with the code provisions for subdivision and residential development, under the PDR-4 regulations.

Section 4.113. Standards Applying To Residential Developments In Any Zone.

(.01) Outdoor Recreational Area in Residential Developments.

A. Purpose. The purposes of the following standards for outdoor recreational area are to provide adequate light, air, open space and usable recreational facilities to occupants of each residential development. Outdoor recreational area shall be:

1. Designed with a reasonable amount of privacy balanced between indoor and outdoor living areas. Such outdoor recreational area shall be provided consistent with the requirements of this Section.
2. Recreational areas shall be provided in keeping with the needs of the prospective tenants and shall not be located in required yards, parking, or maneuvering areas, or areas that are inaccessible. Standards for outdoor recreational areas may be waived by the Development Review Board upon finding that the recreational needs of the residents will be adequately met through the use of other recreational facilities that are available in the area.
3. In mixed-use developments containing residential uses, the Development Review Board shall establish appropriate requirements for outdoor recreational area, consistent with this Section.
4. The Development Review Board may establish conditions of approval to alter the amount of required outdoor recreation area, based on findings of projected need for the development. Multi-family developments shall provide at least the following minimum recreational area:
 - a. For ten (10) or fewer dwelling units, 1000 square feet of usable recreation area;
 - b. For eleven (11) through nineteen (19) units, 200 square feet per unit;
 - c. For twenty (20) or more units, 300 square feet per unit.
5. Outdoor recreational area shall be considered to be part of the open space required in the following subsection.

(.02) Open Space Area shall be provided in the following manner:

A. In all residential subdivisions including subdivision portions of mixed use developments where (1) the majority of the developed square footage is to be in residential use or (2) the density of residential units is equal or greater than 3 units per acre, at least twenty-five percent (25%) of the area shall be in open space

excluding streets and private drives. Open space must include, as a minimum natural areas that are preserved under the City's SROZ regulations and usable open space such as public park area, tot lots, swimming and wading pools, grass area for picnics and recreational play, walking paths, and other like space. For subdivisions with less than 25% SROZ lands and those with no SROZ lands, the minimum requirement shall be ¼ acre of usable park area for 50 or less lots, ½ acre of usable park area for 51 to 100 lots, and pro rata amounts based on this formula for subdivisions exceeding 100 lots. Front, side and rear yards of individual residential lots shall not be counted towards the 25% open space... [Amended by Ord. 589 8/15/05, Ord. 682, 9/9/10]

B. Open space area required by this Section may, at the discretion of the Development Review Board, be protected by a conservation easement or dedicated to the City, either rights in fee or easement, without altering the density or other development standards of the proposed development. Provided that, if the dedication is for public park purposes, the size and amount of the proposed dedication shall meet the criteria of the City parks standards. The square footage of any land, whether dedicated or not, which is used for open space shall be deemed a part of the development site for the purpose of computing density or allowable lot coverage.

C. The Development Review Board may specify the method of assuring the long term protection and maintenance of open space and/or recreational areas. Where such protection or maintenance are the responsibility of a private party or homeowners' association, the City Attorney shall review any pertinent bylaws, covenants, or agreements prior to recordation.

Response

The standards for provision of open space have been amended since the Canyon Creek development was approved. A primary difference is that under the new regulations yard areas and street cannot be counted as open space. In addition, there is a requirement for at least ¼ acre of usable recreational space for development of less than 50 lots.

The proposed preliminary plat provides for open space consistent with the new standards. There are two open space tracts proposed comprising 19,917 square feet. The calculated minimum area is 18,868 square feet. The larger of the two tracts (14,441 sf) also provides useable recreational space in excess of the 10,890 square feet required for this property.

Section 4.124.3. PDR-3:

The following standards shall apply in PDR-3 zones. It should be noted that lot size requirements do not specify the number of units that may be constructed per lot:

CODE STANDARD

(.01) Average lot size: 7,000 square feet.

(.02) Minimum lot size: 5,000 square feet.

(.03) Minimum density at build out: One unit per 8,000 square feet.

- (.04) *Other standards:*
- A. *Minimum lot width at building line: Forty (40) feet.*
 - B. *Minimum street frontage of lot: Forty (40) feet; however, twenty-four (24) feet when the lot fronts a cul-de-sac.*
 - C. *Minimum lot depth: Sixty (60) feet.*
 - D. *Setbacks: per Section 4.113(.03).*
 - B. *For lots not exceeding 10,000 square feet:*
 - 1. *Minimum front yard setback:*
 - Fifteen (15) feet;*
 - open porches allowed at ten (10) feet.*
 - 2. *Minimum side yard setback: One story: five (5) feet;*
 - Two or more stories: seven (7) feet.*
 - In the case of a corner lot, abutting a street, ten (10) feet.*
 - Garage @ 20 ft.*
 - E. *Maximum building height: Thirty-five (35) feet.*
 - F. *Maximum lot coverage:*
 - a. *50% for lots less than 7,000 sq. ft.*
 - b. *45% for lots 7,000 to 8,000 sq. ft.*
 - c. *40% for lots over 8,000 sq. ft..*

Response

The proposed lots range from 5,692 to 6,229 square feet. These standards are further addressed below in response to the Subdivision requirements, lot sizes, etc.

SUBDIVISION

Section 4.118. Standards applying to all Planned Development Zones:

- (.01) *Height Guidelines: In "S" overlay zones, the solar access provisions of Section 4.137 shall be used to determine maximum building heights. In cases that are subject to review by the Development Review Board, the Board may further regulate heights as follows:*
- A. *Restrict or regulate the height or building design consistent with adequate provision of fire protection and fire-fighting apparatus height limitations.*
 - B. *To provide buffering of low-density developments by requiring the placement of three or more story buildings away from the property lines abutting a low-density zone.*
 - C. *To regulate building height or design to protect scenic vistas of Mt. Hood or the Willamette River.*

Response

There has not been an "S" (Solar Access) zone imposed on the subject properties, so the solar access provisions set forth in Section 4.137 do not apply to this development.

Generally this site is not ideally oriented to benefit from good solar access. The primary streets run north/south, so only the four lots (3-6) fronting on Summerton Street will have good solar orientation.

However, the site is generally flat and is not shaded by any significant stand of trees, so solar gain is not severely limited, other than by lot orientation.

There will not be any units over two stories in height, so no exceptions to the standard 35 foot height limit are anticipated. Appropriate fire protection measure consistent with City standards will be provided.

(.02) Underground Utilities shall be governed by Sections 4.300 to 4.320. All utilities above ground shall be located so as to minimize adverse impacts on the site and neighboring properties.

Response

Consistent with City standards, all of the utilities serving this development will be placed underground.

(.03) Notwithstanding the provisions of Section 4.140 to the contrary, the Development Review Board, in order to implement the purposes and objectives of Section 4.140, and based on findings of fact supported by the record may:

A. Waive the following typical development standards:

- 1. minimum lot area;*
- 2. lot width and frontage;*
- 3. height and yard requirements;*
- 4. lot coverage;*
- 5. lot depth;*
- 6. street widths;*
- 7. sidewalk requirements;*
- 8. height of buildings other than signs;*
- 9. parking space configuration;*
- 10. minimum number of parking or loading spaces;*
- 11. shade tree islands in parking lots, provided that alternative shading is provided;*
- 12. fence height;*
- 13. architectural design standards;*
- 14. transit facilities; and*
- 15. solar access standards, as provided in Section 4.137.*

Response

The code requires that all waivers be specified at the time of Stage I Master Plan and Preliminary Plat approval. We are requesting only one waiver from the PDR-3 standards as follows:

1. Setbacks per Section 4.113(.03)B are as follows:

	<u>Code</u>	<u>Proposed</u>
Front Yard	15'; 20' to Garage	15'; 20' to Garage
Side Yard	7' for 2 story	Waiver - 5', including 2+ stories
Street Side Yard	10'	10'
Rear Yard	20' for 2 story	20'

The reduced side yard setbacks are consistent with those approved for Renaissance at Canyon Creek.

- B. *The following shall not be waived by the Board, unless there is substantial evidence in the whole record to support a finding that the intent and purpose of the standards will be met in alternative ways:*

1. *open space requirements in residential areas;*
2. *minimum density standards of residential zones;*
3. *minimum landscape, buffering, and screening standards;*

Response

The proposed development meets all of these standards, so there are no additional waivers requested.

- The development will provide 25.06% open space, which meets the standard.
- The Stage I Master Plan and Preliminary Plat meets the minimum density requirement.
- There is already a 10 foot landscaped buffer, including a screening wall, along the frontage of Canyon Creek South, even though there are no "Through Lots" proposed. This buffer was provided by the Canyon Creek development. There are no other buffering or screening requirements for this type of development. Open Space Tract abuts Canyon Creek Road, not lots.

- C. *The following shall not be waived by the Board, unless there is substantial evidence in the whole record to support a finding that the intent and purpose of the standards will be met in alternative ways, and the action taken will not violate any applicable federal, state, or regional standards:*

1. *maximum number of parking spaces;*
2. *standards for mitigation of trees that are removed;*
3. *standards for mitigation of wetlands that are filled or damaged; and*
4. *trails or pathways shown in the Parks and Recreation Master Plan.*

Response

The proposed development meets all of these standards, so there are no waivers requested.

- D. *Locate individual building, accessory buildings, off-street parking and loading facilities, open space and landscaping and screening without reference to lot lines;*

Response

Except for the one setback waiver requested, there is no need for modified standards for any of these design factors.

- E. *Adopt other requirements or restrictions, inclusive of, but not limited to, the following:*
1. *Percent coverage of land by buildings and structures in relationship to property boundaries to provide stepped increases in densities away from low-density development.*
 2. *Parking ratios and areas expressed in relation to use of various portions of the property and/or building floor area.*
 3. *The locations, width and improvement of vehicular and pedestrian access to various portions of the property, including portions within abutting street.*
 4. *Arrangement and spacing of buildings and structures to provide appropriate open spaces around buildings.*
 5. *Location and size of off-street loading areas and docks.*
 6. *Uses of buildings and structures by general classification, and by specific designation when there are unusual requirements for parking, or when the use involves noise, dust, odor, fumes, smoke, vibration, glare or radiation incompatible with present or potential development of surrounding property. Such incompatible uses may be excluded in the amendment approving the zone change or the approval of requested permits.*
 7. *Measures designed to minimize or eliminate noise, dust, odor, fumes, smoke, vibration, glare, or radiation, which would have an adverse effect on the present or potential development on surrounding properties.*
 8. *Schedule of time for construction of the proposed buildings and structures and any stage of development thereof to insure consistency with the City's adopted Capital Improvements Plan and other applicable regulations.*
 9. *A waiver of the right of remonstrance by the applicant to the formation of a Local Improvement District (LID) for streets, utilities and/or other public purposes.*
 10. *Modify the proposed development in order to prevent congestion of streets and/or to facilitate transportation.*
 11. *Condition the issuance of an occupancy permit upon the installation of landscaping or upon a reasonable scheduling for completion of the installation of landscaping. In the latter event, a posting of a bond or other security in an amount equal to one hundred ten percent (110%) of the cost of the landscaping and installation may be required.*
 12. *A dedication of property for streets, pathways, and bicycle paths in accordance with adopted Facilities Master Plans or such other streets necessary to provide proper development of adjacent properties.*
- (.04) *The Planning Director and Development Review Board shall, in making their determination of compliance in attaching conditions, consider the effects of this action on availability and cost. The provisions of this section shall not be used in such a manner that additional conditions, either singularly or cumulatively, have the effect of unnecessarily increasing the cost of development. However, consideration of these factors shall not prevent the Board from imposing conditions of approval necessary to meet the minimum requirements of the Comprehensive Plan and Code.*

Response

Appropriate conditions will be recommended by the City planning staff for consideration by the DRB. We will have an opportunity prior to the public hearing to review any such conditions. So, we reserve the right to comment at that time, as we do not know what they might be at this time (prior to submittal).

- (.05) *The Planning Director, Development Review Board, or on appeal, the City Council, may as a condition of approval for any development for which an application is submitted, require that portions of the tract or tracts under consideration be set aside, improved, conveyed or dedicated for the following uses:*
- A. *Recreational Facilities: The Director, Board, or Council, as the case may be, may require that suitable area for parks or playgrounds be set aside, improved or permanently reserved for the owners, residents, employees or patrons of the development consistent with adopted Park standards and Parks and Recreation Master Plan.*
 - B. *Open Space Area: Whenever private and/or common open space area is provided, the City shall require that an association of owners or tenants be established which shall adopt such Articles of Incorporation, By-Laws or other appropriate agreement, and shall adopt and impose such Declaration of Covenants and Restrictions on such open space areas and/or common areas that are acceptable to the Development Review Board. Said association shall be formed and continued for the purpose of maintaining such open space area. Such an association, if required, may undertake other functions. It shall be created in such a manner that owners of property shall automatically be members and shall be subject to assessments levied to maintain said open space area for the purposes intended. The period of existence of such association shall be not less than twenty (20) years and it shall continue thereafter and until a majority vote of the members shall terminate it, and the City Council formally votes to accept such termination.*
 - C. *Easements: Easements necessary to the orderly extension of public utilities, and the protection of open space, may be required as a condition of approval. When required, such easements must meet the requirements of the City Attorney prior to recordation.*

Response

As noted above, there are two open space tracts proposed within this development. They are located on each side of Morningside Avenue, providing for a continuation of the open space tract created by the Canyon Creek development. These tracts will be retained in ownership and maintenance management by a homeowners association. The applicant intends to incorporate these lots within the existing HOA, so they will be controlled by the existing recorded CC&R's.

- (.07) *Density Transfers. In order to protect significant open space or resource areas, the Development Review Board may authorize the transfer of development densities from one portion of a proposed development to another. Such transfers may go to adjoining properties, provided that those properties are considered to be part of the total development under consideration as a unit.*

Response

There is no need to protect significant open space and natural resource areas within this development, so shifting or transferring density is not necessary.

- (.08) *Wetland Mitigation and other mitigation for lost or damaged resources. The Development Review Board may, after considering the testimony of experts in the field, allow for the replacement of resource areas with newly created or enhanced resource areas. The Board may specify the ratio of lost to created and/or enhanced areas after making findings based on information in the record. As much as possible, mitigation areas shall replicate the beneficial values of the lost or damaged resource areas.*

Response

There are no on-site wetlands associated with this development.

Section 4.124. Standards Applying To All Planned Development Residential Zones.

- (.01) *Examples of principal uses that are typically permitted:*
 - B. *Single-Family Dwelling Units.*

Response

The proposed use is for single-family homes on traditional subdivision lots. This is a permitted use in the zone.

(.05) Appropriate PDR zone based on Comprehensive Plan Density:

<u>Comprehensive Plan Density</u>	<u>Zoning District</u>
4-5 u/acre	PDR-3

Response

The request is for PDR-3 zoning, which is complimentary to and consistent with the surrounding zoning pattern:

(.06) Block and access standards:

1. *Maximum block perimeter in new land divisions: 1,800 feet.*
2. *Maximum spacing between streets for local access: 660 feet, unless waived by the Development Review Board upon finding that barriers such as railroads, freeways, existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent street extensions meeting this standard.*

3. *Maximum block length without pedestrian and bicycle crossing: 330 feet, unless waived by the Development Review Board upon finding that barriers such as railroads, freeways, existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent pedestrian and bicycle facility extensions meeting this standard.*

Response

The proposed primary access street (Canyon Creek Road) to this development has been constructed creating a four-way intersection with Boeckman Road and the north leg of Canyon Creek Road. This design and alignment is consistent with the Transportation Master Plan.

The interior block perimeter lengths have been established by the prior platting of Renaissance at Canyon Creek and range from 1180 to 1570 feet. This proposed plat will complete the gap in Morningside Avenue thus allowing for complete loops with Summerton Street, Daybreak Street, Canyon Creek Road South, and Canyon Creek Road. As established, the spacing of interior streets is within the 660 feet standard, ranging from 210 to 480 feet.

No private drives are proposed and with the open space tracts there are appropriate opportunities for mid-block pedestrian links that will connect out to the sidewalk along Canyon Creek Road. A request for a waiver of this standard was previously addressed.

Therefore, all of the block standards are met.

(.08) Parking. Per the requirements of Section 4.155.

Response

The code requires a minimum of 1 space per unit. Each home will have at least a two-car garage, so this standard is met.

(.09) Corner Vision Clearance. Per the requirements of Section 4.177.

Response

Landscaping of common areas and street trees will be designed and located to ensure appropriate corner vision areas will be provided consistent with City standards.

Section 4.124.3. PDR-3:

The following standards shall apply in PDR-3 zones. It should be noted that lot size requirements do not specify the number of units that may be constructed per lot:

<i>CODE STANDARD</i>	<i>PROPOSED</i>
(.01) <i>Average lot size: 7,000 square feet.</i>	5,962 sq. ft.
(.02) <i>Minimum lot size: 5,000 square feet.</i>	5,649 sq. ft.
(.03) <i>Minimum density at build out: One unit per 8,000 square feet.</i>	1 lot/8,290 sq. ft.
(.04) <i>Other standards:</i>	
A. <i>Minimum lot width at building line: Forty (40) feet.</i>	35 ft.
B. <i>Minimum street frontage of lot: Forty (40) feet;</i>	35 ft.
<i>however, twenty-four (24) feet when the lot fronts a cul-de-sac.</i>	24 ft.
C. <i>Minimum lot depth: Sixty (60) feet.</i>	94 ft.
D. <i>Setbacks: per Section 4.113(.03).</i>	
B. <i>For lots not exceeding 10,000 square feet:</i>	
3. <i>Minimum front yard setback: Fifteen (15) feet, open porches allowed at ten (10) feet.</i>	15 ft.
4. <i>Minimum side yard setback: One story: five (5) feet; Two or more stories: seven (7) feet. In the case of a corner lot, abutting a street, ten (10) feet.</i>	5 ft. 7 ft. 10 ft.
<i>Garage @ 20 ft</i>	20 ft.
E. <i>Maximum building height: Thirty-five (35) feet.</i>	35 ft.
G. <i>Maximum lot coverage:</i>	
a. <i>50% for lots less than 7,000 sq. ft.</i>	50%
b. <i>45% for lots 7,000 to 8,000 sq. ft.</i>	45%
c. <i>40% for lots over 8,000 sq. ft.</i>	40%

Response

The proposed setbacks and building standards are shown above, as compared to the code standards. As previously discussed, we are asking a waiver from the 7 foot side yard for 2-story dwellings to 5 foot. The basis for these waivers is related to the need for 50 foot wide lots to maintain the minimum density requirement. The typical unit proposed for these lots will be 40 foot wide. This reduced side yard setback matches the surrounding development.

5. *No structure shall be erected within the required setback for any future street shown within the City's adopted Transportation Master Plan or Transportation Systems Plan.*

Response

The development provides for the appropriate dedication of right-of-way along Canyon Creek South, consistent with the design standard for a minor arterial. Therefore, no additional setback is required, other than standard yard setbacks.

5. *Minimum setback to garage door or carport entry: Twenty (20) feet. Wall above the garage door may project to within fifteen (15) feet of property line, provided that clearance to garage door is maintained. Where access is taken from an alley, garages or carports may be located no less than four (4) feet from the right-of-way.*

Response

The development will comply with this standard.

6. *Minimum rear yard setback: One story: fifteen (15) feet. Two or more stories: Twenty (20) feet. Accessory buildings on corner lots must observe the same rear setbacks as the required side yard of the abutting lot.*

Response

The development will meet this standard.

- E. *Maximum building height: Thirty-five (35) feet.*

Response

The development will meet this standard.

- F. *Maximum lot coverage: Fifty percent (50%) for all buildings.*

Response

The development will meet this standard.

- Section 4.137. Solar Access For New Residential Development.*

Response

Compliance with this standard is not required, as addressed above.

Section 4.137.5. Screening and Buffering (SB) Overlay Zone.

Response

There is no (SB) Overlay zone applicable to this development.

Section 4.139.00 Significant Resource Overlay Zone (SROZ) Ordinance

Response

There are no known potential impacts from this development on projected resource areas, designated as SROZ.

Any utility lines will be constructed in accordance with approved utility construction plans and a landscape plan using best management practices for installation and restoration on slopes and in vegetated areas. Utility lines are exempt from the regulations under Section 4.139.04(18), Uses and Activities Exempt from These Regulations.

LAND DIVISION

Section 4.210. Application Procedure.

- (.01) *Pre-application conference. Prior to submission of a tentative condominium, partition, or subdivision plat, a person proposing to divide land in the City shall contact the Planning Department to arrange a pre-application conference as set forth in Section 4.010.*
- B. *Tentative Plat Submission. The purpose of the Tentative Plat is to present a study of the proposed subdivision to the Planning Department and Development Review Board and to receive approval or recommendations for revisions before preparation of a final Plat. The design and layout of this plan plat shall meet the guidelines and requirements set forth in this Code. The Tentative Plat shall be submitted to the Planning Department with the following information:*
 - 1. *Site development application form completed and signed by the owner of the land or a letter of authorization signed by the owner. A preliminary title report or other proof of ownership is to be included with the application form.*
 - 2. *Application fees as established by resolution of the City Council.*
 - 3. *Ten (10) copies and one (1) sepia or suitable reproducible tracing of the Tentative Plat shall be submitted with the application. Paper size shall be eighteen inch (18") by twenty-four inch (24"), or such other size as may be specified by the City Engineer.*
 - 4. *Name of the subdivision. No subdivision name shall duplicate or resemble the name of any other subdivision in Clackamas or Washington County. Names may be checked through the county offices.*
 - 5. *Names, addresses, and telephone numbers of the owners and applicants, and engineer or surveyor.*
 - 6. *Date, north point and scale of drawing.*
 - 7. *Location of the subject property by Section, Township, and Range.*
 - 8. *Legal road access to subject property shall be indicated as City, County, or other public roads.*

9. *Vicinity map showing the relationship to the nearest major highway or street.*
10. *Lots: Dimensions of all lots, minimum lot size, average lot size, and proposed lot and block numbers.*
11. *Gross acreage in proposed plat.*
12. *Proposed uses of the property, including sites, if any, for multi-family dwellings, shopping centers, churches, industries, parks, and playgrounds or other public or semi-public uses.*
13. *Improvements: Statement of the improvements to be made or installed including streets, sidewalks, lighting, tree planting, and times such improvements are to be made or completed.*
14. *Trees. Locations, types, sizes, and general conditions of all existing trees, as required in Section 4.600.*
15. *Utilities such as electrical, gas, telephone, on and abutting the tract.*
16. *Easements: Approximate width, location, and purpose of all existing and proposed easements on, and known easements abutting the tract.*
17. *Deed Restrictions: Outline of proposed deed restrictions, if any.*
18. *Written Statement: Information which is not practical to be shown on the maps may be shown in separate statements accompanying the Tentative Plat.*
19. *If the subdivision is to be a "Planned Development," a copy of the proposed Home Owners Association By-Laws must be submitted at the time of submission of the application. The Tentative Plat shall be considered as the Stage I Preliminary Plan. The proposed By-Laws must address the maintenance of any parks, common areas, or facilities.*
20. *Any plat bordering a stream or river shall indicate areas subject to flooding and shall comply with the provisions of Section 4.172.*
21. *Proposed use or treatment of any property designated as open space by the City of Wilsonville.*
22. *A list of the names and addresses of the owners of all properties within 250 feet of the subject property, printed on self-adhesive mailing labels. The list shall be taken from the latest available property ownership records of the Assessor's office of the affected county.*
23. *A completed "liens and assessments" form, provided by the City Finance Department.*
24. *Locations of all areas designated as a Significant Resource Overlay Zone by the City, as well as any wetlands shall be shown on the tentative plat.*
25. *Locations of all existing and proposed utilities, including but not limited to domestic water, sanitary sewer, storm drainage, streets, and any private utilities crossing or intended to serve the site. Any plans to phase the construction or use of utilities shall be indicated.*
26. *A traffic study, prepared under contract with the City, shall be submitted as part of the tentative plat application process, unless specifically waived by the Community Development Director.*

Response

The applicant and their design team met with city staff in a pre-application conference, just prior to submittal of the application. Subsequently, all applicable submittal material have been provided, and confirmed by the planning staff as a complete application.

Section 4.220. Final Plat Review.

- (.04) *Action on Final Plat: Within thirty (30) days of receipt of a complete final plat submittal, the Planning Director shall approve, deny, or, when further information is required,*

postpone a decision on the application. Written notice of such action shall be mailed to the applicant by the Planning Director. If the Planning Director determines that full conformity with all applicable ordinances has not been made, the Director shall advise the applicant of the changes or additions that must be made and shall afford the applicant an opportunity to make the necessary changes or additions.

A. A final plat shall be approved only if affirmative findings can be made that:

1. The Plat is in substantial conformance with the provisions of the Preliminary Plat, as approved;
2. The proposal is consistent with the provisions, intents and purposes of the Comprehensive Plan, Zoning Regulations and the requirements of other relevant sections of this Code.
3. Streets, roads and alleys for public use are dedicated without any reservation or restriction other than reversionary rights upon vacation of any such street or road and easements for public utilities;
4. The plat contains a donation to the public of all common improvements, including, but not limited to, streets, roads, parks, sewage disposal and water supply systems, the donation of which is required by Ordinance or was made a condition of the approval of the tentative plat for the development.
5. Explanations of all common improvements to remain in private ownership have been accounted for and referenced on the plat;
6. Streets and roads held for private use and indicated on the tentative plat have been approved by the City; and
7. All conditions of approval for the development have been met, or adequate assurances for their completion have been provided, to the satisfaction of the Community Development Director.

Response

The final plat is an administrative review function, which will occur after Comprehensive Plan, Zoning, and preliminary plat approvals and the preparation of construction drawings have occurred. The final plat review is compared to the conditions of approval established for the preliminary plat, and will occur as soon as possible.

Section 4.236. General Requirements - Streets.

- (.01) *Conformity to the Master Plan or Map: Land divisions shall conform to and be in harmony with the Transportation Master Plan (Transportation Systems Plan), the Bicycle and Pedestrian Master Plan, the Parks and Recreation Master Plan, the Official Plan or Map and especially to the Master Street Plan.*
- (.02) *Relation to Adjoining Street System.*
 - A. *A land division shall provide for the continuation of the principal streets existing in the adjoining area, or of their proper projection when adjoining property is not developed, and shall be of a width not less than the minimum requirements for streets set forth in these regulations. Where, in the opinion of the Planning Director or Development Review Board, topographic conditions make such continuation or conformity impractical, an exception may be made. In cases where the Board or*

Planning Commission has adopted a plan or plat of a neighborhood or area of which the proposed land division is a part, the subdivision shall conform to such adopted neighborhood or area plan.

- B. *Where the plat submitted covers only a part of the applicant's tract, a sketch of the prospective future street system of the unsubmitted part shall be furnished and the street system of the part submitted shall be considered in the light of adjustments and connections with the street system of the part not submitted.*
- C. *At any time when an applicant proposes a land division and the Comprehensive Plan would allow for the proposed lots to be further divided, the city may require an arrangement of lots and streets such as to permit a later subdivision in conformity to the street plans and other requirements specified in these regulations.*

Response

There is a half-street improvement abutting the north side of the subject property, and also Morningside Avenue is stubbed to both sides of the subject site from the adjacent development. This development will complete these two street segments.

Appropriate public street access is provided for all lots. The proposed street improvements will complete the surrounding loop street system, thereby enhancing overall neighborhood circulation. Overall, the street network and pedestrian system provides safe and convenient access and circulation throughout the development.

- (.03) All streets shall conform to the standards set forth in Section 4.177 and the block size requirements of the zone.*

Response

All streets have been designed to conform to the residential standards and to match existing improvements. The internal streets are designed with a 51 foot right-of-way and 32-foot paved travel lanes. Curbs and sidewalks are also provided. The block standards are also met, as previously discussed.

- (.04) Creation of Easements: The Planning Director or Development Review Board may approve an easement to be established without full compliance with these regulations, provided such an easement is the only reasonable method by which a portion of a lot large enough to allow partitioning into two (2) parcels may be provided with vehicular access and adequate utilities. If the proposed lot is large enough to divide into more than two (2) parcels, a street dedication may be required. Also, within a Planned Development, cluster settlements may have easement driveways for any number of dwelling units when approved by the Planning Director or Development Review Board.*

Response

No vehicular access easements are necessary. At the Pre-Application Conference, staff concluded that there was no need for any new mid-block pedestrian access connections

other than those already provided by the Renaissance at Canyon Creek development. Utility easements will also be provided as necessary.

- (.05) *Topography: The layout of streets shall give suitable recognition to surrounding topographical conditions in accordance with the purpose of these regulations.*

Response

The entire development has been laid out based on the topography of the site, which is generally flat. Street and lot grades will be set in order to provide for positive drainage.

- (.06) *Reserve Strips: The Planning Director or Development Review Board may require the applicant to create a reserve strip controlling the access to a street. Said strip is to be placed under the jurisdiction of the City Council, when the Director or Board determine that a strip is necessary:*
- A. *To prevent access to abutting land at the end of a street in order to assure the proper extension of the street pattern and the orderly development of land lying beyond the street; or*
 - B. *To prevent access to the side of a street on the side where additional width is required to meet the right-of-way standards established by the City; or*
 - C. *To prevent access to land abutting a street of the land division but not within the tract or parcel of land being divided; or*
 - D. *To prevent access to land unsuitable for building development.*

Response

No reserve strips are necessary.

- (.07) *Future Expansion of Street: When necessary to give access to, or permit a satisfactory future division of, adjoining land, streets shall be extended to the boundary of the land division and the resulting dead-end street may be approved without a turn-around. Reserve strips and street plugs shall be required to preserve the objective of street extension.*
- (.08) *Existing Streets: Whenever existing streets adjacent to or within a tract are of inadequate width, additional right-of-way shall conform to the designated width in this Code or in the Transportation Systems Plan.*

Response

The development provides for the completion of existing adjacent streets. There are no other new streets to be stubbed to accommodate future development.

- (.09) *Street Names: No street names will be used which will duplicate or be confused with the names of existing streets, except for extensions of existing streets. Street names and numbers shall conform to the established name system in the City, and shall be subject to the approval of the City Engineer.*

Response

Street names were established by the prior platting of Renaissance at Canyon Creek.

Section 4.237. General Requirements – Other.**(.01) Blocks:**

- A. *The length, width, and shape of blocks shall be designed with due regard to providing adequate building sites for the use contemplated, consideration of needs for convenient access, circulation, control, and safety of pedestrian, bicycle, and motor vehicle traffic, and recognition of limitations and opportunities of topography.*
- B. *Sizes: Blocks shall not exceed the sizes and lengths specified for the zone in which they are located unless topographical conditions or other physical constraints necessitate larger blocks. Larger blocks shall only be approved where specific findings are made justifying the size, shape, and configuration.*

Response

As previously discussed, the proposed plat conforms to all lot and block standards.

(.02) Easements:

- A. *Utility lines. Easements for sewers, drainage, water mains, electrical lines or other public utilities shall be dedicated wherever necessary. Easements shall be provided consistent with the City's Public Works Standards, as specified by the City Engineer or Planning Director. All the utility lines within and adjacent to the site shall be installed with underground services within the street and to any structures. All utilities shall have appropriate easements for construction and maintenance purposes.*
- B. *Water courses. Where a land division is traversed by a water course, drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of the water course, and such further width as will be adequate for the purposes of conveying storm water and allowing for maintenance of the facility or channel. Streets or parkways parallel to watercourses may be required.*

Response

Appropriate easements will be provided as part of the final plat.

- (.03) *Pedestrian and bicycle pathways. An improved public pathway shall be required to transverse the block near its middle if that block exceeds the length standards of the zone in which it is located.*
 - A. *Pathways shall be required to connect to cul-de-sacs or to pass through unusually shaped blocks.*
 - B. *Pathways required by this subsection shall have a minimum width of ten (10) feet unless they are found to be unnecessary for bicycle traffic, in which case they are to have a minimum width of six (6) feet.*

- (.04) Tree planting. Tree planting plans for a land division must be submitted to the Planning Director and receive the approval of the Director or Development Review Board before the planting is begun. Easements or other documents shall be provided, guaranteeing the City the right to enter the site and plant, remove, or maintain approved street trees that are located on private property.*

Response

All streets will have sidewalks. There are existing pedestrian links provided at mid-block locations to allow for safe and convenient pedestrian access and circulation, and no new connections are required.

- (.05) Lot Size and shape. The lot size, width, shape and orientation shall be appropriate for the location of the land division and for the type of development and use contemplated. Lots shall meet the requirements of the zone where they are located.*
- A. In areas that are not served by public sewer, an on-site sewage disposal permit is required from the City. If the soil structure is adverse to on-site sewage disposal, no development shall be permitted until sewer service can be provided.*
- B. Where property is zoned or deeded for business or industrial use, other lot widths and areas may be permitted at the discretion of the Development Review Board. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.*
- C. In approving an application for a Planned Development, the Development Review Board may waive the requirements of this section and lot size, shape, and density shall conform to the Planned Development conditions of approval.*

Response

The lots have been designed to meet zoning standards. All lots will be provided with sanitary sewer.

- (.06) Access. The division of land shall be such that each lot shall have a minimum frontage on a public street, as specified in the standards of the relative zoning districts. This minimum frontage requirement shall apply with the following exceptions:*
- A. A lot on the outer radius of a curved street or facing the circular end of a cul-de-sac shall have frontage of not less than twenty-five (25) feet upon a street, measured on the arc.*
- B. The Development Review Board may waive lot frontage requirements where in its judgment the waiver of frontage requirements will not have the effect of nullifying the intent and purpose of this regulation or if the Board determines that another standard is appropriate because of the characteristics of the overall development.*

Response

All of these standards are met, as discussed above.

- (.07) *Through lots. Through lots shall be avoided except where essential to provide separation of residential development from major traffic arteries or adjacent non-residential activity or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten (10) feet, across which there shall be no access, may be required along the line of lots abutting such a traffic artery or other disadvantageous use. Through lots with planting screens shall have a minimum average depth of one hundred (100) feet. The Development Review Board may require assurance that such screened areas be maintained as specified in Section 4.176.*

Response

There are no “through lots” proposed.

- (.08) *Lot side lines. The side lines of lots, as far as practicable for the purpose of the proposed development, shall run at right angles to the street upon which the lots face.*

Response

All side lot lines run at right angles consistent with this standard.

- (.09) *Large lot land divisions. In dividing tracts which at some future time are likely to be re-divided, the location of lot lines and other details of the layout shall be such that re-division may readily take place without violating the requirements of these regulations and without interfering with the orderly development of streets. Restriction of buildings within future street locations shall be made a matter of record if the Development Review Board considers it necessary.*

Response

There are no over-sized lot, allowing for further land division created by this development.

- (.10) *Building line. The Planning Director or Development Review Board may establish special building setbacks to allow for the future re-division or other development of the property or for other reasons specified in the findings supporting the decision. If special building setback lines are established for the land division, they shall be shown on the final plat.*

Response

The applicant has requested a waiver to the PDR-3 side yard setbacks to allow a straight 5 foot setback, regardless of number of stories. This would constitute a “*Special Setback*”, assuming this waiver is approved. This setback cannot, however, be shown on the Final Plat. The Plat can, however, include a note referencing the approved Conditions of Approval, as being applicable.

- (.11) *Build-to line. The Planning Director or Development Review Board may establish special build-to lines for the development, as specified in the findings and conditions of approval for the decision. If special build-to lines are established for the land division, they shall be shown on the final plat.*

Response

The applicant has requested a waiver to the PDR-3 side yard setbacks to allow a straight 5 foot setback, regardless of number of stories. This could constitute a "Special Build-to-line", assuming this waiver is approved. However, like the setback waiver it cannot be shown on the Final Plat. The Plat can, however, include a note referencing the approved Conditions of Approval, as being applicable.

- (.12) *Land for public purposes. The Planning Director or Development Review Board may require property to be reserved for public acquisition, or irrevocably offered for dedication, for a specified period of time.*

Response

No land is proposed to be dedicated to the City, except for street rights-of-way.

- (.13) *Corner lots. Lots on street intersections shall have a corner radius of not less than ten (10) feet.*

Response

The lots are designed to comply with this standard.

Section 4.262. Improvements - Requirements.

- (.01) *Streets. Streets within or partially within the development shall be graded for the entire right-of-way width, constructed and surfaced in accordance with the Transportation Systems Plan and City Public Works Standards. Existing streets, which abut the development shall be graded, constructed, reconstructed, surfaced or repaired as determined by the City Engineer.*
- (.02) *Curbs. Curbs shall be constructed in accordance with standards adopted by the City.*
- (.03) *Sidewalks. Sidewalks shall be constructed in accordance with standards adopted by the City.*

Response

All street improvements will comply with city standards.

- (.04) *Sanitary sewers. When the development is within two hundred (200) feet of an existing public sewer main, sanitary sewers shall be installed to serve each lot or parcel in accordance with standards adopted by the City. When the development is more than two hundred (200) feet from an existing public sewer main, the City Engineer may approve an alternate sewage disposal system.*
- (.05) *Drainage. Storm drainage, including detention or retention systems, shall be provided as determined by the City Engineer.*

- (.06) *Underground utility and service facilities. All new utilities shall be subject to the standards of Section 4.300 (Underground Utilities). The developer shall make all necessary arrangements with the serving utility to provide the underground services in conformance with the City's Public Works Standards.*

Response

All lots will be served by sanitary sewer. Appropriate storm detention and water quality facilities will be provided to meet City standards. And, all utilities will be placed underground.

- (.07) *Streetlight standards. Streetlight standards shall be installed in accordance with regulations adopted by the City.*
- (.08) *Street signs. Street name signs shall be installed at all street intersections and dead-end signs at the entrance to all dead-end streets and cul-de-sacs in accordance with standards adopted by the City. Other signs may be required by the City Engineer.*

Response

Streetlights and signs will be provided consistent with City standards and the Canyon Creek development.

- (.09) *Monuments. Monuments shall be placed at all lot and block corners, angle points, points of curves in streets, at intermediate points and shall be of such material, size and length as required by State Law. Any monuments that are disturbed before all improvements are completed by the developer and accepted by the City shall be replaced to conform to the requirements of State Law.*

Response

Appropriate monumentation will be provided as part of the final plat process.

Section 4.154. Bicycle, Pedestrian and Transit Facilities.

Response

Sidewalks will be provided as part of the completion of the existing street improvements.

Section 4.171. General Regulations - Protection of Natural Features and Other Resources.

- (.01) *Purpose. It is the purpose of this Section to prescribe standards and procedures for the use and development of land to assure the protection of valued natural features and cultural resources. The requirements of this Section are intended to be used in conjunction with those of the Comprehensive Plan and other zoning standards. It is further the purpose of this Section:*

A. To protect the natural environmental and scenic features of the City of Wilsonville.

- B. *To encourage site planning and development practices which protect and enhance natural features such as riparian corridors, streams, wetlands, swales, ridges, rock outcroppings, views, large trees and wooded areas.*
- C. *To provide ample open space and to create a constructed environment capable and harmonious with the natural environment.*

Response

There are no designated SROZ areas associated with this development.

TREE PRESERVATION AND PROTECTION

Section 4.600. Purpose and Declaration

- (.01) *Rapid growth, the spread of development, need for water and increasing demands upon natural resources have the effect of encroaching upon, despoiling, or eliminating many of the trees, other forms of vegetation, and natural resources and processes associated therewith which, if preserved and maintained in an undisturbed and natural condition, constitute important physical, aesthetic, recreational and economic assets to existing and future residents of the City of Wilsonville.*

Section 4.610.10. Standards For Tree Removal, Relocation Or Replacement

- (.01) *Except where an application is exempt, or where otherwise noted, the following standards shall govern the review of an application for a Type A, B, C or D Tree Removal Permit:*
 - A. *Standard for the Significant Resource Overlay Zone. The standard for tree removal in the Significant Resource Overlay Zone shall be that removal or transplanting of any tree is not inconsistent with the purposes of this Chapter.*
 - B. *Preservation and Conservation. No development application shall be denied solely because trees grow on the site. Nevertheless, tree preservation and conservation as a design principle shall be equal in concern and importance to other design principles.*
 - C. *Developmental Alternatives. Preservation and conservation of wooded areas and trees shall be given careful consideration when there are feasible and reasonable location alternatives and design options on-site for proposed buildings, structures or other site improvements.*
 - D. *Land Clearing. Where the proposed activity requires land clearing, the clearing shall be limited to designated street rights-of-way and areas necessary for the construction of buildings, structures or other site improvements.*
 - E. *Residential Development. Where the proposed activity involves residential development, residential units shall, to the extent reasonably feasible, be designed and constructed to blend into the natural setting of the landscape.*

- F. *Compliance With Statutes and Ordinances. The proposed activity shall comply with all applicable statutes and ordinances.*
- G. *Relocation or Replacement. The proposed activity shall include necessary provisions for tree relocation or replacement, in accordance with WC 4.620.00, and the protection of those trees that are not to be removed, in accordance with WC 4.620.10.*
- H. *Limitation. Tree removal or transplanting shall be limited to instances where the applicant has provided completed information as required by this Chapter and the reviewing authority determines that removal or transplanting is necessary based on the criteria of this subsection.*
 - 1. *Necessary For Construction. Where the applicant has shown to the satisfaction of the reviewing authority that removal or transplanting is necessary for the construction of a building, structure or other site improvement, and that there is no feasible and reasonable location alternative or design option on-site for a proposed building, structure or other site improvement; or a tree is located too close to existing or proposed buildings or structures, or creates unsafe vision clearance.*
 - 2. *Diseased, Damage, or Nuisance, or Hazard. Where the tree is diseased, damaged, or in danger of falling, or presents a hazard as defined in WC 6.208, or is a nuisance as defined in WC 6.200 et seq., or creates unsafe vision clearance as defined in this Code.*
 - (a) *As a condition of approval of Stage II development, filbert trees must be removed if they are no longer commercially grown or maintained.*
 - 3. *Interference. Where the tree interferes with the healthy growth of other trees, existing utility service or drainage, or utility work in a previously dedicated right-of-way, and it is not feasible to preserve the tree on site.*
 - 4. *Other. Where the applicant shows that tree removal or transplanting is reasonable under the circumstances.*

Response

There are existing trees along the current Canyon Creek South frontage, and along the southern and western boundaries of the property adjacent to Canyon Creek Road. None of the existing trees are protected by SROZ. These trees have been identified and an Arborist's Report prepared by Morgan Holen, and all trees proposed to be either removed or protected are identified, see Index Tab.

The Arborist inventoried 28 trees which are 6-inch or larger is diameter. Of these 28 trees, 8 have been identified for preservation, and the other 20 will be removed to accommodate the streets and site development activities. The 8 trees being preserved are all located along the western boundary, and will be within Tract B Open Space.

I. Additional Standards for Type C Permits.

1. *Tree survey. For all site development applications reviewed under the provisions of Chapter 4 Planning and Zoning, the developer shall provide a Tree Survey before site development as required by WC 4.610.40, and provide a Tree Maintenance and Protection plan, unless specifically exempted by the Planning Director or DRB, prior to initiating site development.*
2. *Platted Subdivisions. The recording of a final subdivision plat whose preliminary plat has been reviewed and approved after the effective date of Ordinance 464 by the City and that conforms with this subchapter shall include a Tree Survey and Maintenance and Protection Plan, as required by this subchapter, along with all other conditions of approval.*
3. *Utilities. The City Engineer shall cause utilities to be located and placed wherever reasonably possible to avoid adverse environmental consequences given the circumstances of existing locations, costs of placement and extensions, the public welfare, terrain, and preservation of natural resources. Mitigation and/or replacement of any removed trees shall be in accordance with the standards of this subchapter.*

Response

This issue has been addressed earlier in this report.

Section 4.610.40. Type C Permit

- (.01) *Approval to remove any trees on property as part of a site development application may be granted in a Type C permit. A Type C permit application shall be reviewed by the standards of this subchapter and all applicable review criteria of Chapter 4. Application of the standards of this section shall not result in a reduction of square footage or loss of density, but may require an applicant to modify plans to allow for buildings of greater height. If an applicant proposes to remove trees and submits a landscaping plan as part of a site development application, an application for a Tree Removal Permit shall be included. The Tree Removal Permit application will be reviewed in the Stage II development review process, and any plan changes made that affect trees after Stage II review of a development application shall be subject to review by DRB. Where mitigation is required for tree removal, such mitigation may be considered as part of the landscaping requirements as set forth in this Chapter. Tree removal shall not commence until approval of the required Stage II application and the expiration of the appeal period following that decision. If a decision approving a Type C permit is appealed, no trees shall be removed until the appeal has been settled.*
- (.02) *The applicant must provide ten copies of a Tree Maintenance and Protection Plan completed by an arborist that contains the following information:*
 - A. *A plan, including a topographical survey bearing the stamp and signature of a qualified, registered professional containing all the following information:*
 1. *Property Dimensions. The shape and dimensions of the property, and the location of any existing and proposed structure or improvement.*

2. *Tree survey. The survey must include:*
- a. *An accurate drawing of the site based on accurate survey techniques at a minimum scale of one inch (1") equals one hundred feet (100') and which provides a) the location of all trees having six inches (6") or greater d.b.h. likely to be impacted, b) the spread of canopy of those trees, (c) the common and botanical name of those trees, and d) the approximate location and name of any other trees on the property.*
 - b. *A description of the health and condition of all trees likely to be impacted on the site property. In addition, for trees in a present or proposed public street or road right-of-way that are described as unhealthy, the description shall include recommended actions to restore such trees to full health. Trees proposed to remain, to be transplanted or to be removed shall be so designated. All trees to remain on the site are to be designated with metal tags that are to remain in place throughout the development. Those tags shall be numbered, with the numbers keyed to the tree survey map that is provided with the application.*
 - c. *Where a stand of twenty (20) or more contiguous trees exist on a site and the applicant does not propose to remove any of those trees, the required tree survey may be simplified to accurately show only the perimeter area of that stand of trees, including its drip line. Only those trees on the perimeter of the stand shall be tagged, as provided in "b," above.*
 - d. *All Oregon white oaks, native yews, and any species listed by either the state or federal government as rare or endangered shall be shown in the tree survey.*
3. *Tree Protection. A statement describing how trees intended to remain will be protected during development, and where protective barriers are necessary, that they will be erected before work starts. Barriers shall be sufficiently substantial to withstand nearby construction activities. Plastic tape or similar forms of markers do not constitute "barriers."*
4. *Easements and Setbacks. Location and dimension of existing and proposed easements, as well as all setbacks required by existing zoning requirements.*
5. *Grade Changes. Designation of grade changes proposed for the property that may impact trees.*
6. *Cost of Replacement. A cost estimate for the proposed tree replacement program with a detailed explanation including the number, size and species.*
7. *Tree Identification. A statement that all trees being retained will be identified by numbered metal tags, as specified in subsection "A," above in addition to clear identification on construction documents.*

Section 4.620.00. Tree Relocation, Mitigation, Or Replacement

- (.01) Requirement Established. A Type B or C Tree Removal Permit grantee shall replace or relocate each removed tree having six (6) inches or greater d.b.h. within one year of removal.*

Response

Appropriate permits shall be obtained for the removal of any and all trees, not to be preserved. An arborist has prepared a detailed inventory and assessment of all trees within the development area, including utility extensions, see Index Tab. During construction, and trees specified to be protected will be delineated and protected by the placement at the edge of the canopy drip line with plastic orange mesh fencing.

The proposed tree removal will require mitigation in the form of 20 replacement trees, within the two Open Space Tracts. Street trees (17) will be planted throughout the project and along Canyon Creek South in accordance with City standards, as reflected on the Landscaping Plan.

Final Conclusion

This report demonstrates that the proposed development, Canyon Creek II, complies with all applicable Comprehensive Plan provisions. It further satisfies all the applicable Plan and Zoning Map amendment criteria. This application further complies with all applicable PDR zoning, Design Review and tentative plat requirements. Therefore it should be approved as requested.

Zone Change
Legal Description

2008

After recording, return to:
 Michael D. Williams
 1515 S.W. 5th, Ste. 844
 Portland, OR 97201

Clackamas County Official Records
 Sherry Hall, County Clerk

2008-062101



\$36.00

01245423200800621010020029

09/05/2008 11:43:16 AM

D-D Cnt=1 Stn=9 JANISKEL
 \$10.00 \$10.00 \$16.00

All tax statements to:
 James W. Dillon
 3175 NE Fremont
 Portland, Or 97220-5273

Tax ID , Assessor Nos:

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS that **JAMES W. DILLON, SUCCESSOR TRUSTEE OF THE VIRGINIA A. DILLON TRUST UNDER AGREEMENT DATED AUGUST 24, 1998**, Grantor, for the consideration hereinafter stated, do hereby grant, bargain, sell and convey to **JAMES W. DILLON and DEBRA ANN GRUBER**, as tenants in common, Grantee, and to Grantees' heirs, successors, and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in Clackamas County, Oregon, legally described as:

The North 130 feet of Lot 15, BRIDLE TRAIL RANCHETTES

Subject to liens, encumbrances, easements and restrictions of record.

To have and to hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true consideration for this conveyance is \$-0-. (Transfer of Inheritance)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR

1- BARGAIN AND SALE DEED

FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

DATED this 22 day of August, 2008.

James W. Dillon
JAMES W. DILLON

STATE OF OREGON)
) ss.
County of Multnomah)

This instrument was acknowledged before me on August 22nd, 2008, by JAMES W. DILLON , TRUSTEE..



Lohani S Lal

Notary Public for Oregon
My commission expires: Dec 18th, 2011

2- BARGAIN AND SALE DEED

②

Arborist's Report



971.409.9354
3 Monroe Parkway, Suite P 220
Lake Oswego, Oregon 97035
morgan.holen@comcast.net

**Bridle Trail Ranchetts, Wilsonville, Oregon
Tree Maintenance and Protection Plan
November 5, 2013**

MHA1336

Purpose

This Tree Maintenance and Protection Plan for the Bridle Trail Ranchetts project located in Wilsonville, Oregon, is provided pursuant to the City of Wilsonville Development Code, Section 4.610.40. This arborist report describes the existing trees located on the project site and recommendations for tree removal, retention, mitigation, and protection. This report is based on observations made by International Society of Arboriculture (ISA) Certified Arborist (PN-6145A) Morgan Holen during a site visit conducted on October 10, 2013. A complete description of individual trees is provided in the enclosed tree data.

Scope of Work and Limitations

Morgan Holen & Associates, LLC, was contracted by Renaissance Homes to inventory individual trees measuring six inches and larger in diameter and to develop a tree maintenance and protection plan for the project. The site is planned for residential development. A site survey was provided prior to the tree inventory illustrating the location of trees and tree survey point numbers.

Visual Tree Assessment (VTA) was performed on individual trees located within and adjacent to the project boundaries. VTA is the standard process developed by the ISA whereby the inspector visually assesses the tree from a distance and up close, looking for defect symptoms and evaluating overall condition and vitality on individual trees. Inventory data was collected including point number, species, size, general condition, comments, and treatment recommendations. Following the inventory fieldwork, we coordinated with SFA Design Group and Murase Associates to provide recommendations aimed to preserve the best existing tree features during the design phase.

The client may choose to accept or disregard the recommendations contained herein, or seek additional advice. Neither this author nor Morgan Holen & Associates, LLC, have assumed any responsibility for liability associated with the trees on or adjacent to this site.

General Description

The site includes one existing residence, a shed, and an open field with trees scattered around the home, along property boundaries, and in a small fruit orchard. In all, 28 trees measuring 6-inches and larger in diameter were inventoried including 13 tree species. Table 1 provides a summary of the count of trees by species.

Table 1. Count of Trees by Species – Bridle Trail Ranchetts, Wilsonville, OR.

Common Name	Species Name	Total	%
apple	<i>Malus</i> spp.	5	17.86%
black hawthorn	<i>Crataegus douglasii</i>	1	3.57%
casacara	<i>Rhamnus purshiana</i>	3	10.71%
curly willow	<i>Salix matsudana</i>	1	3.57%
Deodar cedar	<i>Cedrus deodara</i>	1	3.57%
Douglas-fir	<i>Pseudotsuga menziesii</i>	7	25.0%
Japanese maple	<i>Acer japonicum</i>	1	3.57%
juniper	<i>Juniperus occidentalis</i>	1	3.57%
lodgepole pine	<i>Pinus contorta</i>	1	3.57%
Norway spruce	<i>Picea abies</i>	1	3.57%
pear	<i>Pyrus</i> spp.	2	7.14%
ponderosa pine	<i>Pinus ponderosa</i>	2	7.14%
sweet cherry	<i>Prunus avium</i>	2	7.14%
Total		28	100%

No Oregon white oak (*Quercus garryana*), native yews (*Taxus* spp.), or any species listed by either the state or federal government as rare or endangered were found on the site. A complete description of existing trees is included in the enclosed tree data.

Tree Plan Recommendations

As described in the enclosed tree data, individual trees were assigned a general condition rating on the scale of one to five as follows:

- 1: Dead/Potentially Hazardous
- 2: Poor Condition
- 3: Moderate Condition
- 4: Good Condition
- 5: Excellent Condition

Table 2 provides a summary of the number of trees by general condition rating and treatment recommendation.

Table 2. Count of Trees Treatment Recommendation and General Condition Rating.

Treatment Recommendation	General Condition Rating					Total
	1	2	3	4	5	
Remove	0	6	12	2	0	20 (71%)
Retain	0	0	3	4	1	8 (29%)
Total	0 0%	6 21%	15 54%	6 21%	1 4%	28 (100%)

None of the inventoried trees were dead or hazardous. Of the 28 inventoried trees, 8 (29%) are recommended for retention and may require special protection during construction, including three trees in trees in moderate condition, four trees in good condition, and the one and only tree to receive a general condition rating of 5 for excellent (#5100, a 24-inch diameter ponderosa pine along the western

property boundary). These eight trees are all located along the western property boundary and are suitable for preservation with construction, which helps to maintain existing screening from Canyon Creek Road.

The 20 (71%) remaining trees are recommended for removal because of species, poor condition, or for the purposes of construction. This includes six trees in poor condition, and 12 trees in moderate condition and two trees in good condition that must be removed because of road improvements and grading for building lots. Of the two trees in good condition that must be removed, tree 6282 is a multi-stemmed Japanese maple suitable for transplanting and tree 6281 is a 48-inch diameter Deodar cedar (*Cedrus deodara*) that has an old broken top and large scaffold branches that are prone to failure with maturity.

Mitigation Requirements

All 28 inventoried trees are greater than 6-inches in diameter. Eight trees will be retained and protected throughout construction and 20 trees will be removed for condition and construction. Removal of these 20 trees requires mitigation per Section 4.620.00; removed trees shall be replaced on a basis of one tree planted for each tree removed. Therefore, 20 trees measuring at least 2-inches in diameter will be planted as mitigation for tree removal.

Tree Protection Standards

Trees designated for retention will need special consideration to assure their protection during construction. We highly recommend a preconstruction meeting with the owner, contractors, and project arborist to review tree protection measures and address questions or concerns on site.

Tree protection measures include:

- **Fencing.** Trees to remain on site shall be protected by installation of tree protection fencing to prevent injury to tree trunks or roots, or soil compaction within the root protection area, which generally coincides with the limits of disturbance (or tree driplines where feasible). Fences shall be 6-foot high steel on concrete blocks or orange plastic construction fencing on metal stakes. The project arborist shall determine the exact location and type of tree protection fencing. Trees located more than 30-feet from construction activity shall not require fencing.
- **Tree Protection Zone.** Without authorization from the Project Arborist, none of the following shall occur beneath the dripline of any protected tree:
 1. Grade change or cut and fill;
 2. New impervious surfaces;
 3. Utility or drainage field placement;
 4. Staging or storage of materials and equipment; or
 5. Vehicle maneuvering.

Root protection zones may be entered for tasks like surveying, measuring, and, sampling. Fences must be closed upon completion of these tasks.

- **Soil protection.** The stripping of topsoil around retained trees shall be restricted, except under the guidance of the project arborist. No fill (including temporary storage of spoils) shall be placed beneath the dripline of protected trees, except as otherwise directed by the project arborist.

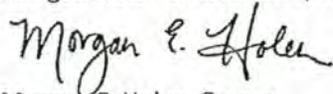
- **Excavation.** The project arborist shall provide on-site consultation during all excavation activities beneath the dripline of protected trees. Excavation immediately adjacent to roots larger than 2-inches in diameter within the root protection zone of retained trees shall be by hand or other non-invasive techniques to ensure that roots are not damaged. Where feasible, major roots shall be protected by tunneling or other means to avoid destruction or damage. Exceptions can be made if, in the opinion of the project arborist, unacceptable damage will not occur to the tree. Where soil grade changes affect the root protection area, the grade line should be meandered wherever practicable. This will require on-site coordination to ensure a reasonable balance between engineering, construction, and the need for tree protection.
- **Pruning.** Some of the trees may require pruning for safety, clearance, and to avoid crown damage prior to construction. The project arborist can help identify where pruning is necessary once trees recommended for removal have been removed and the site is staked and prepared for construction. Pruning should be performed by a Qualified Tree Service.
- **Landscaping.** Following construction, apply approximately 3-inches of mulch beneath the dripline of protected trees, but not directly against tree trunks. Shrubs and ground covers may be planted within tree protection areas. If irrigation is used, use drip irrigation only beneath the driplines of protected trees.
- **Quality Assurance.** The project arborist should supervise proper execution of this plan during construction activities that could encroach on retained trees. Tree protection site inspection monitoring reports should be provided to the Client and City as needed throughout construction.

Summary

Eight trees are recommended for preservation during construction and 20 trees are recommended for removal either because of poor condition or for the purposes of construction. The 20 trees planned for removal will require mitigation on a one-for-one basis. Please contact us if you have questions or need any additional information.

Thank you for choosing Morgan Holen & Associates, LLC, to provide consulting arborist services for the Bridle Trail Ranchetts project. Please contact us if you have questions or need additional information.

Thank you,
Morgan Holen & Associates, LLC



Morgan E. Holen, Owner
ISA Certified Arborist, PN-6145A
ISA Tree Risk Assessment Qualified
Forest Biologist

Enclosures: Tree Data 10-10-13



MHA1336 Bridle Trail Ranchetts - Tree Data 10-10-13

Page 1 of 1

No.	Common Name	Species Name	DBH ¹	C-Rad ²	Ht ³	Cond ⁴	Comments	Treatment
5093	Douglas-fir	<i>Pseudotsuga menziesii</i>	18	9	57	4	some crown asymmetry	retain in group
5094	Douglas-fir	<i>Pseudotsuga menziesii</i>	18	15	56	4	suitable for retention in group only	retain in group
5095	ponderosa pine	<i>Pinus ponderosa</i>	24	18	50	3	forked top, multiple leaders; Willamette Valley variety	retain in group
5096	Douglas-fir	<i>Pseudotsuga menziesii</i>	18	14	55	4	no major defects	retain
5097	sweet cherry	<i>Prunus avium</i>	6	13	35	3	invasive species	remove
5099	Douglas-fir	<i>Pseudotsuga menziesii</i>	15	13	30	3	competing with 5100	retain
5100	ponderosa pine	<i>Pinus ponderosa</i>	24	22	64	5	no major defects; Willamette Valley variety	retain
5101	Douglas-fir	<i>Pseudotsuga menziesii</i>	12	16	40	3	poor crown structure, competing with 5100	retain
5102	Douglas-fir	<i>Pseudotsuga menziesii</i>	12	12	35	4	prune lower crown for aesthetics	retain
5103	lodgepole pine	<i>Pinus contorta</i>	10	6	20	2	suppressed, not viable	remove
5116	cascara	<i>Rhamnus purshiana</i>	6	8	18	3	multiple leaders, some included bark	remove
5128	sweet cherry	<i>Prunus avium</i>	8	10	26	3	invasive species	remove
5129	cascara	<i>Rhamnus purshiana</i>	6	8	14	3	basal decay	remove
5148	black hawthorn	<i>Crataegus douglasii</i>	8	8	19	3	poor structure, multiple leaders	remove
5154	cascara	<i>Rhamnus purshiana</i>	6	6	21	2	stem and branch decay	remove
5155	curly willow	<i>Salix matsudana</i>	24	9	23	2	dead branches, stem and branch decay	remove
6281	Deodar cedar	<i>Cedrus deodara</i>	48	28	52	4	old broken top, large scaffold branches	remove
6282	Japanese maple	<i>Acer japonicum</i>	10	8	16	4	few dead branches	remove
6290	Norway spruce	<i>Picea abies</i>	12	8	25	3	forked top	remove
6313	apple	<i>Malus spp.</i>	12	14	20	3	decay with hollow at south face	remove
6358	pear	<i>Pyrus spp.</i>	8	10	18	3	maintained fruit tree	remove
6359	apple	<i>Malus spp.</i>	10	12	20	3	maintained fruit tree	remove
6360	apple	<i>Malus spp.</i>	10	12	20	3	maintained fruit tree	remove
6361	pear	<i>Pyrus spp.</i>	14	15	20	2	wire girdling trunk, some decay	remove
6362	apple	<i>Malus spp.</i>	10	10	18	3	maintained fruit tree	remove
6363	apple	<i>Malus spp.</i>	6	8	15	2	maintained fruit tree, over-shaded	remove
6365	Douglas-fir	<i>Pseudotsuga menziesii</i>	26	28	24	3	poor structure, topped beneath overhead utility lines	remove
6370	Juniper	<i>Juniperus occidentalis</i>	12x5"	14	32	2	poor structure, thin crown	remove

¹DBH is tree diameter measured at 4.5-feet above the ground level, in inches²C-Rad is the average crown radius measured in feet³HT is approximate height measured in feet⁴Cond is an arborist assigned rating to generally describe the condition of individual trees as follows-

1: Dead/Potentially Hazardous; 2: Poor Condition; 3: Moderate Condition; 4: Good Condition; and 5: Excellent Condition

Storm Drainage Report



SFA Design Group, LLC
STRUCTURAL | CIVIL | LAND USE PLANNING | SURVEYING

Preliminary Storm Drainage Report

Canyon Creek II

Clackamas County, Oregon

Date: November 15, 2013

By: Brent E. Fitch, P.E.

SFA Job No. 106-016

APPLICANT:

Renaissance Development
16771 SW Boones Ferry Road
Lake Oswego, OR 97035
Phone: (503) 496-0616 Fax: (503) 635-8400
Contact: Amy Schnell

APPLICANT'S REPRESENTATIVE:

SFA Design Group, LLC
9020 SW Washington Square Drive, Suite 505
Portland, OR 97223
Phone: (503) 641-8311 Fax: (503) 643-7905
Contact: Brent Fitch, PE

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RENAISSANCE AT CANYON CREEK DRAINAGE REPORT, DATED JUNE 15, 2004

INTRODUCTION

This report represents the preliminary storm drainage and stormwater analysis for the Canyon Creek II Subdivision project. The basis of this report is to comply with the City of Wilsonville and the State of Oregon's regulations and engineering standards as well as the latest edition of the Oregon Plumbing Specialty Code (OSPC). Compiled in this report are the design criteria for the site, the hydrologic methodology, and the preliminary drainage analysis.

SITE DESCRIPTION AND LOCATION

The proposed development is a 8-lot detached single family subdivision located on Tax Lot 5000; Map T3S R1W 13BA. The land area of this tax lot is approximately 1.83 acres while the shed area total to be analyzed is 1.86 acres due to off-site contributing areas.

There is an existing single family residence and outbuildings on the property currently which will be removed for the new development.

EXISTING CONDITIONS

This suburban sized property has been developed with a single family home and a couple of out buildings. The front yard area is landscaped typical to residential uses, while the large rear yard has remained in more of an open pasture with a few random trees. However, along the western boundary, formal right-of-way landscaping and street trees has been provided by the Renaissance development.

The site is broken into two separate basins as identified in the attached exhibits. Sloping from approximately 222.5 to 218 to the north and 222.5 to 216 to the south.

The soil type found on site is Aloha Silt Loam 1, with a corresponding hydrologic soil group designation of "C" as shown attached Renaissance at Canyon Creek Drainage Report dated June 15, 2004.

RUNOFF CURVE NUMBERS

Predevelopment composite pervious areas represent a runoff curve number of 85 for while post development pervious areas will use a runoff curve number of 86. A runoff curve number of 98 will be used for all predeveloped and developed impervious areas (refer to the *SCS Runoff Curve Numbers* exhibit).

RUNOFF CURVE NUMBERS		
Land Description	Existing RCN	Proposed RCN
Meadow or Pasture	85	---
Open Space, Good Condition	---	86
Impervious	98	98

PROPOSED IMPROVEMENTS

We will be constructing impervious surfaces as a result of the public street improvements and the eventual homes and sidewalks. Public utilities will be extended throughout the site for the use of the proposed lots. The site will direct its runoff to existing facilities built with the development of Canyon Creek 1.

HYDROLOGY/HYDRAULIC METHODOLOGY

Using the Santa Barbara Urban Hydrograph (SBUH) method based on a Type 1A rainfall distribution, the site has been analyzed to determine the proposed peak runoff rates for the water quality, 2, 10, and 25-year 24-hour storm events. The SBUH method uses runoff curve numbers in conjunction with the site's hydrologic soil group to model the site's permeability.

A pre-developed time of concentration for Basin #1 is 31.08 minutes and for Basin #2 is 22.79 min (*refer to the Time of Concentration exhibits*).

Rainfall depths for all storm events used in the calculations and design of the proposed storm drainage system are found in latest edition of The City of Wilsonville Public Works Standards and as shown below.

24-HOUR RAINFALL DEPTHS (CWS)					
Recurrence Interval, Years	2	5	10	25	100
24-Hour Depths, Inches	2.50	3.10	3.45	3.90	4.50

WATER QUALITY

As required by The City of Wilsonville, we will treat runoff from any new impervious surface created as a result of the proposed development. All water quality structures shall be designed to treat storm water generated by 0.36 inches of precipitation falling in 4 hours with an average storm return period of 96 hours. The water quality facilities, in conjunction with the sumped catch basins, will remove a minimum of 65% of the Total Phosphorous (TP) from the storm water runoff. We will be routing the collected storm water to the existing facilities built with Canyon Creek I.

For Basin #1 improvements along with the original impervious area associated within the Phase 1 improvements we are required to have a 133.27 foot long water quality swale. The swale as constructed for Basin #1 is 138 feet long therefore no modifications to the swale are required for this development.

For Basin #2 improvements along with the original impervious area associated within the Phase 1 improvements we are required to have a 157.64 foot long water quality swale. The swale as constructed for Basin #2 is 164 feet long therefore no modifications to the swale are required for this development.

Refer to the Attached Water Quality Swale Calculations.

DETENTION

Water quantity control (detention) is being provided within the existing quality/quantity ponds. With the additional impervious surface being created with the development of the subdivision we will be matching the pre-developed and post developed peak flows from the site to not affect downstream properties or conveyance systems. The existing ponds associated with each basin will be modified as needed to account for the additional peak runoff rates generated by this development. There is adequate area within each pond to accept the additional runoff.

Within Basin #1 we have an area that is unable to be conveyed to the Basin #1 pond but has been accounted for its peak runoff rates when matching the pre to post flows leaving the site. With the original condition of the property and how the two basins interact with the existing utilities we have balanced the pre to post amount of area going to each basin. This will ensure that one basin is not overloaded with additional storm water and keep the original peak flows consistent with current conditions.

Refer to the attached Detention Calculations.

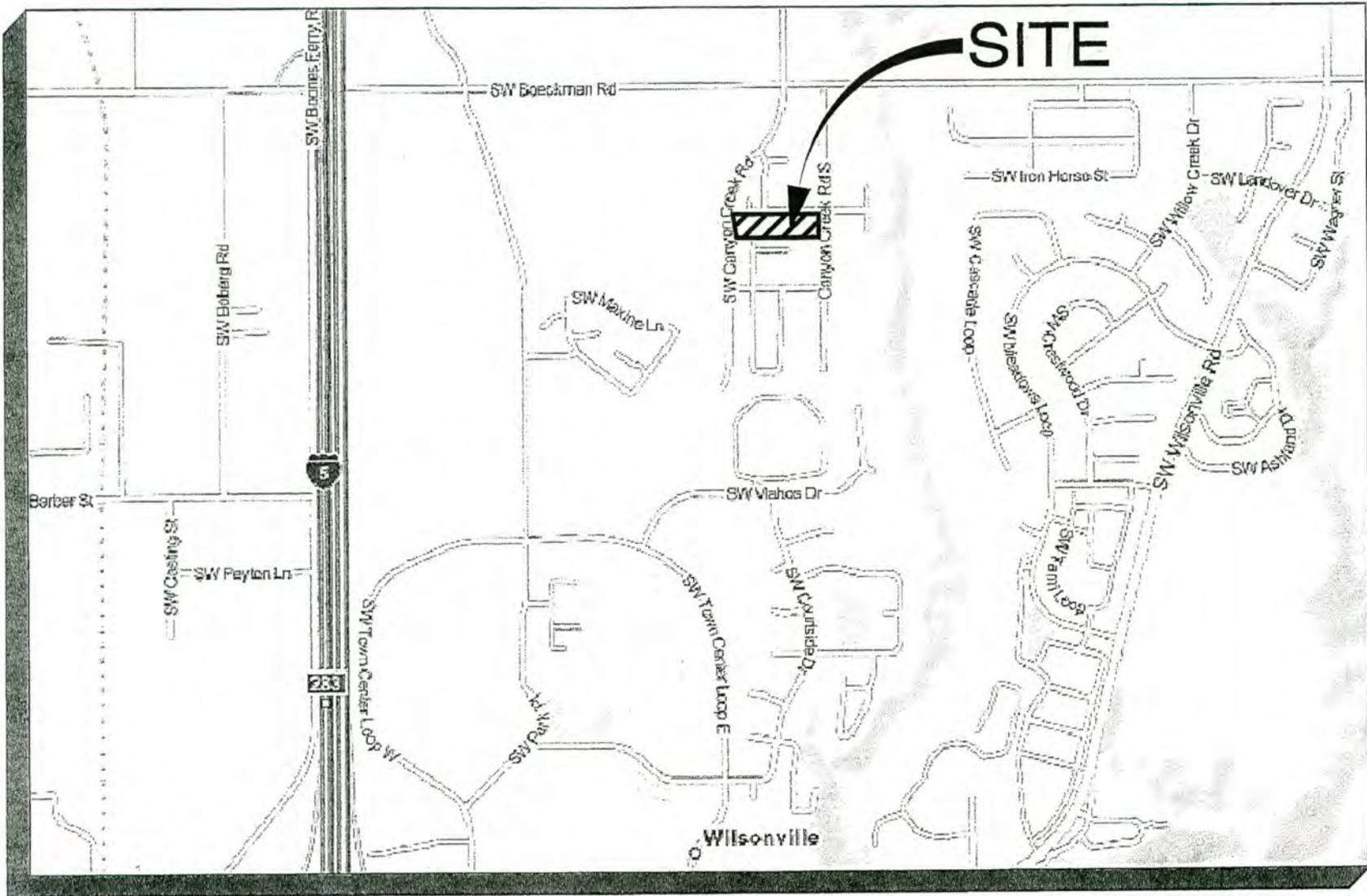
CONVEYANCE

The conveyance system for the site consists of an underground pipe system with sumped and flow through catch basins. Storm water will be conveyed through the site via a series of pipes and routed to the existing storm systems stubbed to the property.

Using a Manning's 'n' value of 0.013, the minimum slope required to convey the 25-year storm event through the site is shown in the attached *Stormwater Conveyance Calculations*.

CONCLUSION

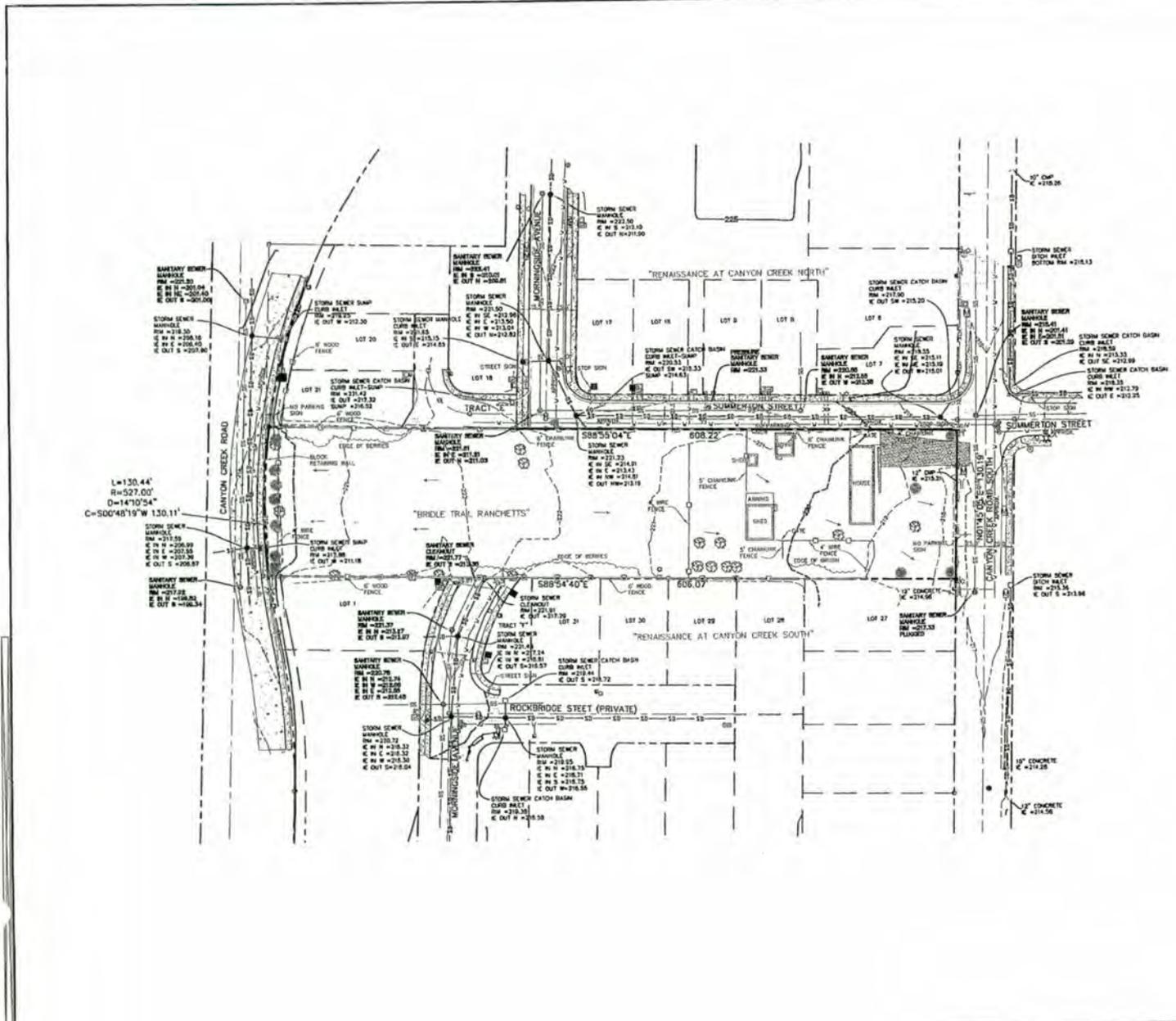
Based on the supporting stormwater calculations and attached analysis, it is the opinion of SFA Design Group that the development of the Canyon Creek II project will not adversely affect the existing downstream drainage system or adjacent property owners. We have provided water quality/quantity treatment for the development. Therefore, all the requirements associated with The City of Wilsonville's Public Works Standards have been met for this project.



VICINITY MAP
 N.T.S.



EXISTING CONDITIONS
CANYON CREEK II
 38325 SW OLD CANYON CREEK ROAD
 CLACKAMAS COUNTY, OREGON



- LEGEND:**
- CONIFEROUS TREE
 - DECIDUOUS TREE
 - POWER MILEET
 - TELEPHONE MILEET
 - SIGN
 - WATER VALVE
 - WATER METER
 - IRRIGATION CONTROL VALVE
 - UTILITY POLE
 - LIGHT POLE
 - UTILITY FOLLOW LUMINAIRE
 - STORM MANHOLE
 - SANITARY MANHOLE
 - CURB MILEET
 - CATCH BASIN
 - FIRE HYDRANT
 - ELECTRIC METER
 - MAILBOX
 - GAS METER
 - JUNCTION BOX
 - STORM CHIMNEY LINE
 - SANITARY WASTE LINE
 - WATER LINE
 - GAS LINE
 - COMMUNICATION LINE
 - OVERHEAD UTILITY LINES
 - BOUNDARY LINE
 - EASEMENT LINE
 - RIGHT-OF-WAY LINE
 - EXISTING CONCRETE
 - EXISTING ASPHALT PAVEMENT
 - EXISTING GRAVEL SURFACE
 - FLOW DIRECTION

BENCHMARK:
 CORNERS AND ELEVATION NOTED ON THIS MAP ARE BASED ON A 3-1/4" BRASS DISC PLACED IN ASPHALT IN BENCHMARK ROAD ELEVATION=210.489 NAVD 83 DATUM.

L=130.44'
 R=527.00'
 D=141°0'34"
 C=500'48.19"W 130.11'

NO.	DATE	REVISIONS

DESIGNED BY: J.M.B. DATE: 08/08
 DRAWN BY: J.M.B. DATE: 08/08
 CHECKED BY: J.M.B. DATE: 08/08
 PROJECT NO.: 0808-007
 SCALE: 1"=40'
 SHEET: 3 OF 6
 PROJECT: CANYON CREEK II
 NO.: 08-08
 TYPE: PLANS

Soil name and map symbol	Hydro-logic group	Flooding		
		Frequency	Duration	Months
Aloha: 1	C	NONE	NONE	NONE
Amity: 2	C	NONE	NONE	NONE
Astoria: 3E, 3F	B	NONE	NONE	NONE
Briedwell: 4B, 5B, 5C, 5D	B	NONE	NONE	NONE
Carlton: 6B, 6C	B	NONE	NONE	NONE
Cascade: 7B, 7C, 7D, 7E, 7F	C	NONE	NONE	NONE
Chehalem: 8C	C	NONE	NONE	NONE
Chehalis: 9, 10	B	COMMON	BRIEF	NOV-MAR
Cornelius: 11B, 11C, 11D, 11E, 11F:				
Cornelius part	C	NONE	NONE	NONE
Kinton part	C	NONE	NONE	NONE
Cornelius Variet: 12A, 12B, 12C	C	NONE	NONE	NONE
Cove: 13, 14	D	COMMON	BRIEF	DEC-APR
Dayton: 15	D	NONE	NONE	NONE
Delena: 16C	D	NONE	NONE	NONE
Goble: 17B, 17C, 17D, 17E, 18E, 18F	C	NONE	NONE	NONE
Helvetia: 19B, 19C, 19D, 19E	C	NONE	NONE	NONE
Hembre: 20E, 20F, 20G	B	NONE	NONE	NONE
Hillsboro: 21A, 21B, 21C, 21D	B	NONE	NONE	NONE
Hubberly: 22	D	NONE	NONE	NONE
Jory: 23B, 23C, 23D, 23E, 23F	C	NONE	NONE	NONE
Kilchis: 24G				
Kilchis part	C	NONE	NONE	NONE
Klickitat part	B	NONE	NONE	NONE

Soil name and map symbol	Hydro-logic group	Flooding
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		Frequency	Duration	Months
Klickitat: 25E, 25F, 25G	B	NONE	NONE	NONE
Knappa: 26	B	NONE	NONE	NONE
Lablisch: 27	D	FREQUENT	VERY LONG	DEC - APR
Laurelwood: 28B, 28C, 28D, 28E, 29E, 29F	B	NONE	NONE	NONE
McBee: 30	B	FREQUENT	BRIEF	NOV - MAY
Melborne: 31B, 31C, 31D, 31E, 31F	B	NONE	NONE	NONE
Melby: 32C, 32D, 32E, 33E, 33F, 33G	C	NONE	NONE	NONE
Olyic: 34C, 34D, 34E, 35E, 35F, 35G	B	NONE	NONE	NONE
Pervina: 36C, 36D, 36E, 36F	C	NONE	NONE	NONE
Quatama: 37A, 37B, 37C, 37D	C	NONE	NONE	NONE
Saum: 38B, 38C, 38D, 38E, 38F	C	NONE	NONE	NONE
Tolke: 39E, 39F	B	NONE	NONE	NONE
Udifluvents: 40	B	FREQUENT	VERY LONG	NOV - APR
Verboot: 42	D	FREQUENT	BRIEF	DEC - APR
Wapato: 43	D	FREQUENT	BRIEF	DEC - APR
Willamette: 44A, 44B, 44C, 44D	B	NONE	NONE	NONE
Woodburn: 45A, 45B, 45C, 45D	C	NONE	NONE	NONE
Xerchrepts: 46F				
Xerochrepts part	B	NONE	NONE	NONE
Haploxerolls part	C	NONE	NONE	NONE
47D				
Xerochrepts part	D	NONE	NONE	NONE
Rock outcrop part				

LAND USE DESCRIPTION	CURVE NUMBERS BY HYDROLOGIC SOIL GROUP				
	A	B	C	D	
Cultivated land (1): winter condition	86	91	94	95	
Mountain open areas: low growing brush & grasslands	74	82	89	92	
Meadow or pasture:	65	78	85	89	PRE-DEV.
Wood or forest land: undisturbed	42	64	76	81	
Wood or forest land: young second growth or brush	55	72	81	86	
Orchard: with crop cover	81	88	92	94	
Open spaces, lawns, parks, golf courses, cemeteries, landscaping					
Good condition: grass cover on $\geq 75\%$ of the area	68	80	86	90	DEV.
Fair condition: grass cover on 50-75% of the area	77	85	90	92	
Gravel roads and parking lots:	76	85	89	91	
Dirt roads and parking lots:	72	82	87	89	
Impervious surfaces, pavement, roofs etc.	98	98	98	98	
Open water bodies: lakes, wetlands, ponds, etc.	100	100	100	100	
Single family residential (2):					Separate curve number shall be selected for pervious & impervious portions of the site or basin
Dwelling units/Gross Acre	%Impervious (3)				
1.0 DU/GA	15				
1.5 DU/GA	20				
2.0 DU/GA	25				
2.5 DU/GA	30				
3.0 DU/GA	34				
3.5 DU/GA	38				
4.0 DU/GA	42				
4.5 DU/GA	46				
5.0 DU/GA	48				
5.5 DU/GA	50				
6.0 DU/GA	52				
6.5 DU/GA	54				
7.0 DU/GA	56				
PUD's, condos, apartments, commercial businesses & industrial areas	%impervious must be computed				

- (1) For a more detailed description of agricultural land use curve numbers refer to National Engineering
- (2) Assumes roof and driveway runoff is directed into street/storm system.
- (3) The remaining pervious areas (lawn) are considered to be in good condition for these curve numbers.

MANNING'S "n" VALUES

SHEET FLOW EQUATION MANNING'S VALUES		n_s
Smooth Surfaces (concrete, asphalt, gravel, or bare hand packed soil)		0.011
Fallow Fields or loose soil surface (no residue)		0.05
Cultivated soil with residue cover ($\leq 20\%$)		0.06
Cultivated soil with residue cover ($> 20\%$)		0.17
Short prairie grass and lawns		0.15
Dense grasses		0.24
Bermuda grasses		0.41
Range (natural)		0.13
Woods or forrest with light underbrush		0.40
Woods or forrest with dense underbrush		0.80
SHALLOW CONCENTRATED FLOW (after initial 300 ft of sheet flow, $R = 0.1$)		k_s
Forrest with heavy ground litter and meadows ($n = 0.010$)		3
Brushy ground with some trees ($n = 0.060$)		5
Fallow or minimum tillage cultivation ($n = 0.040$)		8
High grass ($n = 0.035$)		9
Short grass, pasture and lawns ($n = 0.030$)		11
Nearly bare ground ($n = 0.25$)		13
Paved and gravel areas ($n = 0.012$)		27
CHANNEL FLOW (Intermittent) (At the beginning of all visible channels, $R =$		k_c
Forested swale with heavy ground cover ($n = 0.10$)		5
Forested drainage course/ravine with defined channel bed ($n = 0.050$)		10
Rock-lined waterway ($n = 0.035$)		15
Grassed waterway ($n = 0.030$)		17
Earth-lined waterway ($n = 0.025$)		20
CMP pipe ($n = 0.024$)		21
Concrete pipe ($n = 0.012$)		42
Other waterways and pipe	$0.508/n$	
CHANNEL FLOW (continuous stream, $R = 0.4$)		k_c
Meandering stream ($n = 0.040$)		20
Rock-lined stream ($n = 0.035$)		23
Grass-lined stream ($n = 0.030$)		27
Other streams, man-made channels and pipe	$n = 0.807/n$	



IMPERVIOUS AREA CALCULATIONS

JOB NUMBER: 106-016
 PROJECT: Canyon Creek 2
 FILE: 10616preliminary.xls

TOTAL NEW IMPERVIOUS AREA

8 LOTS AT 2,750-SF IMPERVIOUS AREA / LOT	22000.00 ft ²	
SIDEWALKS	993.00 ft ²	
STREET PAVEMENT	7449 ft ²	
	30442.00 ft²	0.70 ac

NEW IMPERVIOUS AREA BASIN #1

6 LOTS AT 2,750-SF IMPERVIOUS AREA / LOT	16500.00 ft ²	
SIDEWALKS	993.00 ft ²	
STREET PAVEMENT	5941 ft ²	
	23434.00 ft²	0.54 ac

NEW COLLECTED IMPERVIOUS AREA BASIN #1

4 LOTS AT 2,750-SF IMPERVIOUS AREA / LOT	11000.00 ft ²	
SIDEWALKS	993.00 ft ²	
STREET PAVEMENT	5645 ft ²	
	17638.00 ft²	0.40 ac

NEW UNCOLLECTED IMPERVIOUS AREA BASIN #1

2 LOTS AT 2,750-SF IMPERVIOUS AREA / LOT	5500.00 ft ²	
SIDEWALKS	0.00 ft ²	
STREET PAVEMENT	296 ft ²	
	5796.00 ft²	0.13 ac

NEW IMPERVIOUS AREA BASIN #2

2 LOTS AT 2,750-SF IMPERVIOUS AREA / LOT	5500.00 ft ²	
SIDEWALKS	0.00 ft ²	
STREET PAVEMENT	1508 ft ²	
	7008.00 ft²	0.16 ac

EXISTING IMPERVIOUS AREA - ALL CONTAINED IN BASIN #1

BUILDINGS	2968.00 ft ²
SIDEWALKS	0.00 ft ²

GRAVEL AT 60% IMPERVIOUS	1171.20 ft ²	
CONCRETE	113 ft ²	
	4252.20 ft ²	0.10 ac
Total Shed Area	80883.00 ft²	1.86 ac
Basin #1		
Total Area	53891.00 ft²	1.24 ac
Existing Impervious Area	4252.20 ft²	0.10 ac
% Impervious		7.89%
Proposed Impervious Area	23434.00 ft²	0.54 ac
% Impervious		43.48%
Basin #2		
Total Area	26992.00 ft²	0.62 ac
Existing Impervious Area	0.00 ft²	0.00 ac
% Impervious		0.00%
Proposed Impervious Area	7008.00 ft²	0.16 ac
% Impervious		25.96%



PREDEVELOPED TIME OF CONCENTRATION

JOB NUMBER: 106-016
PROJECT: Canyon Creek 2
FILE: 10616preliminary.xls

BASIN #1

LAG ONE: SHEET FLOW (FIRST 300 FEET)		Accum.
Tt = Travel time		Tc
Manning's "n" =	0.15	
Flow Length, L =	300 ft (300 ft. max.)	
P = 2-year, 24hr storm =	2.5 in	
Slope, S ₀ =	0.015 ft/ft	
$T_T = \frac{(0.42)(n * L)^{0.8}}{(P)^{0.5} (S_0)^{0.4}}$	29.95 min.	29.95 min.

LAG TWO: SHALLOW CONCENTRATED FLOW (NEXT 91 FEET)		
Tc Velocity factor, k=	11	
Slope, S ₀ =	0.015 ft/ft	
$V = k\sqrt{S_0}$	1.35 ft/s	
w Length, L =	91 ft	
$T = \frac{L}{(60)(V)}$	1.13 min.	31.08 min.

TOTAL PREDEVELOPED TIME OF CONCENTRATION = 31.08 min.

BASIN #2

LAG ONE: SHEET FLOW (FIRST 216 FEET)		Accum.
Tt = Travel time		Tc
Manning's "n" =	0.15	
Flow Length, L =	216 ft (300 ft. max.)	
P = 2-year, 24hr storm =	2.5 in	
Slope, S ₀ =	0.015 ft/ft	
$T_T = \frac{(0.42)(n * L)^{0.8}}{(P)^{0.5} (S_0)^{0.4}}$	22.79 min.	22.79 min.

TOTAL PREDEVELOPED TIME OF CONCENTRATION = 22.79 min.



DEVELOPED TIME OF CONCENTRATION

JOB NUMBER: 106-016
 PROJECT: Canyon Creek 2
 FILE: 10616preliminary.xls

BASIN #1

Catchment Time	5 min.
Longest Run of Pipe	251 ft
Velocity of Flow	3 ft/s
Time in Pipe = $(251 \text{ ft}) / (3.00 \text{ ft/s}) =$	83.7 s

TOTAL DEVELOPED Tc = 6.39 min.

BASIN #2

Catchment Time	5 min.
Longest Run of Pipe	17 ft
Velocity of Flow	3 ft/s
Time in Pipe = $(17 \text{ ft}) / (3.00 \text{ ft/s}) =$	5.67 s

TOTAL DEVELOPED Tc = 5.09 min.



WATER QUALITY SWALE CALCULATIONS

BASIN #1

JOB NUMBER: 106-016
 PROJECT: Canyon Creek 2
 FILE: 10616preliminary.xls

REFERENCES:

1. Clean Water Services R&O 04-7.
2. Discussions with Clean Water Services.

REQUIRED WATER QUALITY TREATMENT: 65% Phosphorus Removal.

PROPOSED TREATMENT METHODS:

1. Sumped Catch Basins	15%
2. Bio-Filtration Swale	50%
total	<u>65%</u>

DESIGN STORM:

Precipitation: 0.36 inches
 Storm Duration: 4 hours
 Storm Return Period: 96 hours
 Storm Window: 2 weeks

IMPERVIOUS AREA AS A RESULT OF CANYON CREEK 1 AND 2:

Watershed Area: 8.56 acres
 Percent imp: 0.46 %
 Impervious Area: 3.94 acres

Design Inflow = $(3.93853551912568 \text{ ac}) \cdot (43560 \text{ ft}^2/\text{ac}) \cdot (0.36 \text{ in} / 4.0 \text{ hrs}) = \underline{\underline{0.36 \text{ cfs}}}$

BIOFILTRATION SWALE DESIGN CRITERIA:

Max Velocity: 0.9 ft/s
 Side Slopes: 4 :1 (treatment area)
 Base: 2 feet (2' min)
 n Factor: 0.18 (plantings)

SWALE CHARACTERISTICS:

Q= 0.36 Design Storm Discharge (determined above)
 N= 0.18 Plantings
 B= 2 ft Base width of channel
 Z= 4 :1 Side slopes
 SLOPE= 0.005 ft/ft Slope of channel (0.005 minimum)
 ASS. Y= 0.5 ft Assumed depth to begin analysis (0.5 ft maximum)

ITERATIVE SOLUTION OF MANNING'S EQUATION FOR NORMAL DEPTH:

ITERATION	Y (FT)	P (FT)	A (FT ²)	R	Q (CFS)	% ERROR	V (FPS)
1	0.50	6.12	2.00	0.33	0.56	54.23	0.28
2	0.37	5.09	1.31	0.26	0.31	-13.77	0.24
3	0.41	5.41	1.51	0.28	0.38	4.94	0.25
4	0.40	5.30	1.44	0.27	0.35	-1.58	0.25
5	0.40	5.34	1.46	0.27	0.36	0.53	0.25
6	0.40	5.33	1.46	0.27	0.36	-0.17	0.25
7	0.40	5.33	1.46	0.27	0.36	0.06	0.25
8	0.40	5.33	1.46	0.27	0.36	-0.02	0.25
9	0.40	5.33	1.46	0.27	0.36	0.01	0.25
10	0.40	5.33	1.46	0.27	0.36	0.00	0.25
11	0.40	5.33	1.46	0.27	0.36	0.00	0.25
12	0.40	5.33	1.46	0.27	0.36	0.00	0.25
13	0.40	5.33	1.46	0.27	0.36	0.00	0.25
14	0.40	5.33	1.46	0.27	0.36	0.00	0.25
15	0.40	5.33	1.46	0.27	0.36	0.00	0.25

NORMAL DEPTH = 0.40 ft
 FLOW WIDTH = 5.23 ft
 VELOCITY = 0.25 ft/s
 TREATMENT TIME = 9.00 min
 TREATMENT LENGTH = 133.27 ft

ORIGINAL REQUIRED LENGTH 130.11 FT
 138 FT WERE BUILT ORIGINALLY



WATER QUALITY SWALE CALCULATIONS

BASIN #2

JOB NUMBER: 106-016
 PROJECT: Canyon Creek 2
 FILE: 10616SWALE2.XLS

REFERENCES:

1. Clean Water Services R&O 07-20.
2. Discussions with Clean Water Services.

REQUIRED WATER QUALITY TREATMENT: 65% Phosphorus Removal.

PROPOSED TREATMENT METHODS:

1. Sumped Catch Basins	15%
2. Bio-Filtration Swale	50%
total	65%

DESIGN STORM:

Precipitation: 0.36 inches
 Storm Duration: 4 hours
 Storm Return Period: 96 hours
 Storm Window: 2 weeks

IMPERVIOUS AREA:

Watershed Area: 14.99 acres
 Percent imp: 49.10%
 Impervious Area: 7.36 acres

Design Inflow = $(7.36 \text{ ac}) * (43560 \text{ ft}^2/\text{ac}) * (0.36 \text{ in} / 4.0 \text{ hrs}) =$ 0.67 cfs

BIOFILTRATION SWALE DESIGN CRITERIA:

Max Velocity: 0.9 ft/s
 Side Slopes: 4 :1 (treatment area)
 Base: 2 feet (2' min)
 n Factor: 0.18 (plantings)

SWALE CHARACTERISTICS:

Q= 0.67 Design Storm Discharge (determined above)
 N= 0.18 Plantings
 B= 2 ft Base width of channel
 Z= 4 :1 Side slopes
 SLOPE= 0.005 ft/ft Slope of channel (0.005 minimum)
 ASS. Y= 0.5 ft Assumed depth to begin analysis (0.5 ft maximum)

ITERATIVE SOLUTION OF MANNING'S EQUATION FOR NORMAL DEPTH:

ITERATION	Y (FT)	P (FT)	A (FT ²)	R	Q (CFS)	% ERROR	V (FPS)
1	0.50	6.12	2.00	0.33	0.56	-17.13	0.28
2	0.57	6.67	2.42	0.36	0.72	7.38	0.30
3	0.54	6.46	2.25	0.35	0.65	-2.71	0.29
4	0.55	6.54	2.31	0.35	0.68	1.06	0.29
5	0.55	6.51	2.29	0.35	0.67	-0.40	0.29
6	0.55	6.52	2.30	0.35	0.67	0.16	0.29
7	0.55	6.51	2.29	0.35	0.67	-0.06	0.29
8	0.55	6.52	2.30	0.35	0.67	0.02	0.29
9	0.55	6.52	2.29	0.35	0.67	-0.01	0.29
10	0.55	6.52	2.30	0.35	0.67	0.00	0.29
11	0.55	6.52	2.30	0.35	0.67	0.00	0.29
12	0.55	6.52	2.30	0.35	0.67	0.00	0.29
13	0.55	6.52	2.30	0.35	0.67	0.00	0.29
14	0.55	6.52	2.30	0.35	0.67	0.00	0.29
15	0.55	6.52	2.30	0.35	0.67	0.00	0.29

NORMAL DEPTH = 0.55 ft
 FLOW WIDTH = 6.38 ft
 VELOCITY = 0.29 ft/s
 TREATMENT TIME = 9.00 min
 TREATMENT LENGTH = 157.64 ft

ORIGINAL REQUIRED LENGTH 156.37 FT
 164 FT WERE BUILT ORIGINALLY



SANTA BARBARA URBAN HYDROGRAPHS

JOB: 106-016
 PROJECT: Canyon Creek 2
 FILE: 10616preliminary.xls

DESCRIPTION	DESIGN STORM (YR)	DURATION (HR)	PRECIP (IN)	AREA TOTAL (AC)	% IMP	AREA PERV. (AC)	CN PER.	AREA IMP. (AC)	CN IMP.	TIME (MIN)	Q (CFS)
BASIN #1											
PREDEVELOPED 25-YEAR PEAK DISCHARGE	25	24	3.9	1.24	7.89%	1.239	85	0.001	98	31.08	0.5177
DEVELOPED 25-YEAR PEAK DISCHARGE	25	24	3.9	1.24	43.48%	1.2346	86	0.0054	98	6.39	0.8054
BASIN #2											
PREDEVELOPED 25-YEAR PEAK DISCHARGE	25	24	3.9	0.62	0.00%	0.62	85	0	98	22.79	0.2935
DEVELOPED 25-YEAR PEAK DISCHARGE	25	24	3.9	0.62	25.96%	0.6184	86	0.0016	98	5.09	0.4181



STORMWATER CONVEYANCE CALCULATIONS

JOB: 106-016
 PROJECT: Canyon Creek 2
 FILE: 10616preliminary.xls
 Design Storm: 25 YR
 Storm Duration: 24 HRS
 Precipitation: 3.9 IN
 Manning's "n": 0.013

LINE	INC. AREA (AC)	AREA TOTAL (AC)	% IMP.	AREA PERV. (AC)	CN PER.	AREA IMP. (AC)	CN IMP.	TIME (MIN)	Q (CFS)	PIPE SIZE (IN)	SLOPE (FT/FT)	Qf (CFS)	Q/Qf (%)	Vf (FPS)	V/Vf (%)	ACTUAL V (FPS)
BASIN #1	1.24	1.24	43.48%	1.23	86	0.01	98	6.39	0.81	12	0.0050	2.53	0.32	3.22	0.51883	1.67
BASIN #2	0.62	0.62	25.96%	0.62	86	0.00	98	5.09	0.42	12	0.0050	2.53	0.1655	3.22	0.36552	1.18



Project No. 106-016	Sheet No. 1
Date 11/15/13	
By BEF	

Project

CANYON CREEK II

Subject

DETENTION CALC'S

TOTAL AREA = 1.83 AC

BASIN #1 $A_T = 1.24 AC$

EX IMP A = 0.10 AC CN = 98
 PER A = 1.14 AC CN = 85
 $T_{C PRE} = 31.08 MIN$

DEV IMP A = 0.54 AC CN = 98
 PER A = 0.70 AC CN = 86
 $T_{C DEV} = 60.39 MIN$

→ MAX STORAGE
 FOR DETENTION
 NEEDS IS 951 CF
 ↳ REFER TO INTELLISOLVE
 CALC'S.

BASIN #2 $A_T = 0.62 AC$

EX IMP A = 0 AC
 PER A = 0.62 AC
 $T_{C PRE} = 22.79 MIN$

DEV IMP A = 0.16 AC CN = 98
 PER A = 0.50 AC CN = 86
 $T_{C DEV} = 5.09 MIN.$

→ MAX STORAGE
 FOR DETENTION
 NEEDS IS 372 CF
 ↳ REFER TO INTELLISOLVE
 CALC'S.

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Hydrograph No. 3, Reservoir, 1	7

Hydrograph Return Period Recap

No.	Hydrograph type (origin)	Inflow Hyd(s)	Peak Outflow (cfs)								Hydrograph description
			1-Yr	2-Yr	3-Yr	5-Yr	10-Yr	25-Yr	50-Yr	100-Yr	
1	SCS Runoff	-----	-----	0.31	-----	-----	0.55	0.67	-----	-----	Pre
2	SCS Runoff	-----	-----	0.48	-----	-----	0.75	0.89	-----	-----	Dev
3	Reservoir	2	-----	0.31	-----	-----	0.55	0.67	-----	-----	1
Proj. file: 10616det.gpw								Friday, Nov 15 2013, 1:44 PM			

Hydrograph Summary Report

No.	Hydrograph type (origin)	Peak flow (cfs)	Time interval (min)	Time to peak (min)	Volume (cuft)	Inflow hyd(s)	Maximum elevation (ft)	Maximum storage (cuft)	Hydrograph description	
1	SCS Runoff	0.31	3	495	5,697	---	----	-----	Pre	
2	SCS Runoff	0.48	3	477	6,796	---	----	-----	Dev	
3	Reservoir	0.31	3	489	6,791	2	100.90	481	1	
10616det.gpw					Return Period: 2 Year			Friday, Nov 15 2013, 1:44 PM		

Hydrograph Plot

Hydraflow Hydrographs by Intelisolve

Friday, Nov 15 2013, 1:44 PM

Hyd. No. 3

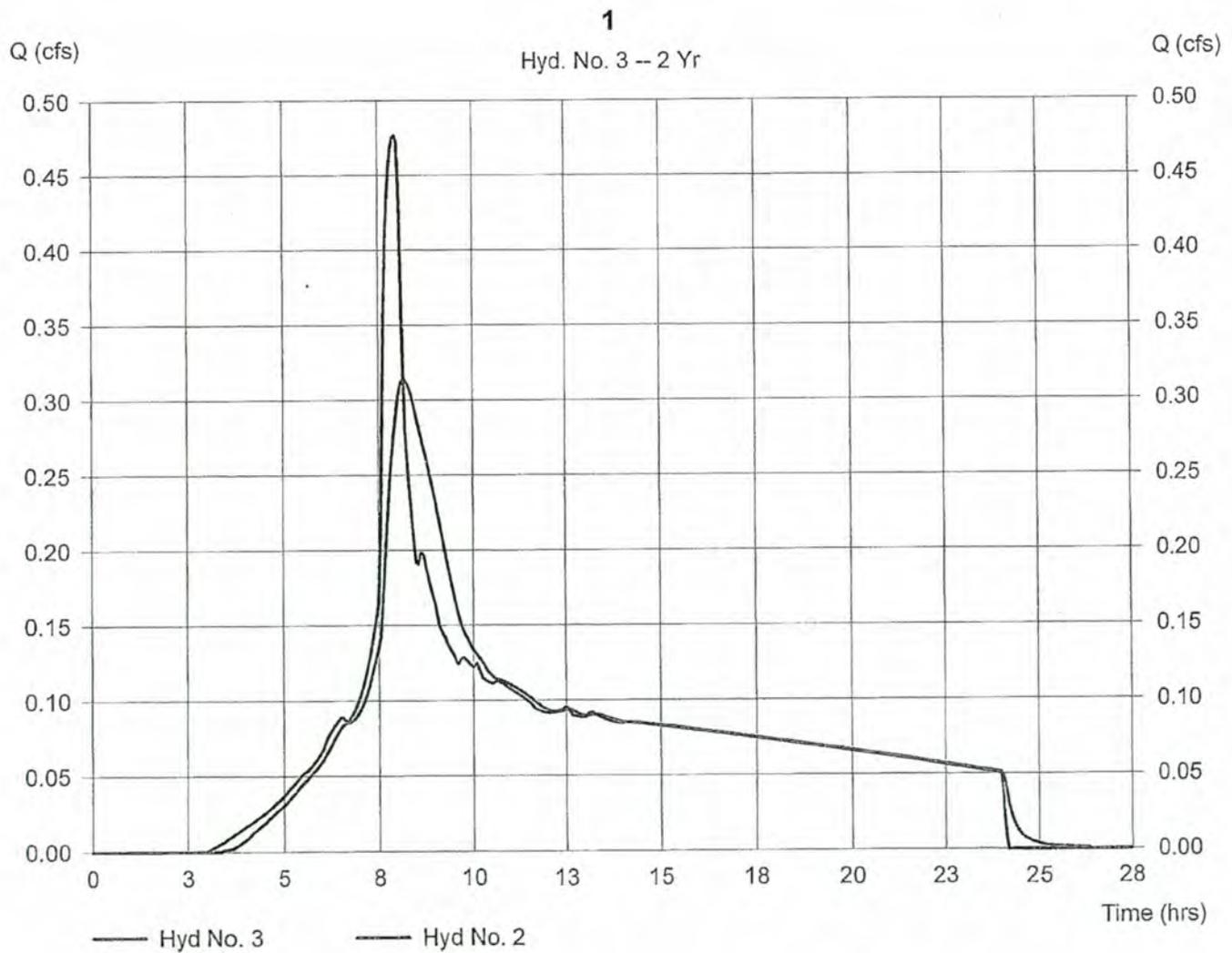
1

Hydrograph type = Reservoir
 Storm frequency = 2 yrs
 Inflow hyd. No. = 2
 Reservoir name = 1

Peak discharge = 0.31 cfs
 Time interval = 3 min
 Max. Elevation = 100.90 ft
 Max. Storage = 481 cuft

Storage Indication method used.

Hydrograph Volume = 6,791 cuft



Hydrograph Summary Report

No.	Hydrograph type (origin)	Peak flow (cfs)	Time interval (min)	Time to peak (min)	Volume (cuft)	Inflow hyd(s)	Maximum elevation (ft)	Maximum storage (cuft)	Hydrograph description	
1	SCS Runoff	0.55	3	492	9,411	---	-----	-----	Pre	
2	SCS Runoff	0.75	3	474	10,524	---	-----	-----	Dev	
3	Reservoir	0.55	3	486	10,519	2	101.29	795	1	
10616det.gpw					Return Period: 10 Year		Friday, Nov 15 2013, 1:44 PM			

Hydrograph Plot

Hydraflow Hydrographs by Intelisolve

Friday, Nov 15 2013, 1:44 PM

Hyd. No. 3

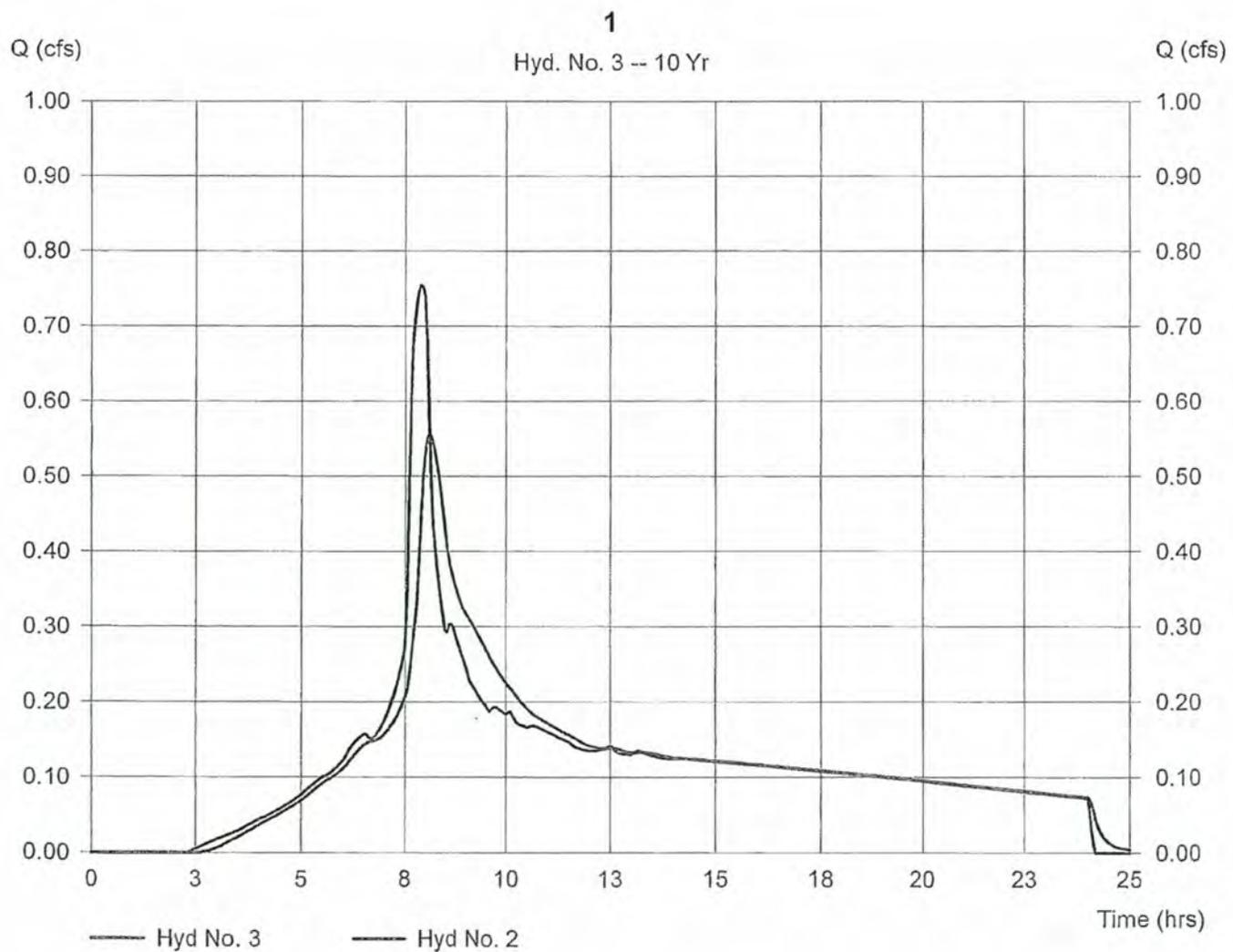
1

Hydrograph type = Reservoir
 Storm frequency = 10 yrs
 Inflow hyd. No. = 2
 Reservoir name = 1

Peak discharge = 0.55 cfs
 Time interval = 3 min
 Max. Elevation = 101.29 ft
 Max. Storage = 795 cuft

Storage Indication method used.

Hydrograph Volume = 10,519 cuft



Hydrograph Summary Report

i. no.	Hydrograph type (origin)	Peak flow (cfs)	Time interval (min)	Time to peak (min)	Volume (cuft)	Inflow hyd(s)	Maximum elevation (ft)	Maximum storage (cuft)	Hydrograph description
1	SCS Runoff	0.67	3	492	11,252	---	-----	-----	Pre
2	SCS Runoff	0.89	3	474	12,329	---	-----	-----	Dev
3	Reservoir	0.67	3	486	12,324	2	101.46	951	1
10616det.gpw					Return Period: 25 Year			Friday, Nov 15 2013, 1:44 PM	

Hydrograph Plot

Hydraflow Hydrographs by Intellsolve

Friday, Nov 15 2013, 1:44 PM

Hyd. No. 3

1

Hydrograph type = Reservoir
 Storm frequency = 25 yrs
 Inflow hyd. No. = 2
 Reservoir name = 1

Peak discharge = 0.67 cfs
 Time interval = 3 min
 Max. Elevation = 101.46 ft
 Max. Storage = 951 cuft

Storage Indication method used.

Hydrograph Volume = 12,324 cuft

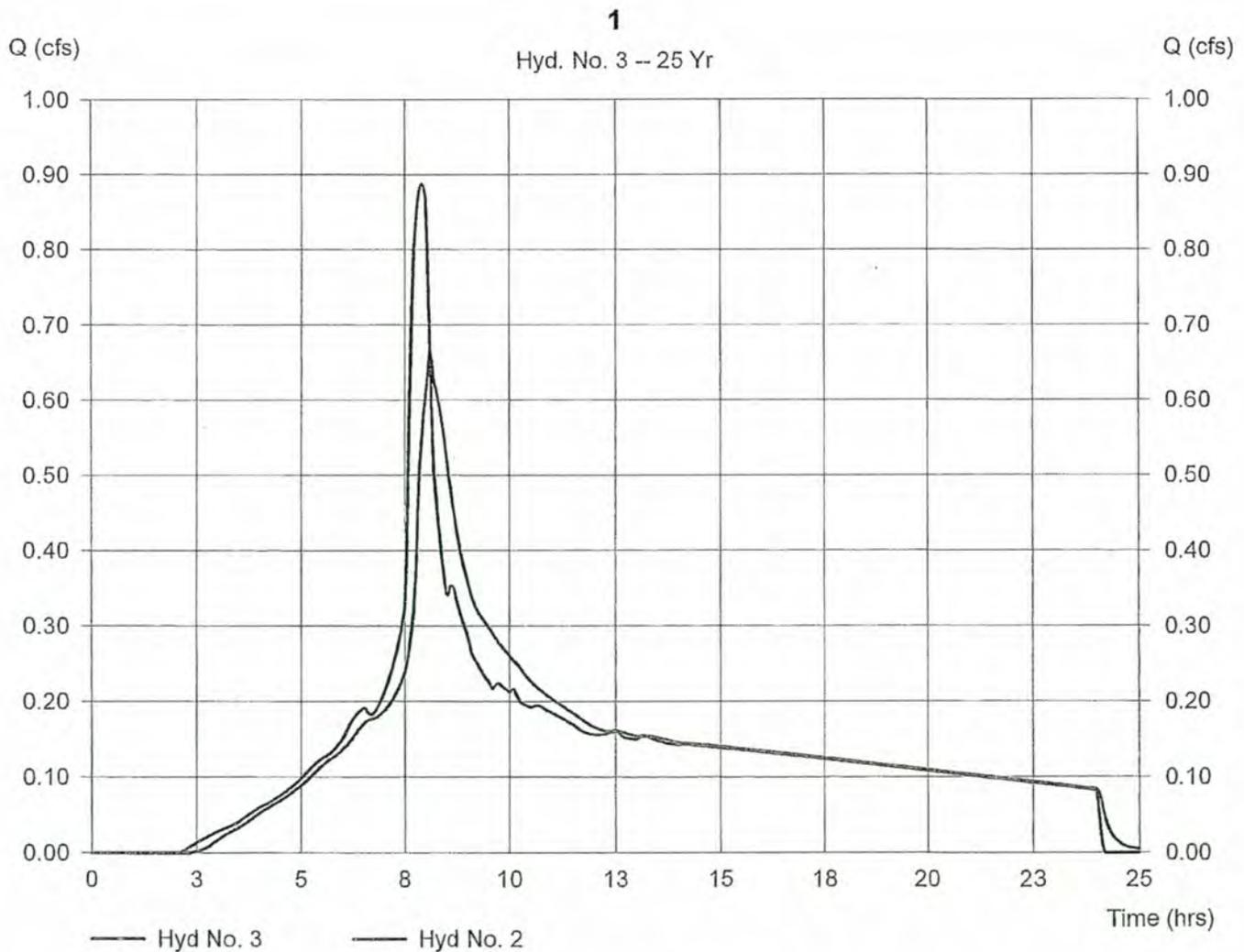


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BASIN #2

10616basin2.gpw

Hydraflow Hydrographs by Intelisolve

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Hydrograph No. 3, Reservoir, pond	3
10 - Year	
Summary Report	4
Hydrograph Reports	5
Hydrograph No. 3, Reservoir, pond	5
25 - Year	
Summary Report	6
Hydrograph Reports	7
Hydrograph No. 3, Reservoir, pond	7

Hydrograph Return Period Recap

No.	Hydrograph type (origin)	Inflow Hyd(s)	Peak Outflow (cfs)								Hydrograph description
			1-Yr	2-Yr	3-Yr	5-Yr	10-Yr	25-Yr	50-Yr	100-Yr	
1	SCS Runoff	-----	-----	0.16	-----	-----	0.29	0.35	-----	-----	Pre
2	SCS Runoff	-----	-----	0.22	-----	-----	0.37	0.44	-----	-----	Dev
3	Reservoir	2	-----	0.16	-----	-----	0.29	0.34	-----	-----	pond

Hydrograph Summary Report

Ord. No.	Hydrograph type (origin)	Peak flow (cfs)	Time interval (min)	Time to peak (min)	Volume (cuft)	Inflow hyd(s)	Maximum elevation (ft)	Maximum storage (cuft)	Hydrograph description
1	SCS Runoff	0.16	2	486	2,700	---	-----	-----	Pre
2	SCS Runoff	0.22	2	476	3,267	---	-----	-----	Dev
3	Reservoir	0.16	2	486	3,265	2	100.87	164	pond

Hydrograph Plot

Hydraflow Hydrographs by Intellisolve

Friday, Nov 15 2013, 1:58 PM

Hyd. No. 3

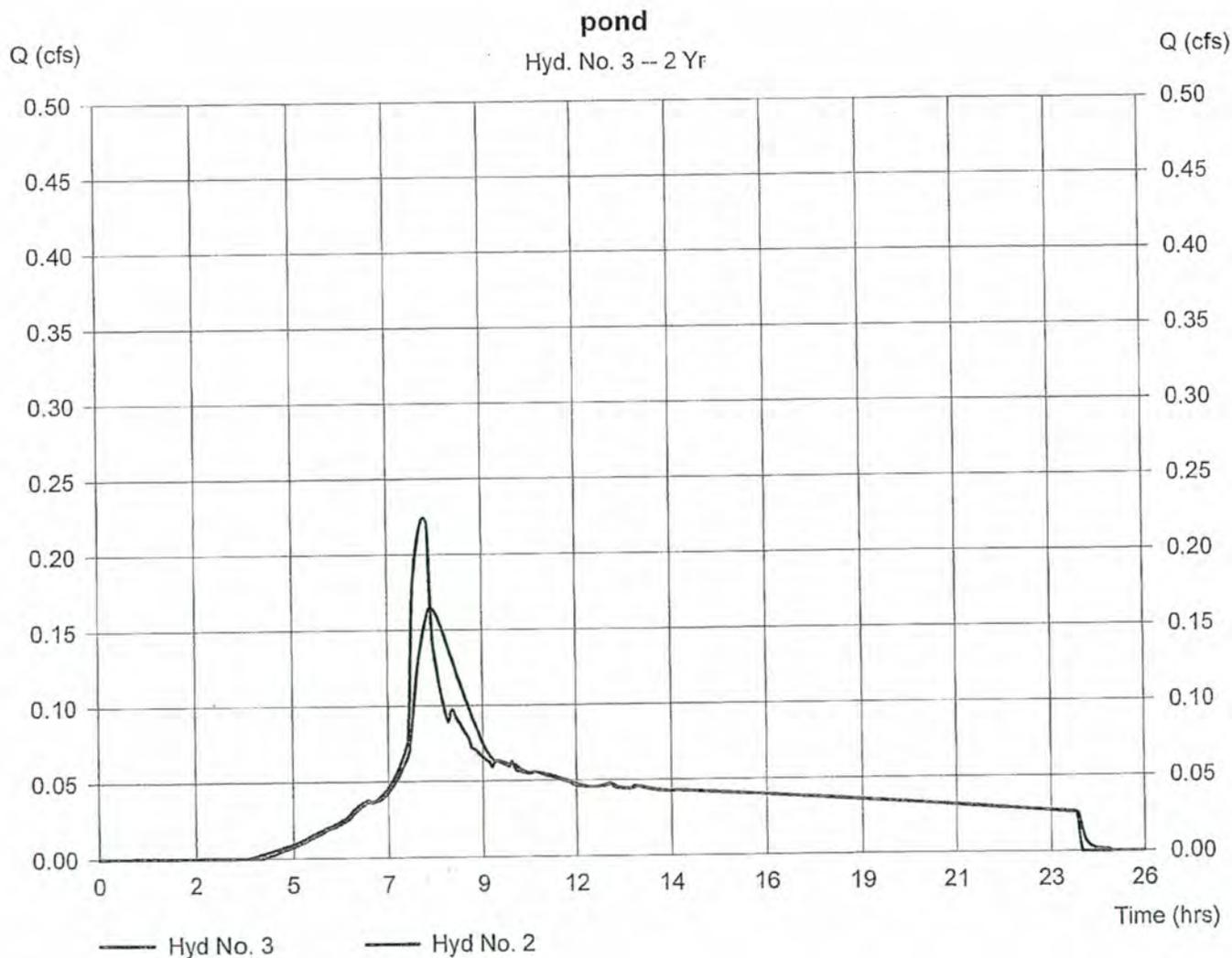
pond

Hydrograph type = Reservoir
 Storm frequency = 2 yrs
 Inflow hyd. No. = 2
 Reservoir name = pond

Peak discharge = 0.16 cfs
 Time interval = 2 min
 Max. Elevation = 100.87 ft
 Max. Storage = 164 cuft

Storage Indication method used.

Hydrograph Volume = 3,265 cuft



Hydrograph Summary Report

	Hydrograph type (origin)	Peak flow (cfs)	Time interval (min)	Time to peak (min)	Volume (cuft)	Inflow hyd(s)	Maximum elevation (ft)	Maximum storage (cuft)	Hydrograph description
1	SCS Runoff	0.29	2	484	4,519	---	-----	-----	Pre
2	SCS Runoff	0.37	2	474	5,191	---	-----	-----	Dev
3	Reservoir	0.29	2	484	5,189	2	101.26	298	pond
10616basin2.gpw					Return Period: 10 Year		Friday, Nov 15 2013, 1:58 PM		

Hydrograph Plot

Hydraflow Hydrographs by Intelisolve

Friday, Nov 15 2013, 1:58 PM

Hyd. No. 3

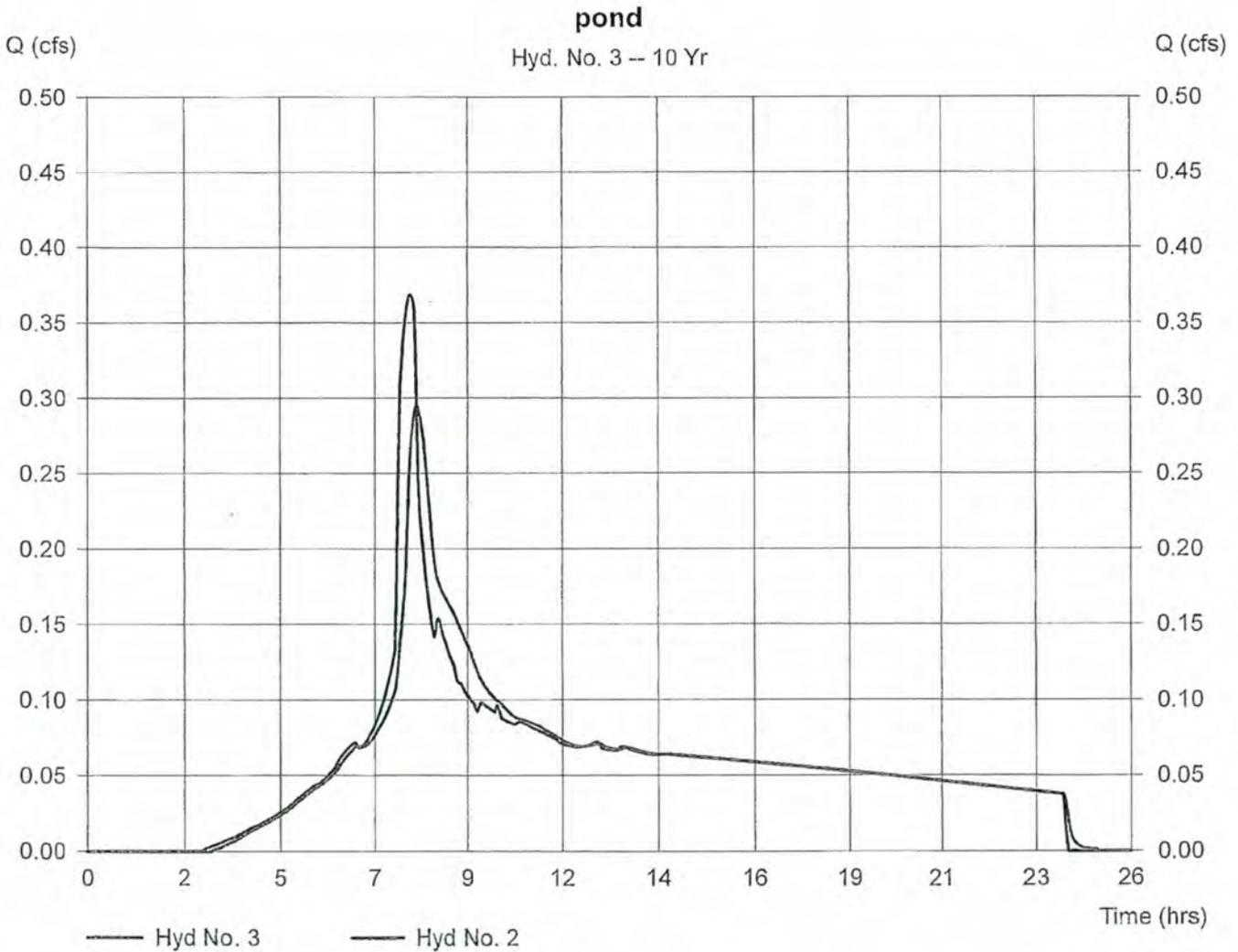
pond

Hydrograph type = Reservoir
 Storm frequency = 10 yrs
 Inflow hyd. No. = 2
 Reservoir name = pond

Peak discharge = 0.29 cfs
 Time interval = 2 min
 Max. Elevation = 101.26 ft
 Max. Storage = 298 cuft

Storage Indication method used.

Hydrograph Volume = 5,189 cuft



Hydrograph Summary Report

i.	Hydrograph type (origin)	Peak flow (cfs)	Time interval (min)	Time to peak (min)	Volume (cuft)	Inflow hyd(s)	Maximum elevation (ft)	Maximum storage (cuft)	Hydrograph description
1	SCS Runoff	0.35	2	484	5,426	---	-----	-----	Pre
2	SCS Runoff	0.44	2	474	6,130	---	-----	-----	Dev
3	Reservoir	0.34	2	484	6,128	2	101.43	372	pond
10616basin2.gpw					Return Period: 25 Year		Friday, Nov 15 2013, 1:58 PM		

Hydrograph Plot

Hydraflow Hydrographs by Intelisolve

Friday, Nov 15 2013, 1:58 PM

Hyd. No. 3

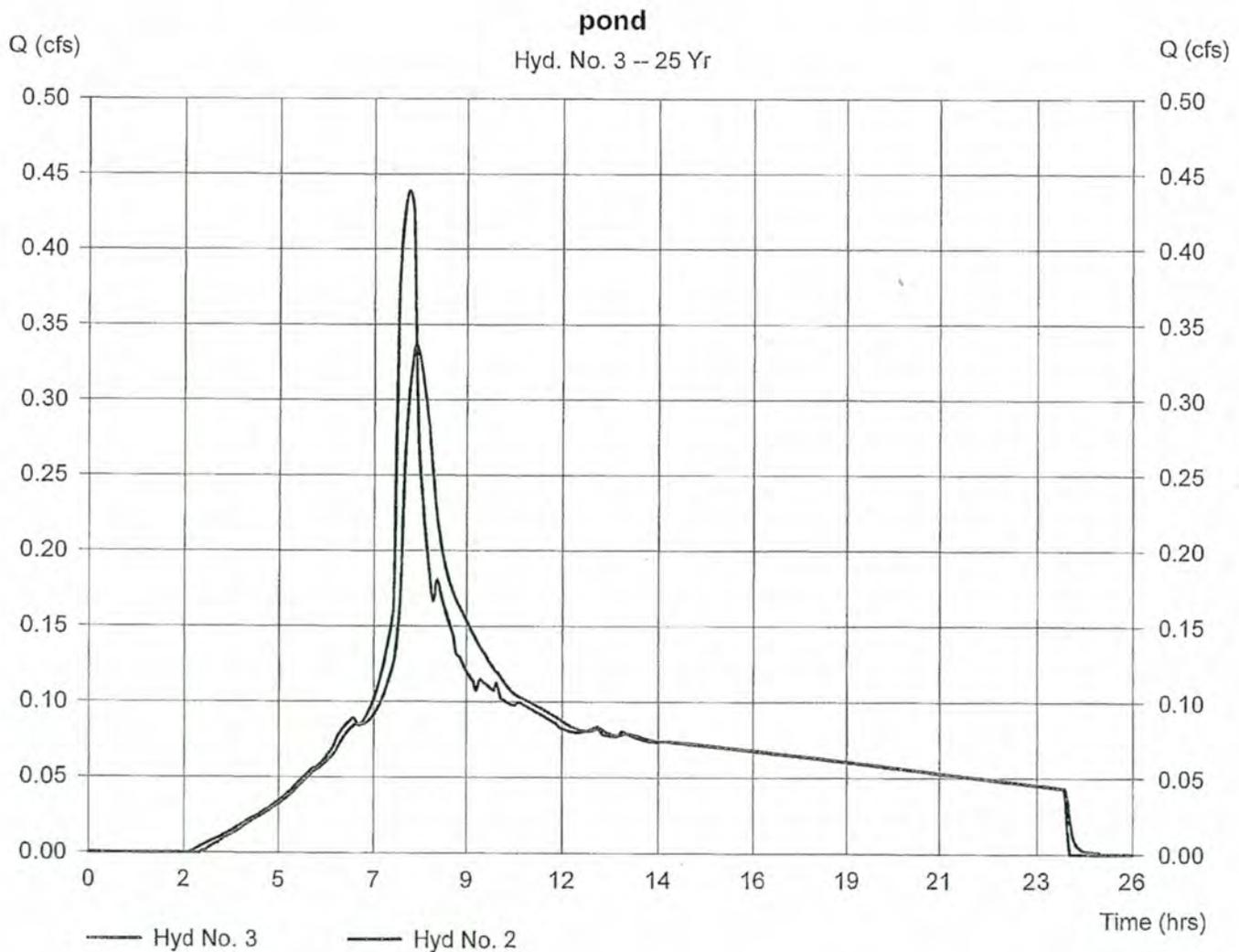
pond

Hydrograph type = Reservoir
 Storm frequency = 25 yrs
 Inflow hyd. No. = 2
 Reservoir name = pond

Peak discharge = 0.34 cfs
 Time interval = 2 min
 Max. Elevation = 101.43 ft
 Max. Storage = 372 cuft

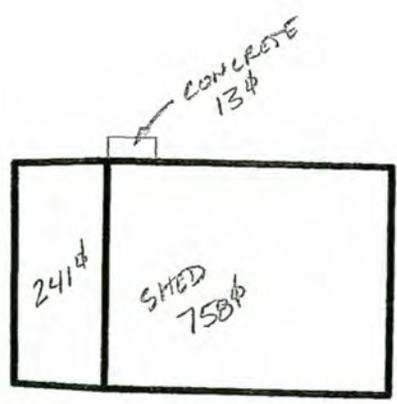
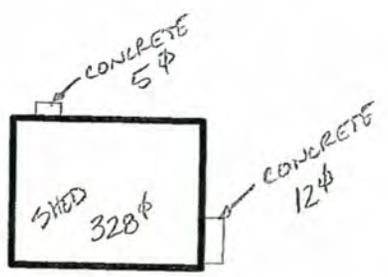
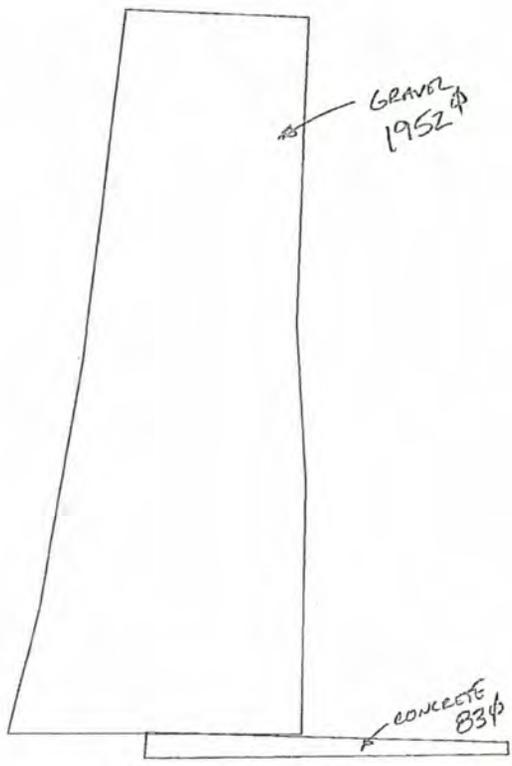
Storage Indication method used.

Hydrograph Volume = 6,128 cuft



Ordinance 739 Exhibit B1
GRAVEL = 1,952' @ 60% = 1172'
CONCRETE = 113'
STRUCTURES = 2768'

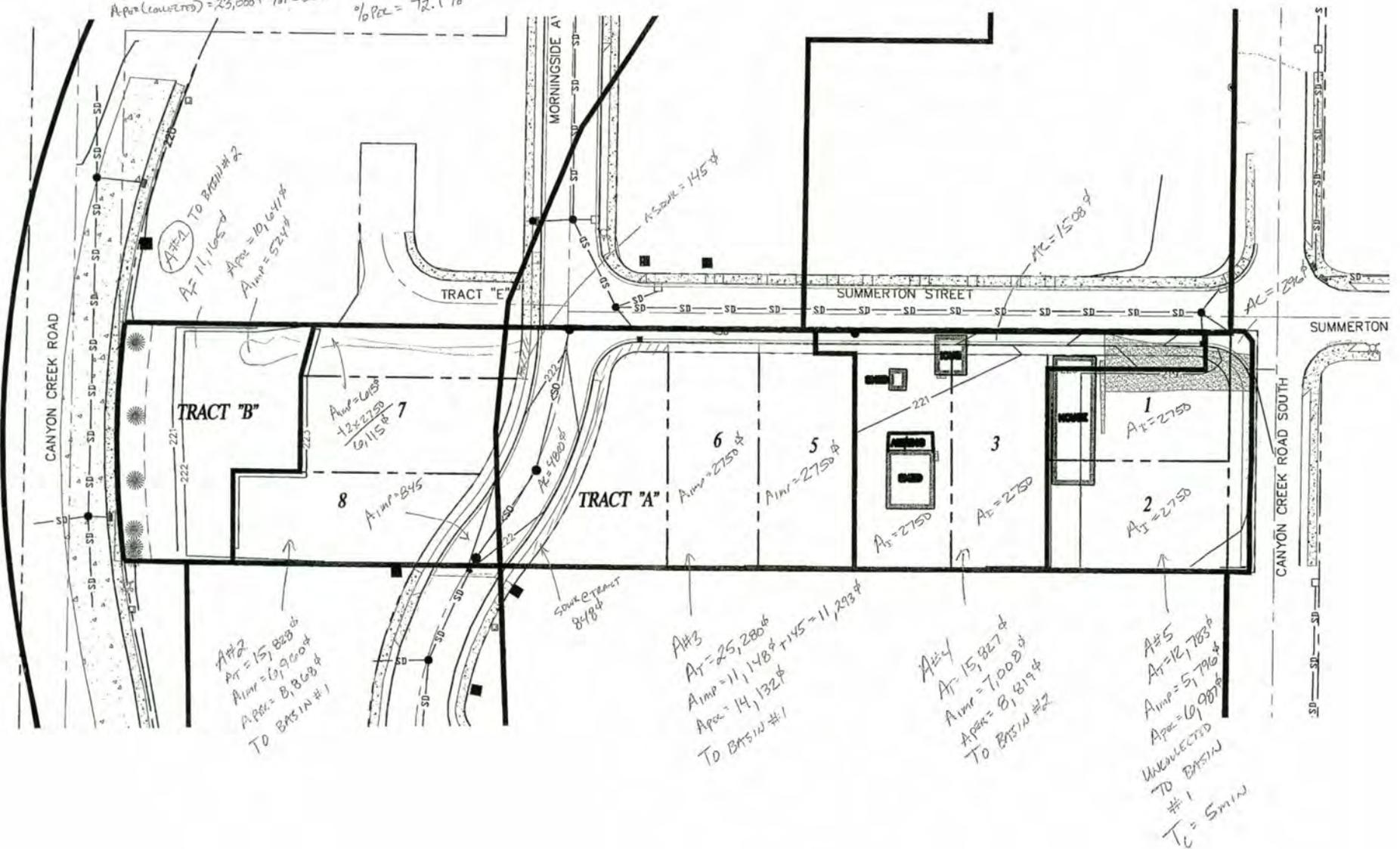
TOTAL AREA = 79,365.05'
OR
1.82 AC



42

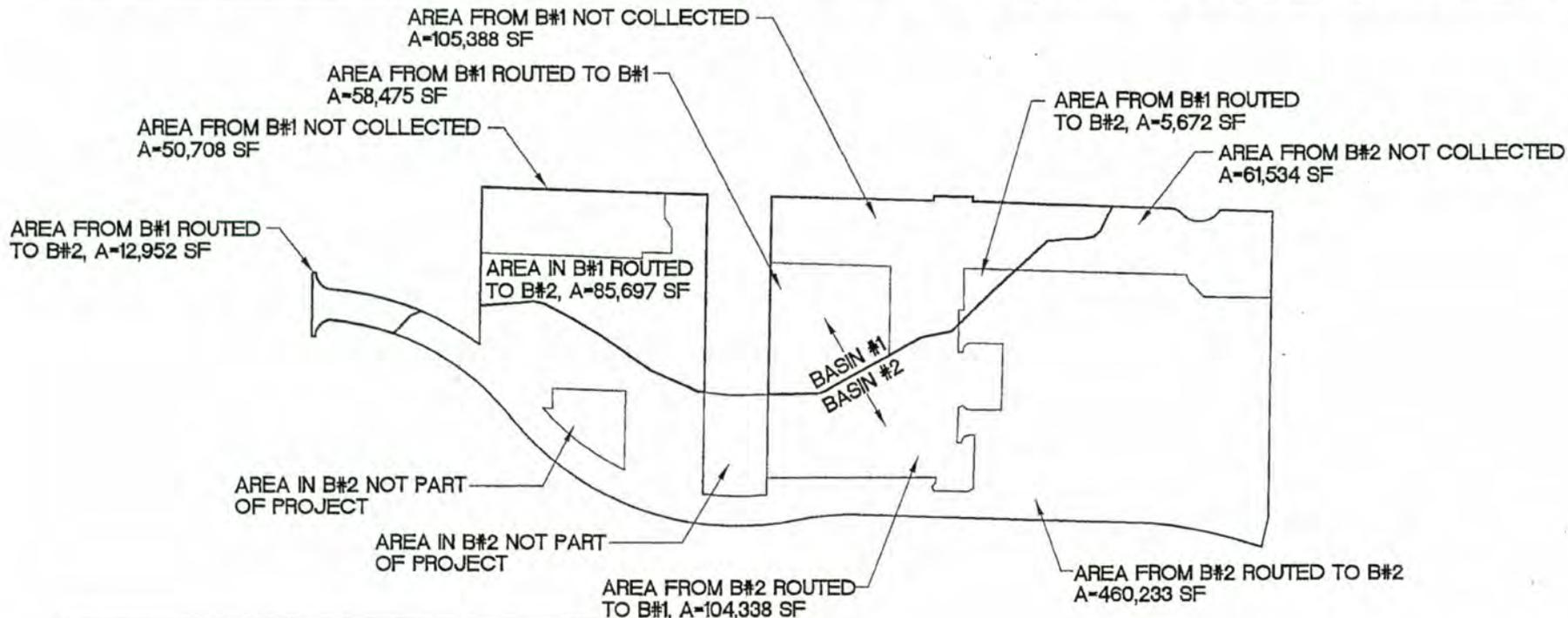
BASIN #1
 $A_T = 53,891 \text{ ft}^2$, $A_I = 23,904 \text{ ft}^2$, $A_P = 27,987 \text{ ft}^2$
 $A_{\text{NOT COLLECTED}} = 12,783 \text{ ft}^2$
 $A_T (\text{COLLECTED}) = 41,108 \text{ ft}^2$
 $A_{\text{IMP}} (\text{COLLECTED}) = 18,263 \text{ ft}^2$, $\% I = 44\%$
 $A_{\text{P}} (\text{COLLECTED}) = 23,000 \text{ ft}^2$, $\% P = 56\%$

BASIN #2
 $A_T = 26,992 \text{ ft}^2$
 $A_{\text{IMP}} = 7,532 \text{ ft}^2$
 $A_{\text{P}} = 19,460 \text{ ft}^2$
 $\% \text{IMP} = 27.9\%$
 $\% P = 72.1\%$



CANYON CREC. #1

AREA CALCULATIONS FOR BASIN BALANCE AND DETENTION REQUIREMENTS



SITE BREAK DOWN:

EXISTING AREA OF BASIN#1 IN PROJECT = 318,913 SF, 7.32 AC
EXISTING AREA OF BASIN#2 IN PROJECT = 626,094 SF, 14.37 AC

TOTAL OF BASINS = 945,007 SF, 21.69 AC

AREA COLLECTED AND ROUTED TO BASIN#1 = 162,813 SF, 3.74 AC
AREA NOT COLLECTED IN BASIN#1 = 156,096 SF, 3.58 AC

TOTAL OF BASINS = 318,909 SF, 7.32 AC

AREA COLLECTED AND ROUTED TO BASIN#2 = 564,554 SF, 12.96 AC
AREA NOT COLLECTED IN BASIN#2 = 61,534 SF, 1.41 AC

TOTAL OF BASINS = 626,094 SF, 14.37 AC



SFA Design Group, LLC
STRUCTURAL | CIVIL | LAND USE PLANNING

RENAISSANCE AT CANYON CREEK

DRAINAGE REPORT

PLANNING DB No. 03DB43

DATE: June 15, 2004

REVISED: September 14, 2004

By: Brent Fitch, PE

Job No. 106-001

Applicant: Renaissance Homes
Christopher Harrell
1672 SW Willamette Falls Drive
West Linn, OR 97068
(503) 557-8000

Engineer: SFA Design Group, LLC
Brent Fitch, PE
9020 SW Washington Square Drive, Suite 350
Portland, OR 97223
(503) 641-8311



Site Description:

Renaissance at Canyon Creek is a proposed 73 lot development located within the Willamette River Drainage Basin. The property is made up of 10 original tax lots from the Bridle Trail Ranchettes and has an area of 21.69 acres which includes the right of way for Canyon Creek South, Map T3S R1W Sec.13B – tax lots 1500, 1501, 1600, 1601, 1700, 1800, 1900, 2100, 2200 and 2301. The existing property has large lots with single family homes on them with miscellaneous out buildings. With the proposed development we will be reducing the lot sizes. The properties surrounding the development are residential property or currently being farmed.

The existing topography is relatively flat sloping to the south and west and is mainly pasture. The existing homes will remain on the property and be platted into the subdivision. The site is split into two drainage basins which discharge to the east at Boeckman Creek and to the west at the South Tributary to Coffee Lake Creek. The site soils are predominately soil type 1-A Aloha Silt Loam with a Hydrologic Group C designation. I have designated the basins as Basin 1, which discharges to the east (Boeckman Creek Drainage), and Basin 2, which discharges to the west (South Tributary of Coffee Lake Creek). Refer to the attached exhibit. Through development the two basins will change in configuration on-site but will not vary in area. We will direct the same amount of area to each basin as the existing condition currently does.

Through research into the existing conditions prior to the Ranchette's it was found that the property was being farmed and bare ground. I have attached a photo of the property from Spencer Gross dated 06/14/63. Therefore, we are proceeding with the pre-developed Time of Concentration values representing the 1963 conditions prior to the development. Refer to attached photo.

Proposed Improvements:

We will be constructing impervious surfaces as a result of the public streets and private drives along with the eventual homes. Site amenities include multiple Open Space areas with a Club House and Pool for the use of the home owners within the development and will be fully landscaped and maintained by the Homeowners Association. Public utilities will be extended throughout the site for the use of the proposed lots. We will be constructing two ponds to treat and detain the storm water generated from the new impervious surfaces. Each detention pond will contain a water quality swale within the bottom of the pond. One pond will be located on site which will catch Basin 1's storm water and one pond will be located on the Mentor Graphics site to catch Basin 2's storm water. Refer to the Water Quality Swale Calculations and Pond Calculations.

By constructing the storm pipe to Mentor's property we will be crossing a wetland but disturbing less than 50 cubic yard's which we have approval for from DSL and the CORP. The pond on Mentor's property is situated to allow for future development and expansion of the facility to handle additional flows. We also have approval for constructing the storm drain pipe to Boeckman Creek. Refer to the attached permits.

Conveyance and Detention:

Attached you will find the conveyance and detention requirements and calculations for the development of the site. The calculations provided are for the proposed development and the full build-out of Canyon Creek South, but not for the full development of the remaining 10 large lots.

There are areas within each Basin #1 and Basin #2 that we are unable to collect due to the topography of the site and the existing and proposed conveyance systems. We have accounted for the areas we were unable to collect by calculating the difference between the pre and post release rate of these areas and reducing the allowed release rate within each pond to account for the flow by-passing the detention ponds. Therefore, we will be balancing the release of the storms with taking into account the areas we were unable to collect.

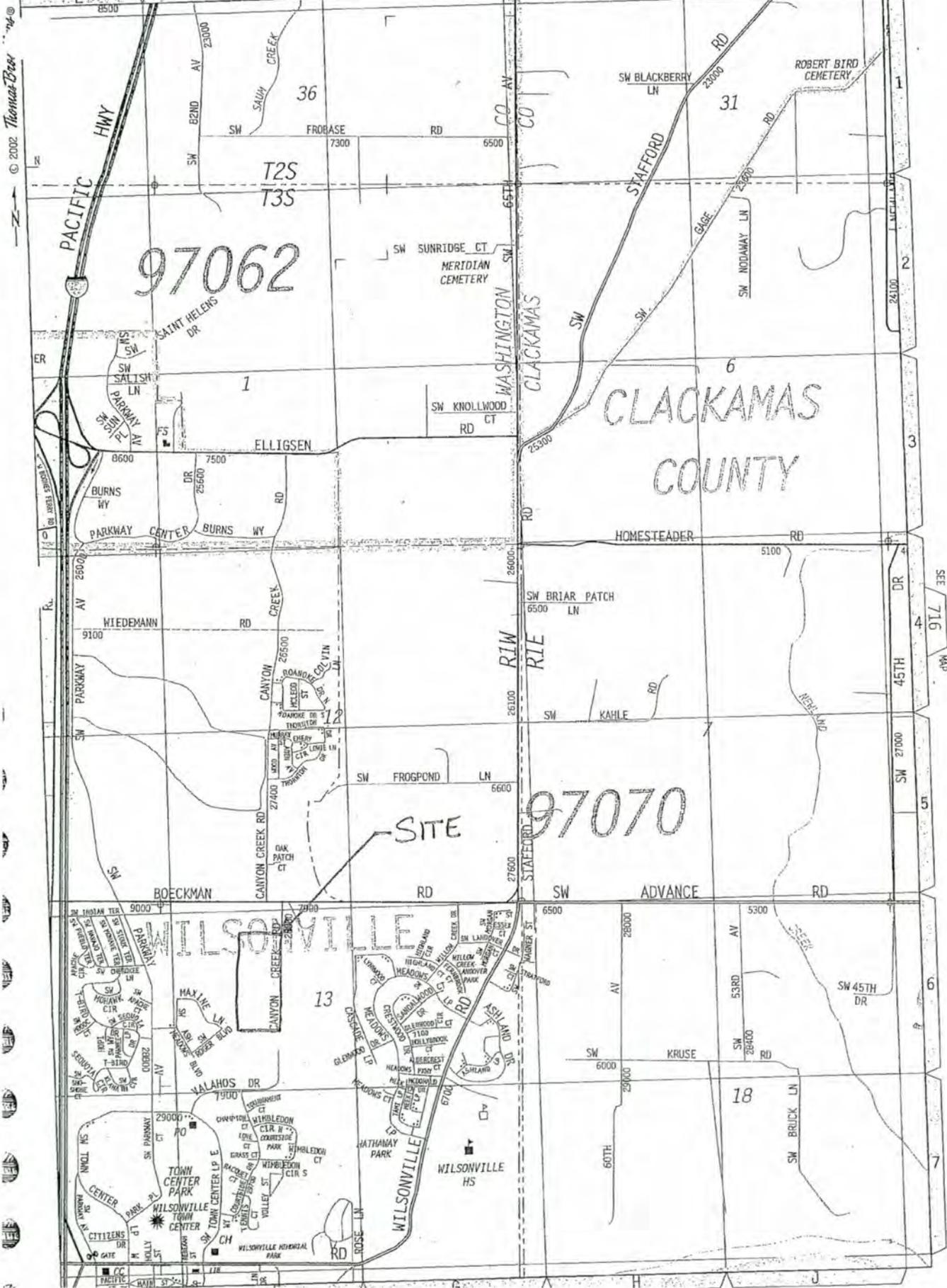
With the construction of the Ponds we will release the storm water at the respective pre-developed rate for the 2, 10 and 25 year storm events. We modeled these storm events using the King County Hydrograph program. Since we will release the storm water at the existing rates we will not further impact any properties downstream of the site with our development. Refer to the attached calculations.

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6. IMPERVIOUS AREA CALCULATIONS
7. SANTA BARBARA URBAN HYDROGRAPHS
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10. EXISTING AND PROPOSED CONDITIONS BREAK DOWN
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VERSION 4.20
12. DSL AND CORP PERMITS

715

SEE 685 MAP



PORTLAND

VICINITY MAP

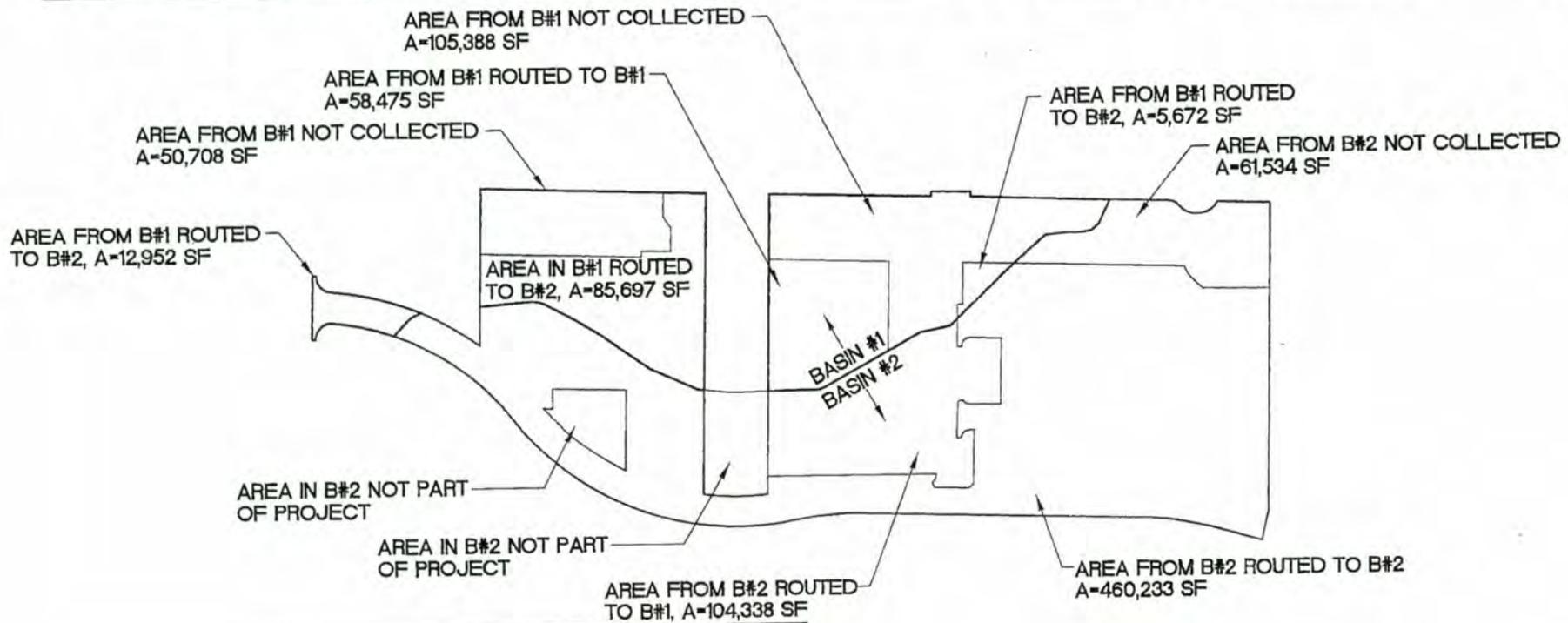
MAP

© 2002 Thomas Creek

© 2002 Thomas Creek

SEE 716 MAP

AREA CALCULATIONS FOR BASIN BALANCE AND DETENTION REQUIREMENTS



SITE BREAK DOWN:	
EXISTING AREA OF BASIN#1 IN PROJECT -	318,913 SF, 7.32 AC
EXISTING AREA OF BASIN#2 IN PROJECT -	626,094 SF, 14.37 AC
<hr/>	
TOTAL OF BASINS - 945,007 SF, 21.69 AC	
<hr/>	
AREA COLLECTED AND ROUTED TO BASIN#1 -	162,813 SF, 3.74 AC
AREA NOT COLLECTED IN BASIN#1 -	156,096 SF, 3.58 AC
<hr/>	
TOTAL OF BASINS - 318,909 SF, 7.32 AC	
<hr/>	
AREA COLLECTED AND ROUTED TO BASIN#2 -	564,554 SF, 12.96 AC
AREA NOT COLLECTED IN BASIN#2 -	61,534 SF, 1.41 AC
<hr/>	
TOTAL OF BASINS - 626,094 SF, 14.37 AC	



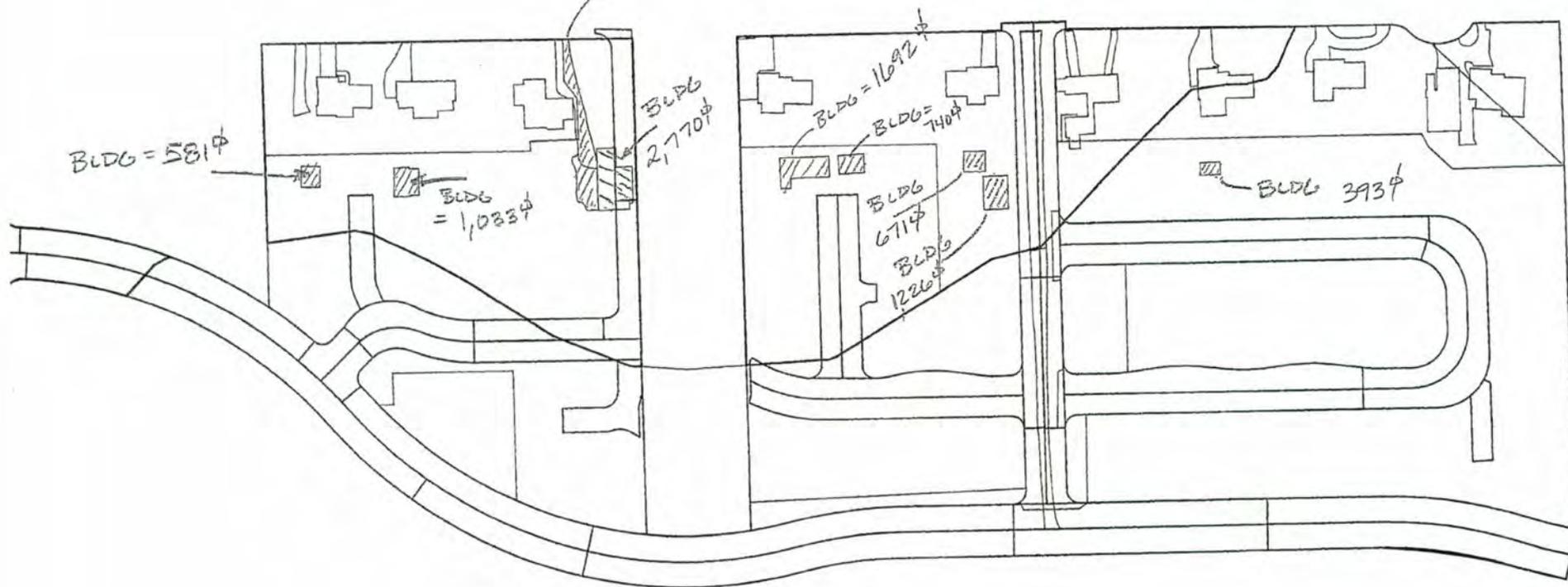
EXISTING AREA OF IMPER MS SURFACE
REMOVED DUE TO DEVELOPMENT

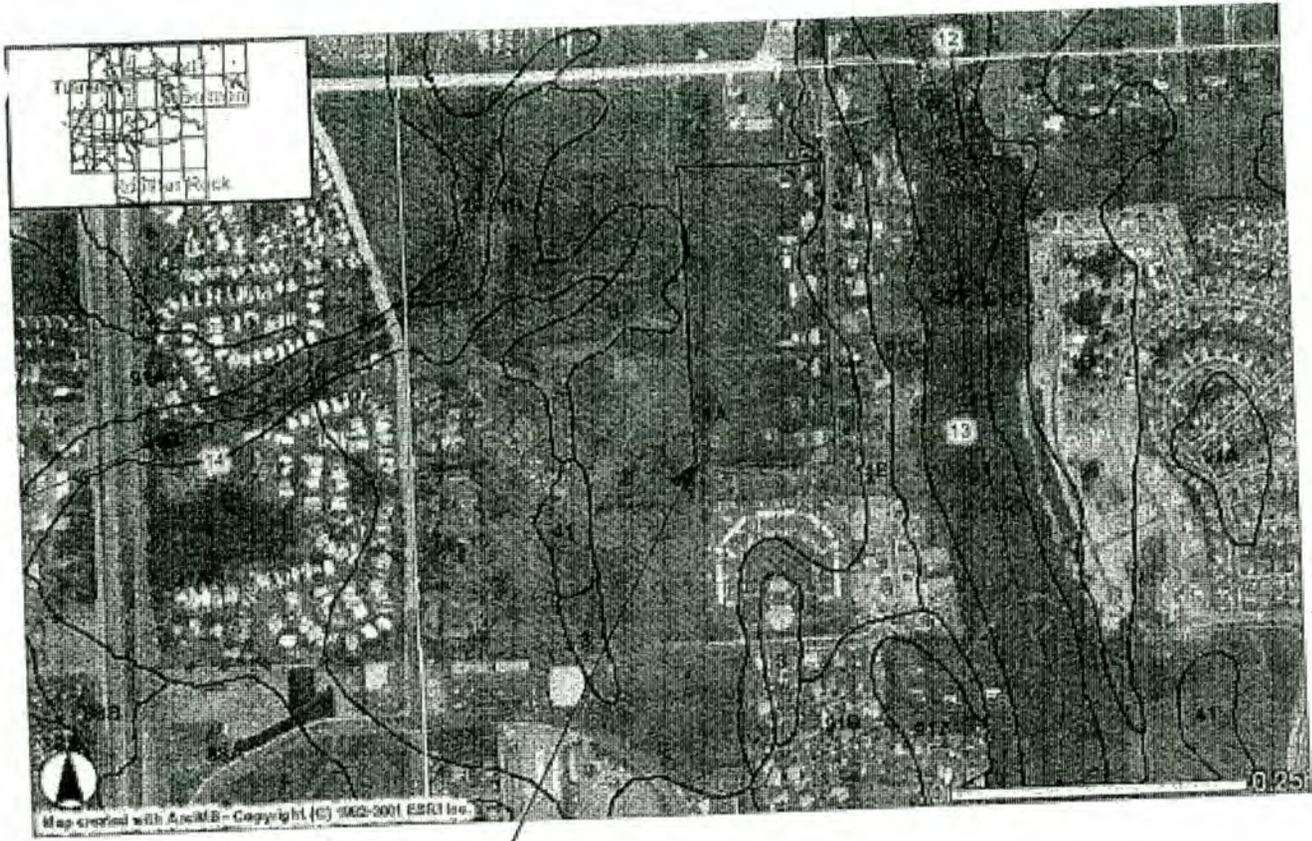
BLDG AREA = 9,106 ϕ

GRAVEL = 3,346 ϕ @ 60% = 5,404 ϕ

TOTAL = 14,570 ϕ , 0.33 AC.

GRAVEL = 3,346 ϕ





SITE

SOIL FEATURES FOR WASHINGTON COUNTY

Soil name and map symbol	Hydro-logic group	Flooding		
		Frequency	Duration	Months
Aloha: 1	C	NONE	NONE	NONE
Amity: 2	C	NONE	NONE	NONE
Astoria: 3E, 3F	B	NONE	NONE	NONE
Briedwell: 4B, 5B, 5C, 5D	B	NONE	NONE	NONE
Carlton: 6B, 6C	B	NONE	NONE	NONE
Cascade: 7B, 7C, 7D, 7E, 7F	C	NONE	NONE	NONE
Chehalem: 8C	C	NONE	NONE	NONE
Chehalis: 9, 10	B	COMMON	BRIEF	NOV-MAR
Cornelius: 11B, 11C, 11D, 11E, 11F:	C	NONE	NONE	NONE
Cornelius part	C	NONE	NONE	NONE
Kinton part	C	NONE	NONE	NONE
Cornelius Variet: 12A, 12B, 12C	C	NONE	NONE	NONE
Cove: 13, 14	D	COMMON	BRIEF	DEC-APR
Dayton: 15	D	NONE	NONE	NONE
Delena: 16C	D	NONE	NONE	NONE
Goble: 17B, 17C, 17D, 17E, 18E, 18F	C	NONE	NONE	NONE
Helvetia: 19B, 19C, 19D, 19E	C	NONE	NONE	NONE
Hembre: 20E, 20F, 20G	B	NONE	NONE	NONE
Hillsboro: 21A, 21B, 21C, 21D	B	NONE	NONE	NONE
Hubberly: 22	D	NONE	NONE	NONE
Jory: 23B, 23C, 23D, 23E, 23F	C	NONE	NONE	NONE
Kilchis: 24G	C	NONE	NONE	NONE
Kilchis part	B	NONE	NONE	NONE
Klickitat part	B	NONE	NONE	NONE

Soil name and map symbol	Hydro-logic group	Flooding		
		Frequency	Duration	Months

SOIL FEATURES FOR WASHINGTON COUNTY

		Frequency	Duration	Months
Klickitat: 25E, 25F, 25G	B	NONE	NONE	NONE
Knappa: 26	B	NONE	NONE	NONE
Lablsh: 27	D	FREQUENT	VERY LONG	DEC - APR
Laurelwood: 28B, 28C, 28D, 28E, 29E, 29F	B	NONE	NONE	NONE
McBee: 30	B	FREQUENT	BRIEF	NOV - MAY
Melborne: 31B, 31C, 31D, 31E, 31F	B	NONE	NONE	NONE
Melby: 32C, 32D, 32E, 33E, 33F, 33G	C	NONE	NONE	NONE
Olyic: 34C, 34D, 34E, 35E, 35F, 35G	B	NONE	NONE	NONE
Pervina: 36C, 36D, 36E, 36F	C	NONE	NONE	NONE
Quatama: 37A, 37B, 37C, 37D	C	NONE	NONE	NONE
Saum: 38B, 38C, 38D, 38E, 38F	C	NONE	NONE	NONE
Tolke: 39E, 39F	B	NONE	NONE	NONE
Udifluents: 40	B	FREQUENT	VERY LONG	NOV - APR
Verboot: 42	D	FREQUENT	BRIEF	DEC - APR
Wapato: 43	D	FREQUENT	BRIEF	DEC - APR
Willamette: 44A, 44B, 44C, 44D	B	NONE	NONE	NONE
Woodburn: 45A, 45B, 45C, 45D	C	NONE	NONE	NONE
Xerchrepts: 46F	B	NONE	NONE	NONE
Xerochrepts part	C	NONE	NONE	NONE
Haploxerolls part				
47D	D	NONE	NONE	NONE
Xerochrepts part				
Rock outcrop part				

MANNING'S "n" VALUES

SHEET FLOW EQUATION MANNING'S VALUES		n_s
Smooth Surfaces (concrete, asphalt, gravel, or bare hand packed soil)		0.011
Fallow Fields or loose soil surface (no residue)		0.05
Cultivated soil with residue cover (≤ 0.20 ft/ft)		0.06
Cultivated soil with residue cover (> 0.20 ft/ft)		0.17
Short prairie grass and lawns		0.15
Dense grasses		0.24
Bermuda grasses		0.41
Range (natural)		0.13
Woods or forrest with light underbrush		0.40
Woods or forrest with dense underbrush		0.80
SHALLOW CONCENTRATED FLOW (after initial 300 ft of sheet flow, R = 0.1)		k_c
Forrest with heavy ground litter and meadows (n = 0.010)		3
Brushy ground with some trees (n = 0.060)		5
Fallow or minimum tillage cultivation (n = 0.040)		8
High grass (n = 0.035)		9
Short grass, pasture and lawns (n = 0.030)		11
Nearly bare ground (n = 0.25)		13
Paved and gravel areas (n = 0.012)		27
CHANNEL FLOW (Intermittent) (At the beginning of all visible channels, R = 0.2)		k_c
Forested swale with heavy ground cover (n = 0.10)		5
Forested drainage course/ravine with defined channel bed (n = 0.050)		10
Rock-lined waterway (n = 0.035)		15
Grassed waterway (n = 0.030)		17
Earth-lined waterway (n = 0.025)		20
CMP pipe (n = 0.024)		21
Concrete pipe (n = 0.012)		42
Other waterways and pipe	0.508/n	
CHANNEL FLOW (continuous stream, R = 0.4)		k_c
Meandering stream (n = 0.040)		20
Rock-lined stream (n = 0.035)		23
Grass-lined stream (n = 0.030)		27
Other streams, man-made channels and pipe	(n = 0.807/n)	

SCS CURVE NUMBERS

LAND USE DESCRIPTION		CURVE NUMBERS BY HYDROLOGIC SOIL GROUP				
		A	B	C	D	
Cultivated land (1):	winter condition	86	91	94	95	
Mountain open areas:	low growing brush & grasslands	74	82	89	92	
Meadow or pasture:		65	78	85	89	PRE-DEV.
Wood or forest land:	undisturbed	42	64	76	81	
Wood or forest land:	young second growth or brush	55	72	81	86	
Orchard:	with crop cover	81	88	92	94	
Open spaces, lawns, parks, golf courses, cemeteries, landscaping						
Good condition:	grass cover on $\geq 75\%$ of the area	68	80	86	90	DEV.
Fair condition:	grass cover on 50-75% of the area	77	85	90	92	
Gravel roads and parking lots:		76	85	89	91	
Dirt roads and parking lots:		72	82	87	89	
Impervious surfaces, pavement, roofs etc.		98	98	98	98	
Open water bodies: lakes, wetlands, ponds, etc.		100	100	100	100	
Single family residential (2):						
Dwelling units/Gross Acre	%Impervious (3)					Separate curve number shall be selected for pervious & impervious portions of the site or basin
1.0 DU/GA	15					
1.5 DU/GA	20					
2.0 DU/GA	25					
2.5 DU/GA	30					
3.0 DU/GA	34					
3.5 DU/GA	38					
4.0 DU/GA	42					
4.5 DU/GA	46					
5.0 DU/GA	48					
5.5 DU/GA	50					
6.0 DU/GA	52					
6.5 DU/GA	54					
7.0 DU/GA	56					
PUD's, condos, apartments, commercial businesses & industrial areas	%impervious must be computed					

(1) For a more detailed description of agricultural land use curve numbers refer to National Engineering Handbook, Sec. 4, Hydrology, Chapter 9, August 1972.

(2) Assumes roof and driveway runoff is directed into street/storm system.

(3) The remaining pervious areas (lawn) are considered to be in good condition for these curve numbers.

Table K1. - Water Features

Washington County, Oregon

Depths of layers are in feet. Estimates of the frequency of ponding and flooding apply to the whole year rather than to individual months. Absence of an entry indicates that the feature is not a concern or that data were not estimated.

Map Symbol and Soil Name	Hydrologic Group	Month	Water Table		Ponding			Flooding	
			Upper Limit	Lower Limit	Surface Depth	Duration	Frequency	Duration	Frequency
			Ft	Ft	Ft				
1: Aloha	C	January	1.5-2.0	1.7-3.3	---	---	None	---	None
		February	1.5-2.0	1.7-3.3	---	---	None	---	None
		March	1.5-2.0	1.7-3.3	---	---	None	---	None
		April	1.5-2.0	1.7-3.3	---	---	None	---	None
		December	1.5-2.0	1.7-3.3	---	---	None	---	None
2: Amity	D	January	0.5-1.5	>6.0	---	---	None	---	None
		February	0.5-1.5	>6.0	---	---	None	---	None
		March	0.5-1.5	>6.0	---	---	None	---	None
		April	0.5-1.5	>6.0	---	---	None	---	None
		May	0.5-1.5	>6.0	---	---	None	---	None
		November	0.5-1.5	>6.0	---	---	None	---	None
		December	0.5-1.5	>6.0	---	---	None	---	None
3E: Astoria	B	Jan-Dec			---	---	None	---	None
3F: Astoria	B	Jan-Dec			---	---	None	---	None
4B: Briedwell	B	Jan-Dec			---	---	None	---	None
5B: Briedwell	B	Jan-Dec			---	---	None	---	None
5C: Briedwell	B	Jan-Dec			---	---	None	---	None
5D:									



PREDEVELOPED TIME OF CONCENTRATION

BASIN 1 BOECKMAN

JOB NUMBER: 106-01
 PROJECT: CANYON CREEK
 FILE: 106-001\HYDRO\1061HYDR.XLS

Accum.
Tc

LAG ONE: SHEET FLOW (FIRST 270 FEET)

Tt = Travel time
 Manning's "n" = 0.15
 Flow Length, L = 270 ft (300 ft. max.)

P = 2-year, 24hr storm = 2.5 in
 Slope, S₀ = 0.006 ft/ft

$$T_T = \frac{(0.42)(n * L)^{0.8}}{(P)^{0.5} (S_0)^{0.4}} \quad 40.83 \text{ min.} \quad 40.83 \text{ min.}$$

LAG TWO: SHALLOW CONCENTRATED FLOW (NEXT 155 FEET)

Tc Velocity factor, k = 11
 Slope, S₀ = 0.026 ft/ft
 $V = k \sqrt{S_0}$ 1.77 ft/s
 Flow Length, L = 155 ft
 $t = \frac{L}{(60)(V)}$ 1.46 min. 42.29 min.

TOTAL PREDEVELOPED TIME OF CONCENTRATION = 42.29 min.



PREDEVELOPED/DEVELOPED TIME OF CONCENTRATION

BASIN 1 BOECKMAN NOT COLLECTED

JOB NUMBER: 106-01

PROJECT: CANYON CREEK

FILE: 106-001\HYDRO\1061HYDR.XLS

Accum.
Tc

LAG ONE: SHEET FLOW (FIRST 193 FEET)

Tt = Travel time

0.15

Manning's "n" =

193 ft

(300 ft. max.)

Flow Length, L =

2.5 in

P = 2-year, 24hr storm =

0.019 ft/ft

Slope, S₀ =

$$T_T = \frac{(0.42)(n * L)^{0.8}}{(P)^{0.5} (S_0)^{0.4}}$$

18.99 min.

18.99 min.

TOTAL PREDEVELOPED TIME OF CONCENTRATION =

18.99 min.



PREDEVELOPED TIME OF CONCENTRATION

BASIN 2 COFFEE LAKE CREEK

JOB NUMBER: 106-01
 PROJECT: CANYON CREEK
 FILE: 106-001\HYDRO\1061HYDR.XLS

LAG ONE: SHEET FLOW (FIRST 300 FEET)

Tt = Travel time
 Manning's "n" = 0.15
 Flow Length, L = 300 ft (300 ft. max.)

Accum.
Tc

P = 2-year, 24hr storm = 2.5 in
 Slope, S₀ = 0.012 ft/ft

$$T_T = \frac{(0.42)(n * L)^{0.8}}{(P)^{0.5} (S_0)^{0.4}} \quad 32.75 \text{ min.} \quad 32.75 \text{ min.}$$

LAG TWO: SHALLOW CONCENTRATED FLOW (NEXT 418 FEET)

Tc Velocity factor, k= 11
 Slope, S₀ = 0.020 ft/ft
 $V = k\sqrt{S_0}$ 1.56 ft/s
 Flow Length, L = 418 ft
 $t = \frac{L}{(60)(V)}$ 4.48 min.

37.23 min.

TOTAL PREDEVELOPED TIME OF CONCENTRATION = 37.23 min.



PREDEVELOPED/DEVELOPED TIME OF CONCENTRATION

BASIN 2 COFFEE LAKE CREEK NOT COLLECTED

JOB NUMBER: 106-01

PROJECT: CANYON CREEK

FILE: 106-001\HYDRO\1061HYDR.XLS

LAG ONE: SHEET FLOW (FIRST 215 FEET)

Accum.

Tc

Tt = Travel time

Manning's "n" =

0.15

Flow Length, L =

215 ft

(300 ft. max.)

P = 2-year, 24hr storm =

2.5 in

Slope, S₀ =

0.019 ft/ft

$$T_T = \frac{(0.42)(n * L)^{0.8}}{(P)^{0.5} (S_0)^{0.4}}$$

20.70 min.

20.70 min.

TOTAL PREDEVELOPED TIME OF CONCENTRATION = 20.70 min.

DEVELOPED TIME OF CONCENTRATION**TOTAL SITE**

JOB NUMBER: 106-01
 PROJECT: CANYON CREEK
 FILE: 106-001\HYDRO\1061HYDR.XLS

Catchment Time	10 min.	
Longest Run of Pipe	2654 ft	Longest run from basins
Velocity of Flow	3 ft/s	
Time in Pipe = (2654 ft)/(3.00 ft/s) =	885 s	

TOTAL DEVELOPED Tc = **24.7 min.**

**BASIN 1**

Catchment Time	10 min.
Longest Run of Pipe	1872 ft
Velocity of Flow	3 ft/s
Time in Pipe = (1872 ft)/(3.00 ft/s) =	624 s

TOTAL DEVELOPED Tc = **20.4 min.**

BASIN 2

Catchment Time	10 min.
Longest Run of Pipe	2654 ft
Velocity of Flow	3 ft/s
Time in Pipe = (2654 ft)/(3.00 ft/s) =	885 s

TOTAL DEVELOPED Tc = **24.7 min.**

IMPERVIOUS AREA CALCULATIONS

TOTAL SITE

JOB NUMBER: 106-01
 PROJECT: CANYON CREEK
 FILE: 106-001\HYDRO\1061HYDR.XLS



NEW IMPERVIOUS AREA

63 NEW LOTS @ 2,750	173250.00 ft ²	
PUBLIC STREETS OFF-SITE (ANTICIPATE FULL BUILD OUT OF CANYON CREEK SOUTH)	129016 ft ²	
STREETS AND SDWK'S ON-SITE	123554 ft ²	
	<hr/>	
	425820.00 ft²	9.78 ac

EXISTING IMPERVIOUS AREA

BUILDINGS AND PAVEMENT	50254 ft ²	(EXISTING 10 LOTS)
GRAVEL DRIVES/ROADS @ 60%	12297 ft ²	
	<hr/>	
	62551.00 ft²	1.44 ac
EXISTING PERCENT IMPERVIOUS	6.62%	
EXISTING IMPERVIOUS AREA TO BE REMOVED DUE TO DEVELOPMENT	14570 ft ²	0.33 ac

**IMPERVIOUS AREA USED FOR DETENTION, WATER QUALITY
AND HYDROGRAPH CALCULATIONS**

Total Shed Area	945007.00 ft ²	21.69 ac
63 LOTS / STREETS PUBLIC / PRIVATE	425820.00 ft ²	9.78 ac
EXISTING IMPERVIOUS AREA	62551.00 ft ²	1.44 ac
EXISTING IMPERVIOUS AREA TO BE REMOVED	14570.00 ft ²	0.33 ac
	<hr/>	
EFFECTIVE TOTAL IMPERVIOUS AREA	473801.00 ft²	10.88 ac
% Impervious		50.1 %

IMPERVIOUS AREA REPRESENTS 63 LOTS WITH THE PROPOSED IMPROVEMENTS
ALONG WITH THE EXISTING IMPERVIOUS AREA



SANTA BARBARA URBAN HYDROGRAPHS

TOTAL BASIN

JOB: 106-01
 PROJECT: CANYON CREEK
 FILE: 106-001\HYDRO\1061HYDR.XLS

DESCRIPTION	DESIGN STORM (YR)	DURATION (HR)	PRECIP (IN)	AREA TOTAL (AC)	% IMP	AREA PERV. (AC)	CN PER.	AREA IMP. (AC)	CN IMP.	TIME (MIN)	Q (CFS)
PREDEVELOPED 2-YEAR PEAK DISCHARGE	2	24	2.50	21.69	6.5	20.28	85	1.41	98	42.29	3.78
DEVELOPED 2-YEAR PEAK DISCHARGE	2	24	2.50	21.69	50.08	10.83	86	10.86	98	24.74	7.41
PREDEVELOPED 10-YEAR PEAK DISCHARGE	10	24	3.45	21.69	6.5	20.28	85	1.41	98	42.29	6.69
DEVELOPED 10-YEAR PEAK DISCHARGE	10	24	3.45	21.69	50.08	10.83	86	10.86	98	24.74	11.30
PREDEVELOPED 25-YEAR PEAK DISCHARGE	25	24	3.90	21.69	6.5	20.28	85	1.41	98	42.29	8.17
DEVELOPED 25-YEAR PEAK DISCHARGE	25	24	3.90	21.69	50.08	10.83	86	10.86	98	24.74	13.18
PREDEVELOPED 100-YEAR PEAK DISCHARGE	100	24	4.50	21.69	6.5	20.28	85	1.41	98	42.29	10.21
DEVELOPED 100-YEAR PEAK DISCHARGE	100	24	4.50	21.69	50.08	10.83	86	10.86	98	24.74	15.72



SANTA BARBARA URBAN HYDROGRAPHS

BASIN #1

JOB: 106-01
 PROJECT: CANYON CREEK
 FILE: 106-001\HYDRO\1061HYDR.XLS

DESCRIPTION	DESIGN STORM (YR)	DURATION (HR)	PRECIP (IN)	AREA TOTAL (AC)	% IMP	AREA PERV. (AC)	CN PER.	AREA IMP. (AC)	CN IMP.	TIME (MIN)	Q (CFS)
PREDEVELOPED 2-YEAR PEAK DISCHARGE	2	24	2.50	7.32	12.98	6.37	76	0.95	98	42.29	0.74
DEVELOPED 2-YEAR PEAK DISCHARGE	2	24	2.50	7.32	50.08	3.65	86	3.67	98	20.40	2.67
PREDEVELOPED 10-YEAR PEAK DISCHARGE	10	24	3.45	7.32	12.98	6.37	76	0.95	98	42.29	1.51
DEVELOPED 10-YEAR PEAK DISCHARGE	10	24	3.45	7.32	50.08	3.65	86	3.67	98	20.40	4.07
PREDEVELOPED 25-YEAR PEAK DISCHARGE	25	24	3.90	7.32	12.98	6.37	76	0.95	98	42.29	1.92
DEVELOPED 25-YEAR PEAK DISCHARGE	25	24	3.90	7.32	50.08	3.65	86	3.67	98	20.40	4.75
PREDEVELOPED 100-YEAR PEAK DISCHARGE	100	24	4.50	7.32	12.98	6.37	76	0.95	98	42.29	2.50
DEVELOPED 100-YEAR PEAK DISCHARGE	100	24	4.50	7.32	50.08	3.65	86	3.67	98	20.40	5.66



SANTA BARBARA URBAN HYDROGRAPHS

BASIN #2

JOB: 106-01
 PROJECT: CANYON CREEK
 FILE: 106-001\HYDRO\1061HYDR.XLS

DESCRIPTION	DESIGN STORM (YR)	DURATION (HR)	PRECIP (IN)	AREA TOTAL (AC)	% IMP	AREA PERV. (AC)	CN PER.	AREA IMP. (AC)	CN IMP.	TIME (MIN)	Q (CFS)
PREDEVELOPED 2-YEAR PEAK DISCHARGE	2	24	2.50	14.37	3.41	13.88	85	0.49	98	37.23	2.54
DEVELOPED 2-YEAR PEAK DISCHARGE	2	24	2.50	14.37	50.08	7.17	86	7.20	98	24.74	4.91
PREDEVELOPED 10-YEAR PEAK DISCHARGE	10	24	3.45	14.37	3.41	13.88	85	0.49	98	37.23	4.60
DEVELOPED 10-YEAR PEAK DISCHARGE	10	24	3.45	14.37	50.08	7.17	86	7.20	98	24.74	7.48
PREDEVELOPED 25-YEAR PEAK DISCHARGE	25	24	3.90	14.37	3.41	13.88	85	0.49	98	37.23	5.64
DEVELOPED 25-YEAR PEAK DISCHARGE	25	24	3.90	14.37	50.08	7.17	86	7.20	98	24.74	8.73
PREDEVELOPED 100-YEAR PEAK DISCHARGE	100	24	4.50	14.37	3.41	13.88	85	0.49	98	37.23	7.07
DEVELOPED 100-YEAR PEAK DISCHARGE	100	24	4.50	14.37	50.08	7.17	86	7.20	98	24.74	10.41



WATER QUALITY SWALE CALCULATIONS
BASIN 1

JOB NUMBER: 106-01
PROJECT: CANYON CREEK
FILE: 106-001\HYDRO\1061HYDR.XLS

- REFERENCES:
1. Clean Water Services R&O 00-7.
 2. Discussions with Clean Water Services.

REQUIRED WATER QUALITY TREATMENT: 65% Phosphorus Removal.

PROPOSED TREATMENT METHODS:

1. Sumped Catch Basins	15%
2. Bio-Filtration Swale	50%
	total 65%

DESIGN STORM:

Precipitation:	0.36 inches
Storm Duration:	4 hours
Storm Return Period:	96 hours
Storm Window:	2 weeks

IMPERVIOUS AREA:

Watershed Area:	7.32 acres
Percent imp:	50.08 %
Impervious Area:	3.67 acres

Design Inflow = $(3.67 \text{ ac}) * (43560 \text{ ft}^2/\text{ac}) * (0.36 \text{ in} / 4.0 \text{ hrs}) =$

0.33 cfs

BIOFILTRATION SWALE DESIGN CRITERIA:

Max Velocity:	0.9 ft/s
Side Slopes:	4 :1 (treatment area)
Base:	2 feet (2' min)
n Factor:	0.18 (plantings)

SWALE CHARACTERISTICS:

Q=	0.33 Design Storm Discharge (determined above)
N=	0.18 Plantings
B=	2 ft Base width of channel
Z=	4 :1 Side slopes
SLOPE=	0.005 ft/ft Slope of channel (0.005 minimum)
ASS. Y=	0.5 ft Assumed depth to begin analysis (0.5 ft maximum)

ITERATIVE SOLUTION OF MANNING'S EQUATION FOR NORMAL DEPTH:

ITERATION	Y (FT)	P (FT)	A (FT ²)	R	Q (CFS)	% ERROR	V (FPS)
				0.33	0.56	68.25	0.28
1	0.50	6.12	2.00	0.25	0.28	-16.08	0.23
2	0.35	4.91	1.21	0.27	0.35	5.72	0.24
3	0.40	5.28	1.43	0.26	0.32	-1.79	0.24
4	0.38	5.16	1.35	0.26	0.33	0.58	0.24
5	0.39	5.19	1.38	0.26	0.33	-0.19	0.24
6	0.39	5.18	1.37	0.26	0.33	0.06	0.24
7	0.39	5.19	1.37	0.26	0.33	-0.02	0.24
8	0.39	5.19	1.37	0.26	0.33	0.01	0.24
9	0.39	5.19	1.37	0.26	0.33	0.00	0.24
10	0.39	5.19	1.37	0.26	0.33	0.00	0.24
11	0.39	5.19	1.37	0.26	0.33	0.00	0.24
12	0.39	5.19	1.37	0.26	0.33	0.00	0.24
13	0.39	5.19	1.37	0.26	0.33	0.00	0.24
14	0.39	5.19	1.37	0.26	0.33	0.00	0.24
15	0.39	5.19	1.37	0.26	0.33	0.00	0.24

NORMAL DEPTH = 0.39 ft
 FLOW WIDTH = 5.09 ft
 VELOCITY = 0.24 ft/s
 TREATMENT TIME = 9.00 min
 TREATMENT LENGTH = 130.11 ft

LOW FLOW ORIFICE CALCULATIONS

$$Q = C_o A \sqrt{2gh}$$

Q = 0.33 cfs (Design Discharge from above)
 A = Cross sectional area of orifice
 C_o = orifice coefficient = 0.62
 g = gravity (32.2 ft/sec²)
 h = average hydraulic head = 6 inches below high flow

$$A = \frac{Q}{C_o \sqrt{2gh}}$$

A = 0.09 ft²
 A = π r²
 r = 0.17 ft. radius
 d = 2r
 d = 4.15 in. diameter, use 4 3/16 " orifice



WATER QUALITY SWALE CALCULATIONS

BASIN 2

JOB NUMBER: 106-01
 PROJECT: CANYON CREEK
 FILE: 106-001\HYDRO\1061HYDR.XLS

REFERENCES:

1. Clean Water Services R&O 00-7.
2. Discussions with Clean Water Services.

REQUIRED WATER QUALITY TREATMENT: 65% Phosphorus Removal.

PROPOSED TREATMENT METHODS:

1. Sumped Catch Basins	15%
2. Bio-Filtration Swale	50%
total	<u>65%</u>

DESIGN STORM:

Precipitation:	0.36 inches
Storm Duration:	4 hours
Storm Return Period:	96 hours
Storm Window:	2 weeks

IMPERVIOUS AREA:

Watershed Area:	14.37 acres
Percent imp:	50.08 %
Impervious Area:	7.20 acres

Design Inflow = $(7.20 \text{ ac}) * (43560 \text{ ft}^2/\text{ac}) * (0.36 \text{ in} / 4.0 \text{ hrs}) =$

0.65 cfs

BIOFILTRATION SWALE DESIGN CRITERIA:

Max Velocity:	0.9 ft/s
Side Slopes:	4 :1 (treatment area)
Base:	2 feet (2' min)
n Factor:	0.18 (plantings)

SWALE CHARACTERISTICS:

Q=	0.65 Design Storm Discharge (determined above)
N=	0.18 Plantings
B=	2 ft Base width of channel
Z=	4 :1 Side slopes
SLOPE=	0.005 ft/ft Slope of channel (0.005 minimum)
ASS. Y=	0.5 ft Assumed depth to begin analysis (0.5 ft maximum)

ITERATIVE SOLUTION OF MANNING'S EQUATION FOR NORMAL DEPTH:

ITERATION	Y (FT)	P (FT)	A (FT ²)	R	Q (CFS)	% ERROR	V (FPS)
			2.00	0.33	0.56	-14.58	0.28
1	0.50	6.12	2.34	0.36	0.69	6.12	0.29
2	0.56	6.58	2.21	0.34	0.64	-2.25	0.29
3	0.53	6.40	2.26	0.35	0.66	0.87	0.29
4	0.54	6.47	2.24	0.35	0.65	-0.33	0.29
5	0.54	6.44	2.25	0.35	0.65	0.13	0.29
6	0.54	6.45	2.24	0.35	0.65	-0.05	0.29
7	0.54	6.45	2.24	0.35	0.65	0.02	0.29
8	0.54	6.45	2.24	0.35	0.65	-0.01	0.29
9	0.54	6.45	2.24	0.35	0.65	0.00	0.29
10	0.54	6.45	2.24	0.35	0.65	0.00	0.29
11	0.54	6.45	2.24	0.35	0.65	0.00	0.29
12	0.54	6.45	2.24	0.35	0.65	0.00	0.29
13	0.54	6.45	2.24	0.35	0.65	0.00	0.29
14	0.54	6.45	2.24	0.35	0.65	0.00	0.29
15	0.54	6.45	2.24	0.35	0.65	0.00	0.29

NORMAL DEPTH = 0.54 ft
 FLOW WIDTH = 6.32 ft
 VELOCITY = 0.29 ft/s
 TREATMENT TIME = 9.00 min
 TREATMENT LENGTH = 156.37 ft

LOW FLOW ORIFICE CALCULATIONS

$$Q = C_o A \sqrt{2gh}$$

Q = 0.65 cfs (Design Discharge from above)
 A = Cross sectional area of orifice
 C_o = orifice coefficient = 0.62
 g = gravity (32.2 ft/sec²)
 h = average hydraulic head = 6 inches below high flow

$$A = \frac{Q}{C_o \sqrt{2gh}}$$

A = 0.18 ft²
 A = π r²
 r = 0.24 ft. radius
 d = 2r
 d = 5.82 in. diameter, use

5 14/16 " orifice

STORMWATER CONVEYANCE CALCULATIONS

JOB: 106-01
 PROJECT: CANYON CREEK
 FILE: 106-001\HYDRO\1061HYDR.XLS
 Design Storm: 25 YR
 Storm Duration: 24 HRS
 Precipitation: 3.9 IN
 Manning's "n": 0.011

LINE	INC. AREA (AC)	AREA TOTAL (AC)	% IMP.	AREA PERV. (AC)	CN PER.	AREA IMP. (AC)	CN IMP.	TIME (MIN)	Q (CFS)	PIPE SIZE (IN)	SLOPE (FT/FT)	Qf (CFS)	Q/Qf (%)	Vf (FPS)	V/Vf (%)	ACTUAL V (FPS)	LENGTH (FT)	INC. TIME (MIN)	
BASIN 1																			
SDLN-5																			
MH 15 TO MH 14	1.13	1.13	50.1	0.56	86	0.57	98	10.00	0.87	12	0.0050	2.99	0.29	3.80	0.49046	1.86	192.75	1.72	
OSCB 9 TO MH 14	0.18	0.18	50.1	0.09	86	0.09	98	10.00	0.14	10	0.0050	1.84	0.08	3.37	0.27524	0.93	10	0.18	
OSCB 10 TO MH 14	0.17	0.17	50.1	0.08	86	0.09	98	10.00	0.13	10	0.0050	1.84	0.07	3.37	0.27106	0.91	20	0.37	
MH 14 TO MH 13	0.35	1.48	50.1	0.74	86	0.74	98	11.72	1.11	12	0.0050	2.99	0.37	3.80	0.57053	2.17	45.27	0.35	
SDLN-9																			
OSCB 5 TO MH 39	0.085	0.085	50.1	0.04	86	0.04	98	10.00	0.07	10	0.0050	1.84	0.04	3.37	0.23553	0.79	22.36	0.47	
OSCB 4 TO MH 39	0.15	0.15	50.1	0.07	86	0.08	98	10.00	0.12	10	0.0050	1.84	0.06	3.37	0.2627	0.88	14.14	0.27	
MH 39 TO WQMH 11	0	0.235	50.1	0.12	86	0.12	98	10.00	0.18	12	0.0114	4.51	0.04	5.74	0.24	1.38	71.35	0.86	
SDLN-4																			
CO 1 TO MH 37	0.11	0.11	50.1	0.05	86	0.06	98	10.00	0.08	12	0.0050	2.99	0.03	3.80	0.22828	0.87	56.23	1.08	
MH 38 TO MH 13	0.45	0.56	50.1	0.28	86	0.28	98	11.08	0.42	12	0.0050	2.99	0.14	3.80	0.34163	1.30	70.84	0.91	
MH 13 TO MH 12	0.57	2.61	50.1	1.30	86	1.31	98	11.99	1.94	12	0.0050	2.99	0.65	3.80	0.85066	3.23	197.93	1.02	

OSCB 7 TO MH 12	0.55	0.55	50.1	0.27	86	0.28	98	10.00	0.42	10	0.0900	7.79	0.05	14.28	0.25419	3.63	14.67	0.07	
OSCB 8 TO MH 12	0.21	0.21	50.1	0.10	86	0.11	98	10.00	0.16	10	0.0050	1.84	0.09	3.37	0.28778	0.97	18.31	0.32	
MH 12 TO WQMH 11	0.76	3.37	50.1	1.68	86	1.69	98	13.01	2.47	12	0.0050	2.99	0.83	3.80	1.02631	3.90	53.09	0.23	
WQMH 11 TO OUT 3	0.235	3.605	50.1	1.80	86	1.81	98	13.24	2.63	12	0.0050	2.99	0.88	3.80	1.08064	4.11	61.45	0.25	
OSCB 6 TO CI 3	0.065	0.065	50.1	0.03	86	0.03	98	10.00	0.05	10	0.0243	4.05	0.01	7.42	0.21232	1.58	32.52	0.34	
CI 3 TO OUTLET 4	0.065	0.13	50.1	0.06	86	0.07	98	10.00	0.10	12	0.0050	2.99	0.03	3.80	0.23342	0.89	28.39	0.53	
SDLN-3																			
AD 5 TO AD 4	0.25	3.855	50.1	1.92	86	1.93	98	22.49	2.42	6	0.0100	0.66	3.64	3.39	3.84338	13.01	13.41	0.02	
AD 4 TO MH 10	0	3.855	50.1	1.92	86	1.93	98	22.50	2.42	12	0.0075	3.66	0.66	4.66	0.86239	4.01	63.69	0.26	
MH 10 MH 9	0.77	4.625	50.1	2.31	86	2.32	98	22.77	2.89	12	0.0075	3.66	0.79	4.66	0.99154	4.62	285.57	1.03	
OSCB 2 TO CI 1	0.17	0.17	50.1	0.08	86	0.09	98	10.00	0.13	10	0.0050	1.84	0.07	3.37	0.27106	0.91	32.5	0.59	
CI 1 TO MH 9	0.19	0.36	50.1	0.18	86	0.18	98	10.59	0.27	12	0.0302	7.34	0.04	9.34	0.23732	2.22	49.28	0.37	
MH 9 TO MH 8A	0.36	4.985	50.1	2.49	86	2.50	98	23.80	3.07	12	0.0075	3.66	0.84	4.66	1.04016	4.84	64.41	0.22	
AD 9 TO MH 8A	0.11	0.11	50.1	0.05	86	0.06	98	10.00	0.08	10	0.2337	12.55	0.01	23.01	0.20673	4.76	27.64	0.10	
AD 8 TO MH 8A	0.03	0.03	50.1	0.01	86	0.02	98	10.00	0.02	10	0.3523	15.41	0.00	28.25	0.20149	5.69	17.77	0.05	
MH 8A TO MH 8	0	5.125	50.1	2.56	86	2.57	98	24.02	3.15	12	0.0075	3.66	0.86	4.66	1.06094	4.94	321.22	1.08	
AD 6 TO MH 7	0.1	0.1	50.1	0.05	86	0.05	98	10.00	0.08	10	0.3907	16.23	0.00	29.75	0.20473	6.09	23.42	0.06	
WQMH 8 TO MH 7	0	5.125	50.1	2.56	86	2.57	98	24.02	3.15	12	0.0075	3.66	0.86	4.66	1.06094	4.94	37.8	0.13	
MH 7 TO MH 6	0	5.225	50.1	2.61	86	2.62	98	24.15	3.20	12	0.0075	3.66	0.88	4.66	1.0761	5.01	34.62	0.12	
MH 6 TO MH 5	0	5.225	50.1	2.61	86	2.62	98	24.26	3.20	12	0.0432	8.77	0.36	11.17	0.56443	6.31	270	0.71	
MH 5 TO MH 4	0	5.225	50.1	2.61	86	2.62	98	24.98	3.16	12	0.3655	25.52	0.12	32.50	0.324	10.53	193.69	0.31	
MH 4 TO AD 3	0	5.225	50.1	2.61	86	2.62	98	25.28	3.15	12	0.1864	18.23	0.17	23.21	0.37287	8.65	14.7	0.03	

BASIN 2

SDLN-11																		
OSCB 33 TO MH 36	0.28	0.28	50.08	0.14	86	0.14	98	10.00	0.21	10	0.0050	1.84	0.12	3.37	0.31703	1.07	19.58	0.31
MH 36 TO MH 35	0.39	0.67	50.08	0.33	86	0.34	98	10.31	0.51	12	0.0050	2.99	0.17	3.80	0.37144	1.41	324.51	3.83
OSCB 32 TO MH 35	0.11	0.11	50.08	0.05	86	0.06	98	10.00	0.08	10	0.0593	6.32	0.01	11.59	0.21335	2.47	27.97	0.19
MH 35 TO MH 34	0	0.78	50.08	0.39	86	0.39	98	14.14	0.56	12	0.0050	2.99	0.19	3.80	0.38771	1.47	54.74	0.62
OSCB 29 TO MH 34	0.21	0.21	50.08	0.10	86	0.11	98	10.00	0.16	10	0.2798	13.73	0.01	25.18	0.21173	5.33	13.83	0.04
OSCB 30 TO OSCB 31	0.12	0.12	50.08	0.06	86	0.06	98	10.00	0.09	10	0.0639	6.56	0.01	12.03	0.21403	2.58	38.02	0.25
CI 31 TO MH 34	0.29	0.41	50.08	0.20	86	0.21	98	10.25	0.31	12	0.1002	13.36	0.02	17.02	0.22346	3.80	18.67	0.08
MH 34 TO MH 33	0.25	1.65	50.08	0.82	86	0.83	98	14.76	1.17	12	0.0050	2.99	0.39	3.80	0.59303	2.25	147.04	1.09
MH 33 TO MH 32	0.2	1.85	50.08	0.92	86	0.93	98	15.84	1.29	12	0.0050	2.99	0.43	3.80	0.6328	2.41	121.54	0.84
SDLN-12																		
CO 3 TO MH 37	0.82	0.82	50.08	0.41	86	0.41	98	10.00	0.63	12	0.0077	3.70	0.17	4.72	0.36984	1.74	94.88	0.91
MH 37 TO MH 32	0	0.82	50.08	0.41	86	0.41	98	10.91	0.62	12	0.0972	13.16	0.05	16.76	0.24716	4.14	50.22	0.20
OSCB 28 TO MH 32	0.09	0.09	50.08	0.04	86	0.05	98	10.00	0.07	10	0.1713	10.75	0.01	19.70	0.20643	4.07	29.59	0.12
SDLN-11 CONT.																		
MH 32 TO MH 31	0	2.76	50.08	1.38	86	1.38	98	16.69	1.90	12	0.0050	2.99	0.64	3.80	0.83678	3.18	34.06	0.18
OSCB 27 TO MH 31	0.22	0.22	50.08	0.11	86	0.11	98	10.00	0.17	10	0.4367	17.16	0.01	31.46	0.20984	6.60	14.45	0.04
OSCB 26 TO MH 31	0.3	0.3	50.08	0.15	86	0.15	98	10.00	0.23	10	0.3515	15.39	0.01	28.22	0.21495	6.07	17.95	0.05
MH 31 TO MH 28	0	3.28	50.08	1.64	86	1.64	98	16.86	2.25	12	0.0050	2.99	0.75	3.80	0.95453	3.63	66.04	0.30

SDLN-10

CI 24 TO MH 30	0.04	0.04	50.08	0.02	86	0.02	98	10.00	0.03	10	0.0471	5.63	0.01	10.33	0.20545	2.12	25.89	0.20
CI 25 TO MH 30	0.04	0.04	50.08	0.02	86	0.02	98	10.00	0.03	10	0.0472	5.64	0.01	10.34	0.20544	2.12	25.86	0.20
MH 30 TO MH 29	0	0.08	50.08	0.04	86	0.04	98	10.20	0.06	12	0.0054	3.10	0.02	3.95	0.21973	0.87	190.3	3.65
STUB FROM TL# 2403 TO MH 29	0.21	0.21	50.08	0.10	86	0.11	98	10.00	0.16	12	0.0050	2.99	0.05	3.80	0.25398	0.97	47.23	0.82
STUB FROM TL# 2401 TO MH 29	0.25	0.25	50.08	0.12	86	0.13	98	10.00	0.19	12	0.0050	2.99	0.06	3.80	0.26426	1.00	47.23	0.78
MH 29 TO MH 28	0	0.54	50.08	0.27	86	0.27	98	13.86	0.39	12	0.0347	7.86	0.05	10.01	0.24956	2.50	200.03	1.33
CI 23 TO MH 28	0.27	0.27	50.08	0.13	86	0.14	98	10.00	0.21	10	0.1097	8.60	0.02	15.77	0.22409	3.53	47.23	0.22
MH 28 TO MH 27	0	4.09	50.08	2.04	86	2.05	98	17.17	2.79	12	0.0050	2.99	0.94	3.80	1.1362	4.32	177.78	0.69
CI 22 TO MH 27	0.41	0.41	50.08	0.20	86	0.21	98	10.00	0.31	10	0.2902	13.99	0.02	25.64	0.22249	5.71	25.5	0.07
MH 27 TO MH 26	0.29	4.79	50.08	2.39	86	2.40	98	17.85	3.24	12	0.0050	2.99	1.08	3.80	1.28424	4.88	214.4	0.73
CI 21 TO MH 26	0.25	0.25	50.08	0.12	86	0.13	98	10.00	0.19	10	0.1724	10.78	0.02	19.76	0.21779	4.30	26.11	0.10
MH 26 TO MH 25	0.14	5.18	50.08	2.59	86	2.59	98	18.59	3.46	12	0.0050	2.99	1.16	3.80	1.35872	5.16	185.16	0.60
CI 20 TO MH 25	1.4	1.4	50.08	0.70	86	0.70	98	10.00	1.07	10	0.3668	15.72	0.07	28.83	0.26832	7.74	11.64	0.03
STUB TO MH 25	0.19	0.19	50.08	0.09	86	0.10	98	10.10	0.15	12	0.0050	2.99	0.05	3.80	0.24876	0.95	24.02	0.42
MH 25 TO WQMH 3	0.19	6.96	50.08	3.47	86	3.49	98	19.18	4.60	12	0.0092	4.05	1.14	5.16	1.33683	6.89	336.44	0.81

SDLN-7

MH 23 TO MH 22	2.7	2.7	50.08	1.35	86	1.35	98	10.00	2.07	12	0.0137	4.94	0.42	6.29	0.61924	3.90	361.36	1.55
OSCB 19 TO MH 22	0.27	0.27	50.08	0.13	86	0.14	98	10.00	0.21	10	0.0292	4.44	0.05	8.13	0.2467	2.01	14.05	0.12
OSCB 18 TO MH 22	0.27	0.27	50.08	0.13	86	0.14	98	10.00	0.21	10	0.0146	3.14	0.07	5.75	0.26604	1.53	24.6	0.27

MH 22 TO MH 21	0.24	3.48	50.08	1.74	86	1.74	98	11.55	2.61	12	0.0050	2.99	0.87	3.80	1.07364	4.08	51.77	0.21	
MH 21 TO MH 20	0.42	3.9	50.08	1.95	86	1.95	98	11.76	2.91	12	0.0050	2.99	0.98	3.80	1.1758	4.47	73.45	0.27	
OSCB 14 TO MH 20	0.3	0.3	50.08	0.15	86	0.15	98	10.00	0.23	10	0.0111	2.74	0.08	5.02	0.28415	1.43	16.17	0.19	
OSCB 15 TO MH 20	0.39	0.39	50.1	0.19	86	0.20	98	10.00	0.30	10	0.0130	2.96	0.10	5.43	0.3011	1.63	13.83	0.14	
MH 20 TO MH 19	0	4.59	50.1	2.29	86	2.30	98	12.03	3.41	16	0.0050	6.43	0.53	4.60	0.73097	3.37	73.66	0.36	
SDLN-8																			
OSCB 16 TO MH 24	0.46	0.46	50.08	0.23	86	0.23	98	10.00	0.35	10	0.1389	9.68	0.04	17.74	0.23648	4.20	11.09	0.04	
OSCB 17 TO MH 24	0.22	0.22	50.08	0.11	86	0.11	98	10.00	0.17	10	0.0802	7.35	0.02	13.48	0.22296	3.01	19.21	0.11	
MH 24 TO MH 19	0.46	1.14	50.08	0.57	86	0.57	98	10.11	0.87	12	0.0050	2.99	0.29	3.80	0.49256	1.87	128.1	1.14	
SDLN-7 CONT.																			
OSCB 34 TO MAIN	0.05	0.05	50.08	0.02	86	0.03	98	10.00	0.04	6	0.2460	3.30	0.01	16.80	0.21163	3.55	5	0.02	
MH 19 TO MH 17	0.48	6.26	50.08	3.12	86	3.14	98	12.40	4.63	18	0.0023	5.97	0.78	3.38	0.97526	3.29	172.86	0.87	
SDLN-6																			
CI 13 TO MH 18	0.27	0.27	50.08	0.13	86	0.14	98	10.00	0.21	10	0.1126	8.71	0.02	15.97	0.22378	3.57	15.18	0.07	
STUB TO MH 18	0.15	0.15	50.08	0.07	86	0.08	98	10.00	0.12	12	0.0050	2.99	0.04	3.80	0.23855	0.91	21.66	0.40	
MH 18 TO MH 17	0.5	0.92	50.08	0.46	86	0.46	98	10.07	0.71	18	0.0050	8.80	0.08	4.98	0.28012	1.40	119.18	1.42	
MH 17 TO MH 16	0.45	7.63	50.08	3.81	86	3.82	98	13.27	5.56	18	0.0023	5.97	0.93	3.38	1.13151	3.82	254.83	1.11	
CI 12 TO MH 16	0.23	0.23	50.08	0.11	86	0.12	98	10.00	0.18	10	0.4129	16.68	0.01	30.59	0.21058	6.44	14	0.04	
MH 16 TO WQMH 3	0.35	8.21	50.08	4.10	86	4.11	98	14.38	5.87	18	0.0023	5.97	0.98	3.38	1.18406	4.00	333.64	1.39	

SDLN-2

CI 11 TO WQMH 3	0.23	0.23	50.08	0.11	86	0.12	98	10.00	0.18	10	0.5154	18.64	0.01	34.17	0.20947	7.16	20.78	0.05
WQMH 3 TO MH 2	0	15.4	50.08	7.69	86	7.71	98	20.00	10.06	21	0.0023	9.00	1.12	3.74	1.31669	4.93	280.36	0.95
MH 2 TO MH 1	0	15.4	50.08	7.69	86	7.71	98	20.94	9.91	21	0.0023	9.00	1.10	3.74	1.30027	4.87	276.85	0.95
MH 1 TO OUTLET 2	0	15.4	50.08	7.69	86	7.71	98	21.89	9.76	21	0.0023	9.00	1.08	3.74	1.28434	4.81	368.64	1.28

SDLN-1

AD 2 TO AD 1	0.26	15.66	50.08	7.82	86	7.84	98	23.17	9.74	6	0.0100	0.66	14.65	3.39	14.848	50.28	8.84	0.00
AD 1 TO OUTLET 1	0	15.66	50.08	7.82	86	7.84	98	23.17	9.74	21	0.0023	9.00	1.08	3.74	1.28155	4.80	42.17	0.15

*CONVEYANCE CALCULATIONS INCLUDE ADDITIONAL AREAS OFF-SITE WHICH WILL BE COLLECTED WITHIN THE STORM DRAIN SYSTEM



JOB: 106-001
 PROJECT: CANYON CREEK
 FILE: 106-001\HYDRO\1061HYDR.XLS

EXISTING CONDITIONS BREAK DOWN

DESCRIPTION

TOTAL PROJECT AREA INCLUDING CANYON CREEK	21.69 ac		
SOIL TYPE 1A-ALOHA			
HYDROLOGIC GROUP	C		
PREDEVELOPED CN - IMP	98		
PREDEVELOPED CN - PER	85		
EXISTING IMPERVIOUS	1.44 ac		
PERCENT IMPERVIOUS	6.62%		
PERCENT PERVIOUS	93.38%		
		<u>COLLECTED</u>	<u>UNCOLLECTED</u>
AREA OF BASIN 1	7.32 ac	3.74	3.58
IMP. AREA BASIN 1	0.95 ac	0.33	0.62
PER. AREA BASIN 1	6.37 ac	3.41	2.96
AREA OF BASIN 2	14.37 ac	12.96	1.41
IMP. AREA BASIN 2	0.49 ac	0.13	0.36
PER. AREA BASIN 2	13.88 ac	12.83	1.05
TIME OF CONCENTRATION COMPLETE SITE (LONGEST RUN)	42.29 min		
TIME OF CONCENTRATION BASIN 1	42.29 min	42.29	25.02
TIME OF CONCENTRATION BASIN 2	37.23 min	37.23	18.22

PROPOSED CONDITIONS BREAK DOWN

DESCRIPTION	AREA		
TOTAL PROJECT AREA INCLUDING CANYON CREEK	21.69 ac		
SOIL TYPE 1A-ALOHA			
HYDROLOGIC GROUP	C		
DEVELOPED CN - IMP	98		
DEVELOPED CN - PER	86		
PROPOSED IMPERVIOUS	10.88 ac		
PERCENT IMPERVIOUS	50.14%		
PERCENT PERVIOUS	49.86%		
		<u>COLLECTED</u>	<u>UNCOLLECTED</u>
AREA OF BASIN 1	7.32 ac	3.74	3.58
IMP. AREA BASIN 1	3.67 ac	1.88	1.80
PER. AREA BASIN 1	3.65 ac	1.86	1.78
AREA OF BASIN 2	14.37 ac	12.96	1.41
IMP. AREA BASIN 2	7.20 ac	6.84	0.36
PER. AREA BASIN 2	7.17 ac	6.12	1.05
TIME OF CONCENTRATION COMPLETE SITE (LONGEST RUN)	24.74 min		
TIME OF CONCENTRATION BASIN 1	20.40 min	20.40	20.40
TIME OF CONCENTRATION BASIN 2	24.74 min	24.74	18.22



JOB: 106-001
 PROJECT: CANYON CREEK
 FILE: 106-001\HYDRO\1061HYDR.XLS

POND SIZING

PARAMETERS:

SIDE SLOPE 3 to 1
 DEPTH OF STORAGE 3 ft
 1' OF FREE BOARD
 DIA. OF STAND PIPE 18 in for basin 2
 12 in for basin 1

BASIN 1-COLLECTED AREA ROUTED AND RESTRICTED TO WHAT WAS UNABLE TO BE COLLECTED

STORM EVENT	INFLOW (cfs)	TARGET OUTFLOW (cfs)	UNDETAINED DEV-PRE FLOW (cfs)	ADJUSTED TARGET OUTFLOW (cfs)	ACTUAL-OUTFLOW (cfs)	PEAK STAGE (ft)	STORAGE (cu.ft)	
25 YEAR	2.43	1.43	0.52	0.91	0.91	3.00	12,018	PEAK VOLUME
10 YEAR	2.08	1.17	0.49	0.68	0.63	2.79	10,970	
2 YEAR	1.37	0.67	0.42	0.25	0.25	2.53	9,670	

BASIN 2-COLLECTED AREA ROUTED AND RESTRICTED TO WHAT WAS UNABLE TO BE COLLECTED

STORM EVENT	INFLOW (cfs)	TARGET OUTFLOW (cfs)	UNDETAINED DEV-PRE FLOW (cfs)	ADJUSTED TARGET OUTFLOW (cfs)	ACTUAL-OUTFLOW (cfs)	PEAK STAGE (ft)	STORAGE (cu.ft)	
25 YEAR	7.96	5.01	0	5.01	5.00	3.00	20,384	PEAK VOLUME
10 YEAR	6.84	4.07	0	4.07	3.79	2.72	18,090	
2 YEAR	4.51	2.22	0	2.22	2.22	1.95	12,220	

KING COUNTY DEPARTMENT OF PUBLIC WORKS
Surface Water Management Division

HYDROGRAPH PROGRAMS
Version 4.20

- 1 - INFO ON THIS PROGRAM
- 2 - SBUHYD
- 3 - ROUTE
- 4 - ROUTE2
- 5 - ADDHYD
- 6 - BASEFLOW
- 7 - PLOTHYD
- 8 - DATA
- 9 - RDFAC
- 10 - RETURN TO DOS

ENTER OPTION:

BUH/SCS METHOD FOR COMPUTING RUNOFF HYDROGRAPH

STORM OPTIONS:

- S.C.S. TYPE-1A
- 7-DAY DESIGN STORM
- STORM DATA FILE

SPECIFY STORM OPTION:

BASIN #1 - 2-YEAR COLLECTED PRE-DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 2-YEAR 24-HOUR STORM **** 2.50" TOTAL PRECIP. *****

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 3.41,85,.33,98,42.29

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
3.7	3.4	85.0	.3	98.0	42.3
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
.67	8.00		17165		

BASIN #1 - 2-YEAR COLLECTED DEVELOPED

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
 1.86,86,1.88,98,20.4

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
3.7	1.9	86.0	1.9	98.0	20.4
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
1.37	7.83		23800		

BASIN #1 - 10-YEAR COLLECTED PRE-DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 10-YEAR 24-HOUR STORM **** 3.45" TOTAL PRECIP. *****

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 3.41,85,.33,98,42.29

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
3.7	3.4	85.0	.3	98.0	42.3
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
1.17	8.00		28062		

BASIN #1 - 10-YEAR COLLECTED DEVELOPED

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
 1.86,86,1.88,98,20.4

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
3.7	1.9	86.0	1.9	98.0	20.4
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
2.08	7.83		35688		

BASIN #1 - 25-YEAR COLLECTED PRE-DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 25-YEAR 24-HOUR STORM ***** 3.90" TOTAL PRECIP. *****

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 3.41,85,.33,98,42.29

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
3.7	3.4	85.0	.3	98.0	42.3
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
1.43	7.83		33399		

BASIN #1 - 25-YEAR COLLECTED DEVELOPED

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
 1.86,86,1.88,98,20.4

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
3.7	1.9	86.0	1.9	98.0	20.4
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
2.43	7.83		41444		

BASIN #1 - 2-YEAR UNCOLLECTED PRE-DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 2-YEAR 24-HOUR STORM ***** 2.50" TOTAL PRECIP. *****

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 2.96,85,.62,98,25.02

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
3.6	3.0	85.0	.6	98.0	25.0
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
.89	7.83		17692		

BASIN #1 - 2-YEAR UNCOLLECTED DEVELOPED

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
 1.78,86,1.8,98,20.4

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
3.6	1.8	86.0	1.8	98.0	20.4
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
1.31	7.83		22783		

BASIN #1 - 10-YEAR UNCOLLECTED PRE-DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 10-YEAR 24-HOUR STORM ***** 3.45" TOTAL PRECIP. *****

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 2.96,85,.62,98,25.02

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
3.6	3.0	85.0	.6	98.0	25.0
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
1.50	7.83		28260		

BASIN #1 - 10-YEAR UNCOLLECTED DEVELOPED

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
 1.78,86,1.8,98,20.4

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
3.6	1.8	86.0	1.8	98.0	20.4
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
1.99	7.83		34163		

BASIN #1 - 25-YEAR UNCOLLECTED PRE-DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 25-YEAR 24-HOUR STORM **** 3.90" TOTAL PRECIP. *****

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 2.96,85,.62,98,25.02

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
3.6	3.0	85.0	.6	98.0	25.0
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
1.80	7.83		33495		

BASIN #1 - 25-YEAR UNCOLLECTED DEVELOPED

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
 1.78,86,1.8,98,20.4

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
3.6	1.8	86.0	1.8	98.0	20.4
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
2.32	7.83		39673		

ENTIRE BASIN #1 - 2-YEAR PRE-DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 2-YEAR 24-HOUR STORM ***** 2.50" TOTAL PRECIP. *****

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 6.37,85,.95,98,42.29

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS	IMPERVIOUS	TC(MINUTES)
	A CN	A CN	
7.3	6.4 85.0	.9 98.0	42.3
PEAK-Q(CFS)	T-PEAK(HRS)	VOL(CU-FT)	
1.37	8.00	34800	

ENTIRE BASIN #1 - 2-YEAR DEVELOPED

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
 3.64,86,3.68,98,20.4

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS	IMPERVIOUS	TC(MINUTES)
	A CN	A CN	
7.3	3.6 86.0	3.7 98.0	20.4
PEAK-Q(CFS)	T-PEAK(HRS)	VOL(CU-FT)	
2.68	7.83	46583	

ENTIRE BASIN #1 - 10-YEAR PRE-DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 10-YEAR 24-HOUR STORM ***** 3.45" TOTAL PRECIP. *****

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 6.37,85,.95,98,42.29

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS	IMPERVIOUS	TC(MINUTES)
	A CN	A CN	
7.3	6.4 85.0	.9 98.0	42.3
PEAK-Q(CFS)	T-PEAK(HRS)	VOL(CU-FT)	
2.37	7.83	56183	

ENTIRE BASIN #1 - 10-YEAR DEVELOPED

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
 3.64,86,3.68,98,20.4

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
7.3	3.6	86.0	3.7	98.0	20.4
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
4.08	7.83		69852		

ENTIRE BASIN #1 - 25-YEAR PRE-DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 25-YEAR 24-HOUR STORM **** 3.90" TOTAL PRECIP. *****

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 6.37,85,.95,98,42.29

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
7.3	6.4	85.0	.9	98.0	42.3
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
2.87	7.83		66799		

ENTIRE BASIN #1 - 25-YEAR DEVELOPED

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
 3.64,86,3.68,98,20.4

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
7.3	3.6	86.0	3.7	98.0	20.4
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
4.75	7.83		81118		

POND - BASIN #1 ROUTE DATA

PERFORMANCE:	INFLOW	TARGET-OUTFLOW	ACTUAL-OUTFLOW	PK-STAGE	STORAGE
DESIGN HYD:	2.43	.91	.91	3.00	12018
TEST HYD 1:	2.08	.68	.63	2.79	10970
TEST HYD 2:	1.37	.25	.25	2.53	9670

STRUCTURE DATA: R/D-POND (3.0:1 SIDE SLOPES)

RISER-HEAD	POND-BOTTOM-AREA	TOP-AREA(@1'F.B.)	STOR-DEPTH	STORAGE-VOLUME
3.00 FT	2877.9 SQ-FT	6185.1 SQ-FT	3.00 FT	12018 CU-FT

TRIPLE ORIFICE RESTRICTOR:	DIA(INCHES)	HT(FEET)	Q-MAX(CFS)
BOTTOM ORIFICE:	2.31	.00	.250
MIDDLE ORIFICE:	4.78	2.52	.430
TOP ORIFICE:	3.94	2.70	.230

ROUTING DATA:

STAGE(FT)	DISCHARGE(CFS)	STORAGE(CU-FT)	PERM-AREA(SQ-FT)
.00	.00	.0	.0
.30	.08	894.4	.0
.60	.11	1852.2	.0
.90	.14	2875.4	.0
1.20	.16	3965.8	.0
1.50	.18	5125.4	.0
1.80	.19	6356.3	.0
2.10	.21	7660.2	.0
2.40	.22	9039.2	.0
2.52	.23	9612.3	.0
2.70	.50	10495.2	.0
3.00	.91	12030.2	.0
3.10	1.30	12559.7	.0
3.20	1.94	13098.3	.0
3.30	2.74	13646.0	.0
3.40	3.59	14202.9	.0
3.50	3.93	14769.2	.0

AVERAGE VERTICAL PERMEABILITY: .0 MINUTES/INCH



Project No.	Sheet No.
Project	
Date	
Subject	
By	

BASIN #1	ENTIRE	BASIN
STORM PREC.	FLOW PRE	DEV
2	2.5"	1.37 2.68
10	3.45"	2.37 4.08
25	3.90"	2.87 4.75

* BASIN #1 COLLECTED ← ROUTE WHAT IS BEING COLLECTED TO POND AND SUBTRACT THE DEV RELEASE OF THE UNCOLLECTED AREAS

2	2.5"	0.67	1.37	0.25 = 0.67 - 0.42
10	3.45"	1.17	2.08	0.68 = 1.17 - 0.49
25	3.90"	1.43	2.43	0.91 = 1.43 - 0.52

		UNCOLLECTED	DEV - PRE RELEASE	
2	2.5"	0.89	1.31	0.42
10	3.45"	1.50	1.99	0.49
25	3.90"	1.80	2.32	0.52

POND ORIFICE	ROUTING Ø	HEIGHT	ALLOWED FLOW
1	2.31"	Ø	0.25 CFS
2	4.78"	2.52'	0.43 CFS
3	3.94"	2.70'	0.23 CFS
RISER...	12"	3'	

REQ'D STORAGE = $\frac{12,018 \text{ CF}}{}$

NOTCH WIER #3 $A_{req'd} = \pi \left(\frac{3.94/12}{2} \right)^2 = 0.08 \text{ SF}$

$L = \frac{0.08}{0.30} = \underline{\underline{0.28'}}$

BASIN #2 - 2-YEAR COLLECTED PRE-DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 2-YEAR 24-HOUR STORM ***** 2.50" TOTAL PRECIP. *****

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 12.83,85,.13,98,37.23

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
13.0	12.8	85.0	.1	98.0	37.2
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
2.22	8.00		55595		

BASIN #2 - 2-YEAR COLLECTED DEVELOPED

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
 6.12,86,6.84,98,24.74

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
13.0	6.1	86.0	6.8	98.0	24.7
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
4.51	7.83		83539		

BASIN #2 - 10-YEAR COLLECTED PRE-DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 10-YEAR 24-HOUR STORM ***** 3.45" TOTAL PRECIP. *****

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 12.83,85,.13,98,37.23

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
13.0	12.8	85.0	.1	98.0	37.2
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
4.07	7.83		92690		

BASIN #2 - 10-YEAR COLLECTED DEVELOPED

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
 6.12,86,6.84,98,24.74

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
13.0	6.1	86.0	6.8	98.0	24.7
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
6.84	7.83		124833		

BASIN #2 - 25-YEAR COLLECTED PRE-DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 25-YEAR 24-HOUR STORM ***** 3.90" TOTAL PRECIP. *****

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 12.83,85,.13,98,37.23

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
13.0	12.8	85.0	.1	98.0	37.2
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
5.01	7.83		111220		

BASIN #2 - 25-YEAR COLLECTED DEVELOPED

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
 6.12,86,6.84,98,24.74

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
13.0	6.1	86.0	6.8	98.0	24.7
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
7.96	7.83		144806		

BASIN #2 - 2-YEAR UNCOLLECTED PRE-DEVELOPED / DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 2-YEAR 24-HOUR STORM **** 2.50" TOTAL PRECIP. *****

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 1.05,85,.36,98,18.22

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
1.4	1.0	85.0	.4	98.0	18.2
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
.42	7.83		7433		

BASIN #2 - 10-YEAR UNCOLLECTED PRE-DEVELOPED / DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 10-YEAR 24-HOUR STORM **** 3.45" TOTAL PRECIP. *****

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 1.05,85,.36,98,18.22

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
1.4	1.0	85.0	.4	98.0	18.2
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
.69	7.83		11685		

BASIN #2 - 25-YEAR UNCOLLECTED PRE-DEVELOPED / COLLECTED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 25-YEAR 24-HOUR STORM **** 3.90" TOTAL PRECIP. *****

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 1.05,85,.36,98,18.22

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
1.4	1.0	85.0	.4	98.0	18.2
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
.83	7.83		13774		

ENTIRE BASIN #2 - 2-YEAR PRE-DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 2-YEAR 24-HOUR STORM **** 2.50" TOTAL PRECIP. *****

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 13.88,85,.49,98,37.23

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
14.4	13.9	85.0	.5	98.0	37.2
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
2.54	8.00		63013		

ENTIRE BASIN #2 - 2-YEAR DEVELOPED

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
 7.17,86,7.2,98,24.74

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
14.4	7.2	86.0	7.2	98.0	24.7
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
4.91	7.83		91197		

ENTIRE BASIN #2 - 10-YEAR PRE-DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 10-YEAR 24-HOUR STORM **** 3.45" TOTAL PRECIP. *****

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 13.88,85,.49,98,37.23

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
14.4	13.9	85.0	.5	98.0	37.2
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
4.60	7.83		104333		

ENTIRE BASIN #2 - 10-YEAR DEVELOPED

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
 7.17,86,7.2,98,24.74

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
14.4	7.2	86.0	7.2	98.0	24.7
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
7.49	7.83		136796		

ENTIRE BASIN #2 - 25-YEAR PRE-DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 25-YEAR 24-HOUR STORM ***** 3.90" TOTAL PRECIP. *****

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 13.88,85,.49,98,37.23

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
14.4	13.9	85.0	.5	98.0	37.2
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
5.64	7.83		124946		

ENTIRE BASIN #2 - 25-YEAR DEVELOPED

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
 7.17,86,7.2,98,24.74

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
14.4	7.2	86.0	7.2	98.0	24.7
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
8.73	7.83		158876		

POND - BASIN #2 ROUTE DATA

PERFORMANCE:	INFLOW	TARGET-OUTFLOW	ACTUAL-OUTFLOW	PK-STAGE	STORAGE
DESIGN HYD:	7.96	5.01	5.00	3.00	20384
TEST HYD 1:	6.84	4.07	3.79	2.72	18090
TEST HYD 2:	4.51	2.22	2.22	1.95	12220

STRUCTURE DATA: R/D-POND (3.0:1 SIDE SLOPES)

RISER-HEAD	POND-BOTTOM-AREA	TOP-AREA(@1' F.B.)	STOR-DEPTH	STORAGE-VOLUME
3.00 FT	5303.0 SQ-FT	9586.5 SQ-FT	3.00 FT	20384 CU-FT

TRIPLE ORIFICE RESTRICTOR:	DIA(INCHES)	HT(FEET)	Q-MAX(CFS)
BOTTOM ORIFICE:	6.87	.00	2.220
MIDDLE ORIFICE:	7.92	1.82	1.850
TOP ORIFICE:	7.96	2.70	.940

ROUTING DATA:

STAGE (FT)	DISCHARGE (CFS)	STORAGE (CU-FT)	PERM-AREA (SQ-FT)
.00	.00	.0	.0
.30	.70	1632.9	.0
.60	.99	3351.2	.0
.90	1.22	5156.9	.0
1.20	1.40	7051.7	.0
1.50	1.57	9037.8	.0
1.80	1.72	11117.0	.0
1.82	1.73	11258.9	.0
2.10	2.76	13291.3	.0
2.40	3.28	15562.6	.0
2.70	3.70	17932.8	.0
3.00	5.01	20404.0	.0
3.10	5.73	21250.5	.0
3.20	6.81	22108.5	.0
3.30	8.13	22978.1	.0
3.40	9.64	23859.3	.0
3.50	11.31	24752.2	.0
3.60	12.92	25656.9	.0
3.70	13.64	26573.5	.0
3.80	14.31	27502.0	.0

AVERAGE VERTICAL PERMEABILITY: .0 MINUTES/INCH



Project No.	Sheet No.
Project	
Date	
Subject	
BASIN # 2 ENTIRE BASIN	

STORM	PPEL.	PPE	FLOW DEV
2	2.5"	2.54	4.91
10	3.45"	4.60	7.49
25	3.90"	5.64	8.73

	COLLECTED	← ROUTE COLLECTED THROUGH POND BUT SUBTRACT THE DEV. RELEASE OF UNCOLLECTED AREAS	
2	2.5" 2.22	4.51	2.22 = 2.22 - 0
10	3.45" 4.07	6.84	4.07 = 4.07 - 0
25	3.90" 5.01	7.96	5.01 = 5.01 - 0

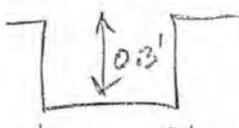
	UNCOLLECTED	← NO CHANGE TO EX. CONDITIONS. TO DEV. CONDITIONS	
2	2.5" 0.42	0.42	0
10	3.45" 0.69	0.69	0
25	3.90" 0.83	0.83	0

POND ROUTING

ORIFICE	Ø	H	ALLOWED RELEASE
# 1	6.87"	0	2.22 CFS
# 2	7.92"	1.82'	1.85 CFS
# 3	7.96"	2.70'	0.94 CFS
RISER	18"	3'	

REQ'D STORAGE = 20,384 SF

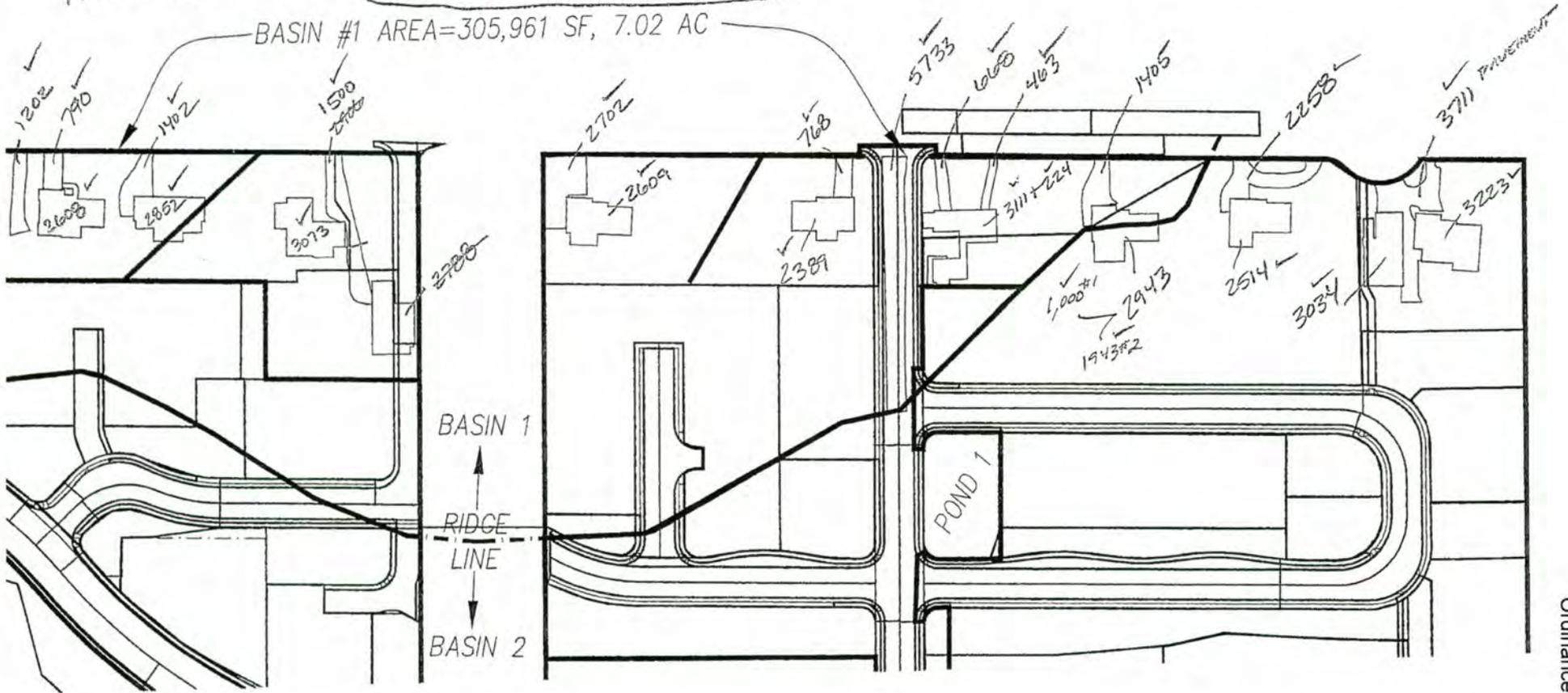
NOTCH WIER #3 AREA'S = $\pi \left(\frac{7.96/12}{2} \right)^2 = 0.35 \text{ SF}$



$L = 0.35 / .3 = \underline{\underline{1.17 \text{ FT}}}$

BASIN #1
 GRAVEL = 1202 + 790 + 1402 + 1590 + 2702 + 768 + 5733 + 668 + 463 = 17,240' x 0.62 AC
 BLDG = 2608 + 2852 + 3073 + 2609 + 2389 + 3111 + 224 + 16 = 17,866' x 0.36 AC
 IMP = 27,015' x 0.62 AC

BASIN #2
 GRAVEL = 2258 x 0.6 = 1355 SF
 BLDG = 1943 + 2514 + 3034 + 3223 = 10,714 SF
 PAVT = 3711
 IMP = 15,780 SF, 0.36 AC



106-001 CORR. (2)



Oregon

Theodore R. Kulongoski, Governor

Department of State Lands

775 Summer Street NE, Suite 100

Salem, OR 97301-1279

(503) 378-3805

FAX (503) 378-4844

www.oregonstatelands.us

cc: Chris
Terri

cc Matt Sprague
State Land Board

Ben Allan
Theodore R. Kulongoski
Governor

March 9, 2004

REC'D MAR 12 2004

MP02/31572

CHRISTOPHER HARRELL
RENAISSANCE HOMES
1672 SW WILLAMETTE FALLS DRIVE
WEST LINN OREGON 97068

Bill Bradbury
Secretary of State

Randall Edwards
State Treasurer

Re: State Application Number 31572-NSP
Wetland / Coffee Lake Creek Trib.,
City of Wilsonville, Clackamas County

Dear Mr. Harrell:

We have received your application to remove and fill approximately 42 cubic yards of material for a stormwater pipe connection to a proposed outfall on the South Tributary of Coffee Lake Creek in Section 13, Township 3S, Range 1W, Clackamas County, Oregon. The Department of State Lands requires a permit if you plan to remove, fill or alter 50 cubic yards or more of material within the banks of most waters of the state or designated wetlands. State-designated Essential Salmon Habitat streams and State Scenic Waterways are exceptions in that any amount of removal, fill or alteration typically requires a permit.

Based on your application, your project involves removal or filling of less than 50 cubic yards of material in waters that are NOT CURRENTLY DESIGNATED Essential Salmon Habitat or State Scenic Waterways. Therefore, a state removal-fill permit is not required.

You must also receive authorization, when required, from the U.S. Army Corps of Engineers and local planning department before beginning construction.

If you have any questions, please call Mike Powers at (503) 378-3805, extension 226.

Sincerely,

Lori Warner
Western Region Manager, Field Operations
Department of State Lands

c: Jim Grimes, Oregon Dept. of Fish and Wildlife
John Barco, Corps of Engineers, Portland District
City of Wilsonville Planning Dept.

MAR-08-2004 MON 08:37 AM RENAISSANCE HOMES

FAX NO. 5036561601

106-001 COOR-1N
Ordinance 739, Exhibit B1

CC: Chris, Matt, Ben
file: Canyon Creek
M4



Oregon

Theodore R. Kulongoski, Governor

Department of State Lands
775 Summer Street NE, Suite 100
Salem, OR 97301-1279
(503) 378-3805
FAX (503) 378-4844
www.oregonstatelands.us.

State Land Board

Theodore R. Kulongoski
Governor

Bill Bradbury
Secretary of State

Randall Edwards
State Treasurer

February 27, 2004

REC'D MAR 02 2004

Christopher Harrell
Renaissance Homes
1672 SW Willamette Falls Drive
West Linn, Oregon 97068

Re: Wetland Delineation for Canyon Creek Road located in T3S R1W
Section 13B, Tax Lot 1200, 2691, 2700 in Wilsonville; WD #04-0023

Dear Mr. Harrell:

I have reviewed the wetland delineation report prepared by Fishman Environmental Services for the project referenced above. Please note that the study area only includes a portion of the tax lots stated above (please see the attached map). Based on the information presented in the report, I concur with the wetlands A, C, and D (~1.38 acres) and Boeckman Creek and South Tributary to Coffee Lake Creek boundaries as mapped in the revised Figure (see attached). These wetlands and waterways are subject to the permit requirements of the state Removal-Fill Law. A state permit is required for fill or excavation of 50 cubic yards or more in a wetland area or below the ordinary high water mark of a waterway.

The mapped ditch that flows into "Wetland C" is not regulated by the Department because it does not meet wetland criteria nor the definition of an intermittent stream.

This concurrence is for purposes of the state Removal-Fill Law only. Federal or local permit requirements may apply as well. The Army Corps of Engineers will review the report and make a determination of jurisdiction for purposes of the Clean Water Act at the time that a permit application is submitted. We recommend that you attach a copy of this concurrence letter to both copies of any subsequent joint permit application to speed application review.

Please be advised that state law establishes a preference for avoidance of wetland impacts. Measures to avoid and minimize wetland impacts may include reconfiguring parcel layout and size or development design; therefore, we recommend that you work with Department staff on appropriate site design before completing the city or county land use approval process. The permit coordinator for this site is Mike Powers, Ext. 226.

This jurisdictional determination is valid for five years from the date of this letter, unless new information necessitates a revision. Circumstances under which the Department may change a determination and procedures for renewal of an expired determination are found in OAR 141-090-0045 (available on our web site or upon request). A request for reconsideration of this determination may be submitted in writing by the applicant, landowner, or agent within 60 calendar days of the date of this letter. Thank you for your report.

Site 2.02, 2.12d, and 2.121d on the Wilsonville Local Wetland Inventory should now be revised or annotated to show these more accurate wetland boundaries.

Sincerely,

Melinda Wood

Melinda Wood
Wetlands Specialist

Approved by *Janet C. Morlan*
Janet C. Morlan, PWS
Wetlands Program Manager

cc: Mirth Walker, Fishman Environmental Services
Clackamas County Planning Department
John Barco, Corps of Engineers
Mike Powers, DSL



Oregon

Theodore R. Kulongoski, Governor

February 12, 2004

RECEIVED
FEB 23 2004
FISHMAN

Department of State Lands

775 Summer Street NE, Suite 100
Salem, OR 97301-1279
(503) 378-3805
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www.oregonstatelands.us.

State Land Board

Theodore R. Kulongoski
Governor

Bill Bradbury
Secretary of State

Randall Edwards
State Treasurer

MP02/31572

FISHMAN ENVIRONMENTAL SERVICES, LLC
ATTN: C. MIRTH WALKER, PWS
434 NW SIXTH AVENUE, SUITE 304
PORTLAND, OR 97209

Re: DSL Removal/Fill Permit Application No. 31572-NSP
T. 3S, R. 01W, Section 13 N of NW Tax Lot 2691,
City of Wilsonville, Clackamas County

Dear Ms. Walker:

We have received your application to conduct removal or fill activities in a water of the state. Based on the information provided, the activity is subject to our jurisdiction and a State Removal/fill Permit is required. The purpose of this letter is to inform you of the results of our initial completeness review. Your application has been reviewed pursuant to OAR 141-085-0025, *et seq.*, and determined to be incomplete.

To continue processing your application, please submit the following items:

1. The proposed work may not need a permit. However, we shall not make that determination until the Department has concurred with the associated wetland delineation report. At this time the Department has not provided concurrence. Please submit the additional information requested by the Department's Wetland Team. If you have provided the information, you may disregard the request. However, because of our mandated application review timelines, you must resubmit the application.

It is important that you reference application number 31572-NSP on all future correspondence. Your resubmission will initiate a new 30-day completeness review period by Department staff.

You may wish to call me at extension 226 to discuss the needed or revised information and avoid unnecessary confusion and processing delays.

Sincerely,

Michael Powers
Resource Coordinator
Western Region – Field Operations

c: John Barco, Corps of Engineers
Christopher Harrell, Renaissance Homes



DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2946
PORTLAND, OREGON 97208-2946

March 1, 2004

REC'D MAR 02 2004

REPLY TO
ATTENTION OF:

Operations Division
Regulatory Branch
Corps No.: 200400029

Mr. Christopher Harrell
Renaissance Homes
1672 SW Willamette Falls Drive
West Linn, Oregon 97068

Dear Mr. Carter:

The U.S. Army Corps of Engineers (Corps) has received your permit application requesting Department of the Army authorization to discharge fill material into wetlands adjacent to the South Tributary to Coffee Lake Creek as shown in the enclosed drawings (Enclosure 1). The project is located in a palustrine, emergent wetland adjacent to the South Tributary to Coffee Lake Creek, west of Canyon Creek Road South, south of Boeckman Road, and east of SW Parkway Avenue, Section 13, Township 3 South, Range 1 West, Wilsonville, Clackamas County, Oregon. It is the Corps understanding that to install a stormwater outfall utility line, an area 47.51 feet long by 3.5 feet wide and 3.75 feet deep will be excavated to create a trench for the placement of an 18-inch stormwater pipe, impacting approximately 0.0039 acre of waters of the United States. The stormwater utility line will discharge into the South Tributary to Coffee Lake Creek and is needed to manage stormwater associated with a proposed residential development.

This letter verifies that your project is authorized under the terms and limitations of Nationwide Permit No. 12 (Utility Line Activities). Your activities must be conducted in accordance with the conditions found in Regional Conditions (Enclosure 2), General Conditions (Enclosure 3), Oregon Department of Environmental Quality Certification Conditions (Enclosure 4), and the following project specific conditions:

- Renaissance Homes shall restore the trench site to pre-excavation contours with native soil and revegetate the area with native wetland seed mix.

We also direct your attention to the Regional Conditions, (Enclosure 2), that requires the transfer of this permit if the property is sold and General Conditions 14 that requires you to submit a signed certificate when the work is completed. A "Compliance Certification" is provided (Enclosure 5).

Failure to comply with any of the listed conditions could result in the Corps initiating an enforcement action. This authorization does not obviate the need to obtain other permits where

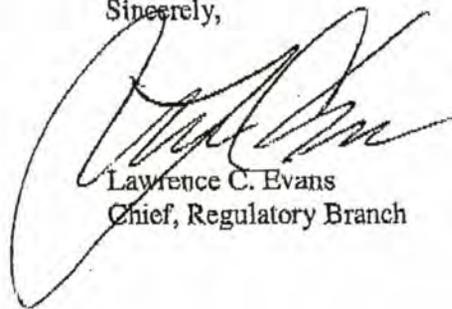
-2-

required. Permits, such as those required from the Oregon Division of State Lands (ODSL) under Oregon's Removal /Fill Law, must also be obtained before work begins.

This verification is valid for a period of 2 years from the date of this letter unless the nationwide permit expires, is modified, reissued, or revoked prior to that date. All the nationwide permits are scheduled to be modified, reissued or revoked in March 2007. If you commence or are under contract to commence this activity before the date the nationwide permit expires, is modified or revoked, you will have twelve months from the date of the modification or revocation to complete the activity under the present terms and conditions of the current nationwide permit

If you have any questions regarding this nationwide permit verification, please contact Ms. Tina J. Teed at the letterhead address or telephone (503) 808-4384.

Sincerely,

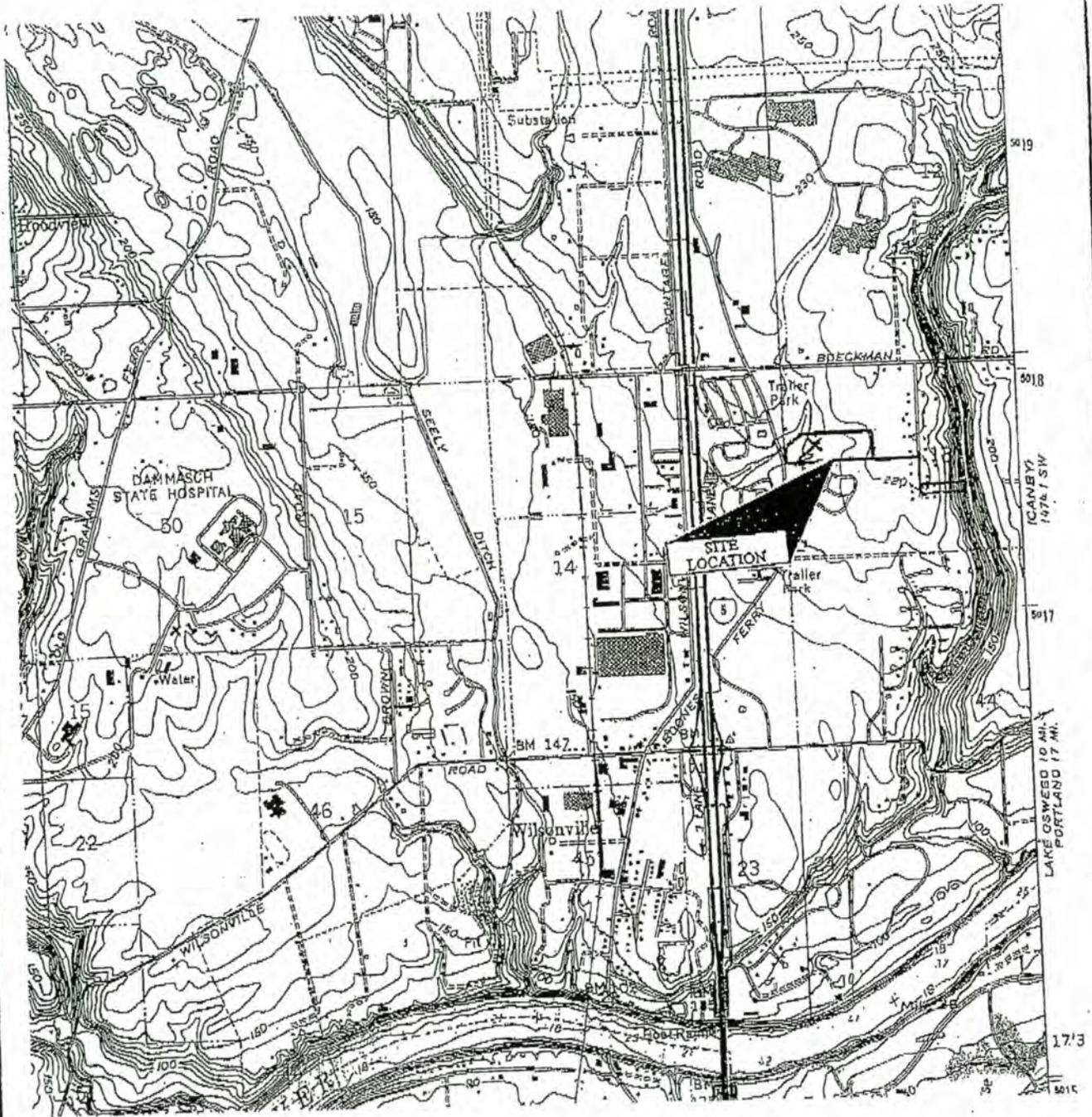


Lawrence C. Evans
Chief, Regulatory Branch

Enclosures

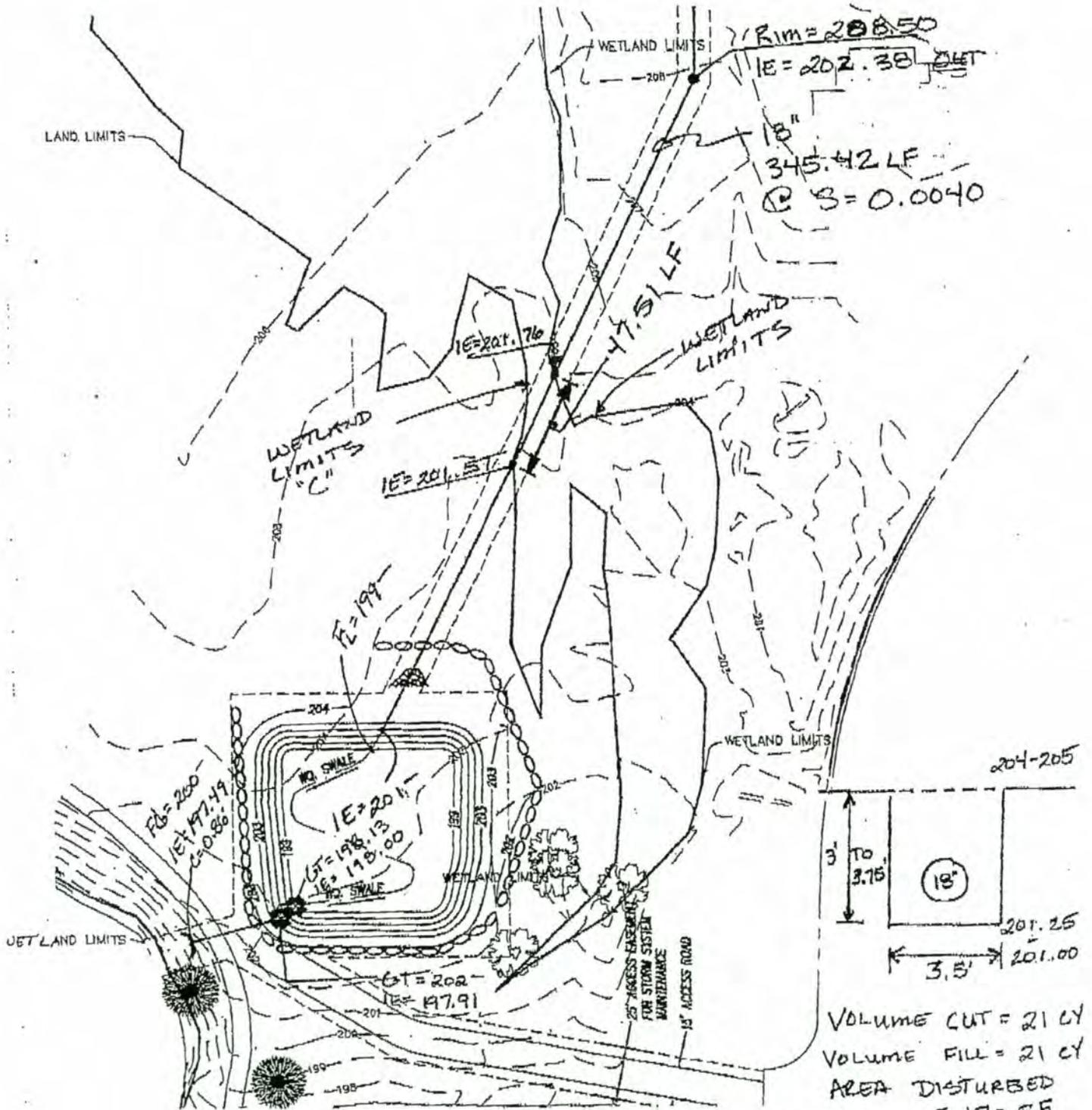
Copy Furnished:

Oregon Department of State Lands (McCabe)
Oregon Department of Environmental Quality (Melville)
OP-GP (Veenstra) w/Enclosure 1

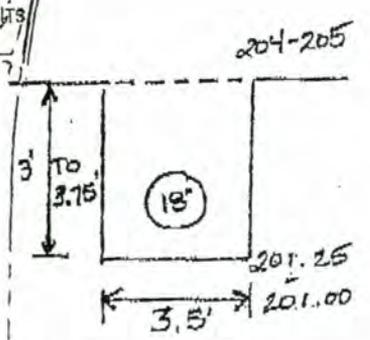


APPLICANT: Renaissance Homes, LLC,
Chris Harrell, Land Dev. Manager
WATERWAY: South Tributary to Coffee Lake
Creek and Wetland C
ACTIVITY: Stormwater Pipe Connection
DATE: January 2004; SHEET: 1 of 3

Enclosure 1.



Rim = 208.50
 IE = 202.38
 18"
 345.42 LF
 CS = 0.0040



VOLUME CUT = 21 CY
 VOLUME FILL = 21 CY
 AREA DISTURBED
 = 170 SF

1" = 60'
 SFA DESIGN GROUP
 1/10/04 BEF

Portland District Regional Conditions

- (a) **In-water Work Windows:** Exceptions to these time periods require specific approval from the Corps. **This project is exempt from in-water work windows due to no in-water work being performed.**
- (b) **Upland Disposal:** All excess material will be taken to a suitable upland location for disposal. The material shall be placed in a location and manner that prevents its discharge into waterways or wetlands.
- (c) **Heavy Equipment:** Heavy equipment shall be operated from the bank and not placed in the stream unless specifically authorized by the District Engineer. Heavy equipment must be placed on mats or similar precautions must be taken to minimize damage to wetland resources.
- (d) **Fish Screening:** Fish Screening will comply with standards approved by the National Marine Fisheries Service or the Oregon Department of Fish & Wildlife, as appropriate.
- (e) **Cultural Resources & Human Burials:** Permittees must immediately notify the District Engineer if at any time during the course of the work authorized, human burials, cultural resources, or historic properties, as identified by the National Historic Preservation Act, may be affected. Failure to stop work in the area of exposure until such time the Corps has complied with the provisions of 33 CFR 325, Appendix C, the National Historic Preservation Act and other pertinent regulations, could result in violation of state and federal laws. Violators are subject to civil and criminal penalties.
- (f) **Fish Passage:** Permittee shall insure activities authorized by nationwide permit will not restrict passage of aquatic life. Activities such as the installation of culverts or diversion structures, or other modifications to channel morphology must be designed to be consistent with fish passage standards developed by the Oregon Department of Fish and Wildlife (ODFW) and the National Marine Fisheries Service (NMFS). The standards can be found in the document entitled "ODFW standards and Criteria for Stream Road Crossings". The streambed shall be returned to pre-construction contours after construction unless the purpose of the activity is to eliminate a fish barrier.
- (g) **Riparian Vegetation Protection & Restoration:** When working in waters of the United States or riparian areas the construction boundary shall be minimized to the maximum extent practicable. Permittee shall mark and clearly define the construction boundary before beginning work. Native riparian vegetation will be successfully established along tributaries where the vegetation was removed by construction. The plantings shall start at the ordinary high water mark and extend 10 feet back from the top of the bank. The plantings must be completed by the end of the first planting season following the disturbance.
- (h) **Erosion Controls:** All practicable erosion control devices shall be installed and maintained in good working order throughout construction to prevent the unauthorized discharge of material into a wetland or tributary. The devices shall be installed to maximize their effectiveness, e.g., sediment fences shall generally be buried or similarly secured. These controls shall be maintained until permanent erosion controls are in place.

Enclosure 2.

Practicable erosion control measures include but are not limited to the following:

- a. Fill is placed in a manner that avoids disturbance to the maximum practicable extent (e.g. placing fill with a machine rather than end-dumping from a truck).
- b. Prevent all construction materials and debris from entering waterway;
- c. Use filter bags, sediment fences, sediment traps or catch basins, silt curtains, leave strips or berms, Jersey barriers, sand bags, or other measures sufficient to prevent movement of soil;
- d. Use impervious materials to cover stockpiles when unattended or during rain event;
- e. Erosion control measures shall be inspected and maintained daily to ensure their continued effectiveness;
- f. No heavy machinery in a wetland or other waterway;
- g. Use a gravel staging area and construction access;
- h. Fence off planted areas to protect from disturbance and/or erosion; and
- i. Flag or fence off wetlands adjacent to the construction area.

(i) **Maps and drawings:** In addition to the items required in Nationwide Permit General Conditions 13, all preconstruction notifications shall contain maps showing the project location as well as plan-view and cross-sectional drawings showing the proposed work. The map(s) shall be of a scale and detail to clearly identify the project location(s). Drawings shall be sufficient in number and detail to accurately portray the project.

(j) **Bank Protection:** Rip-rap shall be clean, durable, angular rock. The use of other materials such as broken concrete, asphalt, tires, wire, steel posts or similar materials is not authorized. The project design shall minimize the placement of rock and maximize the use vegetation and organic material such as root wads to the extent practicable. Riparian plantings shall be included in all project designs unless the permittee can demonstrate they are not practicable. The permittee must notify the District Engineer in accordance with nationwide permit general condition #13 for any activity that includes bank stabilization.

(k) **Inspection of project site:** The permittee must allow representatives of the Corps to inspect the authorized activity to confirm compliance with nationwide permit terms and conditions. Personnel from the Oregon Department of Environmental Quality and the Department of Land Conservation and Development are considered to be authorized "representatives" for the purpose of Section 401 Water Quality or Coastal Zone Management inspections. For projects on tribal land the Environmental Protection Agency is considered an authorized representative. A request for access to the site will normally be made sufficiently in advance to allow a property owner or representative to be on site with the agency representative making the inspection.

(l) **Sale of property/transfer of permit:** If you sell the property associated with this permit, you must transfer the permit to the new owner(s) and obtain their signature(s). A copy of this permit with the new owner(s) signature shall be sent to this office to validate the transfer of this permit authorization

Nationwide Permit General Conditions
(From the January 15, 2002 Federal Register, Vol. 67, No. 10)

1. Navigation
2. Proper Maintenance
3. Soil Erosion and Sediment Controls
4. Aquatic Life Movements
5. Equipment
6. Regional and Case-by-Case Conditions
7. Wild and Scenic Rivers
8. Tribal Rights
9. Water Quality
10. Coastal Zone Management
11. Endangered Species
12. Historic Properties
13. Notification
14. Compliance Certification
15. Use of Multiple Nationwide Permits
16. Water Supply Intakes
17. Shellfish Beds
18. Suitable Material
19. Mitigation
20. Spawning Areas
21. Management of Water Flows
22. Adverse Effects from Impoundments
23. Waterfowl Breeding Areas
24. Removal of Temporary Fills
25. Designated Critical Resource Waters
26. Fills Within 100-year Floodplains
27. Construction Period

Encl. 3

C. Nationwide Permit General Conditions

The following General Conditions must be followed in order for any authorization by an NWP to be valid:

1. Navigation. No activity may cause more than a minimal adverse effect on navigation.
2. Proper Maintenance. Any structure or fill authorized shall be properly maintained, including maintenance to ensure public safety.
3. Soil Erosion and Sediment Controls. Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow.
4. Aquatic Life Movements. No activity may substantially disrupt the necessary life-cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. Culverts placed in streams must be installed to maintain low flow conditions.
5. Equipment. Heavy equipment working in wetlands must be placed on mats, or other measures must be taken to minimize soil disturbance.
6. Regional and Case-By-Case Conditions. The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)). The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(c)) and with any case specific conditions added by the Corps or by the state or tribe in its Section 401 Water Quality Certification and Coastal Zone Management Act consistency determination.
7. Wild and Scenic Rivers. No activity may occur in a component of the National Wild and Scenic River System; or in a river officially designated by Congress as a "study river" for possible inclusion in the system, while the river is in an official study status; unless the appropriate Federal agency, with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation, or study status. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency in the area (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service).
8. Tribal Rights. No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.
9. Water Quality. (a) In certain states and tribal lands an individual 401 Water Quality Certification must be obtained or waived (See 33 CFR 330.4(c)). (b) For NWPs 12, 14, 17, 18, 32, 39, 40, 42, 43, and 44, where the state or tribal 401 certification (either generically or individually) does not require or approve water quality management measures, the permittee must provide water quality management measures that will ensure that the authorized work does not result in more than minimal degradation of water quality (or the Corps determines that compliance with state or local standards, where applicable, will ensure no more than minimal adverse effect on water quality). An important component of water quality management includes stormwater management that minimizes degradation of the downstream aquatic system, including water quality (refer to General Condition 21 for stormwater management requirements). Another important component of water quality management is the establishment and maintenance of vegetated buffers next to open waters, including streams (refer to General Condition 19 for vegetated buffer requirements for the NWPs).

This condition is only applicable to projects that have the potential to affect water quality. While appropriate measures must be taken, in most cases it is not necessary to conduct detailed studies to identify such measures or to require monitoring.

10. Coastal Zone Management. In certain states, an individual state coastal zone management consistency concurrence must be obtained or waived (see 33 CFR Section 330.4(d)).

11. Endangered Species. (a) No activity is authorized under any NWP, which is likely to jeopardize the continued existence of a threatened or endangered species, or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will destroy or adversely modify the critical habitat of such species. Non-federal permittees shall notify the District Engineer if any listed species or designated critical habitat might be affected or is in the vicinity of the project, or is located in the designated critical habitat and shall not begin work on the activity until notified by the District Engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that may affect Federally-listed endangered or threatened species or designated critical habitat, the notification must include the name(s) of the endangered or threatened species that may be affected by the proposed work or that utilize the designated critical habitat that may be affected by the proposed work. As a result of formal or informal consultation with the FWS or NMFS the District Engineer may add species-specific regional endangered species conditions to the NWPs.

(b) Authorization of an activity by a NWP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the USFWS or the NMFS, both lethal and non-lethal "takes" of protected species are in violation of the ESA. Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the USFWS and NMFS or their world wide web pages at <http://www.fws.gov/r9endspp/endspp.html> and http://www.nmfs.noaa.gov/prof_res/overview/cs.htm respectively.

12. Historic Properties. No activity which may affect historic properties listed, or eligible for listing, in the National Register of Historic Places is authorized, until the District Engineer has complied with the provisions of 33 CFR Part 325, Appendix C. The prospective permittee must notify the District Engineer if the authorized activity may affect any historic properties listed, determined to be eligible, or which the prospective permittee has reason to believe may be eligible for listing on the National Register of Historic Places, and shall not begin the activity until notified by the District Engineer that the requirements of the National Historic Preservation Act have been satisfied and that the activity is authorized. Information on the location and existence of historic resources can be obtained from the State Historic Preservation Office and the National Register of Historic Places (see 33 CFR 330.4(g)). For activities that may affect historic properties listed in, or eligible for listing in, the National Register of Historic Places, the notification must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property.

13. Notification.

(a) Timing; where required by the terms of the NWP, the prospective permittee must notify the District Engineer with a preconstruction notification (PCN) as early as possible. The District Engineer must determine if the notification is complete within 30 days of the date of receipt and can request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the District Engineer will notify the prospective permittee that the notification is still incomplete and the PCN review process will not commence until all of the requested information has been received by the District Engineer. The prospective permittee shall not begin the activity:

- (1) Until notified in writing by the District Engineer that the activity may proceed under the NWP with any special conditions imposed by the District or Division Engineer; or
- (2) If notified in writing by the District or Division Engineer that an Individual Permit is required; or
- (3) Unless 45 days have passed from the District Engineer's receipt of the complete notification and the prospective permittee has not received written notice from the District or Division Engineer. Subsequently, the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) Contents of Notification: The notification must be in writing and include the following information:

- (1) Name, address and telephone numbers of the prospective permittee;
- (2) Location of the proposed project;
- (3) Brief description of the proposed project; the project's purpose; direct and indirect adverse environmental effects the project would cause; any other NWP(s), Regional General Permit(s), or Individual Permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. Sketches should be

provided when necessary to show that the activity complies with the terms of the NWP (Sketches usually clarify the project and when provided result in a quicker decision.);

(4) For NWPs 7, 12, 14, 18, 21, 34, 38, 39, 40, 41, 42, and 43, the PCN must also include a delineation of affected special aquatic sites, including wetlands, vegetated shallows (e.g., submerged aquatic vegetation, seagrass beds), and riffle and pool complexes (see paragraph 13(f));

(5) For NWP 7 (Outfall Structures and Maintenance), the PCN must include information regarding the original design capacities and configurations of those areas of the facility where maintenance dredging or excavation is proposed;

(6) For NWP 14 (Linear Transportation Projects), The PCN must include a compensatory mitigation proposal to offset permanent losses of waters of the US and a statement describing how temporary losses of waters of the US will be minimized to the maximum extent practicable;

(7) For NWP 21 (Surface Coal Mining Activities), the PCN must include an Office of Surface Mining (OSM) or state-approved mitigation plan, if applicable. To be authorized by this NWP, the District Engineer must determine that the activity complies with the terms and conditions of the NWP and that the adverse environmental effects are minimal both individually and cumulatively and must notify the project sponsor of this determination in writing;

(8) For NWP 27 (Stream and Wetland Restoration), the PCN must include documentation of the prior condition of the site that will be reverted by the permittee;

(9) For NWP 29 (Single-Family Housing), the PCN must also include:

(i) Any past use of this NWP by the Individual Permittee and/or the permittee's spouse;

(ii) A statement that the single-family housing activity is for a personal residence of the permittee;

(iii) A description of the entire parcel, including its size, and a delineation of wetlands. For the purpose of this NWP, parcels of land measuring ¼-acre or less will not require a formal on-site delineation. However, the applicant shall provide an indication of where the wetlands are and the amount of wetlands that exists on the property. For parcels greater than ¼-acre in size, formal wetland delineation must be prepared in accordance with the current method required by the Corps. (See paragraph 13(f));

(iv) A written description of all land (including, if available, legal descriptions) owned by the prospective permittee and/or the prospective permittee's spouse, within a one mile radius of the parcel, in any form of ownership (including any land owned as a partner, corporation, joint tenant, co-tenant, or as a tenant-by-the-entirety) and any land on which a purchase and sale agreement or other contract for sale or purchase has been executed;

(10) For NWP 31 (Maintenance of Existing Flood Control Projects); the prospective permittee must either notify the District Engineer with a PCN prior to each maintenance activity or submit a five year (or less) maintenance plan. In addition, the PCN must include all of the following:

(i) Sufficient baseline information identifying the approved channel depths and configurations and existing facilities. Minor deviations are authorized, provided the approved flood control protection or drainage is not increased;

(ii) A delineation of any affected special aquatic sites, including wetlands; and,

(iii) Location of the dredged material disposal site;

(11) For NWP 33 (Temporary Construction, Access, and Dewatering), the PCN must also include a restoration plan of reasonable measures to avoid and minimize adverse effects to aquatic resources;

(12) For NWPs 39, 43 and 44, the PCN must also include a written statement to the District Engineer explaining how avoidance and minimization for losses of waters of the US were achieved on the project site;

(13) For NWP 39 and NWP 42, the PCN must include a compensatory mitigation proposal to offset losses of waters of the US or justification explaining why compensatory mitigation should not be required. For discharges that cause the loss of greater than 300 linear feet of an intermittent stream bed, to be authorized, the District Engineer must determine that the activity complies with the other terms and conditions of the NWP, determine adverse environmental effects are minimal both individually and cumulatively, and waive the limitation on stream impacts in writing before the permittee may proceed;

(14) For NWP 40 (Agricultural Activities), the PCN must include a compensatory mitigation proposal to offset losses of waters of the US. This NWP does not authorize the relocation of greater than 300 linear-feet of existing serviceable drainage ditches constructed in non-tidal streams unless, for drainage ditches constructed in intermittent non-tidal streams, the District Engineer waives this criterion in writing, and the District Engineer has determined that the project complies with all terms and conditions of this NWP, and that any adverse impacts of the project on the aquatic environment are minimal, both individually and cumulatively;

(15) For NWP 43 (Stormwater Management Facilities), the PCN must include, for the construction of new stormwater management facilities, a maintenance plan (in accordance with state and local requirements, if

applicable) and a compensatory mitigation proposal to offset losses of waters of the US. For discharges that cause the loss of greater than 300 linear feet of an intermittent stream bed, to be authorized, the District Engineer must determine that the activity complies with the other terms and conditions of the NWP, determine adverse environmental effects are minimal both individually and cumulatively, and waive the limitation on stream impacts in writing before the permittee may proceed;

(16) For NWP 44 (Mining Activities), the PCN must include a description of all waters of the US adversely affected by the project, a description of measures taken to minimize adverse effects to waters of the US, a description of measures taken to comply with the criteria of the NWP, and a reclamation plan (for all aggregate mining activities in isolated waters and non-tidal wetlands adjacent to headwaters and any hard rock/mineral mining activities);

(17) For activities that may adversely affect Federally-listed endangered or threatened species, the PCN must include the name(s) of those endangered or threatened species that may be affected by the proposed work or utilize the designated critical habitat that may be affected by the proposed work; and

(18) For activities that may affect historic properties listed in, or eligible for listing in, the National Register of Historic Places, the PCN must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property.

(c) Form of Notification: The standard Individual Permit application form (Form ENG 4345) may be used as the notification but must clearly indicate that it is a PCN and must include all of the information required in (b) (1)-(18) of General Condition 13. A letter containing the requisite information may also be used.

(d) District Engineer's Decision: In reviewing the PCN for the proposed activity, the District Engineer will determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. The prospective permittee may submit a proposed mitigation plan with the PCN to expedite the process. The District Engineer will consider any proposed compensatory mitigation the applicant has included in the proposal in determining whether the net adverse environmental effects to the aquatic environment of the proposed work are minimal. If the District Engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse effects on the aquatic environment are minimal, after considering mitigation, the District Engineer will notify the permittee and include any conditions the District Engineer deems necessary. The District Engineer must approve any compensatory mitigation proposal before the permittee commences work. If the prospective permittee is required to submit a compensatory mitigation proposal with the PCN, the proposal may be either conceptual or detailed. If the prospective permittee elects to submit a compensatory mitigation plan with the PCN, the District Engineer will expeditiously review the proposed compensatory mitigation plan. The District Engineer must review the plan within 45 days of receiving a complete PCN and determine whether the conceptual or specific proposed mitigation would ensure no more than minimal adverse effects on the aquatic environment. If the net adverse effects of the project on the aquatic environment (after consideration of the compensatory mitigation proposal) are determined by the District Engineer to be minimal, the District Engineer will provide a timely written response to the applicant. The response will state that the project can proceed under the terms and conditions of the NWP.

If the District Engineer determines that the adverse effects of the proposed work are more than minimal, then the District Engineer will notify the applicant either: (1) that the project does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an Individual Permit; (2) that the project is authorized under the NWP subject to the applicant's submission of a mitigation proposal that would reduce the adverse effects on the aquatic environment to the minimal level; or (3) that the project is authorized under the NWP with specific modifications or conditions. Where the District Engineer determines that mitigation is required to ensure no more than minimal adverse effects occur to the aquatic environment, the activity will be authorized within the 45-day PCN period. The authorization will include the necessary conceptual or specific mitigation or a requirement that the applicant submit a mitigation proposal that would reduce the adverse effects on the aquatic environment to the minimal level. When conceptual mitigation is included, or a mitigation plan is required under item (2) above, no work in waters of the US will occur until the District Engineer has approved a specific mitigation plan.

(e) Agency Coordination: The District Engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the project's adverse environmental effects to a minimal level.

For activities requiring *notification* to the District Engineer that result in the loss of greater than 1/2-acre of waters of the US, the District Engineer will provide immediately (e.g., via facsimile transmission, overnight mail, or other expeditious manner) a copy to the appropriate Federal or state offices (USFWS, state natural resource or water quality agency, EPA, State Historic Preservation Officer (SHPO), and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will then have 10 calendar days from the date the material is transmitted to telephone or fax the District Engineer notice that they intend to provide substantive, site-specific comments. If so contacted by an agency, the District Engineer will wait an additional 15 calendar days before making a decision on the *notification*. The District Engineer will fully consider agency comments received within the specified time frame, but will provide no response to the resource agency, except as provided below. The District Engineer will indicate in the administrative record associated with each *notification* that the resource agencies' concerns were considered. As required by Section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act, the District Engineer will provide a response to NMFS within 30 days of receipt of any Essential Fish Habitat conservation recommendations. Applicants are encouraged to provide the Corps multiple copies of *notifications* to expedite agency *notification*.

(f) Wetland Delineations: Wetland delineations must be prepared in accordance with the current method required by the Corps (For NWP 29 see paragraph (b)(9)(iii) for parcels less than 1/4-acre in size). The permittee may ask the Corps to delineate the special aquatic site. There may be some delay if the Corps does the delineation. Furthermore, the 45-day period will not start until the wetland delineation has been completed and submitted to the Corps, where appropriate.

14. Compliance Certification. Every permittee who has received NWP verification from the Corps will submit a signed certification regarding the completed work and any required mitigation. The certification will be forwarded by the Corps with the authorization letter and will include: (a) A statement that the authorized work was done in accordance with the Corps authorization, including any general or specific conditions; (b) A statement that any required mitigation was completed in accordance with the permit conditions; and (c) The signature of the permittee certifying the completion of the work and mitigation.

15. Use of Multiple Nationwide Permits. The use of more than one NWP for a single and complete project is prohibited, except when the acreage loss of waters of the US authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit (e.g. if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the US for the total project cannot exceed 1/3-acre).

16. Water Supply Intakes: No activity, including structures and work in navigable waters of the US or discharges of dredged or fill material, may occur in the proximity of a public water supply intake except where the activity is for repair of the public water supply intake structures or adjacent bank stabilization.

17. Shellfish Beds. No activity, including structures and work in navigable waters of the US or discharges of dredged or fill material, may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWP 4.

18. Suitable Material. No activity, including structures and work in navigable waters of the US or discharges of dredged or fill material, may consist of unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.) and material used for construction or discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the CWA).

19. Mitigation. The District Engineer will consider the factors discussed below when determining the acceptability of appropriate and practicable mitigation necessary to offset adverse effects on the aquatic environment that are more than minimal.

(a) The project must be designed and constructed to avoid and minimize adverse effects to waters of the US to the maximum extent practicable at the project site (i.e., on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing or compensating) will be required to the extent necessary to ensure that the adverse effects to the aquatic environment are minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland impacts requiring a PCN, unless the District Engineer determines in writing that some other form of mitigation would be more

environmentally appropriate and provides a project-specific waiver of this requirement. Consistent with National policy, the District Engineer will establish a preference for restoration of wetlands as compensatory mitigation, with preservation used only in exceptional circumstances.

(d) Compensatory mitigation (i.e., replacement or substitution of aquatic resources for those impacted) will not be used to increase the acreage losses allowed by the acreage limits of some of the NWP. For example, ¼-acre of wetlands cannot be created to change a ¼-acre loss of wetlands to a ½-acre loss associated with NWP 39 verification. However, ½-acre of created wetlands can be used to reduce the impacts of a ½-acre loss of wetlands to the minimum impact level in order to meet the minimal impact requirement associated with NWPs.

(e) To be practicable, the mitigation must be available and capable of being done considering costs, existing technology, and logistics in light of the overall project purposes. Examples of mitigation that may be appropriate and practicable include, but are not limited to: reducing the size of the project; establishing and maintaining wetland or upland vegetated buffers to protect open waters such as streams; and replacing losses of aquatic resource functions and values by creating, restoring, enhancing, or preserving similar functions and values, preferably in the same watershed.

(f) Compensatory mitigation plans for projects in or near streams or other open waters will normally include a requirement for the establishment, maintenance, and legal protection (e.g., easements, deed restrictions) of vegetated buffers to open waters. In many cases, vegetated buffers will be the only compensatory mitigation required. Vegetated buffers should consist of native species. The width of the vegetated buffers required will address documented water quality or aquatic habitat loss concerns. Normally, the vegetated buffer will be 25 to 50 feet wide on each side of the stream, but the District Engineers may require slightly wider vegetated buffers to address documented water quality or habitat loss concerns. Where both wetlands and open waters exist on the project site, the Corps will determine the appropriate compensatory mitigation (e.g., stream buffers or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where vegetated buffers are determined to be the most appropriate form of compensatory mitigation, the District Engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland impacts.

(g) Compensatory mitigation proposals submitted with the "notification" may be either conceptual or detailed. If conceptual plans are approved under the verification, then the Corps will condition the verification to require detailed plans be submitted and approved by the Corps prior to construction of the authorized activity in waters of the US.

(h) Permittees may propose the use of mitigation banks, in-lieu fee arrangements or separate activity-specific compensatory mitigation. In all cases that require compensatory mitigation, the mitigation provisions will specify the party responsible for accomplishing and/or complying with the mitigation plan.

20. Spawning Areas. Activities, including structures and work in navigable waters of the US or discharges of dredged or fill material, in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., excavate, fill, or smother downstream by substantial turbidity) of an important spawning area are not authorized.

21. Management of Water Flows. To the maximum extent practicable, the activity must be designed to maintain preconstruction downstream flow conditions (e.g., location, capacity, and flow rates). Furthermore, the activity must not permanently restrict or impede the passage of normal or expected high flows (unless the primary purpose of the fill is to impound waters) and the structure or discharge of dredged or fill material must withstand expected high flows. The activity must, to the maximum extent practicable, provide for retaining excess flows from the site, provide for maintaining surface flow rates from the site similar to preconstruction conditions, and provide for not increasing water flows from the project site, relocating water, or redirecting water flow beyond preconstruction conditions. Stream channelizing will be reduced to the minimal amount necessary, and the activity must, to the maximum extent practicable, reduce adverse effects such as flooding or erosion downstream and upstream of the project site, unless the activity is part of a larger system designed to manage water flows. In most cases, it will not be a requirement to conduct detailed studies and monitoring of water flow.

This condition is only applicable to projects that have the potential to affect waterflows. While appropriate measures must be taken, it is not necessary to conduct detailed studies to identify such measures or require monitoring to ensure their effectiveness. Normally, the Corps will defer to state and local authorities regarding management of water flow.

22. Adverse Effects From Impoundments. If the activity creates an impoundment of water, adverse effects to the aquatic system due to the acceleration of the passage of water, and/or the restricting its flow shall be minimized to the maximum extent practicable. This includes structures and work in navigable waters of the US, or discharges of dredged or fill material.

23. Waterfowl Breeding Areas. Activities, including structures and work in navigable waters of the US or discharges of dredged or fill material, into breeding areas for migratory waterfowl must be avoided to the maximum extent practicable.

24. Removal of Temporary Fills. Any temporary fills must be removed in their entirety and the affected areas returned to their preexisting elevation.

25. Designated Critical Resource Waters. Critical resource waters include, NOAA-designated marine sanctuaries, National Estuarine Research Reserves, National Wild and Scenic Rivers, critical habitat for Federally listed threatened and endangered species, coral reefs, state natural heritage sites, and outstanding national resource waters or other waters officially designated by a state as having particular environmental or ecological significance and identified by the District Engineer after notice and opportunity for public comment. The District Engineer may also designate additional critical resource waters after notice and opportunity for comment.

(a) Except as noted below, discharges of dredged or fill material into waters of the US are not authorized by NWP's 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, and 44 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters. Discharges of dredged or fill materials into waters of the US may be authorized by the above NWP's in National Wild and Scenic Rivers if the activity complies with General Condition 7. Further, such discharges may be authorized in designated critical habitat for Federally listed threatened or endangered species if the activity complies with General Condition 11 and the USFWS or the NMFS has concurred in a determination of compliance with this condition.

(b) For NWP's 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, and 38, notification is required in accordance with General Condition 13, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters. The District Engineer may authorize activities under these NWP's only after it is determined that the impacts to the critical resource waters will be no more than minimal.

26. Fills Within 100-Year Floodplains. For purposes of this General Condition, 100-year floodplains will be identified through the existing Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps or FEMA-approved local floodplain maps.

(a) Discharges in Floodplain: Below Headwaters. Discharges of dredged or fill material into waters of the US within the mapped 100-year floodplain, below headwaters (i.e. five cfs), resulting in permanent above-grade fills, are not authorized by NWP's 39, 40, 42, 43, and 44.

(b) Discharges in Floodway: Above Headwaters. Discharges of dredged or fill material into waters of the US within the FEMA or locally mapped floodway, resulting in permanent above-grade fills, are not authorized by NWP's 39, 40, 42, and 44.

(c) The permittee must comply with any applicable FEMA-approved state or local floodplain management requirements.

27. Construction Period. For activities that have not been verified by the Corps and the project was commenced or under contract to commence by the expiration date of the NWP (or modification or revocation date), the work must be completed within 12-months after such date (including any modification that affects the project).

For activities that have been verified and the project was commenced or under contract to commence within the verification period, the work must be completed by the date determined by the Corps.

For projects that have been verified by the Corps, an extension of a Corps approved completion date may be requested. This request must be submitted at least one month before the previously approved completion date.

Oregon Department of Environmental Quality
Conditions for Compliance with Section 401 of the Clean Water Act

1. **Turbidity/Erosion Controls-** The permittee shall ensure the authorized work does not cause the turbidity of affected waters to exceed 10% over natural background turbidity 100 feet downstream from the activity causing the turbidity. For projects proposed in areas with no discernible gradient break (gradient of 2% or less), monitoring must be done at 4 hour intervals and the turbidity standard may be exceeded for a maximum of one monitoring interval per 24 hour work period provided all practicable control measures have been implemented. This turbidity standard exceedance interval applies only to coastal lowlands and floodplains, valley bottoms and other low-lying and/or relatively flat land. For projects in all other areas, the turbidity standard may be exceeded for a maximum of 2 hours (limited duration) provided all practicable erosion control measures have been implemented.

Turbidity must be monitored during active in-water work periods. Monitoring points must be at an undisturbed site (representative background) 100 feet upstream from the turbidity causing activity (i.e., fill or discharge point), 100 feet downstream from the fill point, and at the point of fill. A turbidimeter is recommended, however, visual gauging is acceptable. Turbidity that is visible over background is considered to exceed the standard.

Practicable erosion control measures must be implemented. Such measures must include, but are not limited to, the following:

- j. Place fill in the water using methods that avoid disturbance to the maximum practicable extent (e.g. placing fill with a machine rather than end-dumping from a truck).
- k. Prevent all construction materials and debris from entering waterway;
- l. Use filter bags, sediment fences, sediment traps or catch basins, silt curtains, leave strips or berms, Jersey barriers, sand bags, or other measures sufficient to prevent movement of soil;
- m. Use impervious materials to cover stockpiles when unattended or during rain event;
- n. Erosion control measures shall be inspected and maintained daily to ensure their continued effectiveness;
- o. No heavy machinery in a wetland or other waterway;
- p. Use a gravel staging area and construction access;
- q. Fence off planted areas to protect from disturbance and/or erosion; and
- r. Flag or fence off wetlands adjacent to the construction area.

Turbidity must be measured (or visually assessed) and recorded at the designated monitoring interval prescribed above during periods of active construction. The designated person attending the monitoring equipment shall be responsible for notifying the project foreman of any exceedance of the turbidity standard. If a 10% exceedance of the background level occurs at 100 feet below the project site, modify the activity causing the problem and continue to monitor at the proper interval. If exceedances occur with two consecutive measurements the activity causing the turbidity must be stopped until the problem is resolved.

Enclosure 4.

2. **In-Water Work Periods-** All in-water work, including temporary fills or structures, may be undertaken only during the time periods recommended by Oregon Department of Fish and Wildlife (ODFW) for in-water work specified in the most current version of *Oregon Guidelines for Timing of In-Water Work to Protect Fish and Wildlife Resources*. An exception is allowed only with specific approval from the USACE after consultation with ODFW or National Marine Fisheries Service (NMFS). On tribal lands, the USACE will coordinate exceptions with the U.S. Environmental Agency (USEPA)
3. **Riparian Vegetation Protection and Restoration-** Riparian, wetland, and shoreline vegetation in the project area must be protected from disturbance to the maximum extent possible and be restored and enhanced when unavoidably disturbed due to activities associated with the authorized work. All damaged or destroyed vegetation must be replaced with native plant materials. The standard for success is 75% areal coverage after the fifth growing season for native plant species that replace the habitat type lost or damaged. Planted areas must be temporarily fenced, or otherwise protected from damage, until the vegetation is established. Project sites must be revegetated to the extent possible up to the bankfull stage or line of non-aquatic vegetation, whichever is greater. When any wetland areas are adversely affected, revegetation must extend to the upland limits of the wetland area.
4. **Stormwater-** Stormwater from any authorized activity, conveyed or discharged to a water of the state, must be treated by a facility specifically designed to remove stormwater contaminants before entering streams, wetlands, or other waters of the state, including mitigation wetlands, so as to minimize pollutants entering those water bodies.
5. **Bank Stabilization-**
The linear threshold for bank stabilization projects under any nationwide is 250 feet. All projects exceeding the threshold require individual water quality certification.
 - a. Bioengineering is required: Native plantings, such as willow saplings, must be incorporated into stream bank stabilization structures in order to provide bank erosion protection, variable habitat for wildlife, and shade. [See the Division of State Lands *Guidelines On Riparian Restoration: Bioengineering*, included in their 1996 Erosion Control General Authorization.]
 - b. The project must not include retaining walls, bulkheads, gabions or similar vertical structures.

Title Report



First American

First American Title Company of Oregon
121 SW Morrison St, FL 3
Portland, OR 97204
Phn - (503)222-3651 (800)929-3651
Fax - (877)242-3513

Order No.: 7000-1983686
November 27, 2012

FOR QUESTIONS REGARDING YOUR CLOSING, PLEASE CONTACT:

GLORIA MILLER, Escrow Officer/Closer
Phone: (503)350-5005 - Fax: (866)656-1602- Email:gmiller@firstam.com
First American Title Company of Oregon
5335 SW Meadows Rd #100, Lake Oswego, OR 97035

FOR ALL QUESTIONS REGARDING THIS PRELIMINARY REPORT, PLEASE CONTACT:

James J. Welch, Title Officer
Toll Free: (800)929-3651 - Direct: (503)795-7669 - Fax: (877)242-2911 - Email: jwelch@firstam.com

2nd Supplemental Preliminary Title Report

County Tax Roll Situs Address: 28325 SW Canyon Creek Road S, Wilsonville, OR 97070

Proposed Insured Lender: TBD

2006 ALTA Owners Standard Coverage	Liability \$	550,000.00	Premium \$	1,425.00
2006 ALTA Owners Extended Coverage	Liability \$		Premium \$	
2006 ALTA Lenders Standard Coverage	Liability \$		Premium \$	
2006 ALTA Lenders Extended Coverage	Liability \$		Premium \$	
Endorsement			Premium \$	
Govt Service Charge			Cost \$	25.00
City Lien/Service District Search			Cost \$	
Other			Cost \$	

We are prepared to issue Title Insurance Policy or Policies in the form and amount shown above, insuring title to the following described land:

THE NORTH 130 FEET OF LOT 15, BRIDLE TRAIL RANCHETTES, IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF WILSONVILLE BY THAT CERTAIN WARRANTY DEED RECORDED APRIL 20, 2005 AS FEE NO. 2005035448,

and as of October 22, 2012 at 8:00 a.m., title to the fee simple estate is vested in:

James W. Dillon and Debra Ann Gruber, as tenants in common

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and the following:

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

The exceptions to coverage 1-5 inclusive as set forth above will remain on any subsequently issued Standard Coverage Title Insurance Policy.

In order to remove these exceptions to coverage in the issuance of an Extended Coverage Policy the following items are required to be furnished to the Company; additional exceptions to coverage may be added upon review of such information:

- A. Survey or alternative acceptable to the company
 - B. Affidavit regarding possession
 - C. Proof that there is no new construction or remodeling of any improvement located on the premises. In the event of new construction or remodeling the following is required:
 - i. Satisfactory evidence that no construction liens will be filed; or
 - ii. Adequate security to protect against actual or potential construction liens;
 - iii. Payment of additional premiums as required by the Industry Rate Filing approved by the Insurance Division of the State of Oregon
6. Taxes for the year 2012-2013
- | | | |
|--------------------|----|---|
| Tax Amount | \$ | 4,186.67 |
| Unpaid Balance: | \$ | 4,186.67, plus interest and penalties, if any |
| Code No.: | | 003-027 |
| Map & Tax Lot No.: | | 31W13BA05000 |
| Property ID No.: | | 00806827 |
7. City liens, if any, of the City of Wilsonville.

Note: There are no liens as of October 29, 2012. All outstanding utility and user fees are not liens and therefore are excluded from coverage.

- 8. Easement, including terms and provisions contained therein:
 - Recording Information: April 20, 2005 as Fee No. 2005 035449
 - In Favor of: City of Wilsonville, a municipal corporation
 - For: Public utility

- END OF EXCEPTIONS -

NOTE: We find no matters of public record against Stone Bridge Homes NW, LLC that will take priority over any trust deed, mortgage or other security instrument given to purchase the subject real property as established by ORS 18.165.

NOTE: According to the public record, the following deed(s) affecting the property herein described have been recorded within 24 months of the effective date of this report: NONE

**THANK YOU FOR CHOOSING FIRST AMERICAN TITLE!
WE KNOW YOU HAVE A CHOICE!**

RECORDING INFORMATION	
Filing Address:	Clackamas County 2051 Kaen Road Oregon City, OR 97045
Recording Fees:	<ul style="list-style-type: none"> \$ 5.00 E-Recording per document \$ 5.00 per page \$ 5.00 per page (GIS Fee) \$ 10.00 per document (Public Land Corner Preservation Fund) \$ 11.00 per document (OLIS Assessment & Taxation Fee) \$ 17.00 per document (Oregon Housing Alliance Fee) \$ 5.00 for each additional document title \$ 20.00 non-standard fee



First American Title Insurance Company

SCHEDULE OF EXCLUSIONS FROM COVERAGE

ALTA LOAN POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any Improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

ALTA OWNER'S POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any Improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risks 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

SCHEDULE OF STANDARD EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.



**First American
Title Company of Oregon**

Property Information Department
121 SW Morrison Street Suite 300 - Portland, OR 97204
Phone: 503.219.TRIO (8746) Fax: 503.790.7872
Email: pld.portland@firstam.com
Today's Date : 12/28/2012

OWNERSHIP INFORMATION

Owner	: Dillon James W	Ref Parcel Number	: 31W13BA05000
Co Owner	:	Parcel Number	: 00806827
Site Address	: 28325 SW Canyon Creek Rd Wilsonville 97070	T: 03S	R: 01W S: 13 Q: NW QQ: NE
Mail Address	: 4620 E Russell Rd Colbert Wa 99005	County	: Clackamas (OR)
Taxpayer	: Dillon James W	Telephone	:

PROPERTY DESCRIPTION

Map Page & Grid : 715 F6
 Census Tract : 244.00 Block: 3
 Improvement Type : 131 Sgl Family,R1-3,1-Story
 Subdivision/Plat : Bridle Trail Ranchetts
 Neighborhood : City of Wilsonville
 Land Use : 101 Res,Residential Land,Improved
 Legal : 1147 BRIDLE TRAIL RANCHETTS PT LT
 : 15
 :

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$178,920
 Mkt Structure : \$100,020
 Mkt Total : \$278,940
 % Improved : 36
 11-12 Taxes : \$4,039.07
 Exempt Amount :
 Exempt Type :
 Levy Code : 003027
 Millage Rate : 18.7129
 M50AssdValue : \$215,844

PROPERTY CHARACTERISTICS

Bedrooms	: 3	Building SF	: 1,012	BldgTotSqFt	: 1,012
Bathrooms	: 1.50	1st Floor SF	: 1,012	Lot Acres	: 1.82
Full Baths	: 1	Upper Finished SF	:	Lot SqFt	: 79,264
Half Baths	: 1	Finished SF	: 1,012	Garage SF	: 484
Fireplace	: Single Fireplce	Above Ground SF	: 1,012	Year Built	: 1967
Heat Type	: Forced Air-Gas	Upper Total SF	:	School Dist	: 003
Floor Cover	: Carpet	UnFinUpperStorySF	:	Foundation	: Concrete
Stories	: 1	Basement Fin SF	:	Roof Type	: Wood Shake Med
Int Finish	: Drywall	Basement Unfin SF	:	Roof Shape	: Gable
Ext Finsh	: Aluminum	Basement Total SF	:		

TRANSFER INFORMATION

Owner Name(s)	Sale Date	Doc#	Sale Price	Deed Type	Loan Amount	Loan Type
:Dillon James W	:09/05/2008	008-062101	:	:Bargain &	:	:
:Dillon Virginia Trustee	:09/01/1998	0098-92591	:	:Grant De	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.



Clackamas County
Department of Assessment and Taxation
150 Beaver Creek Rd
Oregon City, Oregon 97045
503-655-8671

Property Account Summary

Parcel Number	00806827	Situs Address	28325 SW CANYON CREEK RD S , WILSONVILLE, OR 97070
---------------	----------	---------------	--

General Information	
Alternate Property #	31W13BA05000
Property Description	1147 BRIDLE TRAIL RANCHETTS PT LT 15
Property Category	Land &/or Buildings
Status	Active, Locally Assessed
Tax Code Area	003-027
Remarks	

Tax Rate	
Description	Rate
Taxable Fire District Value	1.9145
Taxable Value	16.9173

Property Characteristics	
Neighborhood	15751: City of Wilsonville 100, 101
Land Class Category	101: Residential land improved
Building Class Category	13: Single family res, class 3
Year Built	1967
Change property ratio	1XX

Related Properties	
No Values Found	

Parties			
Role	Percent	Name	Address
Taxpayer	100	DILLON JAMES W	4620 E RUSSELL RD, COLBERT, WA 99005
Owner	100	DILLON JAMES W	4620 E RUSSELL RD, COLBERT, WA 99005
Owner	100	GRUBER DEBRA ANN	NO MAILING ADDRESS, AVAILABLE,

Property Values					
Description	2012	2011	2010	2009	2008
AVR Total	222,319	215,844	209,557	203,453	197,527
Exempt					15,914
TVR Total	222,319	215,844	209,557	203,453	181,613
Real Mkt Land	181,305	178,920	192,038	215,894	237,364
Real Mkt Bldg	100,590	100,020	108,940	122,850	136,840
Real Mkt Total	281,895	278,940	300,978	338,744	374,204
M5 Mkt Land	181,305	178,920	192,038	215,894	237,364
M5 Mkt Bldg	100,590	100,020	108,940	122,850	136,840
M5 SAV	0	0	0	0	0
SAVL (MAV Use Portion)					
MAV (Market Portion)	222,319	215,844	209,557	203,453	197,527
Mkt Exception	0	0	0	0	0

AV Exception | 0 | 0 | 0 | 0 | 0

Active Exemptions
No Exemptions Found

Events			
Effective Date	Entry Date-Time	Type	Remarks
09/05/2008	2008-09-10 15:20:00.000	Recording Processed	Property Transfer Filing No.: 181139, Bargain & Sale, Recording No.: 2008-062101 09/05/2008 by LAURIEB
09/05/2008	2008-09-10 15:20:00.000	Taxpayer Changed	Property Transfer Filing No.: 181139 09/05/2008 by LAURIEB
05/09/2005	2005-05-09 09:35:00.000	Seg/Merge Initiated	SM050528 EFFECTIVE 2005-06: PT TO ROAD BY 2005-035448; AFTER 01/01/2005 by LAURIEB
05/09/2005	2005-05-09 09:35:00.000	Seg/Merge Completed	Parent in Seg/Merge SM050528, Effective: 01/02/2004 by LAURIEB
03/17/2003	2003-03-17 12:44:00.000	The situs address has changed	by LINDAPET
07/01/1999	1999-07-01 12:00:00.000	Ownership at Conversion	Bargain and Sale: 98-92591, 9/1/98, \$ 0

Taxes						
Tax Year	Category	TCA/District	Charged	Minimum	Balance Due	Due Date
1993	Property Tax Principal	003-027	2,213.80	0.00	0.00	11/15/1993
1994	Property Tax Principal	003-027	2,200.89	0.00	0.00	11/15/1994
1995	Property Tax Principal	003-027	2,179.51	0.00	0.00	11/15/1995
1996	Property Tax Principal	003-027	2,274.62	0.00	0.00	11/15/1996
1997	Property Tax Principal	003-027	2,122.99	0.00	0.00	11/15/1997
1998	Property Tax Principal	003-027	2,388.84	0.00	0.00	11/15/1998
1999	Property Tax Principal	003-027	2,277.25	0.00	0.00	11/15/1999
2000	Property Tax Principal	003-027	2,491.89	0.00	0.00	11/15/2000
2001	Property Tax Principal	003-027	2,639.47	0.00	0.00	11/15/2001
2002	Property Tax Principal	003-027	2,908.02	0.00	0.00	11/15/2002
2003	Property Tax Principal	003-027	2,876.95	0.00	0.00	11/15/2003
2004	Property Tax Principal	003-027	2,952.74	0.00	0.00	11/15/2004
2005	Property Tax Principal	003-027	3,044.44	0.00	0.00	11/15/2005
2006	Property Tax Principal	003-027	3,055.91	0.00	0.00	11/15/2006
2007	Property Tax Principal	003-027	3,216.36	0.00	0.00	11/15/2007
2008	Property Tax Principal	003-027	3,269.75	0.00	0.00	11/15/2008
2009	Property Tax Principal	003-027	3,801.23	0.00	0.00	11/15/2009
2010	Property Tax Principal	003-027	3,933.90	0.00	0.00	11/15/2010
2011	Property Tax Principal	003-027	4,039.07	0.00	0.00	11/15/2011
2012	Property Tax Principal	003-027	4,186.67	0.00	0.00	11/15/2012
TOTAL Due as of 2012/12/28					0.00	

Receipts						
Date	Receipt	Amount Applied	Amount Due	Tendered	Change	
2012/11/05	3296371	4,186.67	4,186.67	4,061.07	0.00	
2011/11/02	3090779	4,039.07	4,039.07	3,917.90	0.00	
2010/11/09	2935777	3,933.90	3,933.90	3,815.88	0.00	
2009/10/29	2684669	3,801.23	3,801.23	3,687.19	0.00	
2008/11/14	2575483	3,269.75	3,269.75	3,171.66	0.00	
2007/10/29	2289305	3,216.36	3,216.36	3,119.87	0.00	
2006/11/17	2200792	3,055.91	3,055.91	2,964.23	0.00	
2005/11/21	2028503	3,044.44	3,044.44	2,953.11	0.00	
2004/11/15	1802965	2,952.74	2,952.74	2,864.16	0.00	
2003/11/12	1587072	2,876.95	2,876.95	2,790.64	0.00	
2002/11/14	1413527	2,908.02	2,908.02	2,820.78	0.00	
2001/11/06	1190608	2,639.47	2,639.47	2,560.29	0.00	

2000/11/09	1033821	2,491.89	2,491.89	2,417.13	0.00
1999/11/16	879112	2,277.25	2,277.25	2,208.93	0.00
1998/11/15	517528	2,388.84	2,388.84	2,317.17	0.00
1997/11/15	517527	2,122.99	2,122.99	2,059.30	0.00
1996/11/15	517526	2,274.62	2,274.62	2,206.38	0.00
1995/11/15	517525	2,179.51	2,179.51	2,114.12	0.00
1994/11/15	517524	2,200.89	2,200.89	2,134.86	0.00
1993/11/15	517523	2,213.80	2,213.80	2,147.39	0.00

Sales History

Transfer Date	Recording Number	Sale Amount	Deed Type	Grantee	Grantor
08/22/2008	2008-062101	0	S	DILLON JAMES W	DILLON VIRGINIA TRUSTEE
09/01/1998	1998-092591	0			

Property Details

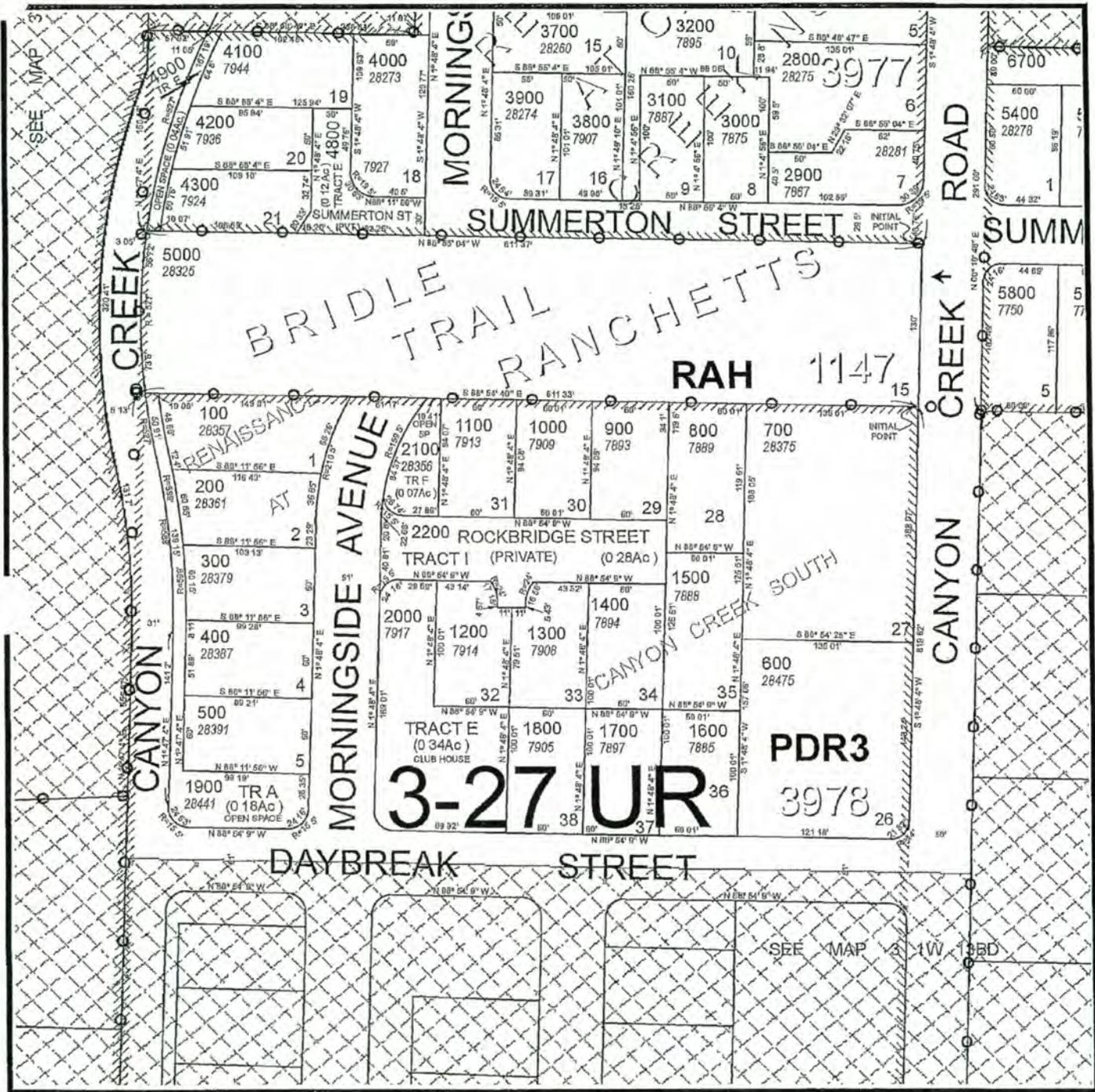
Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths
1,012	0 X 0	1967	38	1.0	3	1	1

Developed by ASIX, Incorporated.

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Version 1.0.3357.16890

Reference Parcel #: 31W13BA05000

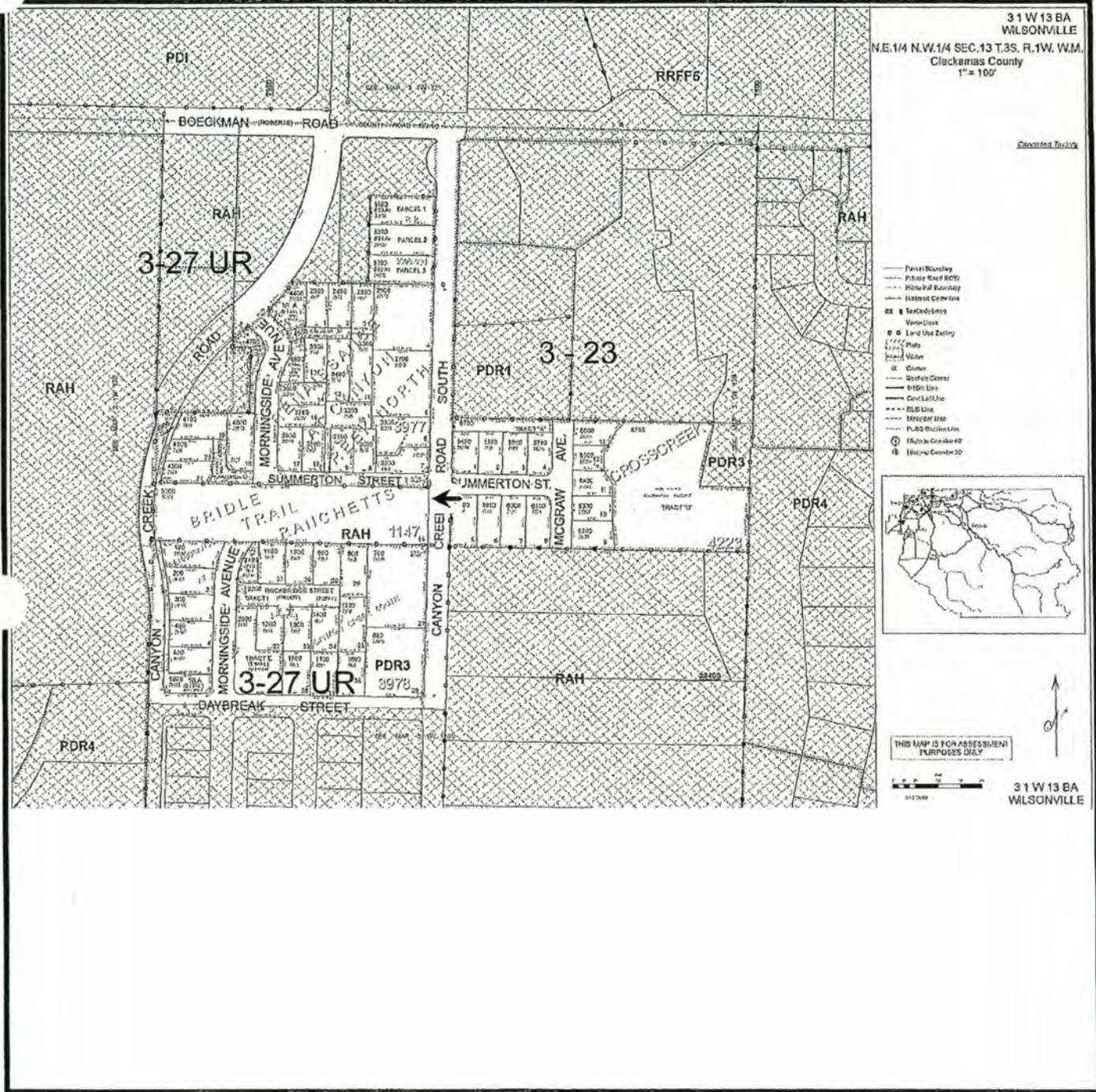


First American
Title Company of Oregon

Property Information Department
121 SW Morrison Street Suite 300 Portland, OR 97204
Phone: 503.219.TRIO (8746) Fax: 503.790.7872
Email: pid.portland@firstam.com

THIS MAP IS PROVIDED AS A CONVENIENCE IN LOCATING PROPERTY. FIRST AMERICAN TITLE COMPANY OF OREGON ASSUMES NO LIABILITY FOR ANY VARIATIONS AS MAY BE DISCLOSED BY AN ACTUAL SURVEY

Reference Parcel #: 31W13BA05000



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2008

After recording, return to:
Michael D. Williams
1515 S.W. 5th, Ste. 844
Portland, OR 97201

Clackamas County Official Records
Sherry Hall, County Clerk

2008-062101



\$36.00

09/05/2008 11:43:16 AM

D-D Cnt=1 Stn=9 JANISKEL
\$10.00 \$10.00 \$16.00

All tax statements to:
James W. Dillon
3175 NE Fremont
Portland, Or 97220-5273

Tax ID , Assessor Nos:

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS that **JAMES W. DILLON, SUCCESSOR TRUSTEE OF THE VIRGINIA A. DILLON TRUST UNDER AGREEMENT DATED AUGUST 24, 1998**, Grantor, for the consideration hereinafter stated, do hereby grant, bargain, sell and convey to **JAMES W. DILLON and DEBRA ANN GRUBER**, as tenants in common, Grantee, and to Grantees' heirs, successors, and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in Clackamas County, Oregon, legally described as:

The North 130 feet of Lot 15, BRIDLE TRAIL RANCHETTES

Subject to liens, encumbrances, easements and restrictions of record.

To have and to hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

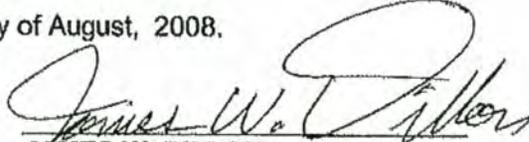
The true consideration for this conveyance is \$-0-. (Transfer of Inheritance)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR

1- BARGAIN AND SALE DEED

FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

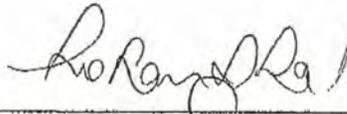
DATED this 22 day of August, 2008.


JAMES W. DILLON

STATE OF OREGON)
) ss.
County of Multnomah)

This instrument was acknowledged before me on August 22nd, 2008, by
JAMES W. DILLON , TRUSTEE..




Notary Public for Oregon
My commission expires: Dec 18th, 2011

2- BARGAIN AND SALE DEED

(2)

Traffic Impact Report



117 Commercial Street NE
Suite 310
Salem, OR 97301
503.391.8773
www.dksassociates.com

MEMORANDUM

DATE: September 26, 2013
TO: Steve Adams, P.E., City of Wilsonville
FROM: Scott Mansur P.E., P.T.O.E. *SM*
SUBJECT: Wilsonville Renaissance Subdivision Trip Generation Update



P13003-021

This memorandum documents an updated trip generation estimate and a site plan review for the proposed Renaissance Homes site located east of Canyon Creek Road in Wilsonville, Oregon. A previous transportation impact analysis¹ was performed for the project site assuming it would include 86 new single family units. As part of the land use application, the applicant had modified the site plan to only include 59 single family units. To date, the 59 new homes that were approved have been constructed. It is now proposed that eight additional single family be constructed at this time for a total of 67 new homes. The sections of this memorandum identify the original trip generation, proposed trip generation based on the eight additional units, and a site plan review.

Original Traffic Study Assumptions

The trip generation estimates used for the prior impact study are shown in Table 1. Trip rates provided by the Institute of Transportation Engineers (ITE)² were used to estimate the p.m. peak hour project trips levels. The ITE trip rates for single family homes are based on a regression equation, therefore, the trip rate changes as the development unit count increases or decreases. The original analysis estimated the 86 units would generate 94 (60 in, 34 out) p.m. peak hour trips.

Table 1: Renaissance Homes Trip Generation from Original Transportation Analysis (April 2003)

Land Use (ITE Code)	Size	P.M. Peak Hour Trip Generation Rate	P.M. Peak Hour Trips		
			In	Out	Total
Single Family Residential (210)	86 units	1.09 trips/lot	60	34	94

Approved Trip Generation

As previously discussed, the final Renaissance Homes site plan was modified as part of the land use approval to reduce the total number of new single family units from 86 to 59. DKS submitted a trip generation memorandum consistent with the revised site plan as part of the land use application. The approved trip

¹ Renaissance Homes Traffic Impact Study, DKS Associates, April 2003.

² Trip Generation, 6th Edition, Institute of Transportation Engineers, 1997.



generation based on the 59 units is summarized in Table 2. The Renaissance Homes subdivision was approved for 67 (42 in, 25 out) p.m. peak hour trips that was 27 trips lower than was assumed in the approved.

Table 2: Renaissance Homes Approved Trip Generation (May 2004)

Land Use (ITE Code)	Size	P.M. Peak Hour Trip Generation Rate	P.M. Peak Hour Trips		
			In	Out	Total
Single Family Residential (210)	59 units	1.13 trips/lot	42	25	67

Current Application

Renaissance Homes is currently seeking approval for eight single family homes located south of Summerton Street. These eight homes were included in the original site plan that was analyzed as part of the *Renaissance Homes Transportation Impact Study*³. DKS applied the average ITE trip rate of 1.01 trips per lot to be consistent with the overall trip rate of 1.09 trips per lot as utilized in the original traffic study. As shown in Table 3, the eight single family units would generate eight p.m. peak hour trips.

Table 3: Renaissance Homes Proposed Eight Unit Trip Generation

Land Use (ITE Code)	Size	P.M. Peak Hour Trip Generation Rate	P.M. Peak Hour Trips		
			In	Out	Total
Single Family- Current Proposed	8 Units	1.01 trips/lot	5	3	8

As previously discussed, the original transportation impact study evaluated a sufficient number of trips that would account for the impacts of the eight additional single family units that are currently desired by the applicant. Therefore, no additional transportation analysis is required at this time.

Interchange Trips

The number of p.m. peak hour trips traveling through the Wilsonville Road or Elligsen Road interchange areas was determined using the same methodology as the *Renaissance Homes Transportation Impact Study*⁴. The proposed eight single family units would generate two new p.m. peak hour trips through the Elligsen Road interchange area and one new p.m. peak hour trip through the Wilsonville Road interchange area.

Site Plan Review

The updated site plan provided by the project sponsor (provided August 6, 2013) was reviewed to evaluate pedestrian, bicycle, vehicular access and circulation, safety, and parking needs. We have no site plan related comments. A copy of the site plan is provided in the appendix.

³ Renaissance Homes Transportation Impact Study, DKS Associates, April 2003.

⁴ *ibid.*

Wilsonville Renaissance Subdivision Trip Generation Update
September 26, 2013
Page 3 of 3



Summary

Key transportation findings for the proposed eight single family units are as follows:

- The proposed eight single family lots would generate eight p.m. peak hour trips. The original *Renaissance Homes Transportation Impact Study* evaluated a sufficient number of trips that would account for the impacts of the proposed single family units that are currently desired by the applicant. At this time, no additional transportation analysis is required.
- The proposed eight single family units would generate two new p.m. peak hour trips through the Elligsen Road interchange area and one new p.m. peak hour trip through the Wilsonville Road interchange area.

Please let us know if you have any questions.

Notice Mailing List



*First American
Title Company of Oregon*

Date of Production: Wednesday, October 30, 2013

The ownership information enclosed is time sensitive and should be utilized as soon as possible.

This mailing list was produced with the use of tax assessor maps available online from OR Maps (www.ormap.org/maps/index.cfm) as well as data purchased from the Portland Metro regional government and Real Estate Solutions Inc.

We assume no liability in connection with this service.

Thank you for your business and for using First American Title.

Ordinance 739 Exhibit B1

31W13B 00302
Glenn Jr & Donna Schroder
7200 SW Canyon Creek Rd
Wilsonville, OR 97070

31W13B 00700
David Schalk
28400 SW Canyon Creek Rd
Wilsonville, OR 97070

31W13B 00800
Jeffrey & Cathy Knapp
28450 SW Canyon Creek Rd
Wilsonville, OR 97070

31W13B 02500
Jill Ann Downs
28209 SW Morningside Ave
Wilsonville, OR 97070

31W13B 02502
City Of Wilsonville
29799 SW Town Center Loop E
Wilsonville, OR 97070

31W13B 02503
Deborah Mager
7970 SW Boeckman Rd
Wilsonville, OR 97070

31W13B 02603
Mentor Graphics Corp
8005 SW Boeckman Rd
Wilsonville, OR 97070

31W13BA00100
Name Suppressed
28357 SW Morningside Ave
Wilsonville, OR 97070

31W13BA00200
Michael & Schlaadt
28361 SW Morningside Ave
Wilsonville, OR 97070

31W13BA00300
Deanna Connell
28379 SW Morningside Ave
Wilsonville, OR 97070

31W13BA00400
Curtis & Tammy Hendrix
28387 SW Morningside Ave
Wilsonville, OR 97070

31W13BA00500
Kathleen Henderson
28391 SW Morningside Ave
Wilsonville, OR 97070

31W13BA00601
Thomas Kevin Stathem
18460 SW Boones Ferry Rd #K30
Tigard, OR 97224

31W13BA00700
Larry Dean Huckey
Po Box 598
Wilsonville, OR 97070

31W13BA00800
David & Jonelle Marquis
7885 SW Roakoke Dr
Wilsonville, OR 97070

31W13BA00900
Glen & Elizabeth McCord
7893 SW Rockbridge St
Wilsonville, OR 97070

31W13BA01000
Jay Clemens
7909 SW Rockbridge St
Wilsonville, OR 97070

31W13BA01100
Huaxing Tang
7913 SW Rockbridge St
Wilsonville, OR 97070

31W13BA01200
Robert & Cari Hausserman
7914 SW Rockbridge St
Wilsonville, OR 97070

31W13BA01300
Adrian Cagnoni
7908 SW Rockbridge St
Wilsonville, OR 97070

31W13BA01400
Samuel Sumner
7894 SW Rockbridge St
Wilsonville, OR 97070

31W13BA01500
Ronald & Joy Stahl
7888 SW Rockbridge St
Wilsonville, OR 97070

31W13BA01600
Us Bank Na Series 2007-2
1499 SE Tech Center Pl #255
Vancouver, WA 98683

31W13BA01700
George & Mary Johnston
7897 SW Daybreak St
Wilsonville, OR 97070

31W13BA01800
William Terway
7905 SW Daybreak St
Wilsonville, OR 97070

31W13BA01900
Renaissance Canyon Crk Hmownrs Assn
28441 SW Canyon Creek Rd
Wilsonville, OR 97070

31W13BA02000
Renaissance Canyon Crk Hmownrs Assn
7917 SW Daybreak St
Wilsonville, OR 97070

31W13BA02100
Renaissance Canyon Crk Hmownrs Assn
28356 SW Morningside Ave
Wilsonville, OR 97070

31W13BA02200
Renaissance Canyon Crk Hmownrs Assn
P. O. Box 23099
Tigard, OR 97281

31W13BA02700
Gerald & Cleo Downs
28205 SW Canyon Creek Rd
Wilsonville, OR 97070

Ordinance 739 Exhibit B1

31W13BA02800
Charles & Patricia Knorr
28275 SW Canyon Creek Rd
Wilsonville, OR 97070

31W13BA02900
Charles & Patricia Knorr
28275 SW Canyon Creek Rd
Wilsonville, OR 97070

31W13BA03000
Terry & Judith McEntee
7875 SW Summerton St
Wilsonville, OR 97070

31W13BA03100
Michael & Christina Williams
7887 SW Summerton St
Wilsonville, OR 97070

31W13BA03200
Melissa & Uriel Sanchez
7895 SW Summerton St
Wilsonville, OR 97070

31W13BA03300
Marvin & Sandra Nelson
7882 SW Cinnabar
Wilsonville, OR 97070

31W13BA03400
Xian Hu
7894 SW Cinnabar
Wilsonville, OR 97070

31W13BA03500
Carter
7902 SW Cinnabar
Wilsonville, OR 97070

31W13BA03600
Robert Anderson
Po Box 1049
Tualatin, OR 97062

31W13BA03700
Carsten & Jeanne Roedel
25828 SW Canyon Creek Rd #K201
Wilsonville, OR 97070

31W13BA03800
Andrew & Christine Holt
7907 SW Summerton St
Wilsonville, OR 97070

31W13BA03900
Andrew Ehlers
7915 SW Summerton St
Wilsonville, OR 97070

31W13BA04000
Kent & Judith Fender
7927 SW Summerton St
Wilsonville, OR 97070

31W13BA04100
Bryan & Elizabeth Flannery
7944 SW Summerton St
Wilsonville, OR 97070

31W13BA04200
Curtis & Diane Schnepf
7936 SW Summerton St
Wilsonville, OR 97070

31W13BA04300
Chris & Dana Edmiston
7924 SW Summerton St
Wilsonville, OR 97070

31W13BA04600
Renaissance Canyon Crk Hmownrs Assn
P. O. Box 23099
Tigard, OR 97281

31W13BA04700
Renaissance Canyon Crk Hmownrs Assn
P. O. Box 23099
Tigard, OR 97281

31W13BA04800
Renaissance Canyon Crk Hmownrs Assn
P. O. Box 23099
Tigard, OR 97281

31W13BA04900
Renaissance Canyon Crk Hmownrs Assn
P. O. Box 23099
Tigard, OR 97281

31W13BA05400
William Lekavich
7749 SW Summerton St
Wilsonville, OR 97070

31W13BA05500
Farrand & Judith Livingston
7739 SW Summerton St
Wilsonville, OR 97070

31W13BA05600
Mark & Teresa Tennyson
7729 SW Summerton St
Wilsonville, OR 97070

31W13BA05700
Jean Leonard
7719 SW Summerton St
Wilsonville, OR 97070

31W13BA05800
Brendan Colyer
7750 SW Summerton St
Wilsonville, OR 97070

31W13BA05900
Kimihiro & Ritsuko Satoh
7740 SW Summerton St
Wilsonville, OR 97070

31W13BA06000
Barry & Donna Webb
7730 SW Summerton St
Wilsonville, OR 97070

31W13BA06100
Jason & Jennifer Koenig
7720 SW Summerton St
Wilsonville, OR 97070

31W13BA06700
Crosscreek Homeowners Assn
28340 SW McGraw Ave
Wilsonville, OR 97070



**First American
Title Company of Oregon**

Customer Service Department
121 SW Morrison Street Suite 300 - Portland, OR 97204
Phone: 503.219.TRIO (8746) Fax: 503.790.7872
Email: cs.portland@firstam.com
Today's Date : 10/30/2013

OWNERSHIP INFORMATION

Owner	: Dillon James W	Ref Parcel Number	: 31W13BA05000
Co Owner	:	Parcel Number	: 00806827
Site Address	: 28325 SW Canyon Creek Rd Wilsonville 97070	T: 03S R: 01W S: 13 Q: NW QQ: NE	
Mail Address	: 4620 E Russell Rd Colbert Wa 99005	County	: Clackamas (OR)
Taxpayer	: Dillon James W	Telephone	:

PROPERTY DESCRIPTION

Map Page & Grid : 715 F6
 Census Tract : 244.00 Block: 3
 Improvement Type : 131 Sgl Family,R1-3,1-Story
 Subdivision/Plat : Bridle Trail Ranchetts
 Neighborhood : City of Wilsonville
 Land Use : 101 Res,Residential Land,Improved
 Legal : 1147 BRIDLE TRAIL RANCHETTS PT LT
 : 15
 :

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$181,305
 Mkt Structure : \$100,590
 Mkt Total : \$281,895
 % Improved : 36
 12-13 Taxes : \$4,186.67
 Exempt Amount :
 Exempt Type :
 Levy Code : 003027
 Millage Rate : 18.8318
 M50AssdValue : \$222,319

PROPERTY CHARACTERISTICS

Bedrooms	: 3	Building SF	: 1,012	BldgTotSqFt	: 1,012
Bathrooms	: 1.50	1st Floor SF	: 1,012	Lot Acres	: 1.82
Full Baths	: 1	Upper Finished SF	:	Lot SqFt	: 79,264
Half Baths	: 1	Finished SF	: 1,012	Garage SF	: 484
Fireplace	: Single Fireplce	Above Ground SF	: 1,012	Year Built	: 1967
Heat Type	: Forced Air-Gas	Upper Total SF	:	School Dist	: 003
Floor Cover	: Carpet	UnFinUpperStorySF	:	Foundation	: Concrete
Stories	: 1	Basement Fin SF	:	Roof Type	: Wood Shake Med
Int Finish	: Drywall	Basement Unfin SF	:	Roof Shape	: Gable
Ext Finsh	: Aluminum	Basement Total SF	:		

TRANSFER INFORMATION

Owner Name(s)	Sale Date	Doc#	Sale Price	Deed Type	Loan Amount	Loan Type
:Dillon James W	:09/05/2008	008-062101	:	:Bargain &	:	:
:Dillon Virginia Trustee	:09/01/1998	0098-92591	:	:Grant De	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.

Prepared By:

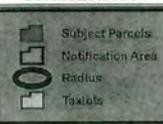


First American

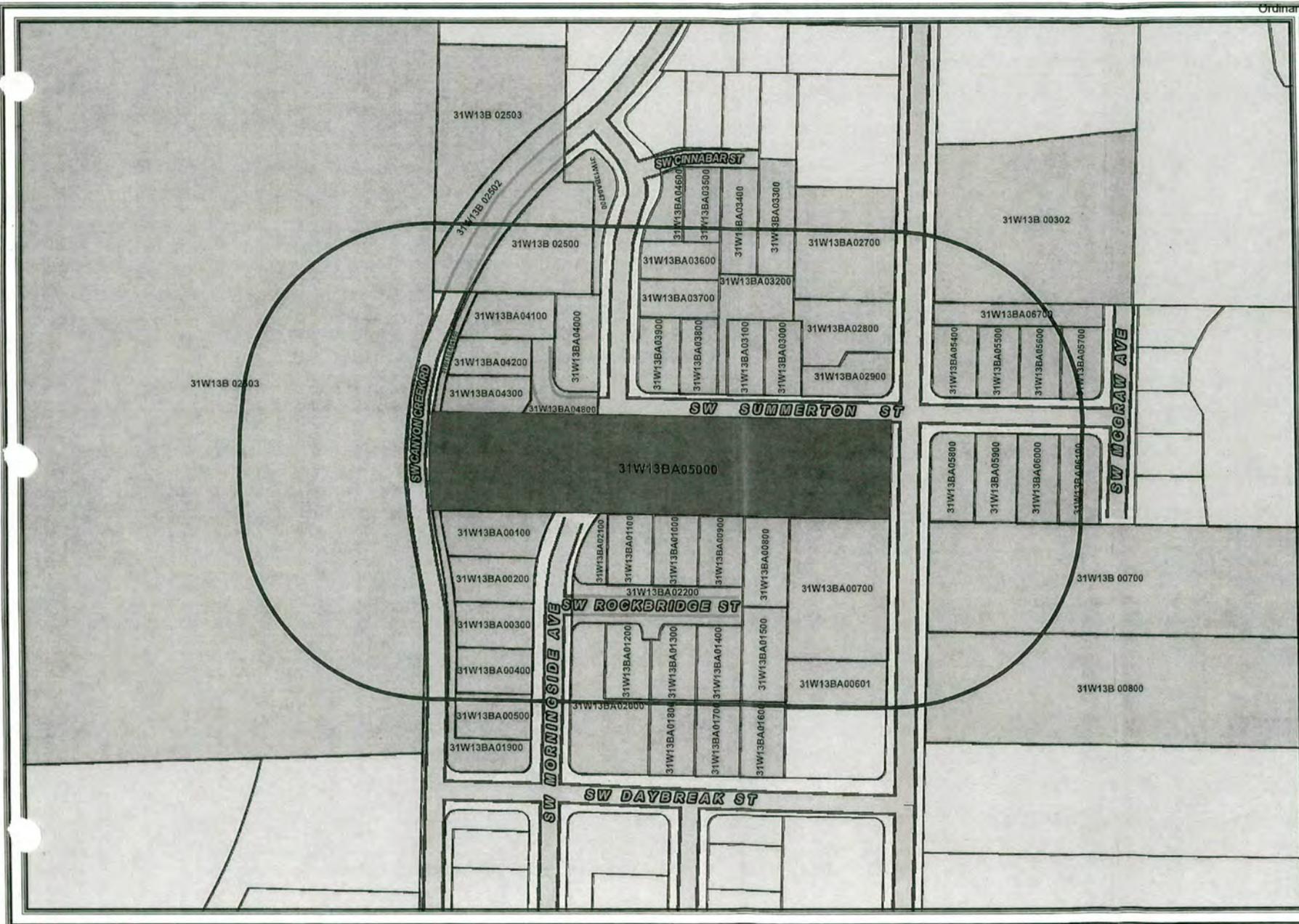
Date: 10/30/2013



250 Foot Radius
31W13BA05000



This Information is deemed reliable
but is not guaranteed.



Preliminary Plat

CANYON CREEK II

AN 8 LOT SUBDIVISION PROJECT ON TAX LOT 5000 MAP 3 1W 13BA



VICINITY MAP
N.T.S.

SHEET INDEX

1. PRELIMINARY PLAT
2. COMP PLAN/ZONE MAP
3. EXISTING CONDITIONS
4. PRELIMINARY GRADING AND DEMOLITION PLAN
5. PRELIMINARY STREET AND UTILITY PLAN
6. AERIAL

L1. LANDSCAPE PLAN

SITE INFORMATION

TOTAL AREA: 1.79 ACRES
 LOCATION: T3 R1W SEC 13BA
 TAX LOT: 5000

VERTICAL DATUM

DATUM: ASSUMED
 ELEVATION: 500.00 FT.

ZONE CHANGE: RAHR TO PDR-3

	CODE	PROPOSED
FRONT YARD	15', 20' TO GARAGE	15', 20' TO GARAGE
SIDE YARD	7' FOR 2 STORY	WAIVER - 5' INCLUDING 2+ STORIES
STREET SIDE YARD	10'	10'
REAR YARD	20' FOR 2 STORY	20'

APPLICANT

RENAISSANCE DEVELOPMENT
 15771 SW BOONES FERRY ROAD
 LAKE OSWEGO, OR 97036
 PHONE (503) 498-0616 / FAX (503) 635-6400
 CONTACT: AMY SCHNELL

OWNER

JAMES DILLON & DEBRA GRUBER
 3175 NE FREEMONT
 PORTLAND, OR 97220
 PHONE (503) 981-2274

APPLICANT'S REPRESENTATIVE

SFA DESIGN GROUP, LLC
 9020 WASHINGTON SQ DR, SUITE 350
 PORTLAND, OR 97223
 PHONE (503) 641-8311 / FAX (503) 643-7905
 CONTACT: BEN ALTMAN OR MATT SPRAGUE

PLANNING/ENGINEER/SURVEY

SFA DESIGN GROUP, LLC
 9020 WASHINGTON SQ DR, SUITE 350
 PORTLAND, OR 97223
 PHONE (503) 641-8311 / FAX (503) 643-7905
 CONTACT: BRENT E. FITCH P.E.

Ordinance 739 Exhibit

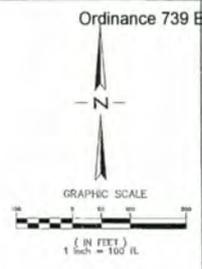


PRELIMINARY PLAT
 CANYON CREEK II
 38825 SW OLD CANYON CREEK ROAD
 CLACKAMAS COUNTY, OREGON

NO.	DATE	REVISION	BY

DESIGNED BY: M.E.L. DATE: 10/2008
 DRAWN BY: D.M.L. DATE: 10/2008
 CHECKED BY: M.E.L. DATE: 10/2008
 PROJECT NO: 08-028 REV: 1
 SCALE: 1"=20'

SHEET	NO.	DATE	TYPE
1	1	6	PLANNING



SFA Design Group, Inc.
 ARCHITECTURAL, CIVIL, PLANNING / ENGINEERING
 1035 SW 10th Street, Suite 100
 Astoria, Oregon 97103
 PH: (503) 441-4811 FAX: (503) 441-7965
 http://www.sfa.com

AERIAL
CANYON CREEK II
 38825 SW OLD CANYON CREEK ROAD
 CLACKAMAS COUNTY, OREGON

NO.	DATE	REVISION	BY

DESIGNED BY	DATE	2004
DRAWN BY	DATE	2004
REVIEWED BY	DATE	2004
PROJECT NO.	SCALE	REF.

REP: *[Signature]*

SHEET	6
OF	6
PROJECT	CANYON CREEK II
NO.	04-015
TYPE	PLANNING

Prior Approval

**STAFF REPORT
WILSONVILLE PLANNING DIVISION
DEVELOPMENT REVIEW BOARD PANEL 'B'**

Public Hearing Date: June 28, 2004
Date of Report: June 22, 2004 (Amended by the DRB on 6/28/2004.)
Application: 03 DB 43 (A) – (C)

Description of Proposal/Requests:

Urban Solutions, acting as agent for Renaissance Homes, proposes the development of a 79-lot residential planned development (subdivision), along with associated site improvements, for the property located west of SW Canyon Creek Road South, 360 feet south of Boeckman Road. Total development site area is comprised of an assembly of discontinuous parcels which total approximately 18.35 acres (Exhibits 8 and 9).

The following requests apply to the subject property, as defined in the applicant's submittal documents:

- (A) Approve Comprehensive Plan Map Amendment (Residential 0 – 1 du/ac to Residential 4 – 5 du/ac);
- (B) Approve a Stage I Preliminary Plan;
- (C) Approve a Zone Map Amendment from Residential Agricultural - Holding Zone (RA-H) to Planned Development Residential (PDR-3);

Location: The subject property is located west of Canyon Creek Road South, 360 feet south of Boeckman Road, more specifically described as Tax Lots 1500, 1501, 1600, 1601, 1700, 1800, 1900, 2100, 2200 and 2301, in Section 13B; Township 3S, Range 1W; Clackamas County; Wilsonville, Oregon.

Applicant: Urban Solutions, agent for Renaissance Homes

Owners: Patricia Smith Trust; Michael and Heidi Swickard; Marie McNeany; Shirley Walker; Dorothy Bernard; Larry and Delaine Huckey; Todd and Kara Eck; Gerald and Cleo Downs; and James Boster.

Other Participants: Mentor Graphics Corp.; Christopher Zimmerman; and, the City of Wilsonville

Comp. Plan Designation: Residential 0 – 1 du/ac

Zone Map Designation: Residential Agricultural - Holding Zone (RA-H)

Vicinity Map: Exhibit 1

Staff Reviewer: Michael R. Wheeler, Associate Planner

Note: The statutory 120-day time limit applies to this application. The application was received on December 19, 2004. The applicant was sent one letter identifying the application as incomplete on January 20, 2004. The application was deemed complete on April 6, 2004. The City must render a final decision, including any appeals, for Requests A through C by August 4, 2004.

OVERALL SUMMARY OF ISSUES

The applicant is seeking approval of a Comprehensive Plan Map, and Zone Map amendments, as well as Stage I Master Plan to allow the incremental development of 79 single-family homes on ten tax lots west of Canyon Creek Road South, 360 feet south of Boeckman Road . In a separate consideration, the applicant also seeks approval of a Tentative Subdivision Plat, Stage II Final Plan, Type 'C' Tree Removal Plan, and Site Design Review Plans for the common elements of the proposed subdivision. Under the applicant's proposal, the Comprehensive Plan Map designation would change from its current 0-1 dwelling units per acre to 4-5 dwelling units per acre. The Zone Map designation would change from Residential Agricultural – Holding (RA-H) to Planned Development Residential (PDR-3).

The project, as proposed, would preserve the nine existing homes on the subject properties, each on their own resulting lot, one lot left vacant, and add 59 additional single family home lots. (The 10 preserved lots are proposed to be divided later.) This addition would not significantly alter the ratio of multi-family to single-family housing (currently 46.9 to 40.8 percent).

No areas in the proposed project are designated Significant Resource Overlay Zone (SROZ). However two off-site water quality treatment/detention facilities are proposed, each of which involve construction activities within the SROZ.

Residential development standards require that 25% of the site be set aside for outdoor recreation or open space. This requirement is met through common open space (78,605 SF), active outdoor areas (~15,000 SF) and through rear yards (68,620 SF) for a combined total of 147,225 SF (33 %) of the proposed project in open space, which exceeds Code requirements.

The traffic study for this project estimates 640 total daily trips, 67 of which are p.m. peak hour trips. Thirteen (13) of these trips would use the Stafford Road/I-5 interchange, while eight (8) would use the Wilsonville Road/I-5 interchange. The traffic study also indicates that traffic generated by this project would not produce traffic congestion in excess of the level of service (LOS D) at the most probable used intersections.

Due to the exceptions noted above, the tentative subdivision plat is not fully consistent with the applicable implementation measures and policies of the Comprehensive Plan.

Existing public facilities are or can be made available and are of adequate size to serve the proposed subdivision. The applicant is responsible for constructing all internal streets to the project to public street standards.

OVERALL RECOMMENDATION FOR REQUESTS (A) – (C):

Staff recommends that the Development Review Board find that the Comprehensive Plan Amendment, Stage I Preliminary Plan, and Zone Map Amendment, with the addition of proposed conditions herein, meet all applicable requirements, and may recommend their approval to the City Council.

FINDINGS OF FACT

1. Finding: Site Analysis Data (existing, from applicant's information)

Affected Property		Use			Area	
Tax Lots (Township 3S, Range 1W, Section 13B)	Owner(s)	Streets	Lots	Easem't or Open Space	Acres	% of Site
Authorized Participants ¹						
1500	P. Smith Trust	x	x	x		
1501	M. and H. Swickard	x	x	x		
1600	P. Smith Trust	x	x	x		
1601	M. McNeary	x	x	x		
1700	S. Walker	x	x	x		
1800	D. Bernard	x	x	x		
1900	L. and D. Huckey	x	x	x		
2100	T. and K. Eck	x	x	x		
2200	G. and C. Downs	x	x	x		
2301	J. Boster	x	x	x		
<i>Subtotal Participants</i>					<i>19.35²</i>	<i>100³</i>
Other Participants ⁴						
2691	Mentor Graphics Corp.			x		
2601	Mentor Graphics Corp.			x		
1200	C. and K. Zimmerman			x		
Unnumbered (nontaxable)	City of Wilsonville	x				
Other Affected Parcels						
2502	G. and C. Downs	x				
2000	V. Dillion, Trustee	x		x		

¹ Source: Authorization petition (Exhibit 4).

² Source: Legal Description, by Alpha Engineering, Inc.; Exhibits 8 and 9.

³ This total disagrees with other material submitted by the applicant (e.g., Exhibits 10 and 16b).

⁴ Source: Authorization letters (Exhibits 4, 5 and 6).

Existing Site Conditions:

The applicant provides a site description on page two of the narrative (Exhibit 10). The subject property is developed and zoned Residential Agricultural - Holding Zone (RA-H). Also affected are two parcels to the west (TLs 2691 and 2601), and one to the east (TL 1200).

Surrounding Development: The adjacent land uses are as follows:

Compass Direction	Existing Use(s)
North	Industrial (Mentor Graphics); Residential
East	Residential (Bridle Trail Ranchetts; Arbor Crossing Subdivision; Wilsonville Meadows)
South	Residential (Sundial Apartments)
West	Vacant Industrial (Mentor Graphics); Residential (Ash Meadows)

Natural Characteristics:

The subject site contains gentle- to moderate-slopes, draining generally from north to south. The site is characterized as sparsely vegetated, except surrounding existing homes and associated structures. Trees are scattered throughout the site. The site does not contain any City of Wilsonville inventoried cultural, historic, or natural resources, although off-site drainage improvements are proposed to impact portions of the Significant Resource Overlay Zone (SROZ).

Streets:

Boeckman Road acts as a baseline for Canyon Creek Road, with Canyon Creek Road North lying to its north, and Canyon Creek Road South lying to its south. The site is bounded on the east by SW Canyon Creek Road South. A right-of-way for an alignment of the future southerly extension of Canyon Creek Road North abuts the site at its northwest corner. The right-of-way of Canyon Creek South is 50 feet wide; the right-of-way of future southerly extension of Canyon Creek Road North is 62 feet wide.

2. **Finding: Previous Planning Applications Relevant in Vicinity**

Subject	Result
Partition	Partition Plat 1991-84
Partition	Partition Plat 1993-176
Partition	Partition Plat 1997-45
Partition	Partition Plat 1999-77

3. **Finding:** The Applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.

REQUEST (A): Approve a COMPREHENSIVE PLAN MAP AMENDMENT for the site

CONCLUSIONARY FINDINGS FOR REQUEST (A):

Comprehensive Plan – Comprehensive Plan Changes

Pages 7 through 10 of the City of Wilsonville's Comprehensive Plan updated April, 2004, provide the following procedure for amending the Comprehensive Plan:

Who May Initiate Plan Amendments

- A1. Finding:** The subject property owners through their authorized agent (the applicant) have made application to modify the Comprehensive Plan map designation for their property from 0-1 DU/AC to 4-5 DU/AC.

Application for Plan Amendment

- A2. Finding:** The applicant has met all applicable filing requirements for a Comprehensive Plan Map amendment.

Consideration of Plan Amendment

- A3. Finding:** The Planning Division received the application on December 19, 2003. Staff met with the applicant subsequent to the submittal of the application to discuss the completeness of the application and perceived deficiencies of the application. The Planning Division received the applicant's revised arborist report and revised plans on February 17, 2004. The final traffic report was received on March 24, 2004. Authorizations from affected owners were submitted on March 30, and April 6, 2004. The application was deemed complete on April 6, 2004.
- A4. Finding:** The findings and recommended conditions of approval adopted by the Development Review Board in review of the application to modify the Comprehensive Plan Map designation will be forwarded as a recommendation to the City Council.

Standards for Development Review Board and City Council Approval of Plan Amendments (page 8 of the Comprehensive Plan):

- a. *The proposed amendment is in conformance with those portions of the Plan that are 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 following factors have been adequately addressed in the proposed amendment:*
Suitability of the various areas for particular land uses and improvements;

Land uses and improvements in the area;
Trends in land improvement;
Density of development;
Property values;
Needs of economic enterprises in the future development of the area;
Transportation access;
Natural resources; and
Public need for healthful, safe and aesthetic surroundings and conditions.

e. Proposed changes or amendments to the Comprehensive Plan do not result in conflicts with applicable Metro requirements.

- A5. Finding:** At the writing of this report, the applicant has satisfied Plan requirements of citizen involvement. The applicant has yet to satisfy the requirements of the Plan relative to and residential planning densities and community design that specifically address the impact of the proposed development on the provision of franchise and emergency services, and pedestrian and vehicular connectivity.
- A6. Finding:** Policy 4.1.4 and Implementation Measures 4.1.4.f, 4.1.4.l, and 4.1.4.p of the Comprehensive Plan speak to the City's desire to see the development of housing that is affordable to and serves employees working in the City. The proposed project would provide an incremental net increase of 70 single-family homes within the City.
- A7. Finding:** The traffic study completed for this project (Exhibit 12), and an addendum (Exhibit 13), indicate that the proposed entry streets provides sufficient access for emergency vehicles and comply with the traffic level of service requirements of the Development Code and the Transportation Systems Plan.
- A8. Finding:** The properties within the proposed project site are currently large lots, most of which include single-family homes that were developed on what was agricultural land. The proposed project is surrounded by higher density, single-family homes on the south, east and west sides. Implementation Measures 4.1.4.b, d, and o speak to the City's desire to see a diversity of housing types and affordability. The applicant's proposal would provide adding to the diversity of single family home choices in the City. Through the conditions of approval proposed by staff, the project could be adequately served with urban services and would minimize off-site impacts.
- A9. Finding:** Metro's Functional Plan limits cul-de-sac lengths and the distance between local roads. The applicant has provided findings addressing these concerns (see Exhibits 10 and 16c).

Public Notice

- A10. Finding:** Public Notice of the June 28, 2004, Development Review Board and the July 19, 2004, City Council public hearings regarding this application was mailed and posted on June 8, 2004.

Wilsonville Development Code (WC) – Comprehensive Plan Changes

Subsection 4.198(01) of the Development Code stipulates, “Proposals to amend the Comprehensive Plan, or to adopt new elements or sub-elements of the Plan, shall be subject to the procedures and criteria contained in the Comprehensive Plan. Each such amendment shall include findings in support of the following:

Approval Criterion A: “That the proposed amendment meets a public need that has been identified;”

- A11. Finding:** The “Residential Development” portion of the Comprehensive Plan (Policy 4.1.4) identifies the need for additional housing within the City to serve housing and economic needs of residents and employees working within the City. The December 2001 Development Summary completed by the City indicates that approximately 23% of 4,502 acres of land within the City is zoned Planned Development Residential (PDR). Of the land currently zoned PDR, only seven (7) percent is vacant. While single family development currently makes up over 41% of the housing units in the City, the 2000 Census figures for Wilsonville shows a vacancy rate of 2.6% for owner-occupied housing units in the City. By comparison, multi-family housing makes up over 45% of the housing stock in the City and was at a 9.5% vacancy rate in 2000. Of the 5,937 ‘occupied housing units’ in the City in the year 2000, 3,199 (54%) were owner occupied, and 2,738 (46%) were renter-occupied. (The Census figures do not make a distinction between single-family detached housing and attached housing [condos, etc.]). While the Census figures show a greater percentage of the city’s housing stock being owner occupied, the vacancy rate would suggest a higher demand for this type of housing.

Land Use							
Type	Total Acres	% of Total	Acres in Use	% of Type	% of Total	Acres Vacant	% Vacant - Type
PDC	340	7.55%	262	77.06%	5.82%	78	22.94%
PDI	1084	24.08%	891	82.20%	19.79%	193	17.80%
PDR	1051	23.35%	980	93.24%	21.77%	71	6.76%
R	110	2.44%	85	77.27%	1.89%	25	22.73%
RA-H	650	14.44%	301	46.31%	6.69%	349	53.69%
PF	594	13.19%					
Other	673	14.95%					
Total	4502	100.00%	2,519			716	

Housing Units		
<i>Type</i>	Total	% of Total
Apartment	3560	46.93%
Condominium	427	5.63%
Duplex	68	0.90%
Mobile Homes	22	0.29%
Mobile Home/Park	416	5.48%
Single Family ⁵	3093	40.77%
Totals	7586	100.00%

Census 2000	
Dwelling Units	6407
Owner occupied	5937
<i>Vacant</i>	470
For Sale Only	17.90%
For Rent	61.10%
Rec/Occ use	11.30%
<i>Vacancy Rate</i>	
Owner	2.60%
Rental	9.50%

The proposed project would increase the percentage of land in PDR zoning and single-family houses by a negligible amount.

Approval Criterion B: “That the proposed amendment meets the identified public need at least as well as any other amendment or change that could reasonably be made;”

A12. Finding: The current Comprehensive Plan designation for the subject properties is Residential with a density range of 0-1 dwelling units per acre. The Zoning Map identifies the subject properties as Residential Agricultural – Holding (RA-H). The Planned Development Regulations of the Development Code require that the subdivision of properties such as the subject properties (over two acres) result in a Planned Development community. The applicant proposes a net density of 5.3 dwelling units per acre. The Comprehensive Plan allows a range of densities from 0-1 dwelling units per acre to over 20 dwelling units per acre. The properties to the southwest, south, and east of the proposed project are designated residential on the Comprehensive Plan Map of the City. The subject property has a Comprehensive Plan designation of ‘Residential’ with a density of 0-1 dwelling units per acre, while the properties to the southwest, south and east have a designation of 6-7 dwelling unit per acre. It is appropriate to designate these properties as residential. In addition, the proposed subdivision has similarities in site density and housing product to other subdivisions nearby such as Wilsonville Meadows and Landover subdivisions, making the proposed transitional density of 4-5 du/ac appropriate. Comparisons to the single family density of Wilsonville Meadows need to

⁵ With proposed project.

consider the overall density of the project that includes multi-family projects such as Berkshire Court and Hathaway Village that are part of the overall master plan.

Approval Criterion C: “That the proposed amendment supports applicable Statewide Planning Goals, or a Goal exception has been found to be appropriate;”

A13. Finding: With the implementation of the proposed conditions of approval, the project supports the applicable Statewide Planning Goals.

Approval Criterion D: “That the proposed change will not result in conflicts with any portion of the Comprehensive Plan that is not being amended.”

A14. Finding: The applicant is requesting an amendment of the Comprehensive Plan Map for the subject properties. The applicant does not propose to modify or amend any other portion of the Comprehensive Plan or Plan Map.

METRO’S URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN

A15. Finding: Title 1 of the Urban Growth Management Functional Plan (UGMFP) requires 80% Maximum density at build-out of any particular parcel. With the rewrite of the City’s Development Code in November 2000, the lower end of the planned density range was increased to reflect this 80% requirement. The applicant is requesting a zone change to Planned Development Residential (PDR-3) which corresponds to a Comprehensive Plan Map density of 4-5 dwelling units per acre.

SUMMARY FINDING FOR REQUEST (A):

A16. Finding: The applicant’s proposed Comprehensive Plan Amendment meets all applicable requirements, and its approval may be recommend to the City Council.

STAFF RECOMMENDATION FOR REQUEST (A):

Based on findings of fact 1 - 3, analysis and conclusionary findings A1 through A16, staff recommends that the Development Review Board forward the Comprehensive Plan Amendment to City Council for a hearing on July 19, 2004, along with the recommended conditions necessary to fully comply with the requirements of the Code. Proposed conditions of approval are found on page 21 of this report.

REQUEST (B): Approve a STAGE I PRELIMINARY PLAN for the site

CONCLUSIONARY FINDINGS FOR REQUEST (B):**Site Information.** *Subsections 4.009(.01) and 4.140(.07)(A)(1):*

- B1. Finding:** The applicant has demonstrated ownership of the subject property in the form of written consent of ten property owners (Applicant's Exhibit 4).
- B2. Finding:** The subject property is proposed to be rezoned from Residential Agricultural - Holding Zone (RA-H) to a Planned Development Residential (PDR-3) zone. The proposed residential use of the property is in compliance with uses typically found in the zone.

Subsection 4.140(.05): *Planned Development Permit Process*

- B3. Finding:** The applicant's response to these criteria is found in the narrative (Exhibits 10, and 11). The proposed project is not allowed to proceed nor receive a building permit until all applicable review criteria have been satisfied. By the applicant's submittal, these criteria have been met.

Subsection 4.140(.07)(A): *Preliminary Approval (Stage One) Application Requirements*

- B4. Finding:** The applicant's proposal is provided by professional services in response to this criterion, as found in Exhibits 10 and 16a. This criterion is satisfied.

Subsections 4.140(.07)(B) & 4.035(.04): *Preliminary Approval (Stage One) Application Requirements and Site Development Permit Application*

- B5. Finding:** The applicant's response to Subsection 4.140(.07)(B) cannot be found in Exhibits 10 or 11. The applicant has not submitted evidence of the intention to commence construction of the project within two years of receiving Stage II Final Plan approval, nor a commitment to install, or provide acceptable security for the capital improvements required by the project, at the time of Stage II Final Plan. A full accounting of project details is required. These criteria are not yet met.

SUMMARY FINDING FOR REQUEST (B):

- B6. Finding:** The applicant's proposal does not satisfy all applicable Code requirements and standards, as discussed above. The applicant's proposal can be made to satisfy all applicable Code requirements for approval of a Stage I Preliminary Plan, if the proposed conditions of approval are included.

STAFF RECOMMENDATION FOR REQUEST (B):

Based on findings of fact 1 - 3, analysis and conclusionary findings B1 through B6, staff recommends that the Development Review Board **approve** the applicant's request for Stage I Preliminary Plan as illustrated in the Site Overview (Exhibit 16c), along with the recommended conditions necessary to fully comply with the requirements of the Code. Proposed conditions of approval are found on page 21 of this report.

REQUEST (C): Approve a ZONE MAP AMENDMENT for the site

CONCLUSIONARY FINDINGS FOR REQUEST (C):

The subject properties are currently zoned Residential Agricultural Holding (RA-H). The purpose of the RA-H Zone is set forth in the 4.120 of the Code. The proposed Zone Map amendment from RA-H to PDR-3 is intended to serve as a procedure to evaluate the conversion of urbanizable land to urban land consistent with the Comprehensive Plan. Because the service levels vary throughout the City, the zoning process allows for a case-by-case analysis of the availability of public facilities and services and to determine specific conditions related to needed public facilities improvements. All land development proposals are reviewed for conformity with the Comprehensive Plan and specific standards set forth in the zoning ordinance. As set forth in Subsection 4.197(.02) of the Wilsonville Code, in recommending approval or denial of a proposed zone map amendment, the Development Review Board must at a minimum, adopt findings addressing Criteria A-G, below.

Criterion 'A'

"That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008 or, in the case of a Planned Development, Section 4.140."

- C1. Finding:** The applicant has provided findings in Exhibit 10 addressing the tentative plat criteria and the zone map amendment criteria.

Criterion 'B'

"That the proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with the applicable goals, policies and objectives, set forth in the Comprehensive Plan text."

- C2. Finding:** The applicant has provided findings in Exhibit 10 in response to these Code criteria. Staff is recommending approval of the proposed Comprehensive Plan Map amendment, with conditions of approval contained in this staff report. Approval of the proposed amendment to the Zoning Map is contingent upon approval of the Comprehensive Plan Map amendment by the City Council.
- C3. Finding:** The land area of the proposed subdivision is 19.35 acres. The applicant is proposing to change the Comprehensive Plan designation from 0-1 dwelling units per acre to 4-5 dwelling units per acre. Proposed are a total of 79 lots, making the gross density of the proposed subdivision four (4) dwelling units per acre. Net density (gross minus streets) is 5.3 dwelling units per acre.

Comprehensive Plan – Residential Development

Variety/Diversity of Housing

Implementation Measures 4.1.4.c, 4.1.4.g, 4.1.4.j, 4.1.4.k, 4.1.4.l, and 4.1.4.p speak to the City's desire to plan for and establish a variety and diversity of housing types that meet the social and economic needs of the residents, including the need for affordable housing and a balance of housing with jobs.

C4. Finding: The applicant's proposal would provide an incremental net addition of 70 single-family houses. Response findings to 4.198(.01)(A) speak to the need for additional single-family housing in the City.

Implementation Measures 4.1.1.j, 4.1.4.i, 4.1.4.o, and 4.1.4.r speak to the City's desire to approve new residential development concurrent with the availability of public facilities.

C5. Finding: Water, sanitary sewer, and storm sewer are either available to the proposed project (with appropriate connections) or can be supplied to the project. The applicant/owner will be responsible for providing on-site storm water detention for water quality and quantity. The applicant will also be responsible for providing public streets within the project with appropriate right-of-way, and two (or three) connections to the planned public southerly extension of Canyon Creek Road North, full- and half-street improvement to that extension along the project's westerly frontage. The applicant will be required to cap all existing on-site utilities prior to the issuance of building permits by the City.

Implementation Measure 4.1.4.h: "Require new housing developments to pay an equitable share of the cost of required capital improvements for public services."

C6. Finding: The applicant/owner will be required to pay the equitable share (as determined by the Community Development Director) of the capital improvement costs for public services.

C7. Finding: The entirety of the subject properties has a Comprehensive Plan designation of Residential, 0-1 dwelling units per acre. The applicant is proposing a Comprehensive Plan Map designation of 4-5 dwelling units per acre. See Request A, beginning on page 7 of this report.

Zone Map

C8. Finding: The subject properties are currently zoned Residential Agricultural – Holding (RA-H). The applicant proposes a change to Planned Development Residential (PDR-3) zone to accommodate a total of 79 single-family lots averaging 5,280 SF each, and the retention of nine (9) existing single family homes (Exhibit 10).

Significant Natural Resources

- 1) **Finding:** The applicant has provided a depiction of the SROZ and Impact Area boundaries relative to the proposed project, which is described in the narrative (Exhibits 10 and 11). Based on the material submitted to date, it appears that a portion of the drainage improvements for the proposed project would encroach into the SROZ and the Impact Area (Exhibit 10).

Area of Special Concern

- C9. **Finding:** The Comprehensive Plan does not identify the subject property as an area of special concern.

Criterion 'C'

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

- C10. **Finding:** The subject properties are designated "Residential" on the City's Comprehensive Plan Map. The above section of the Comprehensive Plan, mentioned by the applicant regarding this subsection of the Development Code, refers to an older version of the Comprehensive Plan. The corrected references are shown below:

Goal 4.3	→	Implementation Measure 4.1.4.b
Objective 4.3.3	→	Implementation Measure 4.1.4.d
Objective 4.3.4	→	Implementation Measure 4.1.4.e
Policy 4.4.2	→	Implementation Measure 4.1.4.q
Policy 4.4.8	→	Implementation Measure 4.1.4.x

The current text is as follows:

"In the event that the subject property, or any portion thereof, is designated as "Residential" on the City's Comprehensive Plan Map; specific findings shall be made addressing substantial compliance with Implementation Measures 4.1.4.b, d, e, q, and x of Wilsonville's Comprehensive Plan text..."

Implementation Measure 4.1.4.b – Variety in Housing Type

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

- C11. Finding:** The low vacancy rates of similar subdivisions in the City provide circumstantial evidence that there is demand for the housing product proposed by the applicant. Adequate public services could be made available to the site.

Implementation Measure 4.1.4.d – Diversity of Housing Types

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

- C12. Finding:** The applicant has not indicated whether a variety of house models are proposed for the subdivision.

Implementation Measure 4.1.4.e

“Targets are to be set in order to meet the City's Goals for housing and to assure compliance with State and regional standards.”

- C13. Finding:** The City has established a 50% multi-family, 40% single-family target for housing in the City. The December 2001 Development Summary estimate by the City indicates a current split of 46.93% multi-family to 40.77% single-family. The proposed project would change this split to 46.93% multi-family and 41.7% single-family.

Implementation Measure 4.1.4.q

“The City will continue to allow for mobile homes and manufactured dwellings, subject to development review processes that are similar to those used for other forms of housing. Individual units will continue to be allowed on individual lots, subject to design standards. Mobile home parks and subdivisions shall be subject to the same procedures as other forms of planned developments.”

- C14. Finding:** The applicant is not proposing mobile homes in this application.

Implementation Measure 4.1.4.x

“Apartments and mobile homes are to be located to produce an optimum living environment for the occupants and surrounding residential areas. Development criteria includes:

1. *Buffering by means of landscaping, fencing, and distance from conflicting uses.*
2. *Compatibility of design, recognizing the architectural differences between apartment buildings and houses.*
3. *On-site recreation space as well as pedestrian and bicycle access to parks, schools, mass transit stops and convenience shopping.*
4. *The siting of buildings to minimize the visual effects of parking areas and to increase the availability of privacy and natural surveillance for security.”*

C15. Finding: The applicant is proposing neither apartments nor mobile homes in this application.

Criterion ‘D’ – Public Facilities

“That the existing primary public facilities, i.e., roads and sidewalks, water, sewer and storm sewer are available and are of adequate size to serve the proposed development; or, that adequate facilities can be provided in conjunction with project development. The Planning Commission and Development Review Board shall utilize any and all means to insure that all primary facilities are available and are adequately sized.”

C16. Finding: The City Engineer’s Public Facilities (PF) conditions, imposed upon the subsequent Stage II Final Plan application, will require the applicant to provide adequate road, water, and sewer infrastructure to serve the proposed project. These conditions require that all Public Works permits granted to the applicant/owner will be in accordance with the need determined by the City Engineer to serve the proposed project.

Criterion ‘E’ – Significant Resource Overlay Zone

“That the proposed development does not have a significant adverse effect upon Significant Resource Overlay Zone areas, an identified natural hazard, or an identified geologic hazard. When Significant Resource Overlay Zone areas or natural hazard, and/or geologic hazard are located on or abut the proposed development, the Planning Commission or Development Review Board shall use appropriate measures to mitigate and significantly reduce conflicts between the development and identified hazard or Significant Resource Overlay Zone.”

C17. Finding: The Natural Resources Program Manager’s Report, to be provided regarding the subsequent Stage II Final Plan application, will prescribe conditions of approval and specific requirements to address these encroachments.

Criterion 'F'

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

- C18. Finding:** The applicant's submittal document indicates intent to incrementally develop the 59 new lots shown on the tentative plat after final approvals are obtained from the City. (The applicant proposes 79 lots overall, plus a small, undetermined number needed for minimum density compliance.) The applicant offers no schedule for the full build-out of the remnant lots or adjacent parcels.

Criterion 'G'

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

- C19. Finding:** Staff is recommending conditions of approval for the proposed project that should bring the project into compliance with all applicable development standards.

Subsection 4.197(.03) provides that *"If affirmative findings cannot be made for all applicable criteria listed above the Planning Commission or Development Review Board shall recommend that the proposed text or map amendment, as the case may be, be denied."*

- C20. Finding:** Staff has made affirmative findings for subsection 4.197(.02)(A)-(G), above. Staff is also recommending conditions of approval for the project to ensure compliance with the subject code criteria.

Subsection 4.197(.04) stipulates that the *"City Council action approving a change in zoning shall be in the form of a Zoning Order."*

- C21. Finding:** Staff is recommending approval of the Stage I Preliminary Plan of the proposed project, with conditions of approval. A City Council Zoning Order will be required prior to approval of the remaining applications, reviewed later in this report.

Subsection 4.197(.05) provides *"In cases where a property owner or other applicant has requested a change in zoning and the City Council has approved the change subject to conditions, the owner or applicant shall sign a statement accepting, and agreeing to complete the conditions of approval before the zoning shall be changed."*

- C22. Finding:** Staff is recommending a condition of approval that would implement the City Council Zoning Order, contingent on the completion of the conditions of approval adopted by City Council.

SUMMARY FINDING FOR REQUEST (C):

C23. Finding: The applicant's proposed Comprehensive Plan Amendment meets all applicable requirements, and its approval may be recommend to the City Council.

STAFF RECOMMENDATION FOR REQUEST (C):

Based on findings of fact 1 - 3, analysis and conclusionary findings C1 through C23, staff recommends that the Development Review Board forward the Zone Map Amendment to City Council for a hearing on July 19, 2004, along with the recommended conditions necessary to fully comply with the requirements of the Code. Proposed conditions of approval are found on page 21 of this report.

03 DB 43 (A) – (C)
Urban Solutions for Renaissance Homes
Comprehensive Plan Amendment
Stage I Preliminary Plan
Zone Map Amendment

RECOMMENDED CONDITIONS OF APPROVAL FOR REQUESTS (A) – (C):

REQUEST (A) - Comprehensive Plan Map Amendment

- A1. This action recommends adoption of the Comprehensive Plan amendment to the City Council, as entered into the record on June 28, 2004.

REQUEST (B) - Stage I Preliminary Plan

- B1. This action recommends adoption of the Zone Map amendment and Stage I Preliminary Plan to the City Council, as entered into the record on June 28, 2004.
- B2. The Stage I Preliminary Plan will expire two years after final approval if substantial development has not occurred on the property within that time, unless extended by the DRB for just cause.
- B3. The applicant shall provide such schedules, demonstrations, and commitments as are required by Sections 4.140(.07)(B)(4) and (5), prior to the Board's consideration of an application for approval of a Stage II Final Plan.

REQUEST (C) - Zone Map Amendment

- C1. This action recommends adoption of the Zone Map amendment and Stage I Preliminary Plan to the City Council, as entered into the record on June 28, 2004.

Applicable Review Criteria:

Zoning Review Criteria:	
Sections 4.008-4.035	Application Procedure
Section 4.100	Zoning Purpose
Section 4.118 (as applicable)	Standards Applying to All Planned Development Zones
Section 4.118(03)	Waivers
Subsection 4.118.02	Utilities
Section 4.120 (as applicable)	Residential Agricultural - Holding (RA-H) Zone
Section 4.124.3 (as applicable)	Planned Development Residential (PDC-3) Zone
Section 4.140	Planned Development Regulations
Section 4.140(.07)	Stage I Preliminary Plan
Section 4.140(.07)(A)(1)	Owner's Authorization of Affected Property for Development
Other Planning Documents:	
Metro's Urban Growth Management Functional Plan	
Storm Water Master Plan	
Transportation Systems Plan	

EXHIBITS

The following exhibits are hereby entered into the public record by the Development Review Board in consideration of the application as submitted:

Exhibit No.	Description
A	Staff Report (this document)
1	Vicinity Map (Public Notice Map)
2	Tax Map (T3S, R1W, Section 23A; portion)
3	Application form; dated 12/16/2004
4	Authorization letter (12 signatories); dated 12/12/2003
5	Authorization letter, C. Zimmerman; dated 3/26/2004
6	Authorization letter, Mentor Graphics; dated 4/5/2004
7	Calculation summary; date 1/23/2004
8	Legal Description, Parcel 1; dated 12/9/2003
9	Legal Description, Parcel 2; dated 12/9/2003
10	Applicant's narrative (relevant portion); dated 2/12/2004
11	Applicant's narrative addendum; dated 2/11/2004
12	Transportation Impact Study; dated 4/16/2003
13	Memo from DKS Associates; dated 3/26/2004
14	Comprehensive Plan Map
15	Zone Map
16	Drawings:
a.	Title Sheet [Applicant's Sheet 1]; dated 2/17/2004
b.	Zone Change/Stage I Master Plan [Applicant's Sheet 2]; dated 2/17/2004
c.	Site Overview: Pre[liminary]-Plat 1 + 2 – Stage II Master Plan [Applicant's Sheet 3]; dated 2/17/2004
17	Authorization letter (one signature); dated 6/23/2004

PLANNING DIVISION
STAFF REPORT & RECOMMENDATION

DATE: August 30, 2004
TO: Honorable Mayor and City Councilors
FROM: Blaise Edmonds, Manager of Current Planning

SUBJECT: Planning File No. 03DB43 (A– C): Urban Solutions acting as an agent for Renaissance Homes, Applicant. Proposed Comprehensive Plan Map amendment, Zone Map amendment and Stage I Preliminary Plan for the proposed residential subdivision.

SUMMARY:

On June 28, 2004, Panel B of the Development Review Board recommended approval of the proposed Comprehensive Plan Map amendment, Zone Map amendment and Stage I Preliminary Plan. On August 23rd Panel B approved Requests D – H, which includes the proposed Tentative Subdivision Plat, Stage II Final Plans, Site and Design Plans, Type C Tree Plan and 5-waivers to the Wilsonville Code. Those approvals are contingent upon City Council approval of the proposed Comprehensive Plan Map amendment, Zone Map amendment and the Stage I Preliminary Plan.

The Development Review Board voted 4-0 to recommend approval of the proposed Comprehensive Plan amendment, Zone Map amendment and Stage I Preliminary Plan. The findings and conclusions in Exhibit 'C' (*original staff report with proposed findings and conditions of approval*) support the Development Review Board decision for approval.

The Development Review Board adopted staff recommendations and findings included as Exhibit C of proposed Ordinance No. 570, imposing one new condition:

- A. The applicant shall provide such schedules, demonstrations, and commitments as are required by Section 4.140(.07)(B)(4) and (5), prior to the board's consideration of an application for approval of a Stage II Final Plan.

RECOMMENDATION

After conducting a duly advertised public hearing, that the City Council act favorably on the Development Review Board recommendation of June 28, 2004 to approve the request. Appropriate Council action would be adoption of proposed Ordinance No. 570.

DISCUSSION/BACKGROUND

- The applicant, Urban Solutions agent for Renaissance Homes proposes the development of a 73-lot residential planned development (subdivision), along with associated site improvements, for the property located west of SW Canyon Creek Road South, 360 feet south of Boeckman Road. Total development site area is comprised of an assembly of discontinuous parcels, which total approximately 19.32 acres and has the potential for a total 82 lots.

The following requests apply to the subject property, as defined in the applicant's submittal documents:

- (A) Approve Comprehensive Plan Map Amendment (Residential 0 – 1 du/ac to Residential 3 – 5 du/ac;
 - (B) Approve a Stage I Preliminary Plan;
 - (C) Approve a Zone Map Amendment from Residential Agricultural - Holding Zone (RA-H) to Planned Development Residential (PDR-3).
- No areas in the proposed project are designated Significant Resource Overlay Zone (SROZ). However two off-site water quality treatment/detention facilities are proposed, each of which involve construction activities within the SROZ.
 - The proposal meets the Planning and Land Development Ordinance and with the goals, policies, and implementation measures of the City of Wilsonville Comprehensive Plan.
 - Primary facilities, i.e., roadways, water and sanitary sewer, are or shortly will be available and are of adequate size to serve the subject territory. Thus, adequate facilities can be provided.
 - The public interest is best served by granting the Comprehensive Plan Map amendment and Zone Map amendment at this time since there is a high demand single-family housing.

See the Planning Division Staff Report, Exhibit C, of proposed Ordinance No. 570 for additional detail and findings of fact.

The decision of the August 23rd Development Review Board meeting:

After conducting a duly advertised public hearing, the DRB acted favorably to approve the following requests:

- (D) Approved a Stage II Final Plan;
- (E) Approved a proposed 73-lot tentative subdivision plat;
- (F) Approved Site Design Review Plans for all site amenities and common open space;
- (G) Approved Type 'C' Tree Removal Plan for the removal of 133 trees; and,

(H) Approved four (4) waivers to the Wilsonville Code.

These approvals are contingent upon the City Council approval of Requests A, B and C. General background documents for the above approvals are included in the City Council packet.

**STAFF REPORT
WILSONVILLE PLANNING DIVISION
DEVELOPMENT REVIEW BOARD PANEL 'B'**

Public Hearing Date: August 23, 2004
Date of Report: August 16, 2004 (*Amended by the DRB on 8/23/2004*)
Application: 03 DB 43 (2)

Description of Proposal/Requests:

Urban Solutions, acting as agent for Renaissance Homes, proposes the initial development of a ~~72-lot~~ 73-lot¹ residential planned development (subdivision), along with associated site improvements, for the property located west of SW Canyon Creek Road South, 360 feet south of Boeckman Road. Total development site area is comprised of an assembly of discontinuous parcels which total approximately 19.35 acres (Exhibits 8 and 9), and has the potential for a total of 82 lots. (**Amended by the DRB on 8/23/2004**)

The following requests apply to the subject property, as defined in the applicant's submittal documents:

- (D) Approve a Stage II Final Plan;
- (E) Approve a proposed ~~72-lot~~ 73-lot tentative subdivision plat; (**Amended by the DRB on 8/23/2004**)
- (F) Approve Site Design Review Plans for all site amenities;
- (G) Approve Type 'C' Tree Removal Plan for the removal of 133 trees; and,
- (H) Approve ~~eight (8)~~ four (4)² requested waivers to the Wilsonville Code. (**Amended by the DRB on 8/23/2004**)

Location: The subject property is located west of Canyon Creek Road South, 360 feet south of Boeckman Road, more specifically described as Tax Lots 1500, 1501, 1600, 1601, 1700, 1800, 1900, 2100, 2200 and 2301, in Section 13B; Township 3S, Range 1W; Clackamas County; Wilsonville, Oregon.

Applicant: Urban Solutions, agent for Renaissance Homes

Owners: Patricia Smith Trust; Michael and Heidi Swickard; Marie McNeany; Shirley Walker; Dorothy Bernard; Larry and Delaine Huckey; Todd and Kara Eck; Gerald and Cleo Downs; and James Boster.

¹ The number of proposed lots was amended orally by the applicant at the hearing on 8/23/2004, as reflected in oral testimony and Exhibit 45.

² The number of requested waivers was amended by the applicant in writing (Exhibit 40), and orally at the hearing on 8/23/2004.

Other Participants: Mentor Graphics Corp.; Christopher Zimmerman; and, the City of Wilsonville

Comp. Plan Designation: Residential 0 –1 du/ac

Zone Map Designation: Residential Agricultural - Holding Zone (RA-H)

Vicinity Map: Exhibit 1

Staff Reviewer: Michael R. Wheeler, Associate Planner

Note: The statutory 120-day time limit applies to this application. The application was received on December 19, 2003. The applicant was sent one letter identifying the application as incomplete on January 20, 2004. The application was deemed complete on March 26, 2004. However, because this portion of the application is dependent upon a Comprehensive Plan Map Amendment, the date by which the City must render a final decision, including any appeals, for Requests D through H will not begin until a decision is final regarding that amendment, scheduled to be heard August 30, 2004.

Frames of Reference: Figure 1, below, reflects street names currently in use in the neighborhood, as used in this report. Please note that some names used by the applicant differ from those in use in the neighborhood (Exhibits 10, 11, 33 and 37). Figure 2 provides an overview of the applicant's proposal. Staff hopes that the Board's comparison of these two figures will assist the in review of this application.

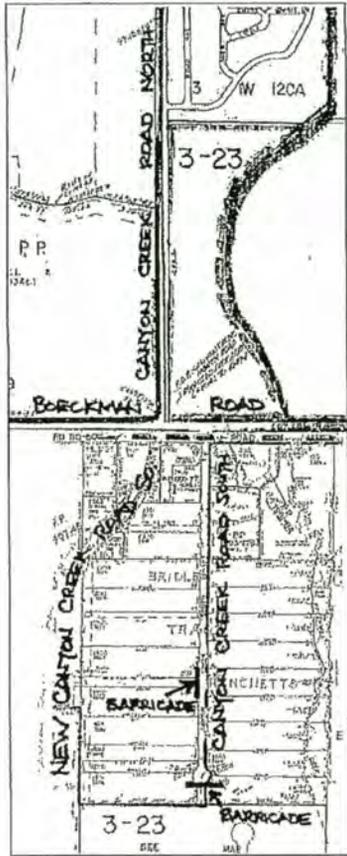


Figure 1

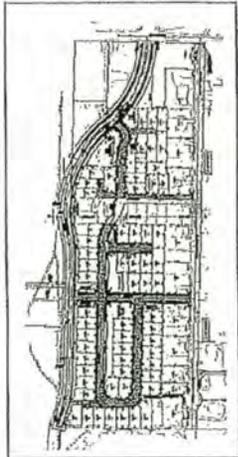


Figure 2

OVERALL SUMMARY OF ISSUES

In an earlier consideration of a portion of the application by the Board on June 26, 2004, the Board forwarded a recommendation to the City Council for approval of a Comprehensive Plan Map amendment, Zone Map amendment, and Stage I Preliminary Plan, to allow the incremental development of single-family homes on the subject ten parcels, located west of Canyon Creek Road South, approximately 360 feet south of Boeckman Road. Under the applicant's proposal, the Comprehensive Plan Map designation would change from its current density of 0-1 dwelling units per acre to 4-5 dwelling units per acre. The Zone Map designation would change from Residential Agricultural – Holding (RA-H) to Planned Development Residential (PDR-3). Consideration of the Board's previous recommendation is pending before the City Council, and is scheduled to be heard August 30, 2004.

In this portion of the application, the applicant is seeking approval of a Stage II Final Plan, Tentative Subdivision Plat, Type 'C' Tree Removal Plan, Site Design Review Plans for the common elements of the proposed subdivision, and eight (8) Waivers,.

The project, as proposed, would preserve the nine (9) existing homes **and one (1) vacant lot** on the subject property, each on their own resulting lot, and incrementally add ~~72~~ 73 additional single family home lots, to be created over an unspecified period of time. **(Amended by the DRB on 8/23/2004)**

Upon submittal of the application on December 19, 2003, the applicant requested waivers from the minimum side yard setbacks, minimum street frontage requirements, required sidewalks on both sides of streets, required lot depth for through lots, and minimum pedestrian pathway spacing. On July 27, 2004, the applicant added three (3) additional waivers, for a total of eight (8) waivers (Exhibit 37). **On August 10, 2004, the applicant withdrew one (1) waiver (Exhibit 40), and on August 23, 2004, at the hearing, the applicant orally withdrew three (3) requested waivers. (Amended by the DRB on 8/23/2004)**

No areas in the proposed project are designated Significant Resource Overlay Zone (SROZ). However, off-site drainage improvements will impact a wetland west of the proposed subdivision, and be drainage will be directed to Basalt Creek and Boeckman Creek, west and east, respectively, both of which are within the SROZ. Permission for these improvements has been secured from both property owners (Exhibits 5 and 6). See the discussion of this impact on page 13 of this report.

Residential development standards require that 25% of the site be set aside for outdoor recreation or open space. This requirement is met through this proposal by areas of common open space and active outdoor recreation (12%), and through rear yards (13%), for a combined total of 25%. This amount meets the minimum Code requirement for open space.

The traffic study for this project (Exhibits 12 and 13) estimates 67 p.m. peak hour trips. Thirteen of these trips would use the Stafford Road/I-5 interchange while eight (8) would

use the Wilsonville Road/I-5 interchange. The traffic study also indicates that traffic generated by this project would not produce traffic congestion in excess of the allowed level of service (LOS "D") at the most probable used intersections. The staff notes that because the majority of peak hour trips are directed to the north interchange, the proposed development is not subject to trip limitations (Exhibit 31).

The applicant is relying upon the City to acquire right-of-way for construction of the southerly extension of Canyon Creek Road, south of Boeckman Road.

The applicant has a cooperative arrangement with the City to dedicate the area known as Hackamore Street as a public street (Street "C") as part of the proposed project. The property is owned by the City, but is not dedicated as public right-of-way. The applicant proposes to dedicate additional right-of-way along the route of the existing City ownership to enable a right-of-way of 50 feet in width.

The application has gone through two iterations of design since initially submitted on December 19, 2003. The currently-proposed design is reflected in Exhibits 35a, 35b and 35c; all other exhibits have not been redrawn and resubmitted to replace the originals. All references to "the proposal" or "applicant's proposal" in this report are to the design represented in Exhibits 35a, 35b and 35c. To the extent that other drawings do not demonstrate compliance with Code provisions, but which compliance can be accommodated by the applicant's current proposal, staff is proposing conditions intended to achieve that result.

The project provides two access streets onto the southerly extension of Canyon Creek Road, and one onto Canyon Creek Road South. The length of the interim dead-end streets exceed the 200-foot maximum of the Code. While the Code makes an exception for dead-end streets that are constrained by barriers such as steep slopes, such is not the case with the proposed subdivision. See the related discussion regarding site circulation on page 17, below.

The arborist report identifies 235 trees on site. The applicant proposes to remove 133 trees, and save 102. Tree mitigation is proposed in the form of 76 street two (2) inch caliper trees throughout the project (Exhibit 32I).

The applicant's landscape plan (Exhibit 32I) shows a planting scheme for street trees and the water quality buffer [Tract D (south)] within the proposed project. A planting scheme has not been submitted regarding the off-site drainage improvements.

The listed exceptions noted above can be remedied by the applicant at the Board's hearing, or conditions may be imposed upon an approval in order to make the proposal fully consistent with the applicable implementation measures and policies of the Comprehensive Plan, and the Code.

Existing public facilities are, or can be made to be, available and are of adequate size to serve the proposed subdivision. The applicant is responsible for construction of all internal streets to the project to public street standards. Staff also recommends that the

applicant construct a full street improvement along the southerly extension of Canyon Creek Road to the west property line of Tax Lot 2502; staff further recommends that the applicant construct a half-street improvement from there, to the southerly property line of the proposed project, and receive a street SDC credit for the westerly half of the full-street improvement.

Except for three of the four proposed private streets, for which a waiver has been requested, the applicant proposes five (5) foot wide sidewalks on both sides of each street throughout the project, and on both sides of the full-street improvement of the southerly extension of Canyon Creek Road, along the west side of the project site. Bike lanes are also proposed along both sides of the full-street improvement.

Except to propose to initially plat 72 73 lots, the applicant has not provided a phasing plan for the development of all of the 82 proposed lots. Instead, the applicant proposes to provide language in the proposed Conditions, Covenants and Restrictions (CC&Rs) that will require the owners of Lots 4 – 6 (north), and 21, 24 – 27 (south), to create the remaining lots as the result of any redevelopment in excess of remodeling or replacement of the existing dwellings. This redevelopment will occur in random sequence, effectively amounting to Phases 2 – 9 of the proposed planned development, but without need for a specified sequence. **(Amended by the DRB on 8/23/2004)**

While not a critical issue, the applicant's naming convention may cause the Board some confusion in the course of this review. Staff offers the following table in order to identify anomalies in public street names, private drive identification, and open space tract labeling (all exhibits). Where confusion could arise, staff will refer to the affected item along with its geographic location (i.e., north [plat] or south [plat]).

PROPOSED FEATURE	PRE[LIMINARY]-PLAT 1 (NORTH)	PRE[LIMINARY]-PLAT 2 (SOUTH)
<i>Public Streets</i>		
	Street A (north portion)	Street A (south portion)
		Street C
		Street D
		Street E
	Street F	
<i>Private Streets</i>		
		Street B
<i>Private Drives</i>		
	Tract B	
		Tract C
	Tract E	
<i>Open Space and Pedestrian Pathways</i>		
	Tract A (north)	Tract A
		Tract B
	Tract C	
	Tract D (north)	Tract D (south)
		Tract E
	Tract F (north)	Tract F (south)

PROPOSED FEATURE	PRE[LIMINARY]-PLAT 1 (NORTH)	PRE[LIMINARY]-PLAT 2 (SOUTH)
		Tract G
		Tract H

PREVIEW OF RECOMMENDATION FOR REQUESTS (D) – (H):

Staff recommends that, contingent upon affirmative City Council action regarding the three previously-considered requests [03 DB 43 (1)], the Development Review Board approve the proposed Stage II Final Plan, Tentative Subdivision Plat, Site Design Review Plans, Type 'C' Tree Removal Plan, and requested waivers, with the addition of proposed conditions herein, necessary to meet all applicable requirements.

FINDINGS OF FACT

1. Finding: Site Analysis Data (existing, from applicant's information)

AFFECTED PROPERTY		USE			AREA	
Tax Lots (Township 3S, Range 1W, Section 13B)	Owner(s)	Streets	Lots or Open Space	Easem't	Acres	% of Site
Authorized Participants ³						
1500	P. Smith Trust	x	x			
1501	M. and H. Swickard	x	x			
1600	P. Smith Trust	x	x			
1601	M. McNeary	x	x			
1700	S. Walker	x	x			
1800	D. Bernard	x	x			
1900	L. and D. Huckey	x	x			
2100	T. and K. Eck	x	x			
2200	G. and C. Downs	x	x			
2301	J. Boster	x	x			
<i>Subtotal Participants</i>					19.35 ⁴	100
Other Participants ⁵						
2601	Mentor Graphics Corp.	x		x		
2691	Mentor Graphics Corp.	x		x		
1200	C. and K. Zimmerman			x		
No Number Assigned (nontaxable)	City of Wilsonville	x				
Other Affected Parcels						
2502	G. and C. Downs	x				
2000	V. Dillion, Trustee	x		x		

Existing Site Conditions: The applicant provides a site description on page 2 of the original narrative (Exhibit 10). Most of the subject property is developed and zoned Residential Agricultural - Holding Zone (RA-H). Also participating are the owners of two parcels to the west (TLs 2601 and 2691), and one to the east (TL

³ Source: Authorization petition (Exhibit 4).

⁴ Source: Legal Descriptions, by Alpha Engineering, Inc.; Exhibits 8 and 9.

⁵ Source: Authorization letters (Exhibits 5, 6 and 17).

1200). Additionally affected owners involve right-of-way acquisition (TL 2000 and 2502), and future development (TL 2000).

Surrounding Development: The existing, adjacent land uses are as follows:

Compass Direction	Existing Use(s)
North	Industrial (Mentor Graphics); Residential
East	Residential (Bridle Trail Ranchetts; Arbor Crossing Subdivision; Wilsonville Meadows)
South	Residential (Sundial Apartments)
West	Vacant Industrial (Mentor Graphics); Residential (Ash Meadows)

Natural Characteristics:

The subject site contains gentle- to moderate-slopes, draining from northwest to southeast. The site is characterized as nine developed, and one vacant, rural home sites, including accessory structures and a number of significant trees (Exhibit 32a). The site does not contain any City of Wilsonville inventoried cultural, historic, or natural resources, although off-site drainage improvements are proposed to impact portions of the Significant Resource Overlay Zone (SROZ) west and east of the site.

Easements:

Existing easements are illustrated on the drawing entitled Street and Utility Plans (Exhibits 32j and 32k), although some known easements are not shown. Missing from this drawing is the presence of known bridle trail easements which were conveyed as part of the plat of Bridle Trail Ranchetts (Exhibit 42b), Bridle Trail Acres (Exhibit 42a), and preserved through subsequent partitions (Exhibits 43a, 43b and 43c).

Streets:

Boeckman Road acts as an east-west baseline for two existing segments of SW Canyon Creek Road. Canyon Creek Road North is located north of Boeckman Road, and, approximately 270 feet east, Canyon Creek Road South is located south of Boeckman Road (Staff report: Page 3, Figure 1). Street signs reflect these currently-used names, despite other names that appear on county tax maps, or in the applicant's drawings and narrative.

The site is located approx 360 feet south of (but not abutting) Boeckman Road. It is bounded on the east by SW Canyon Creek Road South.

An alignment of the future right-of-way of the planned southerly extension of Canyon Creek Road abuts the site at its northwest corner (Exhibit 2). The

existing right-of-way of Canyon Creek Road South is 50 feet wide; the future right-of-way of the planned southerly extension of Canyon Creek Road is 62 feet wide. Acquisition of portions of the needed right-of-way is being coordinated by the City's Urban Renewal staff and City Attorney.

2. Finding: Previous Planning Applications Relevant in Vicinity

The following table reflects partition activity relevant to the applicant's proposal. The location of each may be seen on Figure 1, on page 3 of this report.

Subject	Result
Partition	Partition Plat 1991-84
Partition	Partition Plat 1993-176
Partition	Partition Plat 1997-45
Partition	Partition Plat 1999-77

- 3. Finding:** The Applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent, and resent as the applicant has amended the proposal, and all proper notification procedures have been satisfied.

REQUEST (D): Approve Stage II Final Plan for all site improvements and buildings within the entire project

CONCLUSIONARY FINDINGS FOR REQUEST (D):

Subsection 4.140(.09)(J)(1-3) stipulate the following criteria for Final Plan approval:

- "1. The location, design, size and uses, both separately and as a whole, are consistent with the Comprehensive Plan, and with any other applicable plan, development map or Ordinance adopted by the City Council.*
- 2. That the location, design, size and uses are such that traffic generated by the development can be accommodated safely and without congestion in excess of level service "D" defined in the highway capacity manual published by the National Highway Research Board on existing or immediately planned arterial or collector streets and will, in the case of commercial or industrial developments, avoid traversing local streets.*
- 3. That the location, design, size and uses are such that the residents or establishments to be accommodated will be adequately served by existing or immediately planned facilities and services."*

4.140(.09)(J)(2) - Traffic

- D1. **Finding:** A Transportation Impact Study (Traffic Study; Exhibit 12) was completed for this application, and an addendum was provided (Exhibit 13). Because the majority of the traffic generated by the proposed project is expected to use the Stafford Road/I-5 interchange, the project is not subject to the Code provisions regarding its impact on the interchange of Interstate 5 (I-5) at Wilsonville Road.
- D2. **Finding:** Under the proposed (and recommended) PDR-3 zoning, the subject properties could generate 67 p.m. peak hour trips, with 13 of these trips using the Stafford Road Interchange, with eight (8) using the Wilsonville Road interchange.
- D3. **Finding:** The traffic study indicates that the traffic generated by this project would not produce traffic congestion in excess of LOS D at the study intersections, including the proposed entry streets.
- D4. **Finding:** The applicant/owner will be required to pay all applicable SDCs.

Comprehensive Plan—Implementation Measures 3.1.6a-3.1.6.cc - Transportation

- D5. **Finding:** The City's 2003 Transportation System Plan (TSP) identifies Boeckman Road as a minor arterial. The TSP also establishes the design standards for arterial and major collector streets. While the TSP specifies minor arterial streets as having 71-to 77-feet of right-of-way and 50 feet of pavement width, with a three lane cross section, the City Council has agreed to construct the proposed southerly extension of Canyon Creek Road according to the 1991 Transportation Master Plan (TMP). The City Engineer is requiring a full-street improvement for approximately the northerly 750 feet of the southerly extension of Canyon Creek Road, and a half-street improvement south from that point, to the

southerly property line of the project site, on the west side of the project. With the exception of Tax Lots 2502 and 2000, whose access will be affected by the proposal, none of the proposed lots will have access from, or frontage on, the southerly extension of Canyon Creek Road. The applicant is proposing to dedicate the westerly portions of the subject property as right-of-way for the half-street improvement. The proposed right-of-way would be 62 feet wide, and would include a planter strip, sidewalk, and, upon completion, a second planter strip (see proposed cross section, Exhibit 32j). Internal public streets will each have a dedicated 50-foot-wide right-of-way, with two (2) 16-foot travel lanes. Sidewalks will be provided on all streets.

- D6. **Finding:** The street layout of the proposed project provides one 50-foot-wide entry street connection to the southerly extension of Canyon Creek Road. A five (5) foot sidewalk would be provided on the both sides of the entry street, and a five (5) foot meandering sidewalk would be provided along segments of Street "A". A future 20-foot wide, gated emergency/pedestrian access is proposed at the north end of Canyon Creek Road South. The City Engineer will determine when this gate will be installed and made operational (Exhibit 31).
- D7. **Finding:** The applicant's proposal for the internal streets of the project is to dedicate them as public streets, except Street "B", and Private Drives B, C, and E. All public right-of-way for the project will need to be recorded with Clackamas County prior to the issuance of any occupancy permits for dwellings or other structures in the project.
- D8. **Finding:** Staff recommends proposed condition PF25, requiring the applicant/owner to contribute the share of system development charges attributed to the project.
- D9. **Finding:** The City's 1991 Transportation Master Plan identifies the southerly extension of Canyon Creek Road as providing an "On-Street Bikeway/Sidewalk". The applicant proposes five-foot-wide bike lanes on both sides of the full-street improvement, but the half-street improvement does not include a bike lane (Exhibit 32j). This has been agreed upon by the City Council (Exhibit 31).

4.140(.09)(J)(3) – Adequate Facilities and Services

- D10. **Finding:** Policy 3.1.2 and Implementation Measures 3.1.2.a and 3.1.2.e of the Comprehensive Plan require that urban development only be allowed where necessary facilities and services can be provided. The proposed project has available to it, or will be required to make available to it, adequate facilities to serve the project.

Sanitary Sewer

- D11. **Finding:** Policy 3.1.4 and Implementation Measures 3.1.4.b and 3.1.4.f specify the responsibilities for providing sanitary sewer service to new development. A 12-inch sanitary sewer running parallel to the westerly property line of the site, along the alignment of undedicated Hackamore Street, and along Canyon Creek Road South, all could serve the project. The applicant/owner will be required to install and fund, including the payment of system development charges, all improvements necessary to provide the project with sanitary sewer service. The existing septic systems on site shall be removed prior to the issuance of a final grading permit.

Water

D12. **Finding:** Policy 3.1.5 and Implementation Measures 3.1.5.c and 3.1.5.d specify the responsibility for providing water service to new development. The applicant is responsible for the extension of water lines to serve the project, subject to the City's Public Works Standards. Public water is available to the site via Boeckman Road. The City Engineer is requiring that the water service available to the project be looped through the project to ensure service. The existing wells will need to be capped prior to the issuance of building permits (Exhibit 31).

Roads

D13. **Finding:** Staff recommends that the applicant be required to install a full-street improvement from Boeckman Road, south approximately 750 feet. Staff also recommends the applicant construct a half-street improvement from that point, south along the project's westerly boundary (Exhibit 31). With these proposed street improvements, the proposed project would be adequately served by the road system.

Storm Drainage

D14. **Finding:** The developer of the project has the responsibility to fund and install all necessary storm water facilities to meet the requirements of the City's Storm Water Master Plan. The applicant proposes to capture, detain, and treat the runoff from the streets within the project. Storm water runoff from the north third and westerly third of the south two-thirds of the project would drain to a proposed off-site water quality/detention facility on Tax Lot 2691, that would ultimately drain to Boeckman Creek. Storm water runoff from the eastern two-thirds of the south two-thirds of the project is proposed to drain to a water quality detention facility in Tract D (south). Staff recommends a Significant Resource Impact Report be conducted for all encroachments into SROZ and its Impact Area including the proposed detention facilities and their outfalls. Approval of this SRIR by staff would be required prior to the approval of the final plat.

D15. **Finding:** The final design and installation of all storm water facilities will require a public works permit from the City's Engineering Division. The design shall ensure that water will not be discharged at an erosive velocity to the drainage swale in the SROZ, or their outfalls.

Schools

D16. **Finding:** The applicant has not estimated how many school-age children will reside within the project at full build-out (Exhibit 10). The West Linn/Wilsonville School District completed construction of the new Boones Ferry Primary School in the fall of 2001. The Wilsonville High School has been experiencing overcrowding for a number of years now. However, the WHS is currently being expanded to accommodate the overcrowding. While not required by the Development Code, staff suggests the applicant provide the West Linn/Wilsonville School District with this estimate to aid in the school district's planning of future facilities.

Parks

D17. **Finding:** Policy 3.1.11 and Implementation Measures 3.1.11.a, 3.1.11.b, 3.1.11.d, 3.1.11.e, 3.1.11.g, 3.1.11.i, 3.1.11.j, 3.1.11.o, and 3.1.11.p specify the responsibility of providing parks in new development.

D18. **Finding:** The applicant is proposing open space areas in Tracts A (north), D (north), A (south), B (south), F (south) and G (south); and in Tract D (south), an active and passive recreation area in Tract E (south); and pedestrian connections via Tracts B (south) and H (south).

D19. **Finding:** The recreation facilities proposed by the applicant provide a mix of active and passive recreation areas (Exhibits 35b and 35c). The Covenants, Conditions, and Restrictions of the Homeowner’s Association (Exhibit 23) place the ownership and maintenance responsibilities of the common areas upon the Homeowners Association.

4.113(.02)(A) – Outdoor Recreational Area

D20. **Finding:** An outdoor recreation area is proposed through the provision of 0.34 acres located in Tract E (south) and through pedestrian easements (Tracts B and H). The proposed open space provides passive and active recreation opportunities, and meets the intent of this section of the Code.

Open Space Area

Subsection 4.113 provides for the required open space in new residential developments. In addition, Implementation Measures 4.1.5.d, 4.1.5.j, and 4.1.5.k speak to the Comprehensive Plan’s desire to create and conserve open space in the City for specified objectives.

D21. **Finding:** Subsection 4.113(.02)(A) requires “at least twenty-five percent (25%) of the area (residential development) shall be open space, excluding streets.” This section also allows “required rear yard areas and other landscaped areas that are not within required front or side yards and may be counted as part of the required open space.” Open space for the proposed project is proposed to be provided as noted in the applicant’s replacement table (Exhibit 36a). Approximately 13 percent of the open space proposed in the project is obtained through rear yards (proposed rear yard setbacks times lot width at rear yard line, less the width of both side yards). Staff confirms that approximately 25 percent of the proposed project would be in open space based on the following estimate:

	Area (SF)	% of Gross Area
Gross Area of Proposal	842,886	100%
Public/Private Streets	191,406	23%
Net Area (Gross Area minus Streets)	651,480	77%

	Area (SF)	% of Net Area
<i>Open Space in Tracts</i>	78,561	12.06%
<i>Open Space in Rear Yards</i>	85,155	13.07%
Open Space Area of Proposal	163,716	25.13%

D22. **Finding:** The closest public parks are Wiedeman Park (0.89 miles) and Hathaway Park (0.85 miles).

Public Services

D23. **Finding:** The City staff has consulted with public service providers (e.g., Sheriff, Tualatin Valley Fire & Rescue, South Metro Area Rapid Transit, etc.) within the City about the potential of providing service to the subject project. Some providers have provided a written response (Exhibits 26, 28, 28a, and 28b).

Semi-Public Utilities

D24. **Finding:** The applicant/owner will need to consult with the private utility providers (e.g., gas, electric, cable, waste collection, etc.) within the City about the potential of providing service to the subject project. Some providers have been consulted, and have provided input (Exhibits 24 and 25).

SUMMARY FINDING FOR REQUEST (D):

D25. **Finding:** The applicant's proposed Stage II Final Plan can be made to meet all applicable Code requirements through required conditions of approval.

STAFF RECOMMENDATION FOR REQUEST (D):

Based on findings of fact 1 - 3, analysis and conclusionary findings D1 through D24, staff recommends that the Development Review Board approve the applicant's Stage II Final Plan (Exhibits 35a, 35b and 35c, along with the recommended conditions necessary to fully comply with the requirements of the Code. Proposed conditions of approval are found on pages 33 through 41 of this report.

REQUEST (E): Approve a Tentative Subdivision Plat for the site

Tentative Plat Submission – 4.210(.01)(B)

- E1. **Finding:** At the writing of this staff report, the applicant has not fully provided an indication of existing easements as required by 16 of this Subsection. Specifically, the plat will need to show the easement for the 12” sanitary sewer that traverses the southwestern portion of the site. Also see Finding E13, below.

Subsection 4.236: General Requirements – Streets**4.236(.01) – Conformity to the Master Plan or Map**

- E2. **Finding:** The southerly extension of Canyon Creek Road is listed as a minor arterial in the City’s 2003 Transportation System Plan. The City Engineer is requiring that a full-street improvement be constructed from its intersection with Boeckman Road, 750 feet south, to the south property line of Tax Lot 2502 to accommodate the traffic impact of the proposed project (See Condition PF25). Under this condition, the applicant would pay for the eastern half-street improvement and receive a credit on street system development charges for the western half-street improvement. The Transportation System Plan also identifies the southerly extension of Canyon Creek Road as an ‘On-Street Bikeway/Sidewalk’. The City’s Parks and Recreation Master Plan identifies the following local and regional parks as being available to serve the proposed development: Wiedeman and Hathaway. The applicant is providing a recreational facility within the project.

4.236(.02)(A) - Relation to Adjoining Streets

- E3. **Finding:** Neither Wilsonville Meadows No. 2, No. 5, or No. 7 were platted to provide future street connections to the west, through the subject properties. Similar constraints exist to the south, due to the Sundial Apartments development. Extension of streets from the subject properties to the south or east is not feasible at this time.

4.236(.02)(B) – Future streets

- E4. **Finding:** The applicant’s Preliminary Utility Plan identifies ‘shadow’ plats, including street layout, for the remainder of Tax Lot 2000, showing a scenario with most of the existing houses. The scenario shows two connections of the proposed public streets to Canyon Creek Road South, three (3) 20-foot-wide private drives, and one (1) 51-foot-wide Private street.

4.236(.04) – Creation of Easements

- E5. **Finding:** An existing bridle trail is located along the west property line of the project site, which will need to be properly extinguished, or reflected on the final subdivision plat. In addition, drainage easements will be required for off-site improvements, and the applicant proposes construction easements on both sides of the southerly extension of Canyon Creek Road.

4.236(.07) – Future Expansion of Street

- E6. **Finding:** The applicant is presenting a ‘shadow’ plat of future lots on the remaining portions of Tax Lots 2000 (Exhibits 35a, 35b and 35c). The scenario shows further

development, while retaining most of the existing houses. The proposed future platting identifies a street layout for the incremental full build-out of the project, including subsequent partitions. The applicant has submitted a drawing reflecting the lot areas of future partition lots (Exhibit 44).

4.236(.08) – Existing Streets

E7. **Finding:** The City Engineer's Public Facilities conditions require that all right-of-way easements and road improvements are to be completed to the requirements of the City's 2003 Transportation System Plan (Exhibit 31).

4.236(.09) – Street Names

E8. **Finding:** The City Engineer will have final approval authority for all street names in the project.

4.237(.01)(A) – Blocks

At the time of application, all planned development residential zones require the following block and access standards:

"A. The length, width, and shape of blocks shall be designed with due regard to providing adequate building sites for the use contemplated, consideration of needs for convenient access, circulation, control, and safety of pedestrian, bicycle, and motor vehicle traffic, and recognition of limitations and opportunities of topography.

B. Sizes: Blocks shall not exceed the sizes and lengths specified for the zone in which they are located unless topographical conditions or other physical constraints necessitate larger blocks. Larger blocks shall only be approved where specific findings are made justifying the size, shape, and configuration."

4.177(.01)(G) – Dead End Streets

This section requires that "new dead-end streets or cul-de-sacs shall not exceed 200 feet in length, unless the adjoining land contains barriers such as existing buildings, railroads or freeways, or environmental constraints such as steep slopes, or major streams or rivers, that prevent future street extension and connection."

E9. **Finding:** Staff estimates the length of Street A (north) is 420 feet; Street B (south) is 710 feet; and, Street A (south) is 530 feet. Once the north and south segments of Street A are connected, Street B will be 310 feet long. Private Drives B (north), C (north), and C (south) are each less than 200 feet in length.

E10. **Finding:** The applicant has provided a pedestrian connection via Tract B (south) and H (south). A street connection in the area of Street B (south) has not been proposed, due to the locations of existing dwellings and accessory structures.

E11. **Finding:** The City's Public Works standards require a minimum street spacing, for arterials, of 600 feet. Except for the entry street, Street A at 470 feet, the applicant has satisfied this requirement with Street A (north) 940 feet distant from Street C (south).

E12. **Finding:** The applicant is proposing a pedestrian connection (south Tracts B and H) between Street 'D' and Street 'C' to break up the block length of the internal blocks, which are currently proposed at approximately 520 feet.

4.237(.02) – Easements

E13. **Finding:** The applicant's submittal documents indicate "appropriate easements will be provided as part of the final plat." Staff's proposed condition of approval PF1 stipulates that all easements on the final plat shall be specified per the City's Public Works Standards and shall be approved by the City Engineer prior to the issuance of engineering permits for the project.

4.237(.03) – Pedestrian and bicycle pathways.

E14. **Finding:** The proposed subdivision plat specifies five (5) foot sidewalks and pedestrian access via Tracts B (south), and H (south). The proposed tracts would remain in common ownership. Bicycle pathways are not required on the interior streets of the project. The City Council has relieved the southerly extension of Canyon Creek Road of the requirement for bile lanes (Exhibit 31).

4.237(.04) – Tree Planting

E15. **Finding:** The applicant's "Landscape Plan" (Exhibit 321) identifies the location of street trees and other trees, but does not indicate species or size at installation. The applicant/owner will be required to provide an instrument guaranteeing the City the right to enter the site and plant, remove, or maintain approved street trees that are located on private property.

4.237(.05) – Lot Size and Shape

E16. **Finding:** Subsection 4.124.3, PDR-3 specifies the following for lot size and shape:

- “(01) Average lot size: 7,000 square feet.
- (.02) Minimum lot size: 5,000 square feet.
- (.03) Minimum density at build-out: One unit per 8,000 square feet.
- (.04) Other standards:
 - A. Minimum lot width at building line: Forty (40) feet.
 - B. Minimum street frontage of lot: Forty (40) feet; however, street frontage may be reduced to twenty-four (24) feet when the lot fronts a cul-de-sac. No street frontage is required when the lot fronts on an approved, platted private road.
 - C. Minimum lot depth: Sixty (60) feet.
 - D. Setbacks: per Section 4.113(.03).
 - E. Maximum building height: Thirty-five (35) feet.
 - F. Maximum lot coverage: Fifty percent (50%) for lots containing less than 7000 square feet. Forty-five percent (45%) for lots between 7000 and 8000 square feet. Forty percent (40%) for lots exceeding 8000 square feet.”

- E17. **Finding:** Based on the Tentative Subdivision Plat provided by the applicant (Exhibits 35a, 35b and 35c, and 44), the average lot size is approximately 7,288 SF, which exceeds the 7,000 SF average.
- E18. **Finding:** All proposed lot sizes are greater than the 5,000 SF.
- E19. **Finding:** Required minimum density at build-out is one (1) dwelling unit per 8,000 SF. The applicant's proposal meets this requirement (15.01 net acres * 43,560 SF) / 8000 SF = 81 dwelling units).
- E20. **Finding:** Lot depths range from 94 to 156 feet.
- E21. **Finding:** The applicant is requesting a waiver from the minimum street frontage requirements for Lots 1 – 3 (north), 9 – 12 (north), 17 – 20 (north), 28 – 35 (south), 14 – 16 (south) and 20 (south). The applicant shall seek approval from the City Engineer for the placement of the driveway aprons to those lots to ensure safe maneuverability. This waiver is favorably considered, beginning on page 29.
- E22. **Finding:** The applicant is requesting a waiver from the minimum setback criteria for side yards for two-story dwellings on all lots.
- E23. **Finding:** Of the estimated 163,716 SF of open space proposed in this subdivision, approximately 85,155 SF of that would be in rear yards (44% of total open space), as allowed by Code.
- E24. **Finding:** The applicant proposes home less than 35 feet in height.
- E25. **Finding:** Proposed lot sizes range from 5000 SF to 28,096 SF (Lot 21). As with all new single-family houses developed in the City, Planning staff will approve all building plans relative to setbacks and lot coverage.

4.237(.06) – Access

- E26. **Finding:** Subsection 4.124.3 (PDR-3 Zone) requires a minimum lot width at building line of 40 feet. While the proposed tentative subdivision plat proposes the creation of two (2) flag lots, all lots have sufficient width to allow for 40 feet at building line.
- E27. **Finding:** Except for three private drives and one private street, the applicant is proposing public streets for the project. Subsection 4.124.3 requires 40 feet of minimum street frontage for each lot. This frontage can be reduced to 24 feet when a lot fronts a cul-de-sac. No culs-de-sac are proposed. The applicant requests a waiver from this standard for proposed Lots 1 – 3 (north), 9 – 12 (north), 17 – 20 (north), 28 – 35 (south), 14 – 16 (south) and 20 (south). Subsection 4.237(.06)(B) grants the DRB the authority to waive the frontage requirements “where in its judgment the waiver of frontage requirements will not have the effect of nullifying the intent and purpose of this regulation”. This waiver request is given consideration, beginning on page 41 of this report.

4.237(.07) – Through Lots

E28. **Finding:** The applicant believes that Lots 15 – 20 are through lots; they are not, as they do not abut the right-of-way of the southerly extension of Canyon Creek Road. There are no through lots in the proposal.

4.237(.08) – Side Lot Lines

E29. **Finding:** It appears that most lot side lines are proposed perpendicular to the street upon which the lots face. Staff is recommending that the City Engineer be granted approval authority for the alignment of the driveways for all lots (Conditions PF31 and PF37), to ensure adequate sight distance and access maneuverability.

4.237(.09) – Large Lot Land Divisions

E30. **Finding:** Eight (8) of the proposed 72 lots of the proposed initial subdivision have been demonstrated to be further divisible. The proposed improvements shown on the applicant's revised drawings (Exhibits 35a, 35b and 35c) present the possibility of 10 additional lots. This potential future platting identifies the potential location of streets and utilities to serve these lots. Additional phases 2 – 9, in no particular order, will be required to occur in subsequent redevelopment of the affected lots. Conditions DRB D3 and DRB E5.d are proposed to achieve this, in order to achieve required minimum density at buildout.

4.237(.10) – Building Line

E31. **Finding:** The applicant is not requesting, nor is staff recommending, the establishment of building lines.

4.237(.11) – Build-To-Line

E32. **Finding:** The applicant has not requested, nor is staff recommending, any build-to-lines.

4.237(.12) – Land for Public Purposes

E33. **Finding:** The applicant proposes to dedicate appropriate street rights-of-way for the project, including road frontage for the southerly extension of Canyon Creek Road. The applicant will be required to dedicate all public utility easements deemed necessary by the City Engineer for the project, prior to approval of any Certificate of Occupancy requested subsequent to this action, if approved.

4.237(.13) – Corner Lots

E34. **Finding:** All radii in the proposed subdivision plat are in excess of 10 feet, which meets the Code's requirement.

4.262 – Improvements – Requirements

E35. **Finding:** The City Engineer's condition PF1 requires the installation of all public utilities to the City's Public Works standards.

4.264 – Improvements – Assurance

E36. **Finding:** The applicant has furnished an assurance to the City for the complete installation of all improvements (Exhibit 34). The applicant shall provide cost estimate and securities acceptable to the City Engineer for the completion of all public improvements.

SUMMARY FINDING FOR REQUEST (E):

E37. **Finding:** The applicant's proposed Tentative Subdivision Plat can be made to meet all applicable requirements, through the imposition recommended conditions of approval.

STAFF RECOMMENDATION FOR REQUEST (E):

Based on findings of fact 1 - 3, analysis and conclusionary findings E1 through E37, staff recommends that the Development Review Board approve the Tentative Subdivision Plat (Exhibits 35a, 35b and 35c), along with the recommended conditions necessary to fully comply with the requirements of the Code. Proposed conditions of approval are found on pages 33 through 39 of this report.

REQUEST (F): Site Design Review Plans (layout, architecture, and landscaping) for all site improvements and buildings (typical) within the entire project

DESCRIPTION OF REQUEST:

The applicant is seeking approval for the design of planned street trees, and landscape for all open space tracts.

CONCLUSIONARY FINDINGS FOR REQUEST (F):

Architecture

Implementation Measure 4.1.4.y of the Comprehensive Plan provides that *"Housing units shall be designed, constructed, and maintained so that the community is assured of safe, sanitary, and convenient living conditions in dwellings that are sound, energy efficient, and attractive in their appearance. Conservation of housing resources shall be encouraged through code enforcement, renovation, and rehabilitation of the existing housing stock."* However, the Code does not provide for the architectural review of single-family homes.

- F1. **Finding:** The applicant has not described the architecture of the proposed dwellings. While the request would otherwise include a review of the architecture of the proposed clubhouse and pool facilities, the applicant has not submitted drawings to enable the Board's review in this regard. Consideration of the design of this structure must be deferred, and submitted as a separate application for future Board consideration. This is implemented by Condition DRB F2.

Subsections 4.400(.02)(A) to (J) - Site Design Review

This section specifies the purpose and objectives of site development requirements and the Site Design Review procedure.

- F2. **Finding:** The proposed landscaping plans have been designed to define the interior driveway system as well as utilize the existing perimeter plantings, and have been designed to ensure a high quality visual environment. While not fully in compliance with applicable Code provisions, these plantings, once supplemented, will generally result in a harmonious development and may be designed to support the purpose and objectives of the Site Design Review criteria.

4.176 - Landscaping, Screening, and Buffering

4.176(.01)(A) – (I) - Purpose

- F3. **Finding:** The proposed landscaping plan satisfies the purpose criteria of the landscaping section. The plan has been designed to be aesthetically pleasing, to preserve native vegetation and to conserve water through the selection of drought tolerant and native plants. The applicant has submitted a design for a cedar and masonry fence, to be installed along the southerly extension of Canyon Creek Road (Exhibits 39a, 39b, 39c, and 39d).

4.176(.02) – Landscaping and Screening Standards

- F4. **Finding:** The applicant's proposed landscape plan identifies the proposed placement of street trees and the planting scheme for site. The street profiles proposed on Exhibit 32i identify planter strips on each side of the internal streets and two planter strips along the southerly extension of Canyon Creek Road. These planter strips are proposed to contain fencing, street trees and shrubs. Although architecture of the proposed dwellings is not reviewed, the wall and landscape treatment along the southerly extension of Canyon Creek Road is important, in order to effectively screen the rear elevations of the abutting dwellings.
- F5. **Finding:** The applicant has provided a screening plan for the southerly extension of Canyon Creek Road along the frontage of the project (Exhibits 39a, 39b, 39c, and 39d). The plan uses a planter strip with fencing, street trees, and large and small shrubs to provide screening appropriate for the southerly extension of Canyon Creek Road frontage of the project. This treatment will be similar to other projects in the City along arterial and collector streets.

4.176(.02)(E)(1) – (2) - High Screen Landscaping Standard

- F6. **Finding:** The applicant's proposed improvement satisfies the High Screen Landscaping Standard, which requires a sufficient number of high shrubs to form a continuous screen at least six (6) feet high and become 95% opaque, year-round. Planting are proposed to achieve the required high screen between the site and the southerly extension of Canyon Creek Road, abutting to the west.

4.176(.03) - Landscape Area

- F7. **Finding:** This section requires that not less than 15% of the total lot area be landscaped with plants. The applicant's submittal documents include a revised site area summary (Exhibit 36a). This summary states that the site, which is comprised of 19.35 acres (842,886 SF) of land, contains a 12% (approximately 78,561 SF) of open space, an undefined portion of which will be in landscaping. The remainder may be achieved on each lot, each of which may have only 75% maximum coverage, thereby satisfying this Code criterion. The plan further complies with this Code section by providing a balance between various plant forms and heights and uses a mix of native and ornamental species.

4.176(.06)(A) – (E) - Plant Materials

- F8. **Finding:** No species or material sizes are provided for open space plantings or street trees, with the exception of the water quality treatment facilities. Some of the proposed shrub selections are proposed in one-gallon containers. Condition Number DRB F3.b is recommended as a condition of this action, to achieve compliance with this requirement, requiring that the one-gallon containers be increased in size to two-gallon containers, as required by Code.
- F9. **Finding:** The applicant proposes to install trees that are well-branched and typical of their type as described in current American Association of Nurserymen (AAN) Standards, and all are proposed to be balled and burlapped (B&B).

4.176(.06)(D) - Street Trees

- F10. **Finding:** The applicant is proposing a total of 373 street trees for the project, although the proposed species have not been specified.

- F11. **Finding:** The proposed landscape plan (Exhibit 321) illustrates the placement of the trees on internal streets in the planter strip.
- F12. **Finding:** The proposed half street improvement along the southerly extension of Canyon Creek Road includes one planter strip behind the sidewalk. Here, the applicant is proposing 2-inch caliper street trees. All others are proposed to be 1-¾-inch caliper trees.

Tree Preservation and Protection

- F13. **Finding:** The arborist report supplied by the applicant identifies 235 trees on-site over six inches in diameter at 4-½ feet from the ground. The report also proposes to remove 133 trees, and save 102. The majority of the trees to be saved are reported in 'Fair' or 'Good' condition. The majority of the trees to be removed are reported in 'Good' or 'Excellent' condition. The proposed landscape plan would install 373 street trees, 76 at two (2) inch caliper, and 297 at 1-¾ inch caliper.

4.176(.06)(G) - Exceeding Standards

- F14. **Finding:** Landscape materials that exceed minimum standards are encouraged, where height and vision clearance requirements are met.

4.176(.07) - Installation and Maintenance

- F15. **Finding:** Conditions Number DRB F3.a - DRB F3.f are recommended as conditions of this action, to address installation and maintenance of the required plant materials.

4.176(.09) - Landscape Plans

- F16. **Finding:** The applicant has submitted a landscape plan that addresses the above required Code criterion. The submitted landscape plans are drawn to scale, and show the type, size, number and placement of the proposed plant material.

4.176(.10) - Completion of Landscaping.

- F17. **Finding:** The applicant/owner will be required to post a bond or other security acceptable to the Community Development Director for the installation of the landscaping. If the proposed project proceeds in more than one phase, the applicant will be required to post a bond or other security for each phase of the project.

- F18. **Finding:** Condition Number DRB F5 is recommended as a condition of this action, to address completion of landscaping.

- F19. **Finding:** The site has existing trees, but these trees will be removed in order to construct street improvements. The applicant proposes street trees on all streets (Exhibit 321).

4.176(.12) (D) - Irrigation

- F20. **Finding:** The applicant's planting plan for the project perimeter and internal trees is comprised of ornamental plant species, and some native varieties. An irrigation system has been proposed, and is required in order to assure that the installed plants will survive. Detailed plans for the irrigation system are required to be submitted, reviewed and approved when in compliance with the Code, as part of the review of building permit construction plans. Condition Number DRB F3.e is recommended as a condition of this action, to achieve compliance with this requirement.

4.118(.02) - Utilities and Drainage

F21. **Finding:** The Engineering Division has indicated that storm water generated by the proposed site improvements must be treated before entering the City's storm system (Exhibit 31). The City Engineer has recommended Condition Number PF12 to address these drainage requirements, in order to achieve compliance with these requirements.

4.155 (.02) - Minimum and Maximum Off-Street Parking Requirements

Table 5 of Section 4.155 regulates the minimum and maximum number of parking spaces and bicycle parking

F22. **Finding:** The applicant's proposal provides an opportunity for each dwelling to meet the requirement for one (1) off-street parking space per dwelling unit.

4.155(.01)(B) - Site design and impervious surfaces shall address the environmental impacts of air and water pollution, as well as climate change from heat islands.

F23. **Finding:** The applicant's proposed drainage plan will satisfy this requirement.

4.155(.02)(K) - All areas used for parking and maneuvering of cars shall be surfaced with asphalt or concrete, or other surface that is found by the City Engineer to be suitable for the purpose. In all cases, suitable drainage, meeting standards set by the City Engineer, shall be provided.

F24. **Finding:** All proposed driveways will be required to be paved.

4.155(.02)(L) - Artificial lighting which may be provided shall be so limited or deflected as not to shine into adjoining structures or into the eyes of passers-by.

F25. **Finding:** Exterior lighting must be of a cohesive design throughout the project. Condition Number DRB F3.g is recommended to address this requirement.—

4.155(.03)(A)(2) - Separate vehicle and pedestrian traffic.

F26. **Finding:** The applicant's plan for on-site and off-site pedestrian pathways and sidewalks, meets this requirement.

4.155(.03)(B)(7) - On-street parking spaces.

F27. **Finding:** While on-street parking is provided on all interior streets, none are proposed in order to satisfy minimum parking requirements.

4.177(.01)(F) - Future widening

F28. **Finding:** As the applicant's proposal has taken future widening of the southerly extension of Canyon Creek Road into consideration in the design of the project.

4.420.02 - Powers of the Board

This section specifies that construction, site development and landscaping shall be carried out in substantial accord with the plans, drawings, sketches and other documents approved by the Board, unless altered by subsequent Board approval.

F29. **Finding:** Conditions Number DRB F3.a is recommended to address this requirement.

SUMMARY FINDING FOR REQUEST (F):

F30. **Finding:** The applicant's proposal, with the recommended conditions of approval, satisfies the applicable Wilsonville Code requirements and Site Design Review approval criteria for perimeter, internal and streetscape landscaping; as well as required parking.

STAFF RECOMMENDATION FOR REQUEST (F):

Based on findings of fact numbers 1 through 3, analysis and conclusionary findings F1 through F30, staff recommends that the Development Review Board approve the applicant's Site Design Review plans for the proposed residential planned development, with conditions necessary to fully comply with pedestrian and landscape requirements of the Code. Proposed conditions of approval are found on pages 33 through 39 of this report.

REQUEST (G): Type 'C' Tree Removal Plan

DESCRIPTION OF REQUEST:

The applicant requests review and approval of a Type 'C' Tree Removal Plan for the proposed residential planned development.

SUMMARY OF ISSUES/BACKGROUND:

The applicant's submittal documents include an arborist report prepared by Peter Torres, dated December 12, 2003 (Exhibit 19). This report describes the tree species, general condition, diameter at breast height (DBH), and provides an additional section on observations and general problems with the trees on site.

The arborist report identifies a total of 235 trees on site. Due to construction of improvements associated with this project, 133 of the existing trees are proposed to be removed. The Tree Preservation Plan (Exhibit 32c) identifies the location of all trees. The arborist report (Exhibit 19) and applicant's plans (Exhibits 32c - 32h) illustrate which of the trees are proposed to be retained and which are to be removed.

The applicant is proposing to remove most all of the trees on the interior of the project except where they are within proposed landscape areas.

CONCLUSIONARY FINDINGS FOR REQUEST (G):**Section 4.600-4.640.20 (as applicable): *Tree Preservation and Protection***

Section 4.600 outlines the purpose and declaration of the tree preservation and protection section of the development code. This section speaks to the importance of trees related to the physical, aesthetic, environmental and economic assets to the residents of the City.

Subsection 4.600.50 describes the process for applying for a tree removal permit.

G1. Finding: The applicant has complied with this section by applying for tree removal as part of site plan review.

Subsection 4.610.00 describes the application review procedures for tree removal and subsection 4.610.00(.03) states that the DRB is the reviewing authority and is responsible for approving or denying the request, however that decision may be subject to affirmation, reversal or modification by the City Council.

Subsection 4.610.10(.01)(H) states tree removal necessary for construction is limited to instances where the reviewing authority finds that *"the applicant has shown to the satisfaction of the reviewing authority that removal or transplanting is necessary for the construction of a building, structure or other site improvement, and that there is no feasible and reasonable location alternative or design option on site for a proposed building, structure or other site improvement."*

While Subsection 4.610.40(.01) states in part that “*the application of the standards of this section [tree preservation and protection] shall not result in a reduction of square footage or loss of density*”, subsection 4.610.10(.01)(B) states “*no development application shall be denied solely because trees grow on the site. Nevertheless, tree preservation and conservation as a design principle shall be equal in concern and importance to other design principles.*”

Subsection 4.610.40(.02) describes the submittal requirements for a tree maintenance and preservation plan that must be completed by an arborist.

- G2. Finding:** The applicant’s submittal documents adequately address the requirements of this subsection. The following table is a summary of tree removal data for the project:
- G3. Finding:** Subsection 4.620.00 is the mitigation section and requires trees to be replanted at a ratio of one tree approved to be removed to one tree replanted of a 2” caliper. The applicant’s proposed landscape plan satisfies the mitigation section of the code. There will be more trees replanted at ultimate development of the site than the number of trees removed.
- G4. Finding:** Subsection 4.620.10 requires tree protection in the form of a protective barrier for trees being preserved. For a project of this size with the amount of construction activity and contractors, the most appropriate protective barrier is the installation of a 6’ chain-link fence with metal posts pounded into the ground at 6’ – 8’ centers. This has been added as Condition Number DRB G2.

SUMMARY FINDING FOR REQUEST (G):

- G5. Finding:** The applicant has provided documents consistent with the submittal requirements of Subsection 4.610.40. The Staff recommends that the DRB require preservation of the trees as illustrated on the applicant’s Tree Protection Plan (Exhibits 32c - 32h) which the applicant proposes to preserve. Preservation of these mature existing trees will provide aesthetic as well as environmental benefits and will provide more immediate screening and buffering of the proposed dwellings than if removed.

STAFF RECOMMENDATION FOR REQUEST (G):

Staff recommends that the DRB approve the Type ‘C’ Tree Removal Plan (Exhibits 32c - 32h), with conditions necessary for its implementation. Proposed conditions of approval are found on pages 33 through 39 of this report.

REQUEST (H): Waivers to Development Code Requirements**DESCRIPTION OF REQUEST:**

The applicant requests review and approval of eight (8) requested waivers to the provisions applicable to the proposed residential planned development.

SUMMARY OF ISSUES/BACKGROUND:

The applicant's submittal documents itemizes, and include an analysis of, the requested waivers, as follows:

1. Waiver to reduce the minimum *side yard setback* for two-story structures from seven (7) feet to five (5) feet for all lots; and,
2. Waiver to eliminate the public *street frontage* requirement for Lots 1 – 3 (north), 9 – 12 (north), 17 – 20 (north), 28 – 35 (south), 14 – 16 (south) and 20 (south); and,
3. Waiver to eliminate the requirement for *sidewalks* on both sides of streets, for private streets in Tracts B (north), E (north) and C (south); and,
4. ~~Waiver to reduce the required *lot depth* of 100 feet to for through lots, for Lots 4 – 11 (south); and~~⁶, (Amended by the DRB on 8/23/2004)
5. Waiver to increase the required 330 foot *spacing* for pedestrian connections to 420 feet adjacent to Tracts B (south) and H (south); and,
6. ~~Waiver to reduce the 24 foot minimum pavement *width* for half streets for the proposed, unnamed half street improvement to 19.5 feet of pavement along the southerly property lines of Lots 6 – 9 and 16~~⁷; and, (Amended by the DRB on 8/23/2004)
7. ~~Waiver to reduce the front yard *setback* from 15 feet to zero (0) feet for Lots 7 and 8, to accommodate an existing structure, proposed to temporarily remain~~⁸; and, (Amended by the DRB on 8/23/2004)
8. ~~Waiver to reduce the side yard *setback* (north) from seven (7) to four (4) feet for Lot 21, to accommodate an existing accessory structure~~^{9 10}. (Amended by the DRB on 8/23/2004)

The applicant describes the need for the requested waivers in several narrative components (Exhibits 10, 11 and 37). While three waivers have been added to the five waivers originally requested, due to the project's redesign, some are no longer necessary, and the applicant has formally withdrawn one of the recent additions (Exhibit 40).

⁶ This waiver was orally withdrawn by the applicant at the hearing on 8/23/2004.

⁷ This waiver was orally withdrawn by the applicant at the hearing on 8/23/2004, and as represented in Exhibit 45.

⁸ This waiver was orally withdrawn by the applicant in writing (Exhibit 40).

⁹ The applicant actually requested a waiver from the 10 foot side yard setback, but which is not applicable to this interior lot.

¹⁰ This waiver was orally withdrawn by the applicant at the hearing on 8/23/2004.

Taken in the order listed above, staff offers the following brief analysis of the requested waivers:

1. Because most lots are proposed to be 50- to 60-foot wide, the applicant's proposed reduction of *side yard setbacks* to five (5) feet is reasonable in order to achieve the minimum density required for this project at build-out.
2. Due to the presence of nine existing dwellings and assorted structures on the site, design of lots has been delicately approached in an effort to enable them to remain, yet achieve the minimum density of 81 lots required by the proposed (and recommended) PDR-3 zone. As a result, lots fronting on proposed private drives, instead of streets, will need relief from the Code's *street frontage* requirements.
3. For the same reasons cited above, those three private drives will not accommodate *sidewalks* on both sides of the travel surface.
4. Although the applicant initially believed that a waiver was necessary for the lot depth of Lots 4 – 11, such is not the case, because while these lots may have a character similar to that of a "through-lot", these lots do not propose to have frontage on to streets, and are therefore exempt from the minimum 100 foot *lot depth* required for through lots. This waiver is therefore unnecessary. The applicant ~~may withdraw~~ **has withdrawn** the request without consequence. **(Amended by the DRB on 8/23/2004)**
5. The *spacing* of streets and pedestrian pathways is also a function of the location of existing dwellings and other structures. The applicant has placed private drives where necessary to enable a lot to be designed, and has limited these to a total of three. Two are located to serve the northerly preliminary plat, one similar enabling future development by the abutting property to the south. A third is located at the southwest corner of the site in the southerly preliminary plat. These private drives are provided as an alternative to inefficient wedge-shaped lots in this location. Rather than interrupt the rhythm of each block with a pedestrian connection at 330 feet, the applicant has proposed to connect the existing easterly properties along Canyon Creek Road South through two pedestrian paths linked to the loop composed of Streets A, D and E. The resulting spacing is approximately 480 feet, a reasonable compromise between efficient lot configurations and a sensible neighborhood design.
6. The applicant proposes to dedicate a 25-foot-wide half-street right-of-way (i.e., Street F, although its label is misplaced on Exhibits 35a and 35b), to be paved only to a width of 19.5 feet. The Code requires that such minimum pavement be 24 feet. The City Engineer is requiring 24 feet of pavement (Condition PF24; Exhibit 31).
7. The waiver for front yard setbacks for Lots 7 and 8 (north) has been withdrawn (Exhibit 40).
8. The City Engineer has encouraged consideration of this waiver, in order to accommodate a proposed pedestrian pathway and existing accessory structure (Condition PF27; Exhibit 31).

CONCLUSIONARY FINDINGS FOR REQUEST (H):**Section 4.118(.03) (as applicable):** *Selective waivers allowed*

Section 4.118 enables waivers as listed and *highlighted* below:

(.03) *Notwithstanding the provisions of Section 4.140 to the contrary, the Development Review Board, in order to implement the purposes and objectives of Section 4.140, and based on findings of fact supported by the record may:*

A. Waive the following typical development standards:

- 1. minimum lot area;*
- 2. lot width and frontage;*
- 3. height and yard requirements;*
- 4. lot coverage;*
- 5. lot depth;*
- 6. street widths;*
- 7. sidewalk requirements;*
- 8. height of buildings other than signs;*
- 9. parking space configuration;*
- 10. minimum number of parking or loading spaces;*
- 11. shade tree islands in parking lots, provided that alternative shading is provided;*
- 12. fence height;*
- 13. architectural design standards;*
- 14. transit facilities; and*
- 15. solar access standards, as provided in Section 4.137.*

B. The following shall not be waived by the Board, unless there is substantial evidence in the whole record to support a finding that the intent and purpose of the standards will be met in alternative ways:

- 1. open space requirements in residential areas;*
- 2. minimum density standards of residential zones;*
- 3. minimum landscape, buffering, and screening standards;*

H1. **Finding:** The applicant describes the need for waiver to reduce the minimum side yard setback from seven (7) feet to five (5) feet for all lots on page 34 of the narrative (Exhibit 10). The applicant has demonstrated that this waiver is deserved in order to achieve the project's required minimum density.

- H2. **Finding:** A waiver to eliminate the public street frontage requirement for Lots 1 – 3 (north), 9 – 12 (north), 17 – 20 (north), 28 – 35 (south), 14 – 16 (south) and 20 (south) is necessary to efficiently design lots at the corners of the project.
- H3. **Finding:** Waiver to eliminate the requirement for sidewalks on both sides of streets, for private streets in Tracts B (north), E (north) and C (south) is necessary to facilitate access to lots in the corners of the project.
- H4. **Finding:** Staff notes that because the lots for which the applicant has requested the waiver for “through lots” abuts a proposed open space tract, these lots are not through lots, as defined in Section 4.001. Therefore the lots are not required to comply with the 100-foot minimum lot depth. A waiver from the requirement is therefore not required, and its withdrawal ~~may be~~ **has been** requested by the applicant. **(Amended by the DRB on 8/23/2004)**
- H5. **Finding:** A waiver of the required 220 foot spacing for pedestrian connections, increasing the distance to 420 feet adjacent to Tracts B (south) and H (south) is necessary, as the applicant has integrated pedestrian connections at the south end of the site with the least amount of sideyard disturbance by exceeding the 330 foot maximum spacing.

SUMMARY FINDING FOR REQUEST (H):

- H6. **Finding:** The applicant has demonstrated that ~~six (6)~~ **four (4)** of the requested waivers merit approval. One (1) of the waivers is not required to have been submitted, due to existing Code provisions and the design of affected lots, **and has been withdrawn**. The applicant has withdrawn ~~one (1)~~ **three (3)** waivers. Upon the applicant’s withdrawal of Waivers No. 4, **6, 7 and 8**, and based upon the analysis and findings provided above, staff recommends that the DRB approve the remaining waivers as a part of this development application. **(Amended by the DRB on 8/23/2004)**

STAFF RECOMMENDATION FOR REQUEST (H):

Staff recommends that the Development Review Board approve requested Waivers 1 – 3, ~~5, 6~~ and **8**, with conditions necessary for its implementation. Proposed conditions of approval are found on pages 33 through 39 of this report. **(Amended by the DRB on 8/23/2004)**

03 DB 43 (2)
Urban Solutions for Renaissance Homes
Stage II Final Plan
Tentative Subdivision Plat
Type 'C' Tree Removal Plan
Five-(5) Four (4) Waivers

RECOMMENDED CONDITIONS OF APPROVAL FOR REQUEST:

REQUEST (D) – Stage II Final Plan

- DRB D1. This action approves the Stage II Final Plan for an 82-lot residential Planned Development (Exhibits 35a, 35b and 35c), and Exhibits 32a through 32l, as necessarily modified by Exhibits 35a, 35b and 35c, as entered into the record on August 23, 2004, for the proposed project. This approval is contingent upon City Council approval of the Comprehensive Plan Amendment, Stage I Preliminary Plan, and Zone Map Amendment [03 DB 43 (1)].
- DRB D2. The project shall constructed in ~~nine-(9)~~ **eight (8)** phases, although not in any specified order. In the event the project proceeds in more than ~~nine-(9)~~ **eight (8)** phases of construction, the applicant/owner shall supply the anticipated schedule of construction, and shall communicate any significant changes in the anticipated schedule in writing, for review and approval by the Planning Director. **(Amended by the DRB on 8/23/2004)**
- DRB D3. The project shall achieve the required minimum density at build-out (i.e., 82 lots) through subsequent redevelopment of Lots 4, 5, 6, ~~21, 22,~~ 24, 25, 26 and 27, as illustrated on Exhibits 35a, 35b and 35c, and Exhibit 44. This redevelopment shall be considered to be phases 2 through ~~9~~ **8**, but such redevelopment may be in any sequence or order. **(Amended by the DRB on 8/23/2004)**

REQUEST (E) – Tentative Subdivision Plat

- DRB E1. This action approves the Tentative Subdivision Plat for ~~72~~ **73** lots (Exhibits 35a, 35b, **35c** and ~~35e~~ **45**), as entered into the record on August 23, 2004, for the proposed project. This approvals is contingent upon City Council approval of the Comprehensive Plan Amendment, Stage I Preliminary Plan, and Zone Map Amendment [03 DB 43 (1)]. **(Amended by the DRB on 8/23/2004)**
- DRB E2. Prior to approval of the Final Subdivision Plat, the applicant/owner shall:
- a. Assure that the lots shall not be sold or conveyed until such time as the final plat is recorded with Clackamas County.
 - b. Submit final construction plans, to be reviewed and approved by the Planning Director, City Engineer, the Tualatin Valley Fire and Rescue District, Natural

Resources Manager, and the City Building Official, prior to the project's construction.

- c. Submit final drawings and construction plans for the water quality/detention facilities and their outfalls for review and approval of the City Engineer, the Natural Resources Manager and the Environmental Services Division. These plans shall show the SROZ boundary over the development proposal.
- d. Supply the City with a performance bond, or other security acceptable to the Community Development Director, for all capital improvements required by the project.
- e. Prepare the Final Plat in substantial accord with the Tentative Subdivision Plat dated July 27, 2004, as approved by the Development Review Board, and as amended by these conditions, except as may be subsequently altered by Board approval, or by minor revisions by the Planning Director.
- f. Illustrate the bridle trail easements, or other existing easements, on the Final Plat.
- g. Dedicate all right-of-way and easements necessary to construct all private and public improvements required for the project.
- h. Assure the use of a consistent street-naming convention for the arterial and interior streets. Private drives shall not be named, but shall rely upon their access frontage for addressing. See Finding E8, for further requirements.
- i. Submit a waiver of the right of remonstrance against any local improvement district that may be formed to provide public improvements to serve the subject site.
- j. Submit a Significant Resource Impact Report (SRIR), prepared for the proposed off-site development encroachments within the SROZ. The SRIR shall be reviewed by City staff, and if all of the Code criteria are satisfied, may approved by staff prior to approval of the final plat. This report will need to provide construction details for the following: the proposed off-site water quality and detention facilities and their outfalls. For development that encroaches into the SROZ and its Impact Area, the applicant shall either identify how the proposed development is exempt under Subsection 4.139.04 or demonstrate compliance with the SRIR Review Criteria of Subsection 4.139.05 (.03).
- k. Submit a transportation management plan to the City Engineer to minimize PM peak-hour impacts at the two Wilsonville interchanges.

DRB E3. Prior to the Start of Construction, the applicant/owner shall:

- a. Assure that the natural areas with the Significant Resource Overlay Zone (SROZ) shall not be disturbed, except for approved storm water detention and water

quality facilities and outfalls, subject to final approval of the construction drawings by the City Engineer and the Natural Resources Manager. During construction (i.e. streets, installing utilities, excavation), the developer shall install temporary six (6) foot high chain link fencing along the 50 foot SROZ buffer (west and east, off-site) so that it is not disturbed. In addition to Building Division Review, final grading plans for the water quality/detention facilities and outfalls shall be reviewed and approved by the City's Environmental Services Division and Natural Resources Manager, to ensure inclusion of a soil erosion control treatment plan that will minimize impact to the resources in the SROZ.

- b. Assure that construction and site development shall be carried out in substantial conformance with the Tentative Subdivision Plat dated July 27, 2004, as approved by the Development Review Board, and as amended by these conditions, except as may be subsequently altered by Board approval, or with minor revisions by the Planning Director.

DRB E4. The applicant/owner shall install all public streets and utilities.

DRB E5. Prior to Final Plat approval, the applicant/owner shall:

- a. The applicant shall an application for Final Plat review and approval on the Planning Department Site Development Application and Permit form. The applicant shall also provide materials for review by the City's Planning Division in accordance with Section 4.220 of City's Development Code. The applicant shall further note that Final Plat review requires public notice, the result of a recent LUBA decision..
- b. Provide the City with a recordable instrument guaranteeing the City the right to enter the site and plant, remove, or maintain approved street trees that are located on private property. Maintenance of off-site water quality treatment and detention facilities?
- c. Submit the final version of Conditions, Covenants, and Restrictions for a Homeowners' Association that shall be formed as specified in the draft CC&Rs (Exhibit 23) for the development. The Association shall have responsibility for maintenance of all shared private drives, recreation facilities, treatment facilities, open spaces, and fences within the development. The CC&Rs shall be reviewed and approved by the City Attorney, prior to recording the final plat.
- d. The Conditions, Covenants, and Restrictions shall incorporate provisions required by Condition D2, above, assuring that subsequent redevelopment of Lots 4, 5, 6, ~~21~~, 24, 25, 26 and ~~26~~ 27, shall achieve the design and density of the approved Stage II Final Plan (Exhibits 35a, 35b and 35c). These provisions shall require the City's written approval to amend that portion of CC&Rs. **(Amended by the DRB on 8/23/2004)**

DRB E6. The applicant/owner shall secure signatures of approval of the Final Plat from the Planning Director and Community Development Director. Following such authorization, the Final Plat may be recorded, according to the procedures employed by the City Engineer.

REQUEST (F) – Site Design Review Plans

- DRB F1. Except for the proposed recreation facility identified in Condition DRB F2, below, this action approves the Site Design Review Plans (Exhibits 32a through 32l), as necessarily modified by Exhibits 35a, 35b and 35c and Exhibits 39a, 39b, 39c, and 39d, as entered into the record on August 23, 2004, for the proposed project. This approval is contingent upon City Council approval of the Comprehensive Plan Amendment, Stage I Preliminary Plan, and Zone Map Amendment [03 DB 43 (1)].
- DRB F2. The applicant/owner shall submit an application for review and approval for Site Design Review for the proposed recreation structure (i.e., clubhouse/pool) to the Planning Division staff within six (months) of this approval.
- DRB F3. Prior to installation of required landscape materials, the applicant/owner shall:
- a. Assure that construction and site development shall be carried out in substantial accord with the Site Design Review plans identified in Condition DRB F1, above, as approved by the Development Review Board, and as amended by these conditions, except as may be subsequently altered by Board approval, or by minor revisions approved by the Planning Director.
 - b. Submit a final landscape plan which includes two (2) gallon containers instead of lesser sizes of shrubs or ground cover.
 - c. Submit final plant specifications for shrubs and trees in the project's planter strips to Planning Division staff for review and approval. Prior to and during construction, Planning Division staff shall consider revisions to these specifications as a Class I development application. The applicant shall note that such approval does not require public notice. Following construction, Planning Division staff shall consider revisions to these specifications as a Class II development application. The applicant shall note that such approval requires public notice.
 - d. Assure that all shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon cans when available. The landscaping plan shall be planted at such a density so as to provide a minimum of 95% coverage of landscape areas with vegetation, within a 3 year time period.
 - e. Install water-wise or drip-type irrigation to ensure the longevity of all landscaped common areas. Such irrigation plan shall be submitted with the Building Permit drawings and shall be reviewed and approved by the Planning

Division for consistency with this approval and landscape plan. Further, landscaping shall be professionally maintained by weeding, pruning and replacing dead plant material as necessary.

- f. Improve open space and recreation areas prior to occupancy of any dwelling or structure within the subdivision, in accordance with approved plans submitted for the August 23, 2004, public hearing.
- g. Assure that street light standards shall be positioned to illuminate the entrances to intersecting pedestrian paths. Exterior lights shall be positioned in such a way to prevent glare on adjacent streets. Repositioning of light standards and/or installation of hoods or baffles may subsequently be required by Planning Division staff to achieve this requirement.
- h. Coordinate with the U.S. Postal Service regarding the locations of mailbox stations. The U.S. Postmaster has specific standards for locating mail stations so as to provide convenient mail delivery and pickup and not obstruct handicapped accessibility. Furthermore, the mail stations shall be located so as to not diminish required sidewalk or pathway widths, nor obstruct pedestrian movement, nor interfere with fire hydrants or public and private utilities.

DRB F4. Planning Division staff shall have authority to approve all retaining walls reviewed by the City's Building Division relative to materials and encroachment to the SROZ and its associated Impact Area.

DRB F5. The applicant shall submit a request to the Planning Division staff for review and approval of the final landscaping installation, prior to occupancy of any dwellings or model homes.

REQUEST (G) – Type 'C' Tree Removal Plan

DRB G1. This action approves the Type 'C' Tree Removal Plans (Exhibits 32c - 32h) as modified by Exhibits 35a, 35b and 35c, as entered into the record on August 23, 2004, for the proposed project. This approval is contingent upon City Council approval of the Comprehensive Plan Amendment, Stage I Preliminary Plan, and Zone Map Amendment [03 DB 43 (1)].

DRB G2. The applicant shall submit an application for a Type 'C' Tree Removal Permit on the Planning Department Site Development Application and Permit form, and secure its approval prior to tree removal or site grading. As a part of that application, the applicant shall submit a Final Type "C" Tree Removal, Mitigation and Tree Protection Plan. The applicant shall also provide a final arborist report and a final grading impact analysis regarding the effects of proposed grade changes on trees being retained. Prior to issuance of the Type 'C' Tree Removal Permit, the applicant shall install 6 foot high chain link fencing, with metal posts securely installed into the ground, at eight (8) foot intervals along the drip line of the trees

shown for preservation, facing the construction areas. The fencing shall remain in place during the entire construction period.

- DRB G3. The applicant shall work with staff and the applicant's consulting arborist in the development of the final plat, construction and grading plans, in order to preserve trees to the greatest extent. For each 6" diameter tree being removed, the applicant shall mitigate by replanting a 2" caliper tree deciduous tree or replanting an 8' tall conifer tree. Prior to, and during construction, Planning Division staff shall consider removal of diseased, hazardous trees, or trees in wrong locations relative to site development as a Type 'B' Tree Removal Application. The applicant shall note that such approval requires public notice as a Class II development.
- DRB G4. Upon receipt of an approved Type "C" Tree Removal Permit, the applicant/owner shall assure the removal of only those trees approved for removal by implementing any additional conditions of permit approval.

REQUEST (H) -- Eight (8) Requested Waivers

- ~~DRB H1. This action denies one (1) waiver, for the proposed reduction of the half-street pavement width for Street F. (Amended by the DRB on 8/23/2004)~~
- DRB H2. This action approves ~~five (5)~~ **four (4)** waivers, as entered into the record on August 23, 2004, for the proposed project, and described by Condition DRB H3, below. This approval is contingent upon City Council approval of the Comprehensive Plan Amendment, Stage I Preliminary Plan, and Zone Map Amendment [03 DB 43 (1)]. **(Amended by the DRB on 8/23/2004)**
- DRB H3. The Development Review Board grants the following waivers from lot development standards otherwise required by the Code:
- a. Side yard setback for all lots shall be five (5) feet.
 - b. No minimum street frontage shall be required for Lots 1 – 3 (north), 9 – 12 (north), 17 – 20 (north), 28 – 35 (south), 14 – 16 (south) and 20 (south).
 - c. Five (5) foot wide concrete sidewalks shall be required on only one side of Private Drives B (north), E (north) and C (south).
 - d. Spacing of pedestrian connections shall be 420 feet for Tracts B (south), and H (south).
 - e. ~~Sideyard setback (north) for Lot 21 (south) shall be four (4) feet, to accommodate an existing accessory structure. (Amended by the DRB on 8/23/2004)~~

Miscellaneous Conditions

- DRB M1. The recommended conditions of the Tualatin Valley Fire and Rescue District, City Engineer, Building Official, the Natural Resources Manager and the Environmental Services Division are hereby incorporated as conditions of approval (Exhibits 28b, 31, ~~30~~ 29 and ~~29~~ 30, respectively; no response was received from Environmental Services). **(Amended by the DRB on 8/23/2004)**

- DRB M2. The Stage II Final Plan, Tentative Subdivision Plat, Site Design Review plans, and Type 'C' Tree Removal Plan will expire two years after final approval if substantial development has not occurred on the property within that time, unless extended by the DRB for just cause.

- DRB M3. All construction workers' vehicles and job shacks associated with this project shall be parked and located on site.

- DRB M4. The applicant/owner shall be required to provide the proportionate share of all system development charges that apply to this project. Such amount and proportion of these charges shall be determined by the Community Development Director.

- DRB M5. The City Engineer shall have the authority to grant final approval of the driveway alignments for all lots.

- DRB M6. **The applicant/owner shall work with staff to create a pedestrian/bicycle link between Preliminary Plats 1 and 2. (Amended by the DRB on 8/23/2004)**

Applicable Review Criteria:

Zoning Review Criteria:	
Sections 4.008-4.035	Application Procedure
Section 4.100	Zoning Purpose
Section 4.113 (as applicable)	Standards Applying to Residential Developments in Any Zone
Section 4.118 (as applicable)	Standards Applying to All Planned Development Zones
Section 4.118(03)	Waivers
Subsection 4.118.02	Utilities
Section 4.124.3 (as applicable)	Planned Development Residential (PDR-3) Zone
Section 4.140	Planned Development Regulations
Section 4.140(.07)	Stage I Preliminary Plan
Section 4.140(.07)(A)(1)	Owner's Authorization of Affected Property for Development
Subsection 4.140(.09)	Stage II Final Plan
Subsection 4.140(.09)(J)(1),(2), and (3) [and as otherwise applicable]	Design, Traffic, and Services Accommodated
Section 4.155	General Regulations - Parking, Loading and Bicycle Parking
Section 4.167	General Regulations - Access, Ingress and Egress
Section 4.171	General Regulations - Protection of Natural Features and Other Resources
Section 4.176 (as applicable)	Landscaping, Screening and Buffering
Section 4.177 (as applicable)	Street Improvement Standards
Section 4.178	Sidewalk and Pathway Standards
Sections 4.300-4.320	Underground Utilities
Sections 4.400 through 4.450	Site Design Review
Section 4.600 (as applicable)	Tree Preservation and Protection
Other Planning Documents:	
Metro's Urban Growth Management Functional Plan	
Storm Water Master Plan	
Transportation Systems Plan	

EXHIBITS

The following exhibits are hereby entered into the public record by the Development Review Board in consideration of the application as submitted:

Exhibit No.	Description
A	Staff Report (this document)
1.	Vicinity Map (Public Notice Map)
2.	Tax Map (T3S, R1W, Section 23A; portion)
3.	Application form; dated 12/16/2004
4.	Authorization letter (12 signatories); dated 12/12/2003
5.	Authorization letter, C. Zimmerman; dated 3/26/2004
6.	Authorization letter, Mentor Graphics; dated 4/5/2004
7.	Calculation summary; date 1/23/2004
8.	Legal Description, Parcel 1; dated 12/9/2003
9.	Legal Description, Parcel 2; dated 12/9/2003
10.	Applicant's narrative; dated 2/12/2004
11.	Applicant's narrative addendum; dated 2/11/2004
12.	Transportation Impact Study; dated 4/16/2003
13.	Memo from DKS Associates; dated 3/26/2004
14.	Comprehensive Plan Map
15.	Zone Map
16.	Drawings (as previously reviewed regarded CPA/ZC/Stage I):
a.	Title Sheet [Applicant's Sheet 1]; dated 2/17/2004
b.	Zone Change/Stage I Master Plan [Applicant's Sheet 2]; dated 2/17/2004
c.	Site Overview: Pre[liminary]-Plat 1 + 2 – Stage II Master Plan [Applicant's Sheet 3]; dated 2/17/2004
17.	Authorization letter (one signature); dated 6/23/2004
18.	Authorization by City Engineer
19.	Tree maintenance and protection plan, by Peter Torres; dated 12/15/2003
20.	Wetland delineation, by Fishman Environmental Services, Inc.; dated 12/2003
21.	Drainage Report, by SFA Design Group, LLC; dated 12/16/2003
22.	Title report, by LandAmerica Lawyers Title; dated 1/22/2003
23.	Declaration of Conditions, Covenants and Restrictions (Draft); not dated
24.	Letter from United Disposal Service, Inc.; dated 3/3/2004
25.	Letter from United Disposal Service, Inc.; dated 6/29/2004
26.	E-mail to J. Everitt, Tualatin Valley Fire & Rescue (TVF&R); dated 6/16/2004
27.	E-mail from J. Everitt, Tualatin Valley Fire & Rescue (TVF&R); dated 7/17/2004
28.	E-mail from J. Everitt, Tualatin Valley Fire & Rescue (TVF&R), with

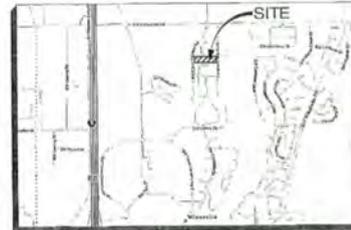
Exhibit No.	Description
	attachment; dated 6/18/2004
a.	Untitled attachment from J. Everitt, Tualatin Valley Fire & Rescue (TVF&R); not dated
b.	Access Plan Review [Memo from J. Everitt, Tualatin Valley Fire & Rescue (TVF&R) to Urban Solutions]; dated 6/18/2004
29.	Memo from D. Walters, Building Division; dated 2/26/2004
30.	Memo from K. Rappold, Natural Resources Manager; dated 3/8/2004
31.	Memo from L. Byer, Assistant City Engineer; dated 6/21/2004
32.	Drawings (as originally submitted):
a.	Pre[liminary]-Plat 1 – Stage II Master Plan [North; Applicant's Sheet 4]; dated 2/17/2004
b.	Pre[liminary]-Plat 2 – Stage II Master Plan [South; Applicant's Sheet 5]; dated 2/17/2004
c.	Tree Preservation/Resource Plan [Applicant's Sheet 6]; dated 2/17/2004
d.	Site Overview: Grading, Erosion Control and Storm Drain Plan [Applicant's Sheet 7]; dated 2/17/2004
e.	Grading, Erosion Control and Storm Drain Plan [North; Applicant's Sheet 8]; dated 2/17/2004
f.	Grading, Erosion Control and Storm Drain Plan [South; Applicant's Sheet 9]; dated 2/17/2004
g.	Grading, Erosion Control and Storm Drain Plan [West; Applicant's Sheet 10]; dated 2/17/2004
h.	Grading, Erosion Control and Storm Drain Plan [East; Applicant's Sheet 11]; dated 2/17/2004
i.	Site Overview: Street and Utility Plan [Applicant's Sheet 12]; dated 2/17/2004
j.	Street and Utility Plan [North; Applicant's Sheet 13]; dated 2/17/2004
k.	Street and Utility Plan [South; Applicant's Sheet 14]; dated 2/17/2004
l.	Site Plan (rendered; Landscape Plan; dated 2/17/2004
m.	Water Quality Planting/Water Quality Plan [Applicant's Sheet L1]; dated 2/17/2004
n.	Water Quality Planting/Water Quality Plan [Applicant's Sheet L2]; dated 2/17/2004
o.	Water Quality Planting/Water Quality Plan [Applicant's Sheet L3]; dated 2/17/2004
33.	Applicant's Narrative Addendum; dated 7/27/2004
34.	Letter from R. Sebastian, Renaissance Development Corporation; dated 7/12/2004
35.	Revised Drawings (replacing original versions, above)
a.	Revised Site Overview: Pre[liminary]-Plat 1 + 2 – Stage II Master Plan [Applicant's Sheet 3; Revision 2]; dated 7/27/2004
b.	Revised Pre[liminary]-Plat 1 – Stage II Master Plan [North; Applicant's

Exhibit No.	Description
	Sheet 4; Revision 2]; dated 7/27/2004
c.	Revised Pre[liminary]-Plat 2 – Stage II Master Plan [South; Applicant's Sheet 5; Revision 2]; dated 7/27/2004
36.	E-mail from M. Sprague, with attachment; dated 8/4/2004
a.	Replacement table, Section II, Page 4, Applicant's Narrative, based upon Revised Plat; not dated
37.	Applicant's Narrative Addendum; dated 8/4/2004
38.	Plant schedule, by Huntington & Kiest; dated 8/5/2004
39.	Drawings, by Huntington & Kiest; dated 8/5/2004
a.	Plan View (typ), enlarged portion; by Huntington & Kiest; dated 8/5/2004
b.	Plan View (typ); by Huntington & Kiest; dated 8/5/2004
c.	Bermed Elevation; by Huntington & Kiest; dated 8/5/2004
d.	Built-up Elevation; by Huntington & Kiest; dated 8/5/2004
40.	Applicant's Narrative Addendum; dated 8/10/2004
41.	Letter from M. and K. Lewallen; dated 8/13/2004
42.	Drawings (previous subdivisions):
a.	Bridle Trail Acres; dated 7/1964 (Note: Exhibit is too large to reproduce)
b.	Bridle Trail Ranchetts; dated 7/1965 (Note: Exhibit is too large to reproduce)
43.	Drawings (previous partitions)
a.	Partition Plat No. 1997-45 (Note: Exhibit is too large to reproduce)
b.	Partition Plats No. 1997-45 and 1999-77 (Tax Map, portion); not dated (Note: Exhibit is too large to reproduce)
c.	Partition Plats No. 1991-84 and 1993-176 (Tax Map, portion); not dated (Note: Exhibit is too large to reproduce)
44.	Drawing: Lot areas at build-out; not dated
45.	Drawing: Revised lot configuration, Lots 6 – 16, and 21 (all north); dated 8/23/2004

Note: Exhibits 1-45 are available in Case File 03DB43 in the Planning Office.

CANYON CREEK II

AN 8 LOT SUBDIVISION PROJECT ON TAX LOT 5000 MAP 3 1W 13BA



VICINITY MAP
N.T.S.

SHEET INDEX

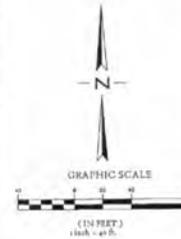
1. PRELIMINARY PLAT
 2. COMP PLAN/ZONE MAP
 3. EXISTING CONDITIONS
 4. PRELIMINARY GRADING AND DEMOLITION PLAN
 5. PRELIMINARY STREET AND UTILITY PLAN
 6. AERIAL
- L1. LANDSCAPE PLAN

SITE INFORMATION

TOTAL AREA: 1.79 ACRES
 LOCATION: T3 R1W SEC 13BA
 TAX LOT: 5000

VERTICAL DATUM

DATUM: ASSUMED
 ELEVATION: 500.00 FT.



APPLICANT

RENAISSANCE DEVELOPMENT
 19771 SW BOONES FERRY ROAD
 LAKE OSWEGO, OR 97035
 PHONE (503) 496-0516 / FAX (503) 635-8400
 CONTACT: AMY SCHNELL

OWNER

JAMES DILLON & DEBRA GRUBER
 3175 NE FREEMONT
 PORTLAND, OR 97220
 PHONE (503) 981-2274

APPLICANT'S REPRESENTATIVE

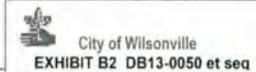
SFA DESIGN GROUP, LLC
 9020 WASHINGTON SQ DR, SUITE 350
 PORTLAND, OR 97223
 PHONE (503) 641-6311 / FAX (503) 643-7905
 CONTACT: BEN ALTMAN OR MATT SPRAGUE

PLANNING/ENGINEER/SURVEY

SFA DESIGN GROUP, LLC
 9020 WASHINGTON SQ DR, SUITE 350
 PORTLAND, OR 97223
 PHONE (503) 641-6311 / FAX (503) 643-7905
 CONTACT: BRENT E. FITCH P.E.

ZONE CHANGE: RAHR TO PDR-3

	CODE	PROPOSED
FRONT YARD	15', 20' TO GARAGE	15', 20' TO GARAGE
SIDE YARD	7' FOR 2 STORY	WAIVER - 5' INCLUDING 2+ STORIES
STREET SIDE YARD	10'	10'
REAR YARD	20' FOR 2 STORY	20'



PRELIMINARY PLAT
 CANYON CREEK II
 38325 SW OLD CANYON CREEK ROAD
 CLACKAMAS COUNTY, OREGON

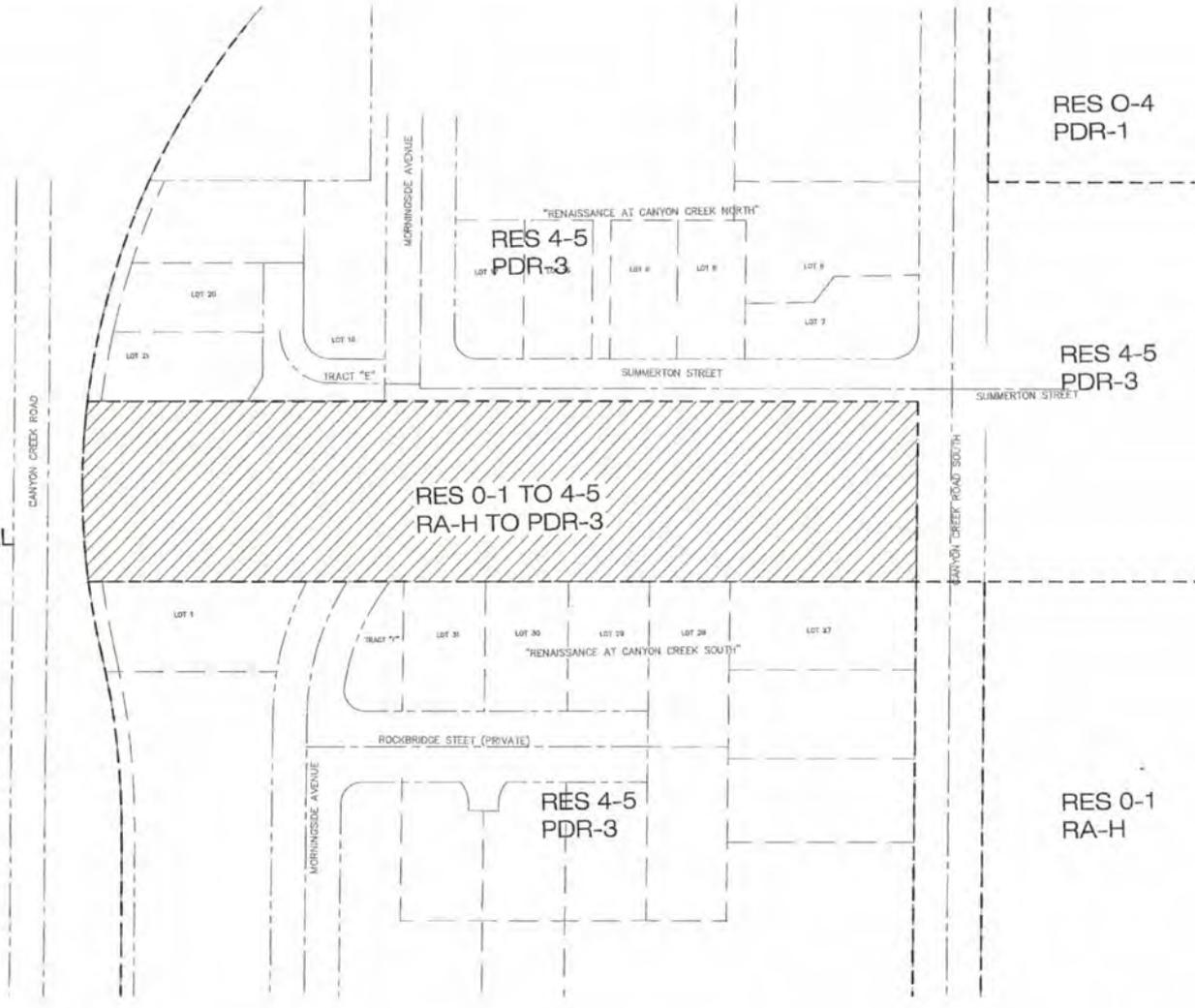
NO.	DATE	REVISION	BY

DESIGNED BY: A.M.E.	DATE: 10/20/05
DRAWN BY: D.M.L.	DATE: 10/20/05
CHECKED BY: M.S.E.	DATE: 10/20/05
PROJECT NO.: 108-018	SCALE: 1"=40'
SHEET 1 OF 6	

PROJECT: CANYON CREEK II
NO: 108-018
DATE: 10-20-05
TYPE: PLANNING

302

INDUSTRIAL
RAHI



LEGEND

PROPOSED ZONE CHANGING RAH1 TO PDR-3

GRAPHIC SCALE
(1 IN FEET)
1 inch = 100 ft.

North Arrow
N

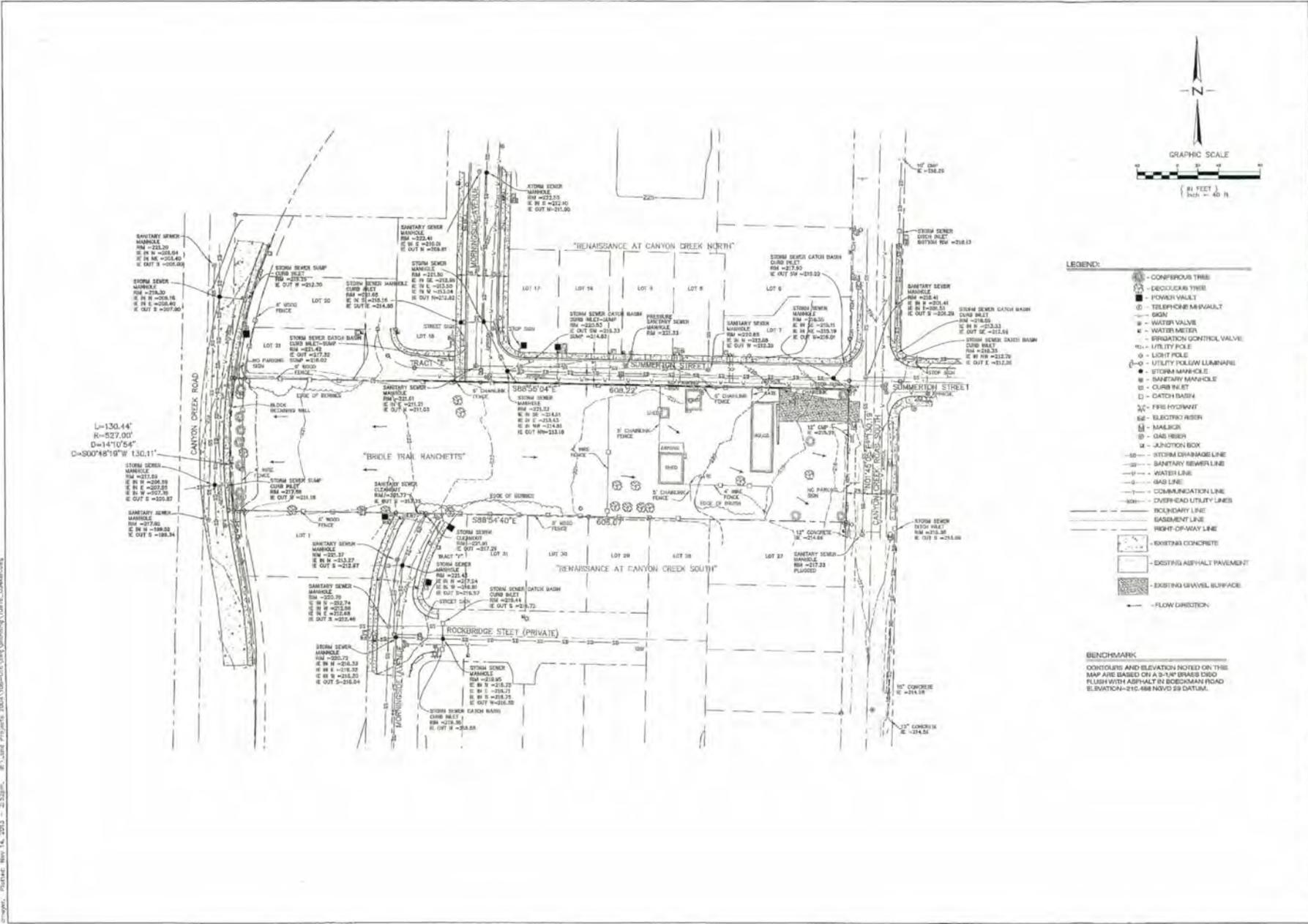
SFA Design Group, LLC
1825 SW Washington Street, Suite 100
Portland, Oregon 97227
P: (503) 464-9311
http://www.sfa.com

COMP PLAN/ZONE MAP
CANYON CREEK II
98325 SW OLD CANYON CREEK ROAD
CLACKAMAS COUNTY, OREGON

NO.	DATE	REVISION	BY

DESIGNED BY: DATE:
DRAWN BY: DATE:
REVIEWED BY: DATE:
PROJECT NO.: REF:
SCALE: TWT:
DATE:

SHEET **2** OF **6**
PROJECT **CANYON CREEK II**
NO. **106-010**
TYPE **PLANNING**



- LEGEND:**
- CONIFEROUS TREE
 - DECIDUOUS TREE
 - POWER VALVE
 - TELEPHONE MANHOLE
 - SIGN
 - WATER VALVE
 - WATER METER
 - SPRINKLER CONTROL VALVE
 - UTILITY POLE
 - LIGHT POLE
 - UTILITY YELLOW LUMINAIRE
 - STORM MANHOLE
 - SANITARY MANHOLE
 - CURB INLET
 - CATCH BASIN
 - FIRE HYDRANT
 - GAS RISER
 - MAILBOX
 - SANITATION BOX
 - STORM DRAINAGE LINE
 - SANITARY SEWER LINE
 - WATER LINE
 - GAS LINE
 - COMMUNICATION LINE
 - OVERHEAD UTILITY LINES
 - BOUNDARY LINE
 - BASEMENT LINE
 - FRONT-OF-YARD LINE
 - EXISTING CONCRETE
 - EXISTING ASPHALT PAVEMENT
 - EXISTING GRAVEL SURFACE
 - FLOW DIRECTION

BENCHMARK
 CONCRETE AND ELEVATION NOTED ON THIS MAP ARE BASED ON A 3-1/2" BRASS BENCH FLUSH WITH ASPHALT IN BOEDMAN POND ELEVATION = 215.488 NAVD 83 DATUM.



EXISTING CONDITIONS
CANYON CREEK II
 38325 SW OLD CANYON CREEK ROAD
 CLACKAMAS COUNTY, OREGON

NO.	DATE	REVISION

DESIGNED BY: A.L.S. DATE: 08/08/13	BY:
DRAWN BY: D.M. DATE: 08/08/13	REVISION:
CHECKED BY: A.L.S. DATE: 08/08/13	NO.:
PROJECT NO. 1304-06-06	DATE:
SCALE: 1"=40'	BY:
PROJECT: CANYON CREEK II	NO.:
SHEET: 108-08	DATE:
TYPE: PLANS	BY:

INDUSTRIAL



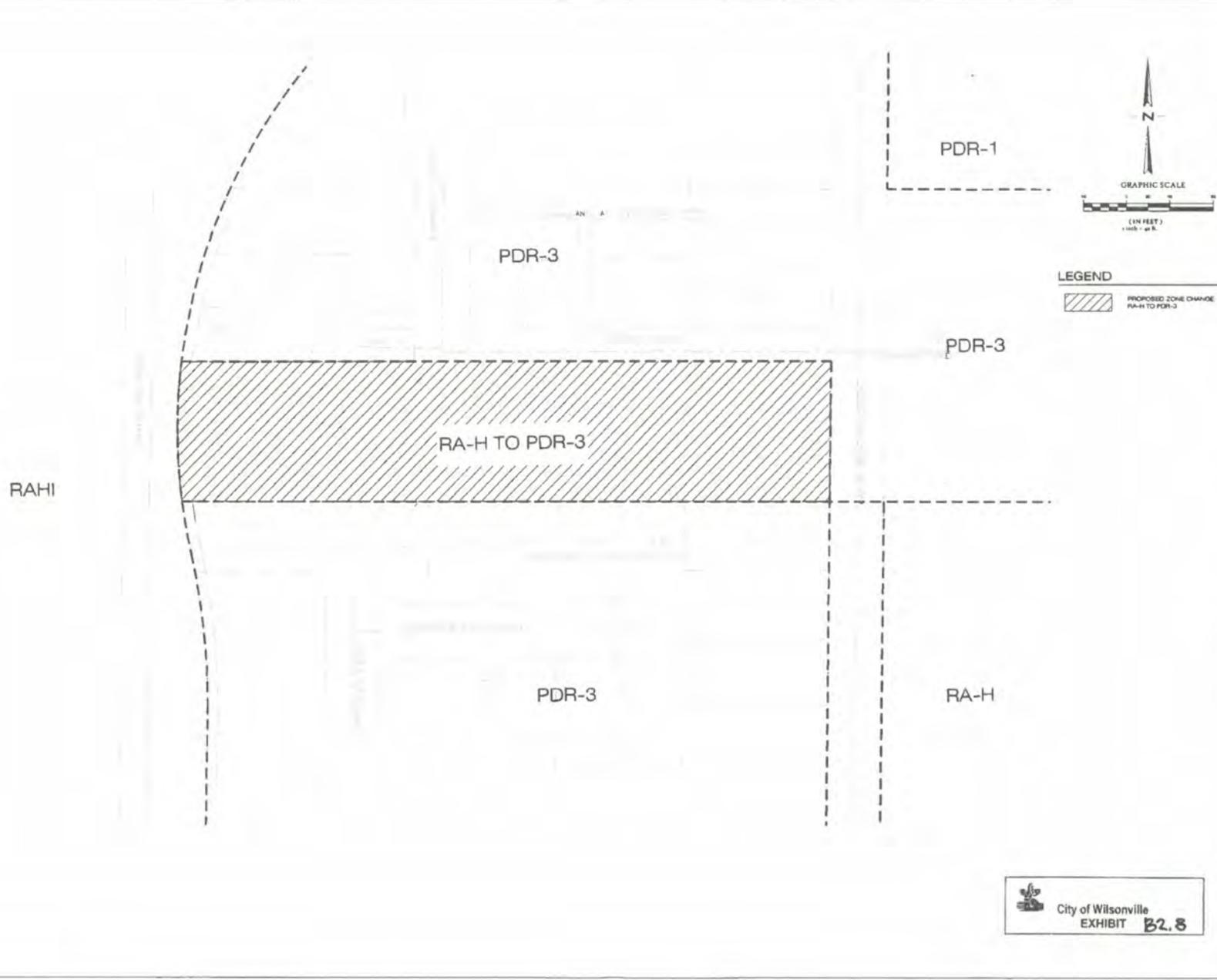
City of Wilsonville
EXHIBIT 82.7



COMP PLAN MAP
CANYON CREEK II
38325 SW OLD CANYON CREEK ROAD
CLACKAMAS COUNTY, OREGON

NO.	DATE	REVISION	BY

SHEET 2A OF 6
PROJECT CANYON CREEK II
NO. 08-08
TYPE PLANNING



City of Wilsonville
EXHIBIT **B2.8**

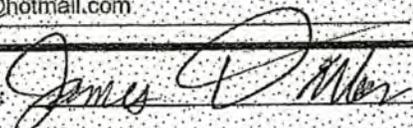


ZONE MAP
CANYON CREEK II
38925 SW OLD CANYON CREEK ROAD
CLACKAMAS COUNTY, OREGON

NO.	DATE	REVISION	BY

SHEET 2 of 6
PROJECT: CANYON CREEK II
NO: 08-08
TYPE: PLANNING

This electronic fill-in form cannot be submitted electronically. Please sign a printed copy and submit to the Wilsonville Planning Division. Please call 503-682-4960 if you have any questions.

CITY OF WILSONVILLE 29799 SW Town Center Loop East Wilsonville, OR 97070 Phone: 503.682.4960 Fax: 503.682.7025 Web: www.ci.wilsonville.or.us		Planning Division Development Permit Application	
Pre-Application meeting date: _____		<i>Final action on development application or zone change is required within 120 days in accordance with provisions of ORS 227.173</i>	
TO BE COMPLETED BY APPLICANT: Please PRINT legibly		<i>A pre-application conference is normally required prior to submittal of an application. Please visit the City's website for submittal requirements</i>	
Legal Property Owner's Name: James Dillon & Debra Gruber		Authorized Representative: Ben Altman, SFA Design Group	
Address: 3175 NE Fremont Dr. Portland, OR 97220		Address: 9020 SW Washington Sq. Rd., Suite 505 Portland, OR 97223	
Phone: 509-981-2274		Phone: 503-641-8311	
Fax:		Fax:	
E-mail: dagruber9@hotmail.com		E-mail: baltman@sfdg.com	
Property Owner or Authorized Signature: 		Printed Name: James Dillon	
Title: Owner		Date: 9-14-2013	
Site Location and Description:			
Project Address if Available: 28325 SW Canyon Creek Road		Suite/Unit:	
Project Location:			
Tax Map #(s): T3S R1W 13BA		Tax Lot #(s): 5000	
County: Clackamas			
Request: Plan Map amendment RA-H to PDR-4; PDR Preliminary Plat (Stage I & II), with Waivers; Tree Removal Plan; and Site Design Review			
Project Type:			
<input checked="" type="checkbox"/> Class I Residential		<input type="checkbox"/> Class II Commercial	
<input type="checkbox"/> Class III Industrial		<input type="checkbox"/> Other (describe below)	
Application Type:			
<input type="checkbox"/> Annexation		<input type="checkbox"/> Appeal	
<input type="checkbox"/> Final Plat		<input type="checkbox"/> Major Partition	
<input checked="" type="checkbox"/> Plan Amendment		<input checked="" type="checkbox"/> Planned Development	
<input type="checkbox"/> Request for Special Meeting		<input type="checkbox"/> Request for Time Extension	
<input type="checkbox"/> SROZ/SRIR Review		<input type="checkbox"/> Staff Interpretation	
<input checked="" type="checkbox"/> Type C Tree Removal Plan		<input type="checkbox"/> Tree Removal Permit (B or C)	
<input type="checkbox"/> Villebois SAP		<input type="checkbox"/> Villebois PDP	
<input checked="" type="checkbox"/> Zone Map Amendment		<input type="checkbox"/> Other	
<input type="checkbox"/> Comp Plan Map Amendment		<input type="checkbox"/> Conditional Use	
<input type="checkbox"/> Minor Partition		<input type="checkbox"/> Parks Plan Review	
<input checked="" type="checkbox"/> Preliminary Plat		<input type="checkbox"/> Request to Modify Condition	
<input type="checkbox"/> Signs		<input checked="" type="checkbox"/> Site Design Review	
<input checked="" type="checkbox"/> Stage I Master Plan		<input checked="" type="checkbox"/> Stage II Final Plan	
<input type="checkbox"/> Temporary Use		<input type="checkbox"/> Variance	
<input type="checkbox"/> Villebois FDP		<input checked="" type="checkbox"/> Waiver	
FOR STAFF USE ONLY:			
Application Rec'd: _____		Fee: _____	
Check #: _____		Application Complete: _____	
By: _____			
File No (s) _____			

**Land Use Application
City of Wilsonville, Oregon**

Renaissance Development

**Comprehensive Plan Map Amendment, Zone Map
Amendment; Modified Stage I Master Plan; PDR-3,
Stage II with Preliminary Plat, with Setback Waiver;
Type C Tree Removal and Preservation Plan; and Site
Design Review**

**Canyon Creek II
8-Lot
Planned Residential Development**

**November 15, 2013
Revised for Completeness 12-17-13**

APPLICANT:

**Renaissance Development
16771 SW Boones Ferry Road
Lake Oswego, OR 97035
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Contact: Amy Schnell**

APPLICANT'S REPRESENTATIVE:

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Contact: Ben Altman**

FACT SHEET

Project Name: Canyon Creek II

Proposed Actions: 8-Lot Single Family, Planned Residential Development, with Comprehensive Plan and Zone Map Amendments

Tax Maps: T3 R1W 13BA Tax Lots: 5000

Site Size: 78,000 Square Feet, 1.79 Acres

Address: 28325 SW Old Canyon Creek Road

Location: Remnant Parcel, Bridle Trail Ranchetts, Shadow Platted, but excluded from Renaissance at Canyon Creek

Comprehensive Plan: Residential 0-1 du/ac, with RA-H Zoning

Zoning: The requested amendments will be from Residential 0-1 du/ac, with RA-H zoning to Residential 4-5 du/ac, with PDR-3 zoning.

PROPERTY OWNER:

James Dillon & Debra Gruber
3175 NE Fremont
Portland, OR 97220
Phone: (509)981-2274

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I. INTRODUCTION

General Information

This is a Pre-Application Conference Summary for a proposed Land Use and Development application, submitted on behalf of Renaissance Development. The application consists of a single Tax Lot 5000; Map T3S R1W 13BA. The land area of this tax lot is approximately 1.79 acres or 78,000 square feet, per survey.

Location

The subject site is situated west of Old Canyon Creek Road, east of Ash Meadows, south of Boeckman Road and the Mentor Graphics Campus, and north of the Sundial Apartments. It is surrounded by the Renaissance at Canyon Creek development.

Application

Consistent with the Renaissance development, the applicant is requesting the following land use actions:

1. A Comprehensive Plan Map Amendment, from Residential 0-1 du/ac to Residential 4-5 du/ac;
2. A Zone Map Amendment from RA-H to PDR-3
3. A Stage II Development Permit consisting of a Preliminary Plat for 8 Lot Subdivision, including Setback Waiver; and
4. Design Review of site improvements and common open space areas and landscaping.

Comprehensive Plan and Zone Map amendments from Residential 01 du/ac, with RA-H zoning to Residential 4-5 du/ac, with PDR-3 zoning. The applicant proposes to apply the same lot standards and setbacks as applied to the Renaissance development.

Existing Use - Vegetation

This suburban sized property has been developed with a single family home and a couple of out buildings. The front yard area is landscaped typical to residential uses, while the large rear yard has remained in more of an open pasture with a few random trees. However, along the western boundary, formal right-of-way landscaping and street trees has been provided by the Renaissance development.

Surrounding Uses

To the west is Canyon Creek Road South and Vacant industrial land, owned by Mentor Graphics. To the north and south is the Renaissance at Canyon Creek development. To the east of the property is Old Canyon Creek Road and the Cross Creek subdivision.

Topography

The topography of the site is relatively flat, ranging from 218 feet at Old Canyon Creek Road to 222 feet in the central portion of the site, and 220 at the western boundary, which is Canyon Creek Road South. There is no designated SROZ or 100 year flood plain associated with this property.

Comprehensive Plan and Zoning

This property is the last remaining parcel of the Bridle Trail Ranchettes, which were platted prior to incorporation of the City in 1969. It was Shadow Platted, for purposes of street configurations, as part of the Renaissance at Canyon Creek Master Plan, but was specifically excluded from the Subdivision Plat and Final Development Approval (Case File # 03DB43).

The subject properties are currently designated Residential, at 0-1 dwelling units per acre. This designation is consistent with the current large rural lotting pattern of the Ranchettes. This designation, however, is intended as an interim land use pending future urbanization.

The development to the south (Renaissance at Canyon Creek) is designated 4-5 units/acre and zoned PDR-3. The properties to the west (Mentor Graphics vacant land) designated as Industrial zoned RA-H. Renaissance at Canyon Creek, which surrounds this property was re-designated and re-zoned to Residential 4-5 du/ac, with PDR-3 zoning. The Cross Creek Development to the east of Old Canyon Creek Road is planned Residential 4-5 and Zoned PRD-3.

The applicant is proposing PDR-3 zoning in order to accommodate the City's new Open Space standards, while providing lots consistent with the original Renaissance at Canyon Creek development.

Applicable Open Space Standard

It is recognized that the City Development Code *Section 4.113. Standards Applying To Residential Developments In Any Zone (.02) Open Space Area*, was amended with regard to open space requirements for residential developments after approval of the Renaissance at Canyon Creek. The new Code requires 25% of the site be in Open Space, with a minimum of ¼ acre useable recreation space for developments with 50 lots or less.

The preliminary plan provides open space consistent with the new standard, with two open space tracts comprising 19,917 square feet. This amount of open space complies with the current standard, and provides the minimum ¼ acre of usable recreational area required for less than 50 lots.

II. COMPREHENSIVE PLAN AMENDMENT

Plan Compliance and Map Amendment

This section of the Compliance Report addresses compliance with the Comprehensive Plan policies. It also demonstrates how the requested Map amendments are consistent with the overall intent of the Plan, as well as Plan and Zoning designations applied to the surrounding neighborhoods.

The proposed density is consistent with the adjacent developments and Comprehensive Plan designations to the west, east and south. This remnant parcel (Bridal Trail Ranchettes) contains approximately 1.79 acres or 78,000 square feet.

The proposed preliminary plat provides for 8 lots, 7 net new lots counting a reconfigured lot replacing the existing home. The existing home will be removed. The new lotting pattern calculates to a gross density of 4.47 units per acre. Net density is discussed under the code compliance section below. The applicant believes this density best fits the Residential 4-5 du/ac designation, which may be implemented by the PDR-3 zone.

The development to the south (Renaissance at Canyon Creek) is designated 4-5 units/acre and zoned PDR-3. The properties to the west is Mentor Graphics vacant land) designated as Industrial zoned RA-H. Renaissance at Canyon Creek, which surrounds this property was re-designated and re-zoned to Residential 4-5 du/ac, with PDR-3 zoning. The Cross Creek Development to the east of Old Canyon Creek Road is Zoned PRD-3. The few remaining Ranchette lots, not included in this development, will remain designated at 0-1/acre and zoned RA-H.

However, following approval of that development, the City amended the open Space requirements section of the Code (4.113(.02), thereby eliminating the ability to calculate rear yards to meet open space requirements. Subsequently the Comprehensive Plan text (page D-47) was also amended creating new residential density ranges, as compared to those applicable at the time the Renaissance development was approved.

The subject property is currently designated Residential, at 0-1 dwelling units per acre. This designation is consistent with the current large rural lotting pattern of the Ranchettes. This designation, however, is intended as an interim land use pending future urbanization.

Consistent with this interim designation, the properties are currently zoned RA-H, Residential Agricultural – Holding Zone. This zone, as specified in Section 4.120 (.01) of the Development Code, states, *“It is the purpose of this zone the serve as a holding zone to preserve the future urban level development potential as undeveloped property designated for more intensive development. This zone has been applied to all urbanizable properties within the city which are planned for development and which have not previously received development approval in accordance with the Comprehensive Plan.”*

A. City of Wilsonville Comprehensive Plan

1. Citizen Involvement

Policy 1.1.1 The City of Wilsonville shall provide opportunities for a wide range of public involvement in City planning programs and processes.

Policy 1.2.1 The City of Wilsonville shall provide user-friendly information to assist the public in participating in City planning programs and processes.

Policy 1.3 The City of Wilsonville shall coordinate with other agencies and organizations involved with Wilsonville's planning programs and policies.

Response

The City has developed a citizen involvement program, which provides a variety of opportunities in different formats to encourage and accommodate citizen input. More specific to this application, the City has established a public hearing process for public review of land use decisions. This process provides for mailed notices to surrounding landowners, plus published notices of scheduled public hearings.

Since this application involves amendments to the comprehensive plan and zone maps, together with a PDR subdivision, there will actually be at least two public hearings. The first hearing will be before the Development Review Board, and the second hearing before the City Council. The city will provide public notices for both hearings. In addition, the City Council meetings are produced on the local public access cable TV network.

Once the city planning department determines that the application is complete, and notice of the hearing(s) have been made, the application information is made available to any interested person or party prior to the hearing.

Therefore the policies and procedures for citizen involvement will be met by public review of the proposed development.

B. Urban Growth Management

Policy 2.1.1. The City of Wilsonville shall support the development of all land within the City, other than designated open space lands, consistent with the land use designations of the Comprehensive Plan.

Implementation Measure 2.1.1.e. Allow new development to proceed concurrently with the availability of adequate public services and facilities as specified in Public Facilities and Services Section (Section C) of the Comprehensive Plan.

Implementation Measure 2.1.1.f. To insure timely, orderly and efficient use of public facilities and services, while maintaining livability within the community, the City shall establish and maintain growth management policies consistent with the City's regional growth allocation and coordinated with a Capital Improvements Plan.

1. *The Planning Commission shall periodically review growth-related data, e.g., the availability of public facilities, scheduled capital improvements, need for housing, commercial development and/or industrial development, etc.; and shall, as determined necessary following a public hearing, make recommendations to the City Council regarding Growth Management Plans.*
2. *To maximize design quality and conformity to the Comprehensive Plan, the City shall encourage master planning of large land areas. However, as an added growth management tool, the Development Review Board may, as a condition of approval, set an annual phasing schedule coordinated with scheduled Capital Improvements, particularly streets and related transportation facilities.*

Policy 2.2.1. The City of Wilsonville shall plan for the eventual urbanization of land within the local planning area, beginning with land within the Urban Growth Boundary.

Response

This area of the City has long been a central portion of the City limits and Urban Growth Boundary (UGB). It was part of the land originally included in the incorporation of the city in 1969.

As noted earlier, the Ranchettes were actually platted and built before the city was incorporated. At that time, there were not adequate public facilities in this area to support urban level development. So, the rural lotting pattern was an appropriate interim use.

Significant development has occurred surrounding this area of town over the past three decades, including the Mentor Graphics industrial campus on the north side of Boeckman Road. In 2003 Renaissance Development applied for the development at Canyon Creek, consisting of 79 lots, but excluding the subject property, at the owner's request. With the Canyon Creek and other subsequent neighborhood development, full urban services and local streets are now available. Within the immediate vicinity, the subject property is the only remaining Ranchette Lot not converted to an urban lotting pattern.

There are no open space or natural resource designations applied to any portion of the subject property.

Urban level compliance with the public facilities provisions identified in Measures 2.1.1.e. and 2.1.1.f. are addressed in the following section.

Therefore it is concluded that urban level development of this area is consistent with this section of the Comprehensive Plan.

3. PUBLIC FACILITIES AND SERVICES

The Comprehensive Plan includes provisions dealing specifically with different types of facilities and services. They are covered in the following order:

Primary facilities and services include: 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/services prior to or concurrently with urban level development. These facilities and services include:

Sanitary sewer;
Water service;
Roads and transportation;
Storm drainage;
Fire protection; and
Police protection and public safety.

Complementary Facilities and Services include: those which complement the public health, safety and general welfare of urban residents and workers, but are not necessarily directly linked to the land development process or public health and safety. These facilities include:

Schools, library, and educational services;
Parks, recreation, and open space;
Solid waste;
Semi-public utilities;
City administration; and
Health and social services.

While these complementary facilities and services affect the overall quality of urban living and should be planned for in anticipation of development, in some cases it is more economical and practical to determine service levels subsequent to actual development.

GOAL 3.1: To assure that good quality public facilities and services are available with adequate, but not excessive, capacity to meet community needs, while also assuring that growth does not exceed the community's commitment to provide adequate facilities and services.

Policy 3.1.1 The City of Wilsonville shall provide public facilities to enhance the health, safety, educational, and recreational aspects of urban living.

Implementation Measure 3.1.1.a The City will continue to prepare and implement master plans for facilities/services, as sub-elements of the City's Comprehensive Plan. Facilities/services will be designed and constructed to help implement the City's Comprehensive Plan.

Implementation Measure 3.1.1.b The City Engineer shall report annually, and at other times as needed, to the Planning Commission, Budget Committee, and City Council, and other City committees or commissions on the status and available capacity of urban services/facilities, including streets, bicycle and pedestrian facilities, water, sanitary sewer, and storm drainage.

Implementation Measure 3.1.1.c Developments shall continue to be required to extend services/facilities to the far side of the subject property – assuring that the adjacent properties have access to those services/facilities. It is noted that unusual existing circumstances may necessitate creative solutions for the extension of services/facilities.

Implementation Measure 3.1.1.d The City shall periodically review and, where necessary, update its development densities indicated in the land use element of the Plan, based on the capacity of existing or planned services and/or facilities.

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Implementation Measure 3.1.1.d The City shall periodically review and, where necessary, update its development densities indicated in the land use element of the Plan, based on the capacity of existing or planned services and/or facilities.

Response

Other urban development in the surrounding neighborhoods has made public facilities generally available to the subject site. All services are now available and adequate to support urban level development as proposed.

The City has recently completed and adopted updates to the utilities master plans, including sanitary sewer, storm drainage, and water. System improvements related to the proposed subdivision will be designed and constructed in accordance with these master plans.

The City has established financing mechanism for each of the utility systems, which all include system development charges (SDC's). This development will provide on-site improvements for each of the facilities systems. In addition the development will pay the appropriate SDC's as a proportionate share contribution for the overall systems.

Sanitary Sewer Plan

Policy 3.1.4: The City of Wilsonville shall continue to operate and maintain the wastewater treatment plant and system in conformance with federal, state, and regional water quality standards.

Implementation Measure 3.1.4.b The City shall continue to manage growth consistent with the capacity of sanitary sewer facilities.

Implementation Measure 3.1.4.f The cost of all line extensions and individual services shall be the responsibility of the developer and/or property owners(s) seeking service. When a major line is to be extended, the City may authorize and administer formation of a Local Improvement District (LID). All line extensions shall conform to the City Sanitary Sewer Collection System Master Plan, urbanization policies, and Public Works Standards.

Response

The most recent Sanitary Sewer Master Plan was adopted in 2012.

The subject site lies within the service area of the PT-1 sewer basin. The main interceptor for this basin is located in the Mentor Graphics property immediately west of the subject site. This 12" line gravity drains down through the Town Center to a line that crosses under the I-5 Freeway at Memorial Drive/5th Street, and then down Fir Street to the treatment plant.

The Canyon Creek development provided line sewer extensions to all the surrounding properties, including lines within the local street network. The proposed development will complete the lines necessary to serve the proposed 8 lots.

Water Service Plan

Policy 3.1.5 The City shall continue to develop, operate and maintain a water system, including wells, pumps, reservoirs, transmission mains and a surface water treatment plant capable of serving all urban development within the incorporated City limits, in conformance with federal, state, and regional water quality standards. The City shall also continue to maintain the lines of the distribution system once they have been installed and accepted by the City.

Implementation Measure 3.1.5.c Extensions shall be made at the cost of the developer or landowner of the property being served.

Implementation Measure 3.1.5.d All water lines shall be installed in accordance with the City's urban growth policies and Public Works Standards.

Response

The city has completed a Water System Master Plan update. The Updated Master Plan was adopted by the City Council in 2012.

Consistent with the new master plan, the City has constructed a water treatment plant, which treats water from the Willamette River. This plant went online in April 2002 and delivers an initial 10 million gallons a day. The plant was funded by voter-approved revenue bonds, which are being retired through the user based water rates system.

System development charges are also collected to support long term improvements to the distribution system. This development will pay its proportionate contribution to the system through SDC's.

The Renaissance at Canyon Creek development provided water line extensions to all the surrounding properties, including lines within the local street network. The proposed development will complete the lines necessary to serve the proposed 8 lots.

Storm Water Plan

There are increasing regulatory requirements that affect stormwater and the various drainage ways that convey that water. Federal standards regulate water quality (including temperature and turbidity) and the Endangered Species Act calls for the protection of native salmonid species.

With its 2012 Storm Water Master Plan, the City has set its own standards for development and land use activities to comply with relevant federal standards, and must also comply with regional and state requirements in the process.

The City's storm drainage responsibilities range from controlling the volume and speed of run-off through storm water detention facilities, to regulating land development activities to assure that individual private construction projects do not overburden the public systems or damage the environment without adequate mitigation. Additionally, the City must now regulate land uses to protect or improve riparian vegetation as feasible, along drainage ways.

Storm Drainage Plan

Policy 3.1.7 The City of Wilsonville shall develop and maintain an adequate storm drainage system. However, where the need for new facilities is the result of new development, the financial burden for drainage system improvements shall remain primarily the responsibility of developers. The City will use systems development charges, user fees, and/or other funding sources to construct facilities to improve storm water quality and control the volume of runoff.

Response

Storm drainage for the development will drain both west and east, consistent with the existing drainage basins and the 2012 Storm System Master Plan. Approximately half of the drainage will flow each direction, consistent with the Renaissance at Canyon Creek Development and the Storm Water Master Plan.

This project will tie into the two existing water quality and detention facilities constructed for the Renaissance at Canyon Creek Development. For flows directed east, the facility is located in Tract J. For the flows directed west, the facility is located on Mentor Graphics Property. The existing storm line was sized to accommodate future development of Mentor's property. And, the water quality/detention facility was designed in a manner so as to easily be expanded to accommodate future development of the Mentor property.

This development will be paying SDC's, which contribute towards overall system improvements. Therefore it is concluded that the proposed development complies with all applicable storm drainage design standards and policies.

Fire Protection Plan

Policy 3.1.8 The City of Wilsonville shall continue to coordinate planning for fire safety with the Tualatin Valley Fire and Rescue District.

Police Protection And Public Safety

Policy 3.1.9 The City of Wilsonville shall continue to provide adequate police protection.

Response

Fire protection is provided by Tualatin Valley Fire & Rescue. Police services are provided by Clackamas County through a service contract with the City. There is nothing unusual about this development that would cause undue service demands on either of these agencies. However, it is noted that the site is approximately mid-point between the two Wilsonville Fire stations, which provides for excellent emergency access. In addition, this development will complete the local street network, thereby enhancing overall neighborhood circulation.

Fire hydrants and fire flows will be provided consistent with City standards. The streets are designed to provide easy access and circulation, and they allow for good security surveillance of all properties. Water system improvements will also enhance fire service to the existing Canyon Creek neighborhood through the extension of a water line and provision of fire hydrants along (Old) Canyon Creek Road. In addition, streetlights will enhance safety within the old and new neighborhoods.

School And Educational Services

Policy 3.1.10 The City of Wilsonville shall continue to coordinate planning for educational facilities with all three local school districts and Clackamas Community College.

Implementation Measure 3.1.10.e It is the basic reasoning of these policies that development within the City should not be regulated based on the availability of school facilities and services. Rather, these services should be planned for and provided to meet the demands created by development. If, however, school facilities and/or services were determined to be severely inadequate and the school districts unable to provide satisfactory improvement, then growth limitations would be appropriate.

Response

As noted, the availability of school facilities is not a primary permit criterion. However, schools are important so we have addressed them.

There is a primary school and a high school within a mile of this development site, both on Wilsonville Road. The District has a primary school on the west side of town adjacent to Wood Middle School, and has just completed a second west-side primary school (Lowrie) in Villebois.

The District also regularly passed Special Options Levy, which provide funding for additional school facilities improvements, including expansion of the high school. There is also a community college facility located in the Town Center, which is about a mile from the site; and Oregon Tech has recently opened its new Metro Campus in Wilsonville, located in the former In-Focus building, on Parkway Avenue, adjacent to Mentor Graphics.

Parks/Recreation/Open Space

Policy 3.1.11: The City of Wilsonville shall conserve and create open space throughout the City for specified objectives including park land.

Implementation Measure 3.1.11.d Continue the acquisition, improvement, and maintenance of open space.

Implementation Measure 3.1.11.e Require small neighborhood parks (public or private) in residential areas and encourage maintenance of these parks by homeowner associations.

Implementation Measure 3.1.11.g Where appropriate, require developments to contribute to open space.

Response

There will be two open space tracks located within the proposed development, which provide a total of 19,917 square feet. Tract A is about 5,476 square feet, while Tract B contains approximately 14,441 square feet.

The applicant, retained the rights to join Canyon Creek HOA, and has coordinated with the Board of Directors to incorporate these 8 lots into the HOA, thereby sharing maintenance costs and providing access to the clubhouse and pool (Tract E).

Therefore the proposed development complies with the open space requirements.

Semi-Public Utilities

Policy 3.1.13 The City of Wilsonville shall coordinate planning activities with the utility companies, to insure orderly and efficient installation of needed service lines and equipment.

Response

PGE, Verizon, Comcast, and Northwest Natural provide electric power, telephone, natural gas, and cable TV service throughout the City. These services are all available to serve the proposed development.

Roads And Transportation Plan

The Wilsonville Comprehensive Plan includes, as sub-elements of the Plan, the City's Transportation Systems Plan (2013). There are no airports or marine transportation facilities within the city. The City has adopted 1-Year and 5-Year Capital Improvement

Plans which provide for the construction of transportation facilities, improvements and services necessary to support the City's Transportation Systems Plan, the Bicycle and Pedestrian Master Plan and the Transit Master Plan.

The City has a network of streets which serve the east side or the west side, with only three connection points east-west across I-5. These are Wilsonville Road, Boeckman Road and Elligsen Road. The recent extension of Boeckman Road to Grahams Ferry Road has provided an alternative east-west route resulting in a reduction of the trip levels on both Wilsonville and Elligsen Roads.

City street standards require provision of bicycle facilities and sidewalks on all new streets. Developments in areas without bicycle facilities and sidewalks are required to provide them as part of the development of their site. The City also maintains a sidewalk infill fund for construction of missing sidewalk segments in older neighborhoods. The Bicycle and Pedestrian Master Plan provides greater detail about the existing system and its deficiencies and identifies planned improvements and financial resources.

Table 2-1. Wilsonville's Transportation Goals

1 Safe Follow current safety practices for design, operations, and maintenance of transportation facilities.

2 Connected and Accessible

Provide all users with access to integrated facilities and services that connect Wilsonville's neighborhoods, parks, schools, employment centers, and retail areas to each other and to the surrounding region.

3 Functional and Reliable

Provide, manage, and maintain sufficient transportation infrastructure and services throughout Wilsonville to ensure functional and reliable multimodal and freight operations as development occurs.

4 Cost Effective Utilize diverse and stable funding sources to implement transportation solutions that provide the greatest benefit to Wilsonville residents and businesses, while mitigating impacts to the city's social, economic, and environmental resources.

5 Compatible Develop and manage a transportation system that is consistent with the City's Comprehensive Plan and coordinates with other local, regional, and state jurisdictions.

6 Robust Encourage and support the availability of a variety of transportation choices for moving people and goods.

7 Promotes Livability

Design and construct transportation facilities in a manner that enhances the livability of Wilsonville and health of its residents.

Response

Primary access to the site will be from Boeckman Road, via Canyon Creek Road and Morningside Avenue. This gives the proposed development quick and easy access to one of the city's only 3 east/west freeway crossing, thus allowing for excellent accessibility. Both Boeckman Road and the new Canyon Creek South Road are designated as minor arterials in the 2013 Transportation System Plan (TSP).

Along the frontage of the Mentor Graphics Campus Boeckman Road has been constructed consistent with the master plan designation and design standards, except that there is no sidewalk along the south side.

The Renaissance at Canyon Creek Development provided a local street network, which will also serve the subject property. It also provided a partial extension of Canyon Creek Road south of Boeckman Road (a major collector), which ultimately will link to the Town Center Loop at about Vlahos Drive.

The proposed plat does not create any new private streets. All lots will abut public streets. All street improvements will be consistent with the established local streets. The project will complete missing links within the neighborhood thereby enhancing circulation options.

Consistent with the existing streets, the abutting streets will be developed consistent with the residential standard with a 51-foot right-of-way, with 32 foot paved. Sidewalks will be provided on all streets. The private streets are designed with 20 foot wide pavement, and a sidewalk on one side.

As with all development reviews within the city, a traffic impact analysis was conducted by DKS for the City, and paid for by the applicant, see Index Tab. This study evaluates the traffic generation and trip distribution expected from the proposed development.

The DKS analysis compares traffic generation and trip distribution to existing capacities of the street system. It also draws conclusions relative to compliance with the "D" level of service (LOS) standard.

The proposed development has access to the areas of the City lying west of I-5 via the Boeckman Road overpass of the freeway without going through the Wilsonville Road Interchange area. The DKS report concludes that the development will meet the "D" LOS standard.

Sidewalks will be provided on all streets. The project will receive SDC credits for a portion of these improvements.

The existing street and pathway improvements provide adequate bike/pedestrian circulation consistent with the Bicycle and Pedestrian Master Plan. Therefore no new facilities are proposed.

Conclusion – Public Facilities and Transportation

Therefore it is concluded that the proposed development complies with all applicable public facilities and transportation master plans goals and policies.

4. LAND USE AND DEVELOPMENT

While commercial and industrial developments are generally associated with economic growth, housing is also an important element of the local economy. Housing development provides employment in planning, engineering, architecture, construction and real estate. More important, however, is the relationship of the availability of affordable housing to the local labor market.

RESIDENTIAL DEVELOPMENT

Policy 4.1.4: The City of Wilsonville shall provide opportunities for a wide range of housing types, sizes, and densities at prices and rent levels to accommodate people who are employed in Wilsonville.

Implementation Measure 4.1.4.b Plan for and permit a variety of housing types consistent with the objectives and policies set forth under this section of the Comprehensive Plan, while maintaining a reasonable balance between the economics of building and the cost of supplying public services. It is the City's desire to provide a variety of housing types needed to meet a wide range of personal preferences and income levels. The City also recognizes the fact that adequate public facilities and services must be available in order to build and maintain a decent, safe, and healthful living environment.

Implementation Measure 4.1.4.d Encourage the construction and development of diverse housing types, but maintain a general balance according to housing type and geographic distribution, both presently and in the future. Such housing types may include, but shall not be limited to: Apartments, single-family detached, single-family common wall, manufactured homes, mobile homes, modular homes, and condominiums in various structural forms.

Implementation Measure 4.1.4.e Targets are to be set in order to meet the City's Goals for housing and assure compliance with State and regional standards.

Response

In October 1999, the City's housing stock of 6,788 units consisted of 41.2% single-family 52.4% multi-family (including duplexes and condominiums), and 6.4% manufactured housing (mobile homes). The City's most recent inventory conducted in August 2013 revealed that the mix of multi-family to single family units has continued to shift towards more multi-family. The current percentages are 42% single-family and 58% multi-family. This mix of housing types indicates that the City has more than met the intent of the State's "Metro Housing Rule" and Metro's regional housing allocation applying to housing mix and overall density.

The recently updated housing and vacant lands data indicates:

- The City has capacity for housing beyond the regional growth allocation within the existing UGB, and Future Urban Planning Areas; and
- The City can expect a continued imbalance with a higher percentage of multi-family units even if the majority of new housing is detached single family.

While there appears to be increasing local concerns about the ratio of multi-family developments, there currently are no specific policies or ratios defining a balance of housing types defined within the Comprehensive Plan or Development Code.

The proposed development will create lots for 8 new single-family homes (net 7 new) that are consistent with the density pattern in the surrounding neighborhoods. In the surrounding neighborhoods consist of the Ash Meadows and Oak View Condo's, the Sundail Apartments, which area all multi-family or attached units; and Renaissance at Canyon Creek, and Cross Creekside, which are single family detached developments. This pattern combines to provide for a variation in housing types and choices within the larger neighborhood.

The proposed 8-Lots are in-fill and will essentially complete the development pattern established by Renaissance at Canyon Creek. The unit designs and lotting pattern will be consistent with the surrounding Canyon Creek project.

Therefore, we conclude that the addition of the proposed 8 single-family lots (7 net new, with existing house to be removed) will positively affect the balance of housing types, and will benefit the jobs to housing ratio by adding more local housing to the mix.

Implementation Measure 4.1.4.t Site plans will provide for adequate open space to (a) protect adjacent properties; and (b) provide ample yard space and play areas for residents. The residential character of established neighborhoods, particularly low density developments, shall also be protected as surrounding development occurs. Site development standards shall continue to be applied to ensure compatibility with adjacent land uses. High design standards will be established for signage and appearance, including the landscaping of setback areas and the designation of access points.

Implementation Measure 4.1.4.u To provide variety and flexibility in site design and densities, residential lands shown on the Land Use Map of the Comprehensive Plan have been divided into districts, with different density ranges for each district. In all residential developments, other than those that are so small that it is not mathematically feasible to achieve the prescribed minimum density, the 80% minimum shall apply. The following density ranges have been prescribed for each district:

**RESIDENTIAL PLANNING DISTRICTS SHOWN ON THE LAND USE MAP OF
THE COMPREHENSIVE PLAN**

*Density: 0-1 units/acre
2-3 units/acre
4-5 units/acre
6-7 units/acre
10-12 units/acre
18-20 units/acre*

Density (0-1 du/ac)

The purpose of this district is to provide for very low density housing areas to satisfy individuals desiring to own a large lot within an urban setting. This district recognizes and protects existing and future large-lot developments within the City. This density would generally fall under the PDR-1 zoning district category as outlined in the Development Code.

The following areas should be designated and developed at this density:

- 1. Areas, which are currently developed at suburban densities and where little need exists for redevelopment.*
- 2. Areas where transportation is limited to minor collector and local streets, and where high volume traffic would create safety problems.*
- 3. Areas where sensitivity to the natural environment or natural hazards warrant a reduced density.*

Density (2-3 or 4-5 du/ac)

The purpose of this district is to provide for low density residential areas. The 2-3 du/acre density would generally fall under the PDR-2 zoning district category as outlined in the Development Code. The 4-5 du/acre density would generally fall under the PDR-2 and PDR-3 (or other categories that could work out to this level of density) zoning district category as outlined in the Development Code.

The following areas should be designated and developed at this density:

- 1. Areas with access to a minor arterial, collector, or local streets. However, direct vehicular access from individual lots onto a minor arterial will be restricted.*
- 2. Undeveloped areas adjacent to existing lower density developments, or near the fringe of the Urban Growth Boundary.*
- 3. Areas where sensitivity to the natural environment or natural hazards warrant a reduced density.*

Density (6-7 or 10-12 du/ac)

The purpose of this district is to ensure an efficient use of urban land by providing for the development of medium density housing areas. This density would generally fall under the PDR 3 and PDR-4 (or other categories that could work out to this level of density) zoning districts category as outlined in the Development Code.

The following areas should be designated and developed as urban medium density:

- 1. Areas with access to a major or minor arterial or collector street. Siting should not, however, result in significant traffic impacts through lower density residential areas.*
- 2. Areas located near or adjacent to commercial areas, employment centers and/or mass transit routes.*

3. Areas adjacent to urban lower density developments or planning districts. Permitted uses in this district typically include single family dwellings, whether detached or attached, accessory dwelling units, multi-family dwellings, including duplexes and tri-plexes, and mobile home parks or subdivisions, multi-family developments, including duplexes and multiplexes and mobile home parks or subdivisions, will be subject to Development Review approval.

Neighborhood or convenience commercial uses may be permitted as part of a Planned Development but should be integrated into the design of the surrounding residential development, i.e., first floor of multi-story structure or similar design as residential units. Such commercial developments shall be limited to locations where there is clearly demonstrated local need. All such uses shall be subject to Development Review approval.

Response

The subject property is currently an over-sized rural lot, created prior to incorporation of the City and prior to the provision of urban services. However, with urban level development of much of the surrounding properties, this property is now an in-fill parcel. The properties are currently designated at 0-1 dwelling units per acre, while much of the surrounding properties have been re-designated and developed at urban densities.

The Plan and Zone designations for the surrounding properties are as follows:

- To the west (Ash Meadows Condo's and Mentor Graphics vacant residential land) are also designated at 6-7 units/acre, and zoned PDR-4.
- Renaissance at Canyon Creek, which surrounds this property was re-designated and re-zoned to Residential 4-5 du/ac, with PDR-3 zoning. The Cross Creek Development on the east side of Old Canyon Creek Road across from the subject property is also designated Residential 4-5 du/ac, with PDR-3 zoning.
- To the south of the Renaissance development is the Sundial Apartments, which are designated 6-7 units/acre and zoned PDR-4.

The applicant is requesting a Plan Map amendment to re-designate the properties to Residential 4-5 units per acre. This designation is complimentary to and consistent with the surrounding land use patterns set in the Comprehensive Plan. It provides for a logical transition from the rural ranchette lots to the higher density multi-family designations farther west and south. This lower density designation was also selected in order to allow compliance with the minimum density requirement of the new comprehensive plan.

The applicant is also proposing to re-zone the property from RA-H to PDR-3. This zone has been selected rather than PDR-4, because of the revised open space standards, and the need to comply with minimum lot size and density requirements. While the zoning will be different than the adjacent properties, the lotting pattern will remain consistent with Renaissance at Canyon Creek.

ENVIRONMENTAL RESOURCES AND COMMUNITY DESIGN

Policy 4.1.5: Protect valuable resource lands from incompatible development and protect people and property from natural hazards.

Response

There are no Environmentally Sensitive areas identified within the plat area. There are also no known natural hazards associated with these properties.

5. Section 4.198. Comprehensive Plan Changes - Adoption by the City Council.

(.01) Proposals to amend the Comprehensive Plan, or to adopt new elements or sub-elements of the Plan, shall be subject to the procedures and criteria contained in the Comprehensive Plan. Each such amendment shall include findings in support of the following:

A. That the proposed amendment meets a public need that has been identified;

Response

There is a continuing public need for more housing to accommodate projected growth within the City/UGB. This proposed development helps to meet this need by providing for 8 lots for a net of 7 new homes.

B. That the proposed amendment meets the identified public need at least as well as any other amendment or change that could reasonably be made;

Response

The requested change from very low density to urban low density meets the identified need as well as any of the other density choices provided within the comprehensive plan. The proposed density provides a logical progression from the once large rural lot neighborhood to the emerging surrounding urban density neighborhoods. It also provides a variation in the type and size of lots and homes available in the adjacent residential neighborhoods to the west, south and east.

C. That the proposed amendment supports applicable Statewide Planning Goals, or a Goal exception has been found to be appropriate;

Response

The state housing goal is the primary goal affected by this application, as the subject property is already designated for residential use. This proposal supports State Goal 10, which seeks to provide housing to meet projected needs. It provides for efficient utilization of urban land, and does not create any significant conflicts with other goals, because the area is predominantly residential in nature.

A Goal exception is not necessary for the development of this project, nor is one necessary to support the requested amendment.

D. That the proposed change will not result in conflicts with any portion of the Comprehensive Plan that is not being amended.

Response

We do not find any conflict with other portions of the comprehensive plan that are not proposed for amendment. This is a residential and industrial area, which is also near the commercial Town Center. There are no natural hazard areas within the property. There is also no portion of the site regulated by the SROZ provisions that protect sensitive natural and open space areas. The proposed density increase simply allows for more efficient use of valuable urban land for meeting residential needs.

Transportation and public facilities goals and policies are also complied with by this development. There are adequate public facilities and services available to support the proposed development. And, the traffic impact report concludes that the City's "D" LOS is maintained consistent with code standards.

Conclusion – Comprehensive Plan

Therefore we conclude the proposed development, Canyon Creek II, complies with the applicable comprehensive plan provisions and satisfies the applicable plan amendment criteria.

II. ZONE MAP AMENDMENTS

The following section addresses compliance with the criteria required for a zone change. The applicant is requesting a change from RA-H, Residential Agricultural to PDR-3, Planned Development Residential at 4-5 units per acre.

Section 4.197. Zone Changes and Amendments To This Code – Procedures.

(.02) In recommending approval or denial of a proposed zone map amendment, the Planning Commission or Development Review Board shall at a minimum, adopt findings addressing the following criteria:

A. That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008, Section 4.125 (.18)(B)(2) or, in the case of a Planned Development, Section 4.140; and [Amended by Ord 557, adopted 9/5/03]

Response

The applicant and the design team have discussed various aspects of the proposal with staff over the last few months. Specific attention was devoted to compliance with the revised open space and private street requirements adopted after the Canyon Creek

development was approved. The Design Team also met with city staff in a pre-application conference to assure that appropriate issues were being addressed and that the applicable criteria and standards could be met.

The specific requirements for submittal were reviewed in detail to ensure a complete application. Once an application is submitted the city planning staff is required to review it for completeness. This staff review ensures that the submittal conforms to the standards and procedures set forth in Section 4.008 and 4.140, prior to scheduling of a public hearing.

- A. That the proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with the applicable goals, policies and objectives, set forth in the Comprehensive Plan text;*

Response

This request is for a change to the map designation. The requested zone change is consistent with the requested Plan Map amendment, even though the PDR-3 zone is not specifically listed as an implementing zone for the 4-5 du/ac residential density designation. When applied to the subject property, the PDR-3 zone allows for compliance with the new open space standards, while also allowing for lot sizes and minimum density consistent with the Renaissance at Canyon Creek development, which is zoned PDR-3, see also PDR-3 Code Compliance section below. This zoning category is complimentary to and consistent with the designations for the immediately adjacent residential developments, to the south and west. Compliance with the applicable policies of the comprehensive plan was addressed above.

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

Response

We do not believe these criteria are relevant. The Plan references listed are actually from the old Comprehensive Plan. There does not appear to be any direct or complete correlation between these old goals and policies (goal 4.3, Objective 4.3.3, Objective 4.3.4, Policy 4.4.2 and Policy 4.4.8) and the new Plan policy (Policy 4.1.4 and Implementing Objectives 4.1.4.a to 4.1.4.dd).

Policies 4.4.2 and 4.1.8 would not have applied anyway, as they related to multi-family and manufactured home developments.

Goal 4.3, Objective 4.3.3 and 4.3.4 all related to the City's intent to balance the types of housing to be provided within the City, which was addressed above. However, that policy was not carried forward in the new Comprehensive Plan, so it is no longer applicable.

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

Response

All urban level services are available to serve the proposed development. Specifics were addressed above in the comprehensive plan section. Appropriate road improvements, including sidewalks will be made consistent with city standards. Additional details relative to code compliance are found in the following section of this report.

- D. *That the proposed development does not have a significant adverse effect upon Significant Resource Overlay Zone areas, an identified natural hazard, or an identified geologic hazard. When Significant Resource Overlay Zone areas or natural hazard, and/or geologic hazard are located on or about the proposed development, the Planning Commission or Development Review Board shall use appropriate measures to mitigate and significantly reduce conflicts between the development and identified hazard or Significant Resource Overlay Zone;*

Response

As noted, there are no identified significant resources or natural or geologic hazards associated with the subject site.

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

Response

The applicant is committed to initiate development as soon as possible following approvals for all required permits. Construction of the phase is planned for spring of 2014.

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

Response

As addressed within this report, this development is in full compliance with the zoning, subdivision and planned development regulations.

Conclusion – Zone Change Criteria

Based on the findings presented herein, the proposed development, Canyon Creek II, complies with the applicable Comprehensive Plan provisions and satisfies the applicable Plan and Zoning map amendment criteria.

III. COMPLIANCE WITH DEVELOPMENT CODE

This section presents information related to the proposed preliminary plat and addresses compliance with the code provisions for subdivision and residential development, under the PDR-4 regulations.

Section 4.113. Standards Applying To Residential Developments In Any Zone.

(.01) Outdoor Recreational Area in Residential Developments.

A. Purpose. The purposes of the following standards for outdoor recreational area are to provide adequate light, air, open space and usable recreational facilities to occupants of each residential development. Outdoor recreational area shall be:

1. Designed with a reasonable amount of privacy balanced between indoor and outdoor living areas. Such outdoor recreational area shall be provided consistent with the requirements of this Section.
2. Recreational areas shall be provided in keeping with the needs of the prospective tenants and shall not be located in required yards, parking, or maneuvering areas, or areas that are inaccessible. Standards for outdoor recreational areas may be waived by the Development Review Board upon finding that the recreational needs of the residents will be adequately met through the use of other recreational facilities that are available in the area.
3. In mixed-use developments containing residential uses, the Development Review Board shall establish appropriate requirements for outdoor recreational area, consistent with this Section.
4. The Development Review Board may establish conditions of approval to alter the amount of required outdoor recreation area, based on findings of projected need for the development. Multi-family developments shall provide at least the following minimum recreational area:
 - a. For ten (10) or fewer dwelling units, 1000 square feet of usable recreation area;
 - b. For eleven (11) through nineteen (19) units, 200 square feet per unit;
 - c. For twenty (20) or more units, 300 square feet per unit.
5. Outdoor recreational area shall be considered to be part of the open space required in the following subsection.

(.02) Open Space Area shall be provided in the following manner:

A. In all residential subdivisions including subdivision portions of mixed use developments where (1) the majority of the developed square footage is to be in residential use or (2) the density of residential units is equal or greater than 3 units per acre, at least twenty-five percent (25%) of the area shall be in open space

excluding streets and private drives. Open space must include, as a minimum natural areas that are preserved under the City's SROZ regulations and usable open space such as public park area, tot lots, swimming and wading pools, grass area for picnics and recreational play, walking paths, and other like space. For subdivisions with less than 25% SROZ lands and those with no SROZ lands, the minimum requirement shall be ¼ acre of usable park area for 50 or less lots, ½ acre of usable park area for 51 to 100 lots, and pro rata amounts based on this formula for subdivisions exceeding 100 lots. Front, side and rear yards of individual residential lots shall not be counted towards the 25% open space... [Amended by Ord. 589 8/15/05, Ord. 682, 9/9/10]

B. Open space area required by this Section may, at the discretion of the Development Review Board, be protected by a conservation easement or dedicated to the City, either rights in fee or easement, without altering the density or other development standards of the proposed development. Provided that, if the dedication is for public park purposes, the size and amount of the proposed dedication shall meet the criteria of the City parks standards. The square footage of any land, whether dedicated or not, which is used for open space shall be deemed a part of the development site for the purpose of computing density or allowable lot coverage.

C. The Development Review Board may specify the method of assuring the long term protection and maintenance of open space and/or recreational areas. Where such protection or maintenance are the responsibility of a private party or homeowners' association, the City Attorney shall review any pertinent bylaws, covenants, or agreements prior to recordation.

Response

The standards for provision of open space have been amended since the Canyon Creek development was approved. A primary difference is that under the new regulations yard areas and street cannot be counted as open space. In addition, there is a requirement for at least ¼ acre of usable recreational space for development of less than 50 lots.

The proposed preliminary plat provides for open space consistent with the new standards. There are two open space tracts proposed comprising 19,917 square feet. The calculated minimum area is 18,868 square feet. The larger of the two tracts (14,441 sf) also provides useable recreational space in excess of the 10,890 square feet required for this property.

Section 4.124.3. PDR-3:

The following standards shall apply in PDR-3 zones. It should be noted that lot size requirements do not specify the number of units that may be constructed per lot:

CODE STANDARD

(.01) *Average lot size: 7,000 square feet.*

(.02) *Minimum lot size: 5,000 square feet.*

(.03) *Minimum density at build out: One unit per 8,000 square feet.*

- (.04) *Other standards:*
- A. *Minimum lot width at building line: Forty (40) feet.*
 - B. *Minimum street frontage of lot: Forty (40) feet; however, twenty-four (24) feet when the lot fronts a cul-de-sac.*
 - C. *Minimum lot depth: Sixty (60) feet.*
 - D. *Setbacks: per Section 4.113(.03).*
 - B. *For lots not exceeding 10,000 square feet:*
 - 1. *Minimum front yard setback:*
Fifteen (15) feet;
open porches allowed at ten (10) feet.
 - 2. *Minimum side yard setback: One story: five (5) feet;*
Two or more stories: seven (7) feet.
In the case of a corner lot, abutting a street, ten (10) feet.
Garage @ 20 ft.
 - E. *Maximum building height: Thirty-five (35) feet.*
 - F. *Maximum lot coverage:*
 - a. *50% for lots less than 7,000 sq. ft.*
 - b. *45% for lots 7,000 to 8,000 sq. ft.*
 - c. *40% for lots over 8,000 sq. ft..*

Response

The proposed lots range from 5,692 to 6,229 square feet. These standards are further addressed below in response to the Subdivision requirements, lot sizes, etc.

SUBDIVISION

Section 4.118. Standards applying to all Planned Development Zones:

- (.01) *Height Guidelines: In "S" overlay zones, the solar access provisions of Section 4.137 shall be used to determine maximum building heights. In cases that are subject to review by the Development Review Board, the Board may further regulate heights as follows:*
- A. *Restrict or regulate the height or building design consistent with adequate provision of fire protection and fire-fighting apparatus height limitations.*
 - B. *To provide buffering of low-density developments by requiring the placement of three or more story buildings away from the property lines abutting a low-density zone.*
 - C. *To regulate building height or design to protect scenic vistas of Mt. Hood or the Willamette River.*

Response

There has not been an "S" (Solar Access) zone imposed on the subject properties, so the solar access provisions set forth in Section 4.137 do not apply to this development.

Generally this site is not ideally oriented to benefit from good solar access. The primary streets run north/south, so only the four lots (3-6) fronting on Summerton Street will have good solar orientation.

However, the site is generally flat and is not shaded by any significant stand of trees, so solar gain is not severely limited, other than by lot orientation.

There will not be any units over two stories in height, so no exceptions to the standard 35 foot height limit are anticipated. Appropriate fire protection measure consistent with City standards will be provided.

(.02) Underground Utilities shall be governed by Sections 4.300 to 4.320. All utilities above ground shall be located so as to minimize adverse impacts on the site and neighboring properties.

Response

Consistent with City standards, all of the utilities serving this development will be placed underground.

(.03) Notwithstanding the provisions of Section 4.140 to the contrary, the Development Review Board, in order to implement the purposes and objectives of Section 4.140, and based on findings of fact supported by the record may:

A. Waive the following typical development standards:

- 1. minimum lot area;*
- 2. lot width and frontage;*
- 3. height and yard requirements;*
- 4. lot coverage;*
- 5. lot depth;*
- 6. street widths;*
- 7. sidewalk requirements;*
- 8. height of buildings other than signs;*
- 9. parking space configuration;*
- 10. minimum number of parking or loading spaces;*
- 11. shade tree islands in parking lots, provided that alternative shading is provided;*
- 12. fence height;*
- 13. architectural design standards;*
- 14. transit facilities; and*
- 15. solar access standards, as provided in Section 4.137.*

Response

The code requires that all waivers be specified at the time of Stage I Master Plan and Preliminary Plat approval. We are requesting only one waiver from the PDR-3 standards as follows:

1. Setbacks per Section 4.113(.03)B are as follows:

	<u>Code</u>	<u>Proposed</u>
Front Yard	15'; 20' to Garage	15'; 20' to Garage
Side Yard	7' for 2 story	Waiver - 5', including 2+ stories
Street Side Yard	10'	10'
Rear Yard	20' for 2 story	20'

The reduced side yard setbacks are consistent with those approved for Renaissance at Canyon Creek.

B. The following shall not be waived by the Board, unless there is substantial evidence in the whole record to support a finding that the intent and purpose of the standards will be met in alternative ways:

1. *open space requirements in residential areas;*
2. *minimum density standards of residential zones;*
3. *minimum landscape, buffering, and screening standards;*

Response

The proposed development meets all of these standards, so there are no additional waivers requested.

- The development will provide 25.06% open space, which meets the standard.
- The Stage I Master Plan and Preliminary Plat meets the minimum density requirement.
- There is already a 10 foot landscaped buffer, including a screening wall, along the frontage of Canyon Creek South, even though there are no "Through Lots" proposed. This buffer was provided by the Canyon Creek development. There are no other buffering or screening requirements for this type of development. Open Space Tract abuts Canyon Creek Road, not lots.

C. The following shall not be waived by the Board, unless there is substantial evidence in the whole record to support a finding that the intent and purpose of the standards will be met in alternative ways, and the action taken will not violate any applicable federal, state, or regional standards:

1. *maximum number of parking spaces;*
2. *standards for mitigation of trees that are removed;*
3. *standards for mitigation of wetlands that are filled or damaged; and*
4. *trails or pathways shown in the Parks and Recreation Master Plan.*

Response

The proposed development meets all of these standards, so there are no waivers requested.

- D. *Locate individual building, accessory buildings, off-street parking and loading facilities, open space and landscaping and screening without reference to lot lines;*

Response

Except for the one setback waiver requested, there is no need for modified standards for any of these design factors.

E. *Adopt other requirements or restrictions, inclusive of, but not limited to, the following:*

1. *Percent coverage of land by buildings and structures in relationship to property boundaries to provide stepped increases in densities away from low-density development.*
2. *Parking ratios and areas expressed in relation to use of various portions of the property and/or building floor area.*
3. *The locations, width and improvement of vehicular and pedestrian access to various portions of the property, including portions within abutting street.*
4. *Arrangement and spacing of buildings and structures to provide appropriate open spaces around buildings.*
5. *Location and size of off-street loading areas and docks.*
6. *Uses of buildings and structures by general classification, and by specific designation when there are unusual requirements for parking, or when the use involves noise, dust, odor, fumes, smoke, vibration, glare or radiation incompatible with present or potential development of surrounding property. Such incompatible uses may be excluded in the amendment approving the zone change or the approval of requested permits.*
7. *Measures designed to minimize or eliminate noise, dust, odor, fumes, smoke, vibration, glare, or radiation, which would have an adverse effect on the present or potential development on surrounding properties.*
8. *Schedule of time for construction of the proposed buildings and structures and any stage of development thereof to insure consistency with the City's adopted Capital Improvements Plan and other applicable regulations.*
9. *A waiver of the right of remonstrance by the applicant to the formation of a Local Improvement District (LID) for streets, utilities and/or other public purposes.*
10. *Modify the proposed development in order to prevent congestion of streets and/or to facilitate transportation.*
11. *Condition the issuance of an occupancy permit upon the installation of landscaping or upon a reasonable scheduling for completion of the installation of landscaping. In the latter event, a posting of a bond or other security in an amount equal to one hundred ten percent (110%) of the cost of the landscaping and installation may be required.*
12. *A dedication of property for streets, pathways, and bicycle paths in accordance with adopted Facilities Master Plans or such other streets necessary to provide proper development of adjacent properties.*

(.04) *The Planning Director and Development Review Board shall, in making their determination of compliance in attaching conditions, consider the effects of this action on availability and cost. The provisions of this section shall not be used in such a manner that additional conditions, either singularly or cumulatively, have the effect of unnecessarily increasing the cost of development. However, consideration of these factors shall not prevent the Board from imposing conditions of approval necessary to meet the minimum requirements of the Comprehensive Plan and Code.*

Response

Appropriate conditions will be recommended by the City planning staff for consideration by the DRB. We will have an opportunity prior to the public hearing to review any such conditions. So, we reserve the right to comment at that time, as we do not know what they might be at this time (prior to submittal).

- (.05) *The Planning Director, Development Review Board, or on appeal, the City Council, may as a condition of approval for any development for which an application is submitted, require that portions of the tract or tracts under consideration be set aside, improved, conveyed or dedicated for the following uses:*
- A. *Recreational Facilities: The Director, Board, or Council, as the case may be, may require that suitable area for parks or playgrounds be set aside, improved or permanently reserved for the owners, residents, employees or patrons of the development consistent with adopted Park standards and Parks and Recreation Master Plan.*
 - B. *Open Space Area: Whenever private and/or common open space area is provided, the City shall require that an association of owners or tenants be established which shall adopt such Articles of Incorporation, By-Laws or other appropriate agreement, and shall adopt and impose such Declaration of Covenants and Restrictions on such open space areas and/or common areas that are acceptable to the Development Review Board. Said association shall be formed and continued for the purpose of maintaining such open space area. Such an association, if required, may undertake other functions. It shall be created in such a manner that owners of property shall automatically be members and shall be subject to assessments levied to maintain said open space area for the purposes intended. The period of existence of such association shall be not less than twenty (20) years and it shall continue thereafter and until a majority vote of the members shall terminate it, and the City Council formally votes to accept such termination.*
 - C. *Easements: Easements necessary to the orderly extension of public utilities, and the protection of open space, may be required as a condition of approval. When required, such easements must meet the requirements of the City Attorney prior to recordation.*

Response

As noted above, there are two open space tracts proposed within this development. They are located on each side of Morningside Avenue, providing for a continuation of the open space tract created by the Canyon Creek development. These tracts will be retained in ownership and maintenance management by a homeowners association. The applicant intends to incorporate these lots within the existing HOA, so they will be controlled by the existing recorded CC&R's.

- (.07) *Density Transfers. In order to protect significant open space or resource areas, the Development Review Board may authorize the transfer of development densities from one portion of a proposed development to another. Such transfers may go to adjoining properties, provided that those properties are considered to be part of the total development under consideration as a unit.*

Response

There is no need to protect significant open space and natural resource areas within this development, so shifting or transferring density is not necessary.

- (.08) *Wetland Mitigation and other mitigation for lost or damaged resources. The Development Review Board may, after considering the testimony of experts in the field, allow for the replacement of resource areas with newly created or enhanced resource areas. The Board may specify the ratio of lost to created and/or enhanced areas after making findings based on information in the record. As much as possible, mitigation areas shall replicate the beneficial values of the lost or damaged resource areas.*

Response

There are no on-site wetlands associated with this development.

Section 4.124. Standards Applying To All Planned Development Residential Zones.

- (.01) *Examples of principal uses that are typically permitted:*

B. Single-Family Dwelling Units.

Response

The proposed use is for single-family homes on traditional subdivision lots. This is a permitted use in the zone.

- (.05) **Appropriate PDR zone based on Comprehensive Plan Density:**

<u>Comprehensive Plan Density</u>	<u>Zoning District</u>
4-5 u/acre	PDR-3

Response

The request is for PDR-3 zoning, which is complimentary to and consistent with the surrounding zoning pattern:

- (.06) **Block and access standards:**

- 1. Maximum block perimeter in new land divisions: 1,800 feet.*
- 2. Maximum spacing between streets for local access: 660 feet, unless waived by the Development Review Board upon finding that barriers such as railroads, freeways, existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent street extensions meeting this standard.*

3. *Maximum block length without pedestrian and bicycle crossing: 330 feet, unless waived by the Development Review Board upon finding that barriers such as railroads, freeways, existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent pedestrian and bicycle facility extensions meeting this standard.*

Response

The proposed primary access street (Canyon Creek Road) to this development has been constructed creating a four-way intersection with Boeckman Road and the north leg of Canyon Creek Road. This design and alignment is consistent with the Transportation Master Plan.

The interior block perimeter lengths have been established by the prior platting of Renaissance at Canyon Creek and range from 1180 to 1570 feet. This proposed plat will complete the gap in Morningside Avenue thus allowing for complete loops with Summerton Street, Daybreak Street, Canyon Creek Road South, and Canyon Creek Road. As established, the spacing of interior streets is within the 660 feet standard, ranging from 210 to 480 feet.

No private drives are proposed and with the open space tracts there are appropriate opportunities for mid-block pedestrian links that will connect out to the sidewalk along Canyon Creek Road. A request for a waiver of this standard was previously addressed.

Therefore, all of the block standards are met.

(.08) Parking. Per the requirements of Section 4.155.

Response

The code requires a minimum of 1 space per unit. Each home will have at least a two-car garage, so this standard is met.

(.09) Corner Vision Clearance. Per the requirements of Section 4.177.

Response

Landscaping of common areas and street trees will be designed and located to ensure appropriate corner vision areas will be provided consistent with City standards.

Section 4.124.3. PDR-3:

The following standards shall apply in PDR-3 zones. It should be noted that lot size requirements do not specify the number of units that may be constructed per lot:

CODE STANDARD

PROPOSED

(.01) Average lot size: 7,000 square feet.	5,962 sq. ft.
(.02) Minimum lot size: 5,000 square feet.	5,649 sq. ft.
(.03) Minimum density at build out: One unit per 8,000 square feet.	1 lot/8,290 sq. ft.
(.04) Other standards:	
A. Minimum lot width at building line: Forty (40) feet.	35 ft.
B. Minimum street frontage of lot: Forty (40) feet;	35 ft.
however, twenty-four (24) feet when the lot fronts a cul-de-sac.	24 ft.
C. Minimum lot depth: Sixty (60) feet.	94 ft.
D. Setbacks: per Section 4.113(.03).	
B. For lots not exceeding 10,000 square feet:	
3. Minimum front yard setback: Fifteen (15) feet, open porches allowed at ten (10) feet.	15 ft.
4. Minimum side yard setback: One story: five (5) feet; Two or more stories: seven (7) feet. In the case of a corner lot, abutting a street, ten (10) feet. Garage @ 20 ft	5 ft. 7 ft. 10 ft. 20 ft.
E. Maximum building height: Thirty-five (35) feet.	35 ft.
G. Maximum lot coverage:	
a. 50% for lots less than 7,000 sq. ft.	50%
b. 45% for lots 7,000 to 8,000 sq. ft.	45%
c. 40% for lots over 8,000 sq. ft.	40%

Response

The proposed setbacks and building standards are shown above, as compared to the code standards. As previously discussed, we are asking a waiver from the 7 foot side yard for 2-story dwellings to 5 foot. The basis for these waivers is related to the need for 50 foot wide lots to maintain the minimum density requirement. The typical unit proposed for these lots will be 40 foot wide. This reduced side yard setback matches the surrounding development.

5. *No structure shall be erected within the required setback for any future street shown within the City's adopted Transportation Master Plan or Transportation Systems Plan.*

Response

The development provides for the appropriate dedication of right-of-way along Canyon Creek South, consistent with the design standard for a minor arterial. Therefore, no additional setback is required, other than standard yard setbacks.

5. *Minimum setback to garage door or carport entry: Twenty (20) feet. Wall above the garage door may project to within fifteen (15) feet of property line, provided that clearance to garage door is maintained. Where access is taken from an alley, garages or carports may be located no less than four (4) feet from the right-of-way.*

Response

The development will comply with this standard.

6. *Minimum rear yard setback: One story: fifteen (15) feet. Two or more stories: Twenty (20) feet. Accessory buildings on corner lots must observe the same rear setbacks as the required side yard of the abutting lot.*

Response

The development will meet this standard.

- E. *Maximum building height: Thirty-five (35) feet.*

Response

The development will meet this standard.

- F. *Maximum lot coverage: Fifty percent (50%) for all buildings.*

Response

The development will meet this standard.

- Section 4.137. Solar Access For New Residential Development.*

Response

Compliance with this standard is not required, as addressed above.

Section 4.137.5. Screening and Buffering (SB) Overlay Zone.

Response

There is no (SB) Overlay zone applicable to this development.

Section 4.139.00 Significant Resource Overlay Zone (SROZ) Ordinance

Response

There are no known potential impacts from this development on projected resource areas, designated as SROZ.

Any utility lines will be constructed in accordance with approved utility construction plans and a landscape plan using best management practices for installation and restoration on slopes and in vegetated areas. Utility lines are exempt from the regulations under Section 4.139.04(18), Uses and Activities Exempt from These Regulations.

LAND DIVISION

Section 4.210. Application Procedure.

(.01) Pre-application conference. Prior to submission of a tentative condominium, partition, or subdivision plat, a person proposing to divide land in the City shall contact the Planning Department to arrange a pre-application conference as set forth in Section 4.010.

B. Tentative Plat Submission. The purpose of the Tentative Plat is to present a study of the proposed subdivision to the Planning Department and Development Review Board and to receive approval or recommendations for revisions before preparation of a final Plat. The design and layout of this plan plat shall meet the guidelines and requirements set forth in this Code. The Tentative Plat shall be submitted to the Planning Department with the following information:

- 1. Site development application form completed and signed by the owner of the land or a letter of authorization signed by the owner. A preliminary title report or other proof of ownership is to be included with the application form.*
- 2. Application fees as established by resolution of the City Council.*
- 3. Ten (10) copies and one (1) sepia or suitable reproducible tracing of the Tentative Plat shall be submitted with the application. Paper size shall be eighteen inch (18") by twenty-four inch (24"), or such other size as may be specified by the City Engineer.*
- 4. Name of the subdivision. No subdivision name shall duplicate or resemble the name of any other subdivision in Clackamas or Washington County. Names may be checked through the county offices.*
- 5. Names, addresses, and telephone numbers of the owners and applicants, and engineer or surveyor.*
- 6. Date, north point and scale of drawing.*
- 7. Location of the subject property by Section, Township, and Range.*
- 8. Legal road access to subject property shall be indicated as City, County, or other public roads.*

9. *Vicinity map showing the relationship to the nearest major highway or street.*
10. *Lots: Dimensions of all lots, minimum lot size, average lot size, and proposed lot and block numbers.*
11. *Gross acreage in proposed plat.*
12. *Proposed uses of the property, including sites, if any, for multi-family dwellings, shopping centers, churches, industries, parks, and playgrounds or other public or semi-public uses.*
13. *Improvements: Statement of the improvements to be made or installed including streets, sidewalks, lighting, tree planting, and times such improvements are to be made or completed.*
14. *Trees. Locations, types, sizes, and general conditions of all existing trees, as required in Section 4.600.*
15. *Utilities such as electrical, gas, telephone, on and abutting the tract.*
16. *Easements: Approximate width, location, and purpose of all existing and proposed easements on, and known easements abutting the tract.*
17. *Deed Restrictions: Outline of proposed deed restrictions, if any.*
18. *Written Statement: Information which is not practical to be shown on the maps may be shown in separate statements accompanying the Tentative Plat.*
19. *If the subdivision is to be a "Planned Development," a copy of the proposed Home Owners Association By-Laws must be submitted at the time of submission of the application. The Tentative Plat shall be considered as the Stage I Preliminary Plan. The proposed By-Laws must address the maintenance of any parks, common areas, or facilities.*
20. *Any plat bordering a stream or river shall indicate areas subject to flooding and shall comply with the provisions of Section 4.172.*
21. *Proposed use or treatment of any property designated as open space by the City of Wilsonville.*
22. *A list of the names and addresses of the owners of all properties within 250 feet of the subject property, printed on self-adhesive mailing labels. The list shall be taken from the latest available property ownership records of the Assessor's office of the affected county.*
23. *A completed "liens and assessments" form, provided by the City Finance Department.*
24. *Locations of all areas designated as a Significant Resource Overlay Zone by the City, as well as any wetlands shall be shown on the tentative plat.*
25. *Locations of all existing and proposed utilities, including but not limited to domestic water, sanitary sewer, storm drainage, streets, and any private utilities crossing or intended to serve the site. Any plans to phase the construction or use of utilities shall be indicated.*
26. *A traffic study, prepared under contract with the City, shall be submitted as part of the tentative plat application process, unless specifically waived by the Community Development Director.*

Response

The applicant and their design team met with city staff in a pre-application conference, just prior to submittal of the application. Subsequently, all applicable submittal material have been provided, and confirmed by the planning staff as a complete application.

Section 4.220. Final Plat Review.

- (.04) Action on Final Plat: Within thirty (30) days of receipt of a complete final plat submittal, the Planning Director shall approve, deny, or, when further information is required,*

postpone a decision on the application. Written notice of such action shall be mailed to the applicant by the Planning Director. If the Planning Director determines that full conformity with all applicable ordinances has not been made, the Director shall advise the applicant of the changes or additions that must be made and shall afford the applicant an opportunity to make the necessary changes or additions.

A. A final plat shall be approved only if affirmative findings can be made that:

1. The Plat is in substantial conformance with the provisions of the Preliminary Plat, as approved;
2. The proposal is consistent with the provisions, intents and purposes of the Comprehensive Plan, Zoning Regulations and the requirements of other relevant sections of this Code.
3. Streets, roads and alleys for public use are dedicated without any reservation or restriction other than reversionary rights upon vacation of any such street or road and easements for public utilities;
4. The plat contains a donation to the public of all common improvements, including, but not limited to, streets, roads, parks, sewage disposal and water supply systems, the donation of which is required by Ordinance or was made a condition of the approval of the tentative plat for the development.
5. Explanations of all common improvements to remain in private ownership have been accounted for and referenced on the plat;
6. Streets and roads held for private use and indicated on the tentative plat have been approved by the City; and
7. All conditions of approval for the development have been met, or adequate assurances for their completion have been provided, to the satisfaction of the Community Development Director.

Response

The final plat is an administrative review function, which will occur after Comprehensive Plan, Zoning, and preliminary plat approvals and the preparation of construction drawings have occurred. The final plat review is compared to the conditions of approval established for the preliminary plat, and will occur as soon as possible.

Section 4.236. General Requirements - Streets.

- (.01) *Conformity to the Master Plan or Map: Land divisions shall conform to and be in harmony with the Transportation Master Plan (Transportation Systems Plan), the Bicycle and Pedestrian Master Plan, the Parks and Recreation Master Plan, the Official Plan or Map and especially to the Master Street Plan.*
- (.02) *Relation to Adjoining Street System.*
 - A. *A land division shall provide for the continuation of the principal streets existing in the adjoining area, or of their proper projection when adjoining property is not developed, and shall be of a width not less than the minimum requirements for streets set forth in these regulations. Where, in the opinion of the Planning Director or Development Review Board, topographic conditions make such continuation or conformity impractical, an exception may be made. In cases where the Board or*

Planning Commission has adopted a plan or plat of a neighborhood or area of which the proposed land division is a part, the subdivision shall conform to such adopted neighborhood or area plan.

- B. Where the plat submitted covers only a part of the applicant's tract, a sketch of the prospective future street system of the unsubmitted part shall be furnished and the street system of the part submitted shall be considered in the light of adjustments and connections with the street system of the part not submitted.*
- C. At any time when an applicant proposes a land division and the Comprehensive Plan would allow for the proposed lots to be further divided, the city may require an arrangement of lots and streets such as to permit a later subdivision in conformity to the street plans and other requirements specified in these regulations.*

Response

There is a half-street improvement abutting the north side of the subject property, and also Morningside Avenue is stubbed to both sides of the subject site from the adjacent development. This development will complete these two street segments.

Appropriate public street access is provided for all lots. The proposed street improvements will complete the surrounding loop street system, thereby enhancing overall neighborhood circulation. Overall, the street network and pedestrian system provides safe and convenient access and circulation throughout the development.

- (.03) All streets shall conform to the standards set forth in Section 4.177 and the block size requirements of the zone.*

Response

All streets have been designed to conform to the residential standards and to match existing improvements. The internal streets are designed with a 51 foot right-of-way and 32-foot paved travel lanes. Curbs and sidewalks are also provided. The block standards are also met, as previously discussed.

- (.04) Creation of Easements: The Planning Director or Development Review Board may approve an easement to be established without full compliance with these regulations, provided such an easement is the only reasonable method by which a portion of a lot large enough to allow partitioning into two (2) parcels may be provided with vehicular access and adequate utilities. If the proposed lot is large enough to divide into more than two (2) parcels, a street dedication may be required. Also, within a Planned Development, cluster settlements may have easement driveways for any number of dwelling units when approved by the Planning Director or Development Review Board.*

Response

No vehicular access easements are necessary. At the Pre-Application Conference, staff concluded that there was no need for any new mid-block pedestrian access connections

other than those already provided by the Renaissance at Canyon Creek development. Utility easements will also be provided as necessary.

- (.05) *Topography: The layout of streets shall give suitable recognition to surrounding topographical conditions in accordance with the purpose of these regulations.*

Response

The entire development has been laid out based on the topography of the site, which is generally flat. Street and lot grades will be set in order to provide for positive drainage.

- (.06) *Reserve Strips: The Planning Director or Development Review Board may require the applicant to create a reserve strip controlling the access to a street. Said strip is to be placed under the jurisdiction of the City Council, when the Director or Board determine that a strip is necessary:*
- A. *To prevent access to abutting land at the end of a street in order to assure the proper extension of the street pattern and the orderly development of land lying beyond the street; or*
 - B. *To prevent access to the side of a street on the side where additional width is required to meet the right-of-way standards established by the City; or*
 - C. *To prevent access to land abutting a street of the land division but not within the tract or parcel of land being divided; or*
 - D. *To prevent access to land unsuitable for building development.*

Response

No reserve strips are necessary.

- (.07) *Future Expansion of Street: When necessary to give access to, or permit a satisfactory future division of, adjoining land, streets shall be extended to the boundary of the land division and the resulting dead-end street may be approved without a turn-around. Reserve strips and street plugs shall be required to preserve the objective of street extension.*
- (.08) *Existing Streets: Whenever existing streets adjacent to or within a tract are of inadequate width, additional right-of-way shall conform to the designated width in this Code or in the Transportation Systems Plan.*

Response

The development provides for the completion of existing adjacent streets. There are no other new streets to be stubbed to accommodate future development.

- (.09) *Street Names: No street names will be used which will duplicate or be confused with the names of existing streets, except for extensions of existing streets. Street names and numbers shall conform to the established name system in the City, and shall be subject to the approval of the City Engineer.*

Response

Street names were established by the prior platting of Renaissance at Canyon Creek.

Section 4.237. General Requirements – Other.

(.01) Blocks:

- A. The length, width, and shape of blocks shall be designed with due regard to providing adequate building sites for the use contemplated, consideration of needs for convenient access, circulation, control, and safety of pedestrian, bicycle, and motor vehicle traffic, and recognition of limitations and opportunities of topography.*
- B. Sizes: Blocks shall not exceed the sizes and lengths specified for the zone in which they are located unless topographical conditions or other physical constraints necessitate larger blocks. Larger blocks shall only be approved where specific findings are made justifying the size, shape, and configuration.*

Response

As previously discussed, the proposed plat conforms to all lot and block standards.

(.02) Easements:

- A. Utility lines. Easements for sewers, drainage, water mains, electrical lines or other public utilities shall be dedicated wherever necessary. Easements shall be provided consistent with the City's Public Works Standards, as specified by the City Engineer or Planning Director. All the utility lines within and adjacent to the site shall be installed with underground services within the street and to any structures. All utilities shall have appropriate easements for construction and maintenance purposes.*
- B. Water courses. Where a land division is traversed by a water course, drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of the water course, and such further width as will be adequate for the purposes of conveying storm water and allowing for maintenance of the facility or channel. Streets or parkways parallel to watercourses may be required.*

Response

Appropriate easements will be provided as part of the final plat.

(.03) Pedestrian and bicycle pathways. An improved public pathway shall be required to transverse the block near its middle if that block exceeds the length standards of the zone in which it is located.

- A. Pathways shall be required to connect to cul-de-sacs or to pass through unusually shaped blocks.*
- B. Pathways required by this subsection shall have a minimum width of ten (10) feet unless they are found to be unnecessary for bicycle traffic, in which case they are to have a minimum width of six (6) feet.*

- (.04) *Tree planting. Tree planting plans for a land division must be submitted to the Planning Director and receive the approval of the Director or Development Review Board before the planting is begun. Easements or other documents shall be provided, guaranteeing the City the right to enter the site and plant, remove, or maintain approved street trees that are located on private property.*

Response

All streets will have sidewalks. There are existing pedestrian links provided at mid-block locations to allow for safe and convenient pedestrian access and circulation, and no new connections are required.

- (.05) *Lot Size and shape. The lot size, width, shape and orientation shall be appropriate for the location of the land division and for the type of development and use contemplated. Lots shall meet the requirements of the zone where they are located.*
- A. *In areas that are not served by public sewer, an on-site sewage disposal permit is required from the City. If the soil structure is adverse to on-site sewage disposal, no development shall be permitted until sewer service can be provided.*
 - B. *Where property is zoned or deeded for business or industrial use, other lot widths and areas may be permitted at the discretion of the Development Review Board. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.*
 - C. *In approving an application for a Planned Development, the Development Review Board may waive the requirements of this section and lot size, shape, and density shall conform to the Planned Development conditions of approval.*

Response

The lots have been designed to meet zoning standards. All lots will be provided with sanitary sewer.

- (.06) *Access. The division of land shall be such that each lot shall have a minimum frontage on a public street, as specified in the standards of the relative zoning districts. This minimum frontage requirement shall apply with the following exceptions:*
- A. *A lot on the outer radius of a curved street or facing the circular end of a cul-de-sac shall have frontage of not less than twenty-five (25) feet upon a street, measured on the arc.*
 - B. *The Development Review Board may waive lot frontage requirements where in its judgment the waiver of frontage requirements will not have the effect of nullifying the intent and purpose of this regulation or if the Board determines that another standard is appropriate because of the characteristics of the overall development.*

Response

All of these standards are met, as discussed above.

- (.07) *Through lots. Through lots shall be avoided except where essential to provide separation of residential development from major traffic arteries or adjacent non-residential activity or to overcome specific disadvantages of topography and orientation. A planting screen easement of at least ten (10) feet, across which there shall be no access, may be required along the line of lots abutting such a traffic artery or other disadvantageous use. Through lots with planting screens shall have a minimum average depth of one hundred (100) feet. The Development Review Board may require assurance that such screened areas be maintained as specified in Section 4.176.*

Response

There are no “through lots” proposed.

- (.08) *Lot side lines. The side lines of lots, as far as practicable for the purpose of the proposed development, shall run at right angles to the street upon which the lots face.*

Response

All side lot lines run at right angles consistent with this standard.

- (.09) *Large lot land divisions. In dividing tracts which at some future time are likely to be re-divided, the location of lot lines and other details of the layout shall be such that re-division may readily take place without violating the requirements of these regulations and without interfering with the orderly development of streets. Restriction of buildings within future street locations shall be made a matter of record if the Development Review Board considers it necessary.*

Response

There are no over-sized lot, allowing for further land division created by this development.

- (.10) *Building line. The Planning Director or Development Review Board may establish special building setbacks to allow for the future re-division or other development of the property or for other reasons specified in the findings supporting the decision. If special building setback lines are established for the land division, they shall be shown on the final plat.*

Response

The applicant has requested a waiver to the PDR-3 side yard setbacks to allow a straight 5 foot setback, regardless of number of stories. This would constitute a “*Special Setback*”, assuming this waiver is approved. This setback cannot, however, be shown on the Final Plat. The Plat can, however, include a note referencing the approved Conditions of Approval, as being applicable.

- (.11) *Build-to line. The Planning Director or Development Review Board may establish special build-to lines for the development, as specified in the findings and conditions of approval for the decision. If special build-to lines are established for the land division, they shall be shown on the final plat.*

Response

The applicant has requested a waiver to the PDR-3 side yard setbacks to allow a straight 5 foot setback, regardless of number of stories. This could constitute a “*Special Build-to-line*”, assuming this waiver is approved. However, like the setback waiver it cannot be shown on the Final Plat. The Plat can, however, include a note referencing the approved Conditions of Approval, as being applicable.

- (.12) *Land for public purposes. The Planning Director or Development Review Board may require property to be reserved for public acquisition, or irrevocably offered for dedication, for a specified period of time.*

Response

No land is proposed to be dedicated to the City, except for street rights-of-way.

- (.13) *Corner lots. Lots on street intersections shall have a corner radius of not less than ten (10) feet.*

Response

The lots are designed to comply with this standard.

Section 4.262. Improvements - Requirements.

- (.01) *Streets. Streets within or partially within the development shall be graded for the entire right-of-way width, constructed and surfaced in accordance with the Transportation Systems Plan and City Public Works Standards. Existing streets, which abut the development shall be graded, constructed, reconstructed, surfaced or repaired as determined by the City Engineer.*
- (.02) *Curbs. Curbs shall be constructed in accordance with standards adopted by the City.*
- (.03) *Sidewalks. Sidewalks shall be constructed in accordance with standards adopted by the City.*

Response

All street improvements will comply with city standards.

- (.04) *Sanitary sewers. When the development is within two hundred (200) feet of an existing public sewer main, sanitary sewers shall be installed to serve each lot or parcel in accordance with standards adopted by the City. When the development is more than two hundred (200) feet from an existing public sewer main, the City Engineer may approve an alternate sewage disposal system.*
- (.05) *Drainage. Storm drainage, including detention or retention systems, shall be provided as determined by the City Engineer.*

- (.06) *Underground utility and service facilities. All new utilities shall be subject to the standards of Section 4.300 (Underground Utilities). The developer shall make all necessary arrangements with the serving utility to provide the underground services in conformance with the City's Public Works Standards.*

Response

All lots will be served by sanitary sewer. Appropriate storm detention and water quality facilities will be provided to meet City standards. And, all utilities will be placed underground.

- (.07) *Streetlight standards. Streetlight standards shall be installed in accordance with regulations adopted by the City.*
- (.08) *Street signs. Street name signs shall be installed at all street intersections and dead-end signs at the entrance to all dead-end streets and cul-de-sacs in accordance with standards adopted by the City. Other signs may be required by the City Engineer.*

Response

Streetlights and signs will be provided consistent with City standards and the Canyon Creek development.

- (.09) *Monuments. Monuments shall be placed at all lot and block corners, angle points, points of curves in streets, at intermediate points and shall be of such material, size and length as required by State Law. Any monuments that are disturbed before all improvements are completed by the developer and accepted by the City shall be replaced to conform to the requirements of State Law.*

Response

Appropriate monumentation will be provided as part of the final plat process.

Section 4.154. Bicycle, Pedestrian and Transit Facilities.

Response

Sidewalks will be provided as part of the completion of the existing street improvements.

Section 4.171. General Regulations - Protection of Natural Features and Other Resources.

- (.01) *Purpose. It is the purpose of this Section to prescribe standards and procedures for the use and development of land to assure the protection of valued natural features and cultural resources. The requirements of this Section are intended to be used in conjunction with those of the Comprehensive Plan and other zoning standards. It is further the purpose of this Section:*

A. To protect the natural environmental and scenic features of the City of Wilsonville.

- B. To encourage site planning and development practices which protect and enhance natural features such as riparian corridors, streams, wetlands, swales, ridges, rock outcroppings, views, large trees and wooded areas.*
- C. To provide ample open space and to create a constructed environment capable and harmonious with the natural environment.*

Response

There are no designated SROZ areas associated with this development.

TREE PRESERVATION AND PROTECTION

Section 4.600. Purpose and Declaration

- (.01) Rapid growth, the spread of development, need for water and increasing demands upon natural resources have the effect of encroaching upon, despoiling, or eliminating many of the trees, other forms of vegetation, and natural resources and processes associated therewith which, if preserved and maintained in an undisturbed and natural condition, constitute important physical, aesthetic, recreational and economic assets to existing and future residents of the City of Wilsonville.*

Section 4.610.10. Standards For Tree Removal, Relocation Or Replacement

- (.01) Except where an application is exempt, or where otherwise noted, the following standards shall govern the review of an application for a Type A, B, C or D Tree Removal Permit:*
 - A. Standard for the Significant Resource Overlay Zone. The standard for tree removal in the Significant Resource Overlay Zone shall be that removal or transplanting of any tree is not inconsistent with the purposes of this Chapter.*
 - B. Preservation and Conservation. No development application shall be denied solely because trees grow on the site. Nevertheless, tree preservation and conservation as a design principle shall be equal in concern and importance to other design principles.*
 - C. Developmental Alternatives. Preservation and conservation of wooded areas and trees shall be given careful consideration when there are feasible and reasonable location alternatives and design options on-site for proposed buildings, structures or other site improvements.*
 - D. Land Clearing. Where the proposed activity requires land clearing, the clearing shall be limited to designated street rights-of-way and areas necessary for the construction of buildings, structures or other site improvements.*
 - E. Residential Development. Where the proposed activity involves residential development, residential units shall, to the extent reasonably feasible, be designed and constructed to blend into the natural setting of the landscape.*

- F. Compliance With Statutes and Ordinances. The proposed activity shall comply with all applicable statutes and ordinances.*
- G. Relocation or Replacement. The proposed activity shall include necessary provisions for tree relocation or replacement, in accordance with WC 4.620.00, and the protection of those trees that are not to be removed, in accordance with WC 4.620.10.*
- H. Limitation. Tree removal or transplanting shall be limited to instances where the applicant has provided completed information as required by this Chapter and the reviewing authority determines that removal or transplanting is necessary based on the criteria of this subsection.*
- 1. Necessary For Construction. Where the applicant has shown to the satisfaction of the reviewing authority that removal or transplanting is necessary for the construction of a building, structure or other site improvement, and that there is no feasible and reasonable location alternative or design option on-site for a proposed building, structure or other site improvement; or a tree is located too close to existing or proposed buildings or structures, or creates unsafe vision clearance.*
 - 2. Diseased, Damage, or Nuisance, or Hazard. Where the tree is diseased, damaged, or in danger of falling, or presents a hazard as defined in WC 6.208, or is a nuisance as defined in WC 6.200 et seq., or creates unsafe vision clearance as defined in this Code.*
 - (a) As a condition of approval of Stage II development, filbert trees must be removed if they are no longer commercially grown or maintained.*
 - 3. Interference. Where the tree interferes with the healthy growth of other trees, existing utility service or drainage, or utility work in a previously dedicated right-of-way, and it is not feasible to preserve the tree on site.*
 - 4. Other. Where the applicant shows that tree removal or transplanting is reasonable under the circumstances.*

Response

There are existing trees along the current Canyon Creek South frontage, and along the southern and western boundaries of the property adjacent to Canyon Creek Road. None of the existing trees are protected by SROZ. These trees have been identified and an Arborist's Report prepared by Morgan Holen, and all trees proposed to be either removed or protected are identified, see Index Tab.

The Arborist inventoried 28 trees which are 6-inch or larger in diameter. Of these 28 trees, 8 have been identified for preservation, and the other 20 will be removed to accommodate the streets and site development activities. The 8 trees being preserved are all located along the western boundary, and will be within Tract B Open Space.

I. Additional Standards for Type C Permits.

1. *Tree survey. For all site development applications reviewed under the provisions of Chapter 4 Planning and Zoning, the developer shall provide a Tree Survey before site development as required by WC 4.610.40, and provide a Tree Maintenance and Protection plan, unless specifically exempted by the Planning Director or DRB, prior to initiating site development.*
2. *Platted Subdivisions. The recording of a final subdivision plat whose preliminary plat has been reviewed and approved after the effective date of Ordinance 464 by the City and that conforms with this subchapter shall include a Tree Survey and Maintenance and Protection Plan, as required by this subchapter, along with all other conditions of approval.*
3. *Utilities. The City Engineer shall cause utilities to be located and placed wherever reasonably possible to avoid adverse environmental consequences given the circumstances of existing locations, costs of placement and extensions, the public welfare, terrain, and preservation of natural resources. Mitigation and/or replacement of any removed trees shall be in accordance with the standards of this subchapter.*

Response

This issue has been addressed earlier in this report.

Section 4.610.40. Type C Permit

- (.01) *Approval to remove any trees on property as part of a site development application may be granted in a Type C permit. A Type C permit application shall be reviewed by the standards of this subchapter and all applicable review criteria of Chapter 4. Application of the standards of this section shall not result in a reduction of square footage or loss of density, but may require an applicant to modify plans to allow for buildings of greater height. If an applicant proposes to remove trees and submits a landscaping plan as part of a site development application, an application for a Tree Removal Permit shall be included. The Tree Removal Permit application will be reviewed in the Stage II development review process, and any plan changes made that affect trees after Stage II review of a development application shall be subject to review by DRB. Where mitigation is required for tree removal, such mitigation may be considered as part of the landscaping requirements as set forth in this Chapter. Tree removal shall not commence until approval of the required Stage II application and the expiration of the appeal period following that decision. If a decision approving a Type C permit is appealed, no trees shall be removed until the appeal has been settled.*
- (.02) *The applicant must provide ten copies of a Tree Maintenance and Protection Plan completed by an arborist that contains the following information:*
- A. *A plan, including a topographical survey bearing the stamp and signature of a qualified, registered professional containing all the following information:*
 1. *Property Dimensions. The shape and dimensions of the property, and the location of any existing and proposed structure or improvement.*

2. *Tree survey. The survey must include:*

- a. *An accurate drawing of the site based on accurate survey techniques at a minimum scale of one inch (1") equals one hundred feet (100') and which provides a) the location of all trees having six inches (6") or greater d.b.h. likely to be impacted, b) the spread of canopy of those trees, (c) the common and botanical name of those trees, and d) the approximate location and name of any other trees on the property.*
- b. *A description of the health and condition of all trees likely to be impacted on the site property. In addition, for trees in a present or proposed public street or road right-of-way that are described as unhealthy, the description shall include recommended actions to restore such trees to full health. Trees proposed to remain, to be transplanted or to be removed shall be so designated. All trees to remain on the site are to be designated with metal tags that are to remain in place throughout the development. Those tags shall be numbered, with the numbers keyed to the tree survey map that is provided with the application.*
- c. *Where a stand of twenty (20) or more contiguous trees exist on a site and the applicant does not propose to remove any of those trees, the required tree survey may be simplified to accurately show only the perimeter area of that stand of trees, including its drip line. Only those trees on the perimeter of the stand shall be tagged, as provided in "b," above.*
- d. *All Oregon white oaks, native yews, and any species listed by either the state or federal government as rare or endangered shall be shown in the tree survey.*

3. *Tree Protection. A statement describing how trees intended to remain will be protected during development, and where protective barriers are necessary, that they will be erected before work starts. Barriers shall be sufficiently substantial to withstand nearby construction activities. Plastic tape or similar forms of markers do not constitute "barriers."*

4. *Easements and Setbacks. Location and dimension of existing and proposed easements, as well as all setbacks required by existing zoning requirements.*

5. *Grade Changes. Designation of grade changes proposed for the property that may impact trees.*

6. *Cost of Replacement. A cost estimate for the proposed tree replacement program with a detailed explanation including the number, size and species.*

7. *Tree Identification. A statement that all trees being retained will be identified by numbered metal tags, as specified in subsection "A," above in addition to clear identification on construction documents.*

Section 4.620.00. Tree Relocation, Mitigation, Or Replacement

(.01) Requirement Established. A Type B or C Tree Removal Permit grantee shall replace or relocate each removed tree having six (6) inches or greater d.b.h. within one year of removal.

Response

Appropriate permits shall be obtained for the removal of any and all trees, not to be preserved. An arborist has prepared a detailed inventory and assessment of all trees within the development area, including utility extensions, see Index Tab. During construction, and trees specified to be protected will be delineated and protected by the placement at the edge of the canopy drip line with plastic orange mesh fencing.

The proposed tree removal will require mitigation in the form of 20 replacement trees, within the two Open Space Tracts. Street trees (17) will be planted throughout the project and along Canyon Creek South in accordance with City standards, as reflected on the Landscaping Plan.

Final Conclusion

This report demonstrates that the proposed development, Canyon Creek II, complies with all applicable Comprehensive Plan provisions. It further satisfies all the applicable Plan and Zoning Map amendment criteria. This application further complies with all applicable PDR zoning, Design Review and tentative plat requirements. Therefore it should be approved as requested.

2008

After recording, return to:
Michael D. Williams
1515 S.W. 5th, Ste. 844
Portland, OR 97201

Clackamas County Official Records
Sherry Hall, County Clerk

2008-062101



\$36.00

09/05/2008 11:43:16 AM

D-D Cnt=1 Stn=9 JANISKEL
\$10.00 \$10.00 \$16.00

All tax statements to:
James W. Dillon
3175 NE Fremont
Portland, Or 97220-5273

Tax ID , Assessor Nos:

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS that **JAMES W. DILLON, SUCCESSOR TRUSTEE OF THE VIRGINIA A. DILLON TRUST UNDER AGREEMENT DATED AUGUST 24, 1998**, Grantor, for the consideration hereinafter stated, do hereby grant, bargain, sell and convey to **JAMES W. DILLON and DEBRA ANN GRUBER**, as tenants in common, Grantee, and to Grantees' heirs, successors, and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in Clackamas County, Oregon, legally described as:

The North 130 feet of Lot 15, BRIDLE TRAIL RANCHETTES

Subject to liens, encumbrances, easements and restrictions of record.

To have and to hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

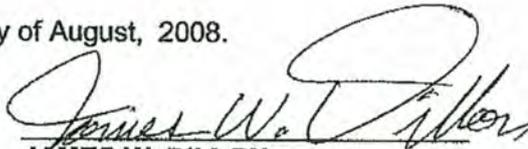
The true consideration for this conveyance is \$-0-. (Transfer of Inheritance)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR

1- BARGAIN AND SALE DEED

FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

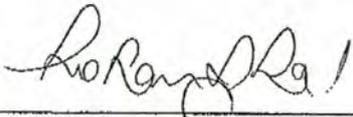
DATED this 22 day of August, 2008.


JAMES W. DILLON

STATE OF OREGON)
) ss.
County of Multnomah)

This instrument was acknowledged before me on August 22nd, 2008, by JAMES W. DILLON , TRUSTEE..




Notary Public for Oregon
My commission expires: Dec 18th, 2011

2- BARGAIN AND SALE DEED

(2)



**Bridle Trail Ranchetts, Wilsonville, Oregon
Tree Maintenance and Protection Plan
November 5, 2013**

MHA1336

Purpose

This Tree Maintenance and Protection Plan for the Bridle Trail Ranchetts project located in Wilsonville, Oregon, is provided pursuant to the City of Wilsonville Development Code, Section 4.610.40. This arborist report describes the existing trees located on the project site and recommendations for tree removal, retention, mitigation, and protection. This report is based on observations made by International Society of Arboriculture (ISA) Certified Arborist (PN-6145A) Morgan Holen during a site visit conducted on October 10, 2013. A complete description of individual trees is provided in the enclosed tree data.

Scope of Work and Limitations

Morgan Holen & Associates, LLC, was contracted by Renaissance Homes to inventory individual trees measuring six inches and larger in diameter and to develop a tree maintenance and protection plan for the project. The site is planned for residential development. A site survey was provided prior to the tree inventory illustrating the location of trees and tree survey point numbers.

Visual Tree Assessment (VTA) was performed on individual trees located within and adjacent to the project boundaries. VTA is the standard process developed by the ISA whereby the inspector visually assesses the tree from a distance and up close, looking for defect symptoms and evaluating overall condition and vitality on individual trees. Inventory data was collected including point number, species, size, general condition, comments, and treatment recommendations. Following the inventory fieldwork, we coordinated with SFA Design Group and Murase Associates to provide recommendations aimed to preserve the best existing tree features during the design phase.

The client may choose to accept or disregard the recommendations contained herein, or seek additional advice. Neither this author nor Morgan Holen & Associates, LLC, have assumed any responsibility for liability associated with the trees on or adjacent to this site.

General Description

The site includes one existing residence, a shed, and an open field with trees scattered around the home, along property boundaries, and in a small fruit orchard. In all, 28 trees measuring 6-inches and larger in diameter were inventoried including 13 tree species. Table 1 provides a summary of the count of trees by species.

Table 1. Count of Trees by Species – Bridle Trail Ranchetts, Wilsonville, OR.

Common Name	Species Name	Total	%
apple	<i>Malus</i> spp.	5	17.86%
black hawthorn	<i>Crataegus douglasii</i>	1	3.57%
casacara	<i>Rhamnus purshiana</i>	3	10.71%
curly willow	<i>Salix matsudana</i>	1	3.57%
Deodar cedar	<i>Cedrus deodara</i>	1	3.57%
Douglas-fir	<i>Pseudotsuga menziesii</i>	7	25.0%
Japanese maple	<i>Acer japonicum</i>	1	3.57%
juniper	<i>Juniperus occidentalis</i>	1	3.57%
lodgepole pine	<i>Pinus contorta</i>	1	3.57%
Norway spruce	<i>Picea abies</i>	1	3.57%
pear	<i>Pyrus</i> spp.	2	7.14%
ponderosa pine	<i>Pinus ponderosa</i>	2	7.14%
sweet cherry	<i>Prunus avium</i>	2	7.14%
Total		28	100%

No Oregon white oak (*Quercus garryana*), native yews (*Taxus* spp.), or any species listed by either the state or federal government as rare or endangered were found on the site. A complete description of existing trees is included in the enclosed tree data.

Tree Plan Recommendations

As described in the enclosed tree data, individual trees were assigned a general condition rating on the scale of one to five as follows:

- 1: Dead/Potentially Hazardous
- 2: Poor Condition
- 3: Moderate Condition
- 4: Good Condition
- 5: Excellent Condition

Table 2 provides a summary of the number of trees by general condition rating and treatment recommendation.

Table 2. Count of Trees Treatment Recommendation and General Condition Rating.

Treatment Recommendation	General Condition Rating					Total
	1	2	3	4	5	
Remove	0	6	12	2	0	20 (71%)
Retain	0	0	3	4	1	8 (29%)
Total	0 0%	6 21%	15 54%	6 21%	1 4%	28 (100%)

None of the inventoried trees were dead or hazardous. Of the 28 inventoried trees, 8 (29%) are recommended for retention and may require special protection during construction, including three trees in trees in moderate condition, four trees in good condition, and the one and only tree to receive a general condition rating of 5 for excellent (#5100, a 24-inch diameter ponderosa pine along the western

property boundary). These eight trees are all located along the western property boundary and are suitable for preservation with construction, which helps to maintain existing screening from Canyon Creek Road.

The 20 (71%) remaining trees are recommended for removal because of species, poor condition, or for the purposes of construction. This includes six trees in poor condition, and 12 trees in moderate condition and two trees in good condition that must be removed because of road improvements and grading for building lots. Of the two trees in good condition that must be removed, tree 6282 is a multi-stemmed Japanese maple suitable for transplanting and tree 6281 is a 48-inch diameter Deodar cedar (*Cedrus deodara*) that has an old broken top and large scaffold branches that are prone to failure with maturity.

Mitigation Requirements

All 28 inventoried trees are greater than 6-inches in diameter. Eight trees will be retained and protected throughout construction and 20 trees will be removed for condition and construction. Removal of these 20 trees requires mitigation per Section 4.620.00; removed trees shall be replaced on a basis of one tree planted for each tree removed. Therefore, 20 trees measuring at least 2-inches in diameter will be planted as mitigation for tree removal.

Tree Protection Standards

Trees designated for retention will need special consideration to assure their protection during construction. We highly recommend a preconstruction meeting with the owner, contractors, and project arborist to review tree protection measures and address questions or concerns on site.

Tree protection measures include:

- **Fencing.** Trees to remain on site shall be protected by installation of tree protection fencing to prevent injury to tree trunks or roots, or soil compaction within the root protection area, which generally coincides with the limits of disturbance (or tree driplines where feasible). Fences shall be 6-foot high steel on concrete blocks or orange plastic construction fencing on metal stakes. The project arborist shall determine the exact location and type of tree protection fencing. Trees located more than 30-feet from construction activity shall not require fencing.
- **Tree Protection Zone.** Without authorization from the Project Arborist, none of the following shall occur beneath the dripline of any protected tree:
 1. Grade change or cut and fill;
 2. New impervious surfaces;
 3. Utility or drainage field placement;
 4. Staging or storage of materials and equipment; or
 5. Vehicle maneuvering.

Root protection zones may be entered for tasks like surveying, measuring, and, sampling. Fences must be closed upon completion of these tasks.

- **Soil protection.** The stripping of topsoil around retained trees shall be restricted, except under the guidance of the project arborist. No fill (including temporary storage of spoils) shall be placed beneath the dripline of protected trees, except as otherwise directed by the project arborist.

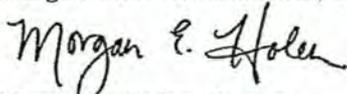
- **Excavation.** The project arborist shall provide on-site consultation during all excavation activities beneath the dripline of protected trees. Excavation immediately adjacent to roots larger than 2-inches in diameter within the root protection zone of retained trees shall be by hand or other non-invasive techniques to ensure that roots are not damaged. Where feasible, major roots shall be protected by tunneling or other means to avoid destruction or damage. Exceptions can be made if, in the opinion of the project arborist, unacceptable damage will not occur to the tree. Where soil grade changes affect the root protection area, the grade line should be meandered wherever practicable. This will require on-site coordination to ensure a reasonable balance between engineering, construction, and the need for tree protection.
- **Pruning.** Some of the trees may require pruning for safety, clearance, and to avoid crown damage prior to construction. The project arborist can help identify where pruning is necessary once trees recommended for removal have been removed and the site is staked and prepared for construction. Pruning should be performed by a Qualified Tree Service.
- **Landscaping.** Following construction, apply approximately 3-inches of mulch beneath the dripline of protected trees, but not directly against tree trunks. Shrubs and ground covers may be planted within tree protection areas. If irrigation is used, use drip irrigation only beneath the driplines of protected trees.
- **Quality Assurance.** The project arborist should supervise proper execution of this plan during construction activities that could encroach on retained trees. Tree protection site inspection monitoring reports should be provided to the Client and City as needed throughout construction.

Summary

Eight trees are recommended for preservation during construction and 20 trees are recommended for removal either because of poor condition or for the purposes of construction. The 20 trees planned for removal will require mitigation on a one-for-one basis. Please contact us if you have questions or need any additional information.

Thank you for choosing Morgan Holen & Associates, LLC, to provide consulting arborist services for the Bridle Trail Ranchetts project. Please contact us if you have questions or need additional information.

Thank you,
Morgan Holen & Associates, LLC



Morgan E. Holen, Owner
ISA Certified Arborist, PN-6145A
ISA Tree Risk Assessment Qualified
Forest Biologist

Enclosures: Tree Data 10-10-13



No.	Common Name	Species Name	DBH ¹	C-Rad ²	Ht ³	Cond ⁴	Comments	Treatment
5093	Douglas-fir	<i>Pseudotsuga menziesii</i>	18	9	57	4	some crown asymmetry	retain in group
5094	Douglas-fir	<i>Pseudotsuga menziesii</i>	18	15	56	4	suitable for retention in group only	retain in group
5095	ponderosa pine	<i>Pinus ponderosa</i>	24	18	50	3	forked top, multiple leaders; Willamette Valley variety	retain in group
5096	Douglas-fir	<i>Pseudotsuga menziesii</i>	18	14	55	4	no major defects	retain
5097	sweet cherry	<i>Prunus avium</i>	6	13	35	3	invasive species	remove
5099	Douglas-fir	<i>Pseudotsuga menziesii</i>	15	13	30	3	competing with 5100	retain
5100	ponderosa pine	<i>Pinus ponderosa</i>	24	22	64	5	no major defects; Willamette Valley variety	retain
5101	Douglas-fir	<i>Pseudotsuga menziesii</i>	12	16	40	3	poor crown structure, competing with 5100	retain
5102	Douglas-fir	<i>Pseudotsuga menziesii</i>	12	12	35	4	prune lower crown for aesthetics	retain
5103	lodgepole pine	<i>Pinus contorta</i>	10	6	20	2	suppressed, not viable	remove
5116	casacara	<i>Rhamnus purshiana</i>	6	8	18	3	multiple leaders, some included bark	remove
5128	sweet cherry	<i>Prunus avium</i>	8	10	26	3	invasive species	remove
5129	casacara	<i>Rhamnus purshiana</i>	6	8	14	3	basal decay	remove
5148	black hawthorn	<i>Crataegus douglasii</i>	8	8	19	3	poor structure, multiple leaders	remove
5154	casacara	<i>Rhamnus purshiana</i>	6	6	21	2	stem and branch decay	remove
5155	curly willow	<i>Salix matsudana</i>	24	9	23	2	dead branches, stem and branch decay	remove
6281	Deodar cedar	<i>Cedrus deodara</i>	48	28	52	4	old broken top, large scaffold branches	remove
6282	Japanese maple	<i>Acer japonicum</i>	10	8	16	4	few dead branches	remove
6290	Norway spruce	<i>Picea abies</i>	12	8	25	3	forked top	remove
6313	apple	<i>Malus spp.</i>	12	14	20	3	decay with hollow at south face	remove
6358	pear	<i>Pyrus spp.</i>	8	10	18	3	maintained fruit tree	remove
6359	apple	<i>Malus spp.</i>	10	12	20	3	maintained fruit tree	remove
6360	apple	<i>Malus spp.</i>	10	12	20	3	maintained fruit tree	remove
6361	pear	<i>Pyrus spp.</i>	14	15	20	2	wire girdling trunk, some decay	remove
6362	apple	<i>Malus spp.</i>	10	10	18	3	maintained fruit tree	remove
6363	apple	<i>Malus spp.</i>	6	8	15	2	maintained fruit tree, over-shaded	remove
6365	Douglas-fir	<i>Pseudotsuga menziesii</i>	26	28	24	3	poor structure, topped beneath overhead utility lines	remove
6370	juniper	<i>Juniperus occidentalis</i>	12x5"	14	32	2	poor structure, thin crown	remove

¹DBH is tree diameter measured at 4.5-feet above the ground level, in inches

²C-Rad is the average crown radius measured in feet

³HT is approximate height measured in feet

⁴Cond is an arborist assigned rating to generally describe the condition of individual trees as follows-

1: Dead/Potentially Hazardous; 2: Poor Condition; 3: Moderate Condition; 4: Good Condition; and 5: Excellent Condition



SFA Design Group, LLC

STRUCTURAL | CIVIL | LAND USE PLANNING | SURVEYING

Preliminary Storm Drainage Report

Canyon Creek II

Clackamas County, Oregon

Date: November 15, 2013

By: Brent E. Fitch, P.E.

SFA Job No. 106-016

APPLICANT:

Renaissance Development

16771 SW Boones Ferry Road

Lake Oswego, OR 97035

Phone: (503) 496-0616 Fax: (503) 635-8400

Contact: Amy Schnell

APPLICANT'S REPRESENTATIVE:

SFA Design Group, LLC

9020 SW Washington Square Drive, Suite 505

Portland, OR 97223

Phone: (503) 641-8311 Fax: (503) 643-7905

Contact: Brent Fitch, PE

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RENAISSANCE AT CANYON CREEK DRAINAGE REPORT, DATED JUNE 15, 2004

INTRODUCTION

This report represents the preliminary storm drainage and stormwater analysis for the Canyon Creek II Subdivision project. The basis of this report is to comply with the City of Wilsonville and the State of Oregon's regulations and engineering standards as well as the latest edition of the Oregon Plumbing Specialty Code (OSPC). Compiled in this report are the design criteria for the site, the hydrologic methodology, and the preliminary drainage analysis.

SITE DESCRIPTION AND LOCATION

The proposed development is a 8-lot detached single family subdivision located on Tax Lot 5000; Map T3S R1W 13BA. The land area of this tax lot is approximately 1.83 acres while the shed area total to be analyzed is 1.86 acres due to off-site contributing areas.

There is an existing single family residence and outbuildings on the property currently which will be removed for the new development.

EXISTING CONDITIONS

This suburban sized property has been developed with a single family home and a couple of out buildings. The front yard area is landscaped typical to residential uses, while the large rear yard has remained in more of an open pasture with a few random trees. However, along the western boundary, formal right-of-way landscaping and street trees has been provided by the Renaissance development.

The site is broken into two separate basins as identified in the attached exhibits. Sloping from approximately 222.5 to 218 to the north and 222.5 to 216 to the south.

The soil type found on site is Aloha Silt Loam 1, with a corresponding hydrologic soil group designation of "C" as shown attached Renaissance at Canyon Creek Drainage Report dated June 15, 2004.

RUNOFF CURVE NUMBERS

Predevelopment composite pervious areas represent a runoff curve number of 85 for while post development pervious areas will use a runoff curve number of 86. A runoff curve number of 98 will be used for all predeveloped and developed impervious areas (refer to the *SCS Runoff Curve Numbers* exhibit).

RUNOFF CURVE NUMBERS		
Land Description	Existing RCN	Proposed RCN
Meadow or Pasture	85	---
Open Space, Good Condition	---	86
Impervious	98	98

PROPOSED IMPROVEMENTS

We will be constructing impervious surfaces as a result of the public street improvements and the eventual homes and sidewalks. Public utilities will be extended throughout the site for the use of the proposed lots. The site will direct its runoff to existing facilities built with the development of Canyon Creek 1.

HYDROLOGY/HYDRAULIC METHODOLOGY

Using the Santa Barbara Urban Hydrograph (SBUH) method based on a Type 1A rainfall distribution, the site has been analyzed to determine the proposed peak runoff rates for the water quality, 2, 10, and 25-year 24-hour storm events. The SBUH method uses runoff curve numbers in conjunction with the site’s hydrologic soil group to model the site’s permeability.

A pre-developed time of concentration for Basin #1 is 31.08 minutes and for Basin #2 is 22.79 min (*refer to the Time of Concentration exhibits*).

Rainfall depths for all storm events used in the calculations and design of the proposed storm drainage system are found in latest edition of The City of Wilsonville Public Works Standards and as shown below.

24-HOUR RAINFALL DEPTHS (CWS)					
Recurrence Interval, Years	2	5	10	25	100
24-Hour Depths, Inches	2.50	3.10	3.45	3.90	4.50

WATER QUALITY

As required by The City of Wilsonville, we will treat runoff from any new impervious surface created as a result of the proposed development. All water quality structures shall be designed to treat storm water generated by 0.36 inches of precipitation falling in 4 hours with an average storm return period of 96 hours. The water quality facilities, in conjunction with the sumped catch basins, will remove a minimum of 65% of the Total Phosphorous (TP) from the storm water runoff. We will be routing the collected storm water to the existing facilities built with Canyon Creek I.

For Basin #1 improvements along with the original impervious area associated within the Phase 1 improvements we are required to have a 133.27 foot long water quality swale. The swale as constructed for Basin #1 is 138 feet long therefore no modifications to the swale are required for this development.

For Basin #2 improvements along with the original impervious area associated within the Phase 1 improvements we are required to have a 157.64 foot long water quality swale. The swale as constructed for Basin #2 is 164 feet long therefore no modifications to the swale are required for this development.

Refer to the Attached Water Quality Swale Calculations.

DETENTION

Water quantity control (detention) is being provided within the existing quality/quantity ponds. With the additional impervious surface being created with the development of the subdivision we will be matching the pre-developed and post developed peak flows from the site to not affect downstream properties or conveyance systems. The existing ponds associated with each basin will be modified as needed to account for the additional peak runoff rates generated by this development. There is adequate area within each pond to accept the additional runoff.

Within Basin #1 we have an area that is unable to be conveyed to the Basin #1 pond but has been accounted for its peak runoff rates when matching the pre to post flows leaving the site. With the original condition of the property and how the two basins interact with the existing utilities we have balanced the pre to post amount of area going to each basin. This will ensure that one basin is not overloaded with additional storm water and keep the original peak flows consistent with current conditions.

Refer to the attached Detention Calculations.

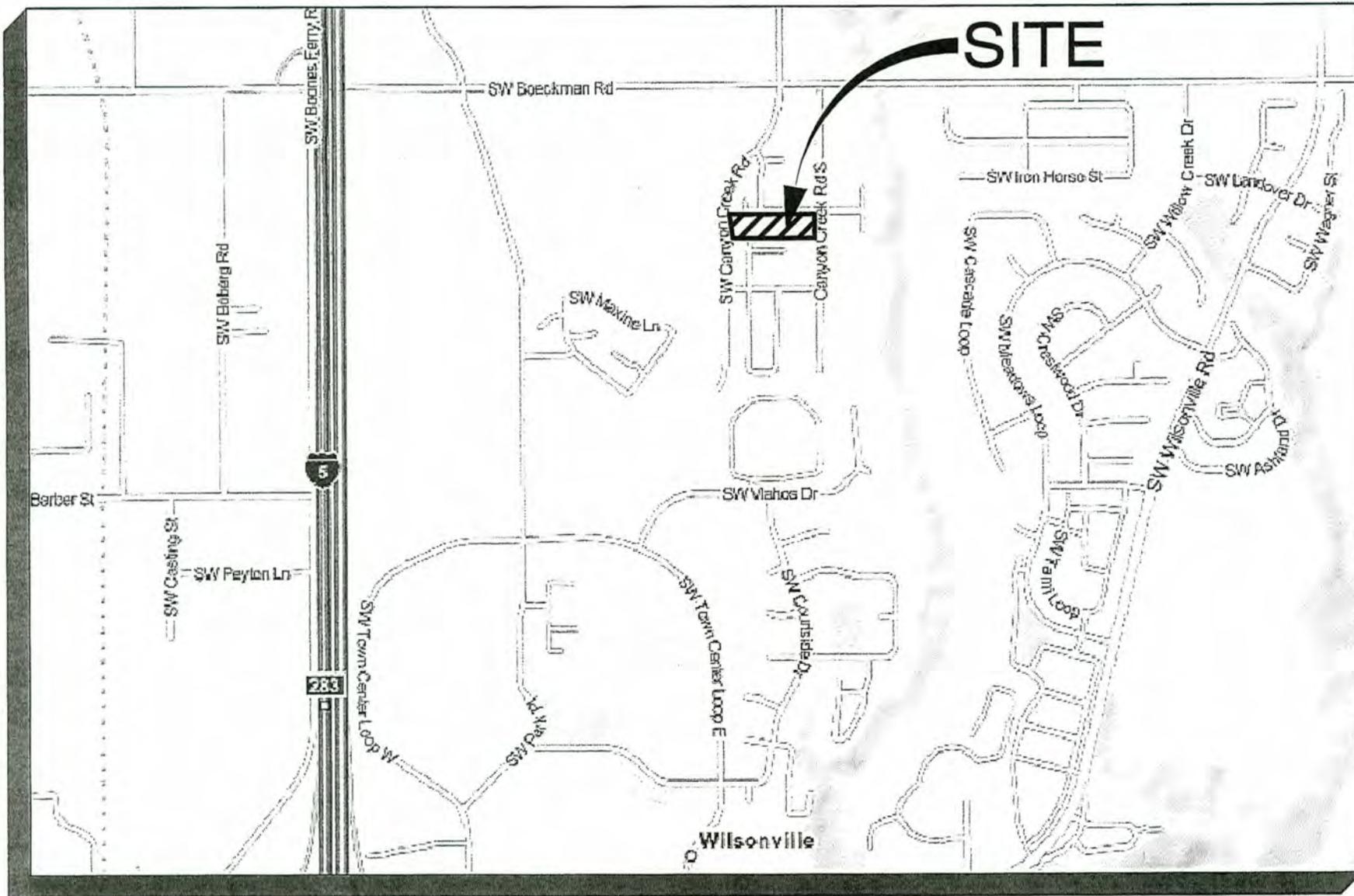
CONVEYANCE

The conveyance system for the site consists of an underground pipe system with sumped and flow through catch basins. Storm water will be conveyed through the site via a series of pipes and routed to the existing storm systems stubbed to the property.

Using a Manning's 'n' value of 0.013, the minimum slope required to convey the 25-year storm event through the site is shown in the attached *Stormwater Conveyance Calculations*.

CONCLUSION

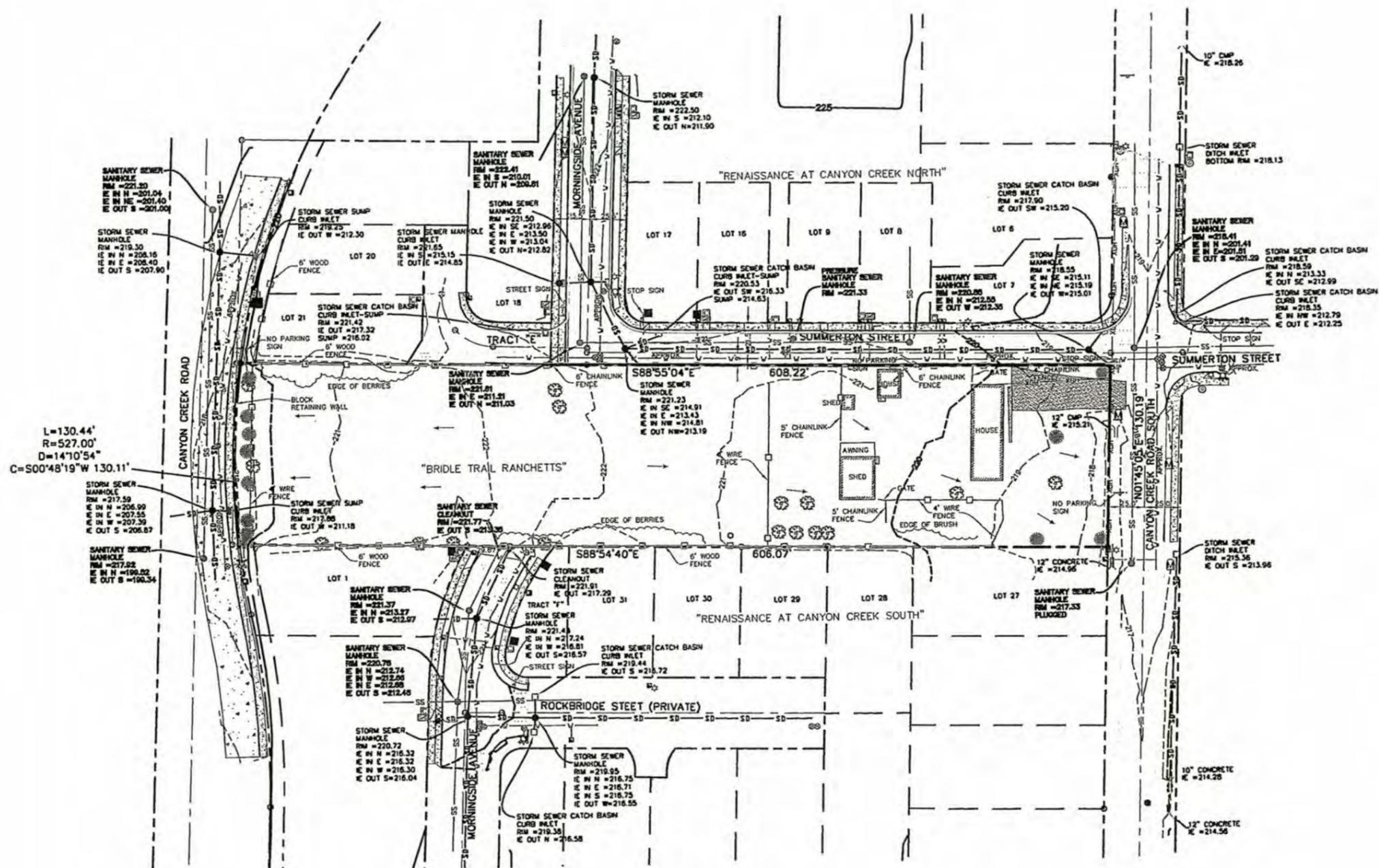
Based on the supporting stormwater calculations and attached analysis, it is the opinion of SFA Design Group that the development of the Canyon Creek II project will not adversely affect the existing downstream drainage system or adjacent property owners. We have provided water quality/quantity treatment for the development. Therefore, all the requirements associated with The City of Wilsonville's Public Works Standards have been met for this project.



SITE

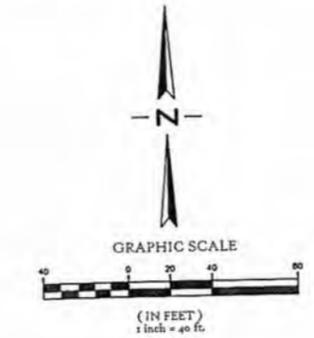
VICINITY MAP

N.T.S.



- LEGEND:**
- CONIFEROUS TREE
 - DECIDUOUS TREE
 - POWER VAULT
 - TELEPHONE MH/VAULT
 - SIGN
 - WATER VALVE
 - WATER METER
 - IRRIGATION CONTROL VALVE
 - UTILITY POLE
 - LIGHT POLE
 - UTILITY POLE/LUMINAIRE
 - STORM MANHOLE
 - SANITARY MANHOLE
 - CURB INLET
 - CATCH BASIN
 - FIRE HYDRANT
 - ELECTRIC RISER
 - MAILBOX
 - GAS RISER
 - JUNCTION BOX
 - SD— STORM DRAINAGE LINE
 - SS— SANITARY SEWER LINE
 - W— WATER LINE
 - G— GAS LINE
 - T— COMMUNICATION LINE
 - X— OVERHEAD UTILITY LINES
 - BOUNDARY LINE
 - EASEMENT LINE
 - RIGHT-OF-WAY LINE
 - ▨ EXISTING CONCRETE
 - ▨ EXISTING ASPHALT PAVEMENT
 - ▨ EXISTING GRAVEL SURFACE
 - FLOW DIRECTION

BENCHMARK
 CONTOURS AND ELEVATION NOTED ON THIS MAP ARE BASED ON A 3-1/4" BRASS DISC FLUSH WITH ASPHALT IN BOECKMAN ROAD ELEVATION=210.488 NGVD 29 DATUM.



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EXISTING CONDITIONS
CANYON CREEK II
 38325 SW OLD CANYON CREEK ROAD
 CLACKAMAS COUNTY, OREGON

NO.	DATE	REVISION	BY

DESIGNED BY	M.B.	DATE	07/2020
DRAWN BY	DB	DATE	07/2020
REVIEWED BY	M.B.	DATE	07/2020
PROJECT NO.	106-016	REF.	
SCALE	T=40'		
SHEET	3	OF	6
PROJECT	CANYON CREEK II		
NO.	106-016		
TYPE	PLANNING		

Soil name and map symbol	Hydro-logic group	Flooding		
		Frequency	Duration	Months
Aloha: 1	C	NONE	NONE	NONE
Amity: 2	C	NONE	NONE	NONE
Astoria: 3E, 3F	B	NONE	NONE	NONE
Briedwell: 4B, 5B, 5C, 5D	B	NONE	NONE	NONE
Carlton: 6B, 6C	B	NONE	NONE	NONE
Cascade: 7B, 7C, 7D, 7E, 7F	C	NONE	NONE	NONE
Chehalem: 8C	C	NONE	NONE	NONE
Chehalis: 9, 10	B	COMMON	BRIEF	NOV-MAR
Cornelius: 11B, 11C, 11D, 11E, 11F: Cornelius part	C	NONE	NONE	NONE
Kinton part	C	NONE	NONE	NONE
Cornelius Variet: 12A, 12B, 12C	C	NONE	NONE	NONE
Cove: 13, 14	D	COMMON	BRIEF	DEC-APR
Dayton: 15	D	NONE	NONE	NONE
Delena: 16C	D	NONE	NONE	NONE
Goble: 17B, 17C, 17D, 17E, 18E, 18F	C	NONE	NONE	NONE
Helvetia: 19B, 19C, 19D, 19E	C	NONE	NONE	NONE
Hembre: 20E, 20F, 20G	B	NONE	NONE	NONE
Hillsboro: 21A, 21B, 21C, 21D	B	NONE	NONE	NONE
Hubberly: 22	D	NONE	NONE	NONE
Jory: 23B, 23C, 23D, 23E, 23F	C	NONE	NONE	NONE
Kilchis: 24G Kilchis part	C	NONE	NONE	NONE
Klickitat part	B	NONE	NONE	NONE

Soil name and map symbol	Hydro-logic group	Flooding
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		Frequency	Duration	Months
Klickitat: 25E, 25F, 25G	B	NONE	NONE	NONE
Knappa: 26	B	NONE	NONE	NONE
Lablsh: 27	D	FREQUENT	VERY LONG	DEC - APR
Laurelwood: 28B, 28C, 28D, 28E, 29E, 29F	B	NONE	NONE	NONE
McBee: 30	B	FREQUENT	BRIEF	NOV - MAY
Melborne: 31B, 31C, 31D, 31E, 31F	B	NONE	NONE	NONE
Melby: 32C, 32D, 32E, 33E, 33F, 33G	C	NONE	NONE	NONE
Olyic: 34C, 34D, 34E, 35E, 35F, 35G	B	NONE	NONE	NONE
Pervina: 36C, 36D, 36E, 36F	C	NONE	NONE	NONE
Quatama: 37A, 37B, 37C, 37D	C	NONE	NONE	NONE
Saum: 38B, 38C, 38D, 38E, 38F	C	NONE	NONE	NONE
Tolke: 39E, 39F	B	NONE	NONE	NONE
Udifluents: 40	B	FREQUENT	VERY LONG	NOV - APR
Verboot: 42	D	FREQUENT	BRIEF	DEC - APR
Wapato: 43	D	FREQUENT	BRIEF	DEC - APR
Willamette: 44A, 44B, 44C, 44D	B	NONE	NONE	NONE
Woodburn: 45A, 45B, 45C, 45D	C	NONE	NONE	NONE
Xerchrepts: 46F	B	NONE	NONE	NONE
Xerochrepts part	B	NONE	NONE	NONE
Haploxerolls part	C	NONE	NONE	NONE
47D	D	NONE	NONE	NONE
Xerochrepts part	D	NONE	NONE	NONE
Rock outcrop part	D	NONE	NONE	NONE

LAND USE DESCRIPTION		CURVE NUMBERS BY HYDROLOGIC SOIL GROUP			
		A	B	C	D
Cultivated land (1):	winter condition	86	91	94	95
Mountain open areas:	low growing brush & grasslands	74	82	89	92
Meadow or pasture:		65	78	85	89
Wood or forest land:	undisturbed	42	64	76	81
Wood or forest land:	young second growth or brush	55	72	81	86
Orchard:	with crop cover	81	88	92	94
Open spaces, lawns, parks, golf courses, cemeteries, landscaping					
Good condition:	grass cover on $\geq 75\%$ of the area	68	80	86	90
Fair condition:	grass cover on 50-75% of the area	77	85	90	92
Gravel roads and parking lots:		76	85	89	91
Dirt roads and parking lots:		72	82	87	89
Impervious surfaces, pavement, roofs etc.		98	98	98	98
Open water bodies:	lakes, wetlands, ponds, etc.	100	100	100	100
Single family residential (2):		Separate curve number shall be selected for pervious & impervious portions of the site or basin			
Dwelling units/Gross Acre	%Impervious (3)				
1.0 DU/GA	15				
1.5 DU/GA	20				
2.0 DU/GA	25				
2.5 DU/GA	30				
3.0 DU/GA	34				
3.5 DU/GA	38				
4.0 DU/GA	42				
4.5 DU/GA	46				
5.0 DU/GA	48				
5.5 DU/GA	50				
6.0 DU/GA	52				
6.5 DU/GA	54				
7.0 DU/GA	56				
PUD's, condos, apartments, commercial businesses & industrial areas		%impervious must be computed			

PRE-DEV.

DEV.

- (1) For a more detailed description of agricultural land use curve numbers refer to National Engineering
- (2) Assumes roof and driveway runoff is directed into street/storm system.
- (3) The remaining pervious areas (lawn) are considered to be in good condition for these curve numbers.

MANNING'S "n" VALUES

SHEET FLOW EQUATION MANNING'S VALUES

	n_s
Smooth Surfaces (concrete, asphalt, gravel, or bare hand packed soil)	0.011
Fallow Fields or loose soil surface (no residue)	0.05
Cultivated soil with residue cover ($\leq 20\%$)	0.06
Cultivated soil with residue cover ($> 20\%$)	0.17
Short prairie grass and lawns	0.15
Dense grasses	0.24
Bermuda grasses	0.41
Range (natural)	0.13
Woods or forrest with light underbrush	0.40
Woods or forrest with dense underbrush	0.80

SHALLOW CONCENTRATED FLOW (after initial 300 ft of sheet flow, $R = 0.1$)

	k_s
Forrest with heavy ground litter and meadows ($n = 0.010$)	3
Brushy ground with some trees ($n = 0.060$)	5
Fallow or minimum tillage cultivation ($n = 0.040$)	8
High grass ($n = 0.035$)	9
Short grass, pasture and lawns ($n = 0.030$)	11
Nearly bare ground ($n = 0.25$)	13
Paved and gravel areas ($n = 0.012$)	27

CHANNEL FLOW (Intermittent) (At the beginning of all visible channels, $R =$

	k_c
Forested swale with heavy ground cover ($n = 0.10$)	5
Forested drainage course/ravine with defined channel bed ($n = 0.050$)	10
Rock-lined waterway ($n = 0.035$)	15
Grassed waterway ($n = 0.030$)	17
Earth-lined waterway ($n = 0.025$)	20
CMP pipe ($n = 0.024$)	21
Concrete pipe ($n = 0.012$)	42
Other waterways and pipe $0.508/n$	

CHANNEL FLOW (continuous stream, $R = 0.4$)

	k_c
Meandering stream ($n = 0.040$)	20
Rock-lined stream ($n = 0.035$)	23
Grass-lined stream ($n = 0.030$)	27
Other streams, man-made channels and pipe ($n = 0.807/n$)	



IMPERVIOUS AREA CALCULATIONS

JOB NUMBER: 106-016
PROJECT: Canyon Creek 2
FILE: 10616preliminary.xls

TOTAL NEW IMPERVIOUS AREA

8 LOTS AT 2,750-SF IMPERVIOUS AREA / LOT	22000.00 ft ²	
SIDEWALKS	993.00 ft ²	
STREET PAVEMENT	7449 ft ²	
	<hr/>	
	30442.00 ft²	0.70 ac

NEW IMPERVIOUS AREA BASIN #1

6 LOTS AT 2,750-SF IMPERVIOUS AREA / LOT	16500.00 ft ²	
SIDEWALKS	993.00 ft ²	
STREET PAVEMENT	5941 ft ²	
	<hr/>	
	23434.00 ft²	0.54 ac

NEW COLLECTED IMPERVIOUS AREA BASIN #1

4 LOTS AT 2,750-SF IMPERVIOUS AREA / LOT	11000.00 ft ²	
SIDEWALKS	993.00 ft ²	
STREET PAVEMENT	5645 ft ²	
	<hr/>	
	17638.00 ft²	0.40 ac

NEW UNCOLLECTED IMPERVIOUS AREA BASIN #1

2 LOTS AT 2,750-SF IMPERVIOUS AREA / LOT	5500.00 ft ²	
SIDEWALKS	0.00 ft ²	
STREET PAVEMENT	296 ft ²	
	<hr/>	
	5796.00 ft²	0.13 ac

NEW IMPERVIOUS AREA BASIN #2

2 LOTS AT 2,750-SF IMPERVIOUS AREA / LOT	5500.00 ft ²	
SIDEWALKS	0.00 ft ²	
STREET PAVEMENT	1508 ft ²	
	<hr/>	
	7008.00 ft²	0.16 ac

EXISTING IMPERVIOUS AREA - ALL CONTAINED IN BASIN #1

BUILDINGS	2968.00 ft ²	
SIDEWALKS	0.00 ft ²	

GRAVEL AT 60% IMPERVIOUS	1171.20 ft ²	
CONCRETE	113 ft ²	
	<hr/>	
	4252.20 ft ²	0.10 ac
Total Shed Area	80883.00 ft²	1.86 ac
Basin #1		
Total Area	53891.00 ft²	1.24 ac
Existing Impervious Area	4252.20 ft²	0.10 ac
% Impervious		7.89%
Proposed Impervious Area	23434.00 ft²	0.54 ac
% Impervious		43.48%
Basin #2		
Total Area	26992.00 ft²	0.62 ac
Existing Impervious Area	0.00 ft²	0.00 ac
% Impervious		0.00%
Proposed Impervious Area	7008.00 ft²	0.16 ac
% Impervious		25.96%



PREDEVELOPED TIME OF CONCENTRATION

JOB NUMBER: 106-016
 PROJECT: Canyon Creek 2
 FILE: 10616preliminary.xls

BASIN #1

LAG ONE: SHEET FLOW (FIRST 300 FEET)

Tt = Travel time
 Manning's "n" = 0.15
 Flow Length, L = 300 ft (300 ft. max.)

P = 2-year, 24hr storm = 2.5 in
 Slope, S₀ = 0.015 ft/ft

$$T_T = \frac{(0.42)(n * L)^{0.8}}{(P)^{0.5} (S_0)^{0.4}} \quad 29.95 \text{ min.} \quad \text{Accum. Tc} \quad 29.95 \text{ min.}$$

LAG TWO: SHALLOW CONCENTRATED FLOW (NEXT 91 FEET)

Tc Velocity factor, k= 11
 Slope, S₀ = 0.015 ft/ft
 $V = k\sqrt{S_0}$ 1.35 ft/s
 Flow Length, L = 91 ft
 $T = \frac{L}{(60)(V)}$ 1.13 min. 31.08 min.

TOTAL PREDEVELOPED TIME OF CONCENTRATION = 31.08 min.

BASIN #2

LAG ONE: SHEET FLOW (FIRST 216 FEET)

Tt = Travel time
 Manning's "n" = 0.15
 Flow Length, L = 216 ft (300 ft. max.)

P = 2-year, 24hr storm = 2.5 in
 Slope, S₀ = 0.015 ft/ft

$$T_T = \frac{(0.42)(n * L)^{0.8}}{(P)^{0.5} (S_0)^{0.4}} \quad 22.79 \text{ min.} \quad \text{Accum. Tc} \quad 22.79 \text{ min.}$$

TOTAL PREDEVELOPED TIME OF CONCENTRATION = 22.79 min.



DEVELOPED TIME OF CONCENTRATION

JOB NUMBER: 106-016
PROJECT: Canyon Creek 2
FILE: 10616preliminary.xls

BASIN #1

Catchment Time	5 min.
Longest Run of Pipe	251 ft
Velocity of Flow	3 ft/s
Time in Pipe = (251 ft)/(3.00 ft/s) =	83.7 s

TOTAL DEVELOPED T_c = 6.39 min.

BASIN #2

Catchment Time	5 min.
Longest Run of Pipe	17 ft
Velocity of Flow	3 ft/s
Time in Pipe = (17 ft)/(3.00 ft/s) =	5.67 s

TOTAL DEVELOPED T_c = 5.09 min.



WATER QUALITY SWALE CALCULATIONS

BASIN #1

JOB NUMBER: 106-016
 PROJECT: Canyon Creek 2
 FILE: 10616preliminary.xls

REFERENCES:
 1. Clean Water Services R&O 04-7.
 2. Discussions with Clean Water Services.

REQUIRED WATER QUALITY TREATMENT: 65% Phosphorus Removal.

PROPOSED TREATMENT METHODS:

1. Sumped Catch Basins	15%
2. Bio-Filtration Swale	50%
total	<u>65%</u>

DESIGN STORM:

Precipitation: 0.36 inches
 Storm Duration: 4 hours
 Storm Return Period: 96 hours
 Storm Window: 2 weeks

IMPERVIOUS AREA AS A RESULT OF CANYON CREEK 1 AND 2:

Watershed Area: 8.56 acres
 Percent imp: 0.46 %
 Impervious Area: 3.94 acres

Design Inflow = $(3.93853551912568 \text{ ac}) * (43560 \text{ ft}^2/\text{ac}) * (0.36 \text{ in} / 4.0 \text{ hrs}) =$ 0.36 cfs

BIOFILTRATION SWALE DESIGN CRITERIA:

Max Velocity: 0.9 ft/s
 Side Slopes: 4 :1 (treatment area)
 Base: 2 feet (2' min)
 n Factor: 0.18 (plantings)

SWALE CHARACTERISTICS:

Q= 0.36 Design Storm Discharge (determined above)
 N= 0.18 Plantings
 B= 2 ft Base width of channel
 Z= 4 :1 Side slopes
 SLOPE= 0.005 ft/ft Slope of channel (0.005 minimum)
 ASS. Y= 0.5 ft Assumed depth to begin analysis (0.5 ft maximum)

ITERATIVE SOLUTION OF MANNING'S EQUATION FOR NORMAL DEPTH:

ITERATION	Y (FT)	P (FT)	A(FT ²)	R	Q (CFS)	% ERROR	V (FPS)
1	0.50	6.12	2.00	0.33	0.56	54.23	0.28
2	0.37	5.09	1.31	0.26	0.31	-13.77	0.24
3	0.41	5.41	1.51	0.28	0.38	4.94	0.25
4	0.40	5.30	1.44	0.27	0.35	-1.58	0.25
5	0.40	5.34	1.46	0.27	0.36	0.53	0.25
6	0.40	5.33	1.46	0.27	0.36	-0.17	0.25
7	0.40	5.33	1.46	0.27	0.36	0.06	0.25
8	0.40	5.33	1.46	0.27	0.36	-0.02	0.25
9	0.40	5.33	1.46	0.27	0.36	0.01	0.25
10	0.40	5.33	1.46	0.27	0.36	0.00	0.25
11	0.40	5.33	1.46	0.27	0.36	0.00	0.25
12	0.40	5.33	1.46	0.27	0.36	0.00	0.25
13	0.40	5.33	1.46	0.27	0.36	0.00	0.25
14	0.40	5.33	1.46	0.27	0.36	0.00	0.25
15	0.40	5.33	1.46	0.27	0.36	0.00	0.25

NORMAL DEPTH = 0.40 ft
 FLOW WIDTH = 5.23 ft
 VELOCITY = 0.25 ft/s
 TREATMENT TIME = 9.00 min
 TREATMENT LENGTH = 133.27 ft

ORIGINAL REQUIRED LENGTH 130.11 FT
 138 FT WERE BUILT ORIGINALLY



WATER QUALITY SWALE CALCULATIONS

BASIN #2

JOB NUMBER: 106-016
 PROJECT: Canyon Creek 2
 FILE: 10616SWALE2.XLS

REFERENCES:
 1. Clean Water Services R&O 07-20.
 2. Discussions with Clean Water Services.

REQUIRED WATER QUALITY TREATMENT: 65% Phosphorus Removal.

PROPOSED TREATMENT METHODS:

1. Sumped Catch Basins	15%
2. Bio-Filtration Swale	50%
total	65%

DESIGN STORM:

Precipitation: 0.36 inches
 Storm Duration: 4 hours
 Storm Return Period: 96 hours
 Storm Window: 2 weeks

IMPERVIOUS AREA:

Watershed Area: 14.99 acres
 Percent imp: 49.10%
 Impervious Area: 7.36 acres

Design Inflow = (7.36 ac)*(43560 ft²/ac)*(0.36 in / 4.0 hrs) = 0.67 cfs

BIOFILTRATION SWALE DESIGN CRITERIA:

Max Velocity: 0.9 ft/s
 Side Slopes: 4 :1 (treatment area)
 Base: 2 feet (2' min)
 n Factor: 0.18 (plantings)

SWALE CHARACTERISTICS:

Q= 0.67 Design Storm Discharge (determined above)
 N= 0.18 Plantings
 B= 2 ft Base width of channel
 Z= 4 :1 Side slopes
 SLOPE= 0.005 ft/ft Slope of channel (0.005 minimum)
 ASS. Y= 0.5 ft Assumed depth to begin analysis (0.5 ft maximum)

ITERATIVE SOLUTION OF MANNING'S EQUATION FOR NORMAL DEPTH:

ITERATION	Y (FT)	P (FT)	A(FT ³)	R	Q (CFS)	% ERROR	V (FPS)
1	0.50	6.12	2.00	0.33	0.56	-17.13	0.28
2	0.57	6.67	2.42	0.36	0.72	7.38	0.30
3	0.54	6.46	2.25	0.35	0.65	-2.71	0.29
4	0.55	6.54	2.31	0.35	0.68	1.06	0.29
5	0.55	6.51	2.29	0.35	0.67	-0.40	0.29
6	0.55	6.52	2.30	0.35	0.67	0.16	0.29
7	0.55	6.51	2.29	0.35	0.67	-0.06	0.29
8	0.55	6.52	2.30	0.35	0.67	0.02	0.29
9	0.55	6.52	2.29	0.35	0.67	-0.01	0.29
10	0.55	6.52	2.30	0.35	0.67	0.00	0.29
11	0.55	6.52	2.30	0.35	0.67	0.00	0.29
12	0.55	6.52	2.30	0.35	0.67	0.00	0.29
13	0.55	6.52	2.30	0.35	0.67	0.00	0.29
14	0.55	6.52	2.30	0.35	0.67	0.00	0.29
15	0.55	6.52	2.30	0.35	0.67	0.00	0.29

NORMAL DEPTH = 0.55 ft
 FLOW WIDTH = 6.38 ft
 VELOCITY = 0.29 ft/s
 TREATMENT TIME = 9.00 min
 TREATMENT LENGTH = 157.64 ft

ORIGINAL REQUIRED LENGTH 156.37 FT
 164 FT WERE BUILT ORIGINALLY



SANTA BARBARA URBAN HYDROGRAPHS

JOB: 106-016
 PROJECT: Canyon Creek 2
 FILE: 10616preliminary.xls

DESCRIPTION	DESIGN STORM (YR)	DURATION (HR)	PRECIP (IN)	AREA TOTAL (AC)	% IMP	AREA PERV. (AC)	CN PER.	AREA IMP. (AC)	CN IMP.	TIME (MIN)	Q (CFS)
BASIN #1											
PREDEVELOPED 25-YEAR PEAK DISCHARGE	25	24	3.9	1.24	7.89%	1.239	85	0.001	98	31.08	0.5177
DEVELOPED 25-YEAR PEAK DISCHARGE	25	24	3.9	1.24	43.48%	1.2346	86	0.0054	98	6.39	0.8054
BASIN #2											
PREDEVELOPED 25-YEAR PEAK DISCHARGE	25	24	3.9	0.62	0.00%	0.62	85	0	98	22.79	0.2935
DEVELOPED 25-YEAR PEAK DISCHARGE	25	24	3.9	0.62	25.96%	0.6184	86	0.0016	98	5.09	0.4181



STORMWATER CONVEYANCE CALCULATIONS

JOB: 106-016
 PROJECT: Canyon Creek 2
 FILE: 10616preliminary.xls
 Design Storm: 25 YR
 Storm Duration: 24 HRS
 Precipitation: 3.9 IN
 Manning's "n": 0.013

LINE	INC. AREA (AC)	AREA TOTAL (AC)	% IMP.	AREA PERV. (AC)	CN PER.	AREA IMP. (AC)	CN IMP.	TIME (MIN)	Q (CFS)	PIPE SIZE (IN)	SLOPE (FT/FT)	Qf (CFS)	Q/Qf (%)	Vf (FPS)	V/Vf (%)	ACTUAL V (FPS)
BASIN #1	1.24	1.24	43.48%	1.23	86	0.01	98	6.39	0.81	12	0.0050	2.53	0.32	3.22	0.51883	1.67
BASIN #2	0.62	0.62	25.96%	0.62	86	0.00	98	5.09	0.42	12	0.0050	2.53	0.1655	3.22	0.36552	1.18

Project No. 106-016	Sheet No. 1
Date 11/15/13	
By BEF	

Project CANYON CREEK II
Subject DETENTION CALC'S

TOTAL AREA = 1.83 AC

BASIN #1 $A_T = 1.24 AC$

EX IMP A = 0.10 AC CN = 98
 PER A = 1.14 AC CN = 85
 $T_{C PRE} = 31.08 MIN$

→ MAX STORAGE FOR DETENTION NEEDS IS 951 CF
 ↳ REFER TO INTELLISOLVE CALC'S.

DEV IMP A = 0.54 AC CN = 98
 PER A = 0.70 AC CN = 86
 $T_{C DEV} = 6.39 MIN$

BASIN #2 $A_T = 0.62 AC$

EX IMP A = 0 AC
 PER A = 0.62 AC
 $T_{C PRE} = 22.79 MIN$

→ MAX STORAGE FOR DETENTION NEEDS IS 372 CF
 ↳ REFER TO INTELLISOLVE CALC'S.

DEV IMP A = 0.16 AC CN = 98
 PER A = 0.50 AC CN = 86
 $T_{C DEV} = 5.09 MIN.$

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BASIN # 1

10616det.gpw

Hydraflow Hydrographs by Intelisolve

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Hydrograph Return Period Recap

No.	Hydrograph type (origin)	Inflow Hyd(s)	Peak Outflow (cfs)								Hydrograph description
			1-Yr	2-Yr	3-Yr	5-Yr	10-Yr	25-Yr	50-Yr	100-Yr	
1	SCS Runoff	-----	-----	0.31	-----	-----	0.55	0.67	-----	-----	Pre
2	SCS Runoff	-----	-----	0.48	-----	-----	0.75	0.89	-----	-----	Dev
3	Reservoir	2	-----	0.31	-----	-----	0.55	0.67	-----	-----	1

Hydrograph Summary Report

No.	Hydrograph type (origin)	Peak flow (cfs)	Time interval (min)	Time to peak (min)	Volume (cuft)	Inflow hyd(s)	Maximum elevation (ft)	Maximum storage (cuft)	Hydrograph description
1	SCS Runoff	0.31	3	495	5,697	---	----	----	Pre
2	SCS Runoff	0.48	3	477	6,796	---	----	----	Dev
3	Reservoir	0.31	3	489	6,791	2	100.90	481	1
10616det.gpw					Return Period: 2 Year		Friday, Nov 15 2013, 1:44 PM		

Hydrograph Plot

Hydraflow Hydrographs by Intellisolve

Friday, Nov 15 2013, 1:44 PM

Hyd. No. 3

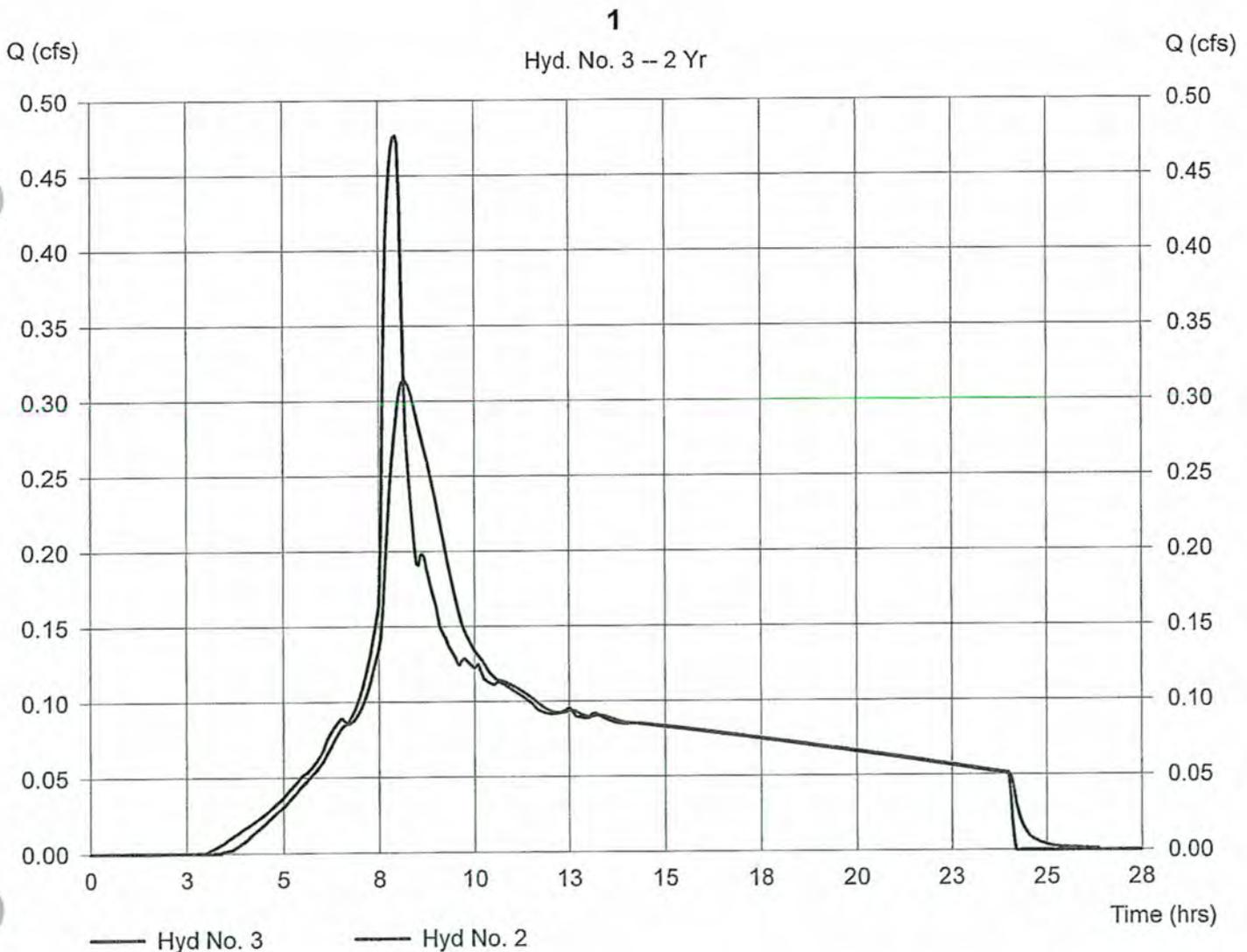
1

Hydrograph type = Reservoir
Storm frequency = 2 yrs
Inflow hyd. No. = 2
Reservoir name = 1

Peak discharge = 0.31 cfs
Time interval = 3 min
Max. Elevation = 100.90 ft
Max. Storage = 481 cuft

Storage Indication method used.

Hydrograph Volume = 6,791 cuft



Hydrograph Summary Report

No.	Hydrograph type (origin)	Peak flow (cfs)	Time interval (min)	Time to peak (min)	Volume (cuft)	Inflow hyd(s)	Maximum elevation (ft)	Maximum storage (cuft)	Hydrograph description	
1	SCS Runoff	0.55	3	492	9,411	---	----	-----	Pre	
2	SCS Runoff	0.75	3	474	10,524	---	----	-----	Dev	
3	Reservoir	0.55	3	486	10,519	2	101.29	795	1	
10616det.gpw					Return Period: 10 Year		Friday, Nov 15 2013, 1:44 PM			

Hydrograph Plot

Hydraflow Hydrographs by Intelisolve

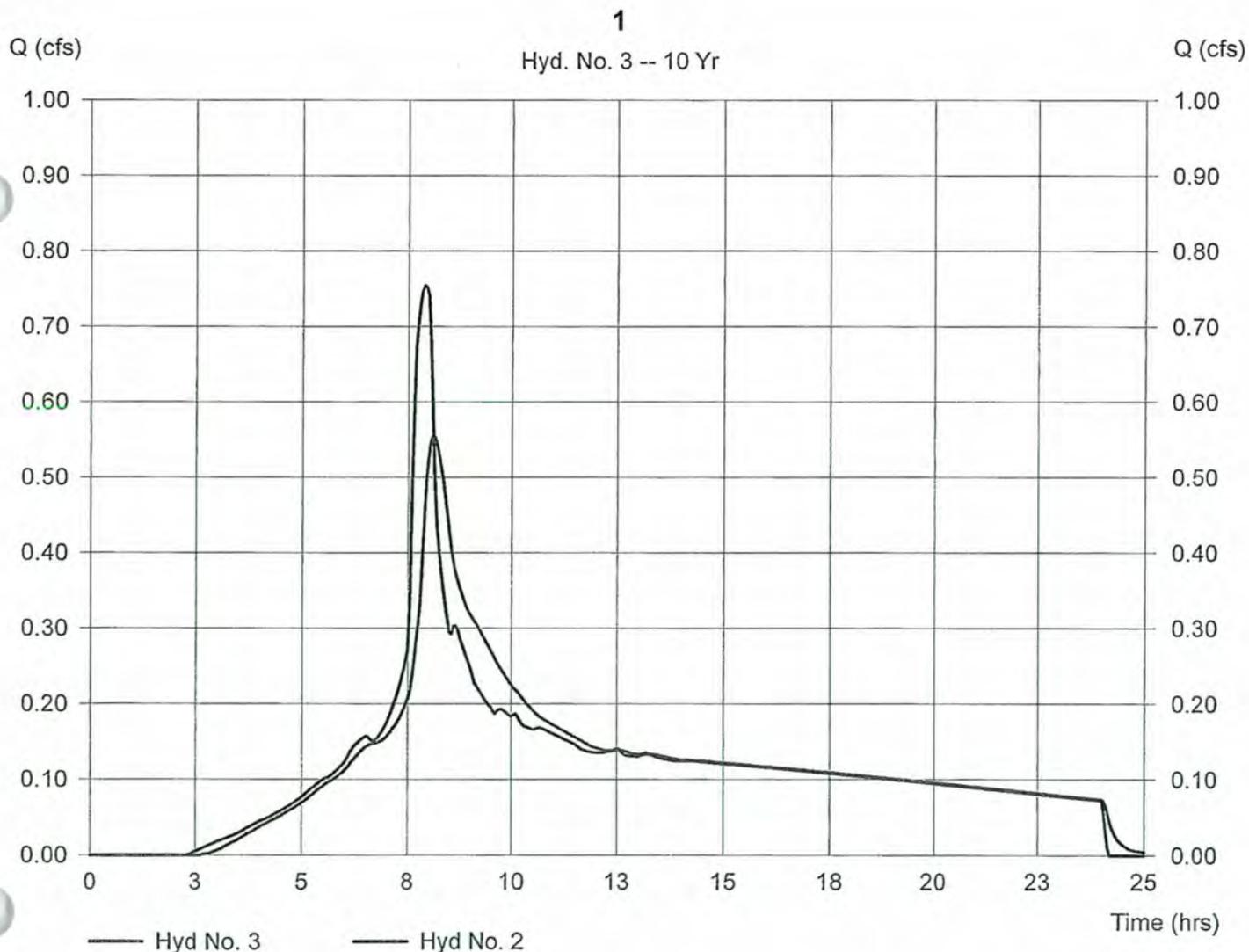
Friday, Nov 15 2013, 1:44 PM

Hyd. No. 3

1			
Hydrograph type	= Reservoir	Peak discharge	= 0.55 cfs
Storm frequency	= 10 yrs	Time interval	= 3 min
Inflow hyd. No.	= 2	Max. Elevation	= 101.29 ft
Reservoir name	= 1	Max. Storage	= 795 cuft

Storage Indication method used.

Hydrograph Volume = 10,519 cuft



Hydrograph Summary Report

No.	Hydrograph type (origin)	Peak flow (cfs)	Time interval (min)	Time to peak (min)	Volume (cuft)	Inflow hyd(s)	Maximum elevation (ft)	Maximum storage (cuft)	Hydrograph description
1	SCS Runoff	0.67	3	492	11,252	---	-----	-----	Pre
2	SCS Runoff	0.89	3	474	12,329	---	-----	-----	Dev
3	Reservoir	0.67	3	486	12,324	2	101.46	951	1

10616det.gpw

Return Period: 25 Year

Friday, Nov 15 2013, 1:44 PM

Hydrograph Plot

Hydraflow Hydrographs by Intelisolve

Friday, Nov 15 2013, 1:44 PM

Hyd. No. 3

1

Hydrograph type = Reservoir
Storm frequency = 25 yrs
Inflow hyd. No. = 2
Reservoir name = 1

Peak discharge = 0.67 cfs
Time interval = 3 min
Max. Elevation = 101.46 ft
Max. Storage = 951 cuft

Storage Indication method used.

Hydrograph Volume = 12,324 cuft

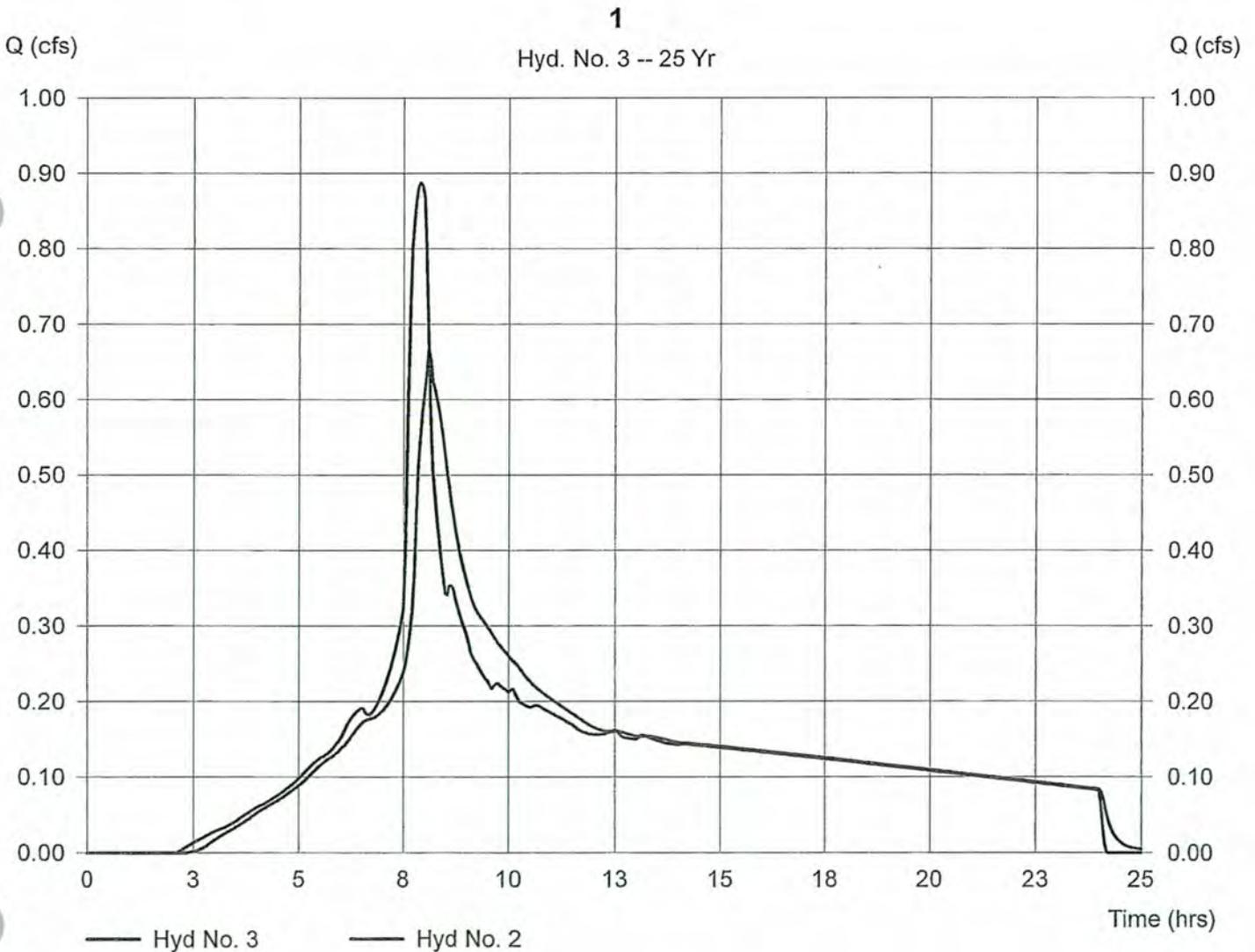


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BASIN #2

10616basin2.gpw

Hydraflow Hydrographs by Intelisolve

Friday, Nov 15 2013, 1:58 PM

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10 - Year	
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Summary Report	6
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Hydrograph No. 3, Reservoir, pond	7

Hydrograph Return Period Recap

No.	Hydrograph type (origin)	Inflow Hyd(s)	Peak Outflow (cfs)								Hydrograph description
			1-Yr	2-Yr	3-Yr	5-Yr	10-Yr	25-Yr	50-Yr	100-Yr	
1	SCS Runoff	-----	-----	0.16	-----	-----	0.29	0.35	-----	-----	Pre
2	SCS Runoff	-----	-----	0.22	-----	-----	0.37	0.44	-----	-----	Dev
3	Reservoir	2	-----	0.16	-----	-----	0.29	0.34	-----	-----	pond

Hydrograph Summary Report

Hyd. No.	Hydrograph type (origin)	Peak flow (cfs)	Time interval (min)	Time to peak (min)	Volume (cuft)	Inflow hyd(s)	Maximum elevation (ft)	Maximum storage (cuft)	Hydrograph description	
1	SCS Runoff	0.16	2	486	2,700	---	----	----	Pre Dev pond	
2	SCS Runoff	0.22	2	476	3,267	---	----	----		
3	Reservoir	0.16	2	486	3,265	2	100.87	164		
10616basin2.gpw					Return Period: 2 Year			Friday, Nov 15 2013, 1:58 PM		

Hydrograph Plot

Hydraflow Hydrographs by Intelisolve

Friday, Nov 15 2013, 1:58 PM

Hyd. No. 3

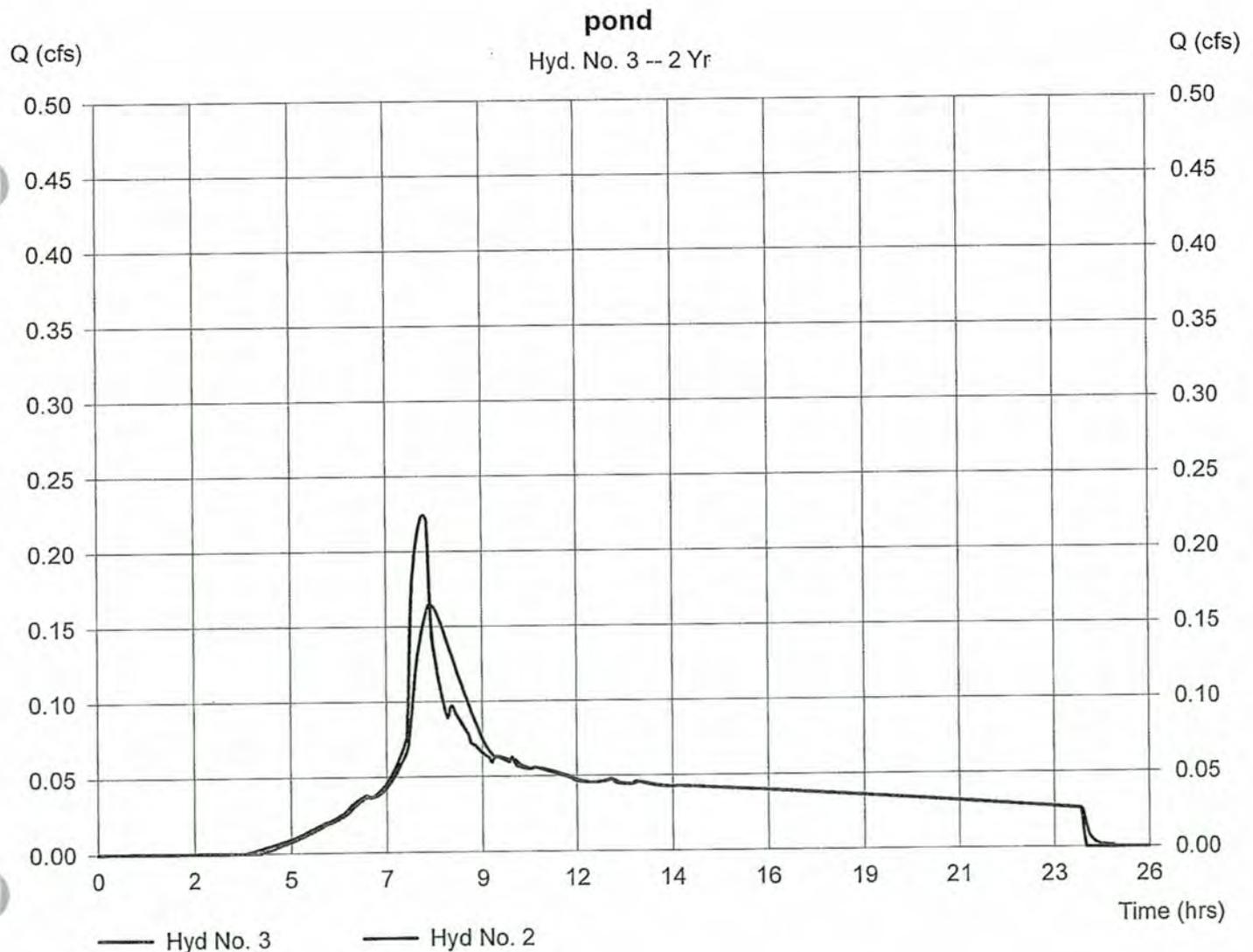
pond

Hydrograph type = Reservoir
Storm frequency = 2 yrs
Inflow hyd. No. = 2
Reservoir name = pond

Peak discharge = 0.16 cfs
Time interval = 2 min
Max. Elevation = 100.87 ft
Max. Storage = 164 cuft

Storage Indication method used.

Hydrograph Volume = 3,265 cuft



Hydrograph Summary Report

i.	Hydrograph type (origin)	Peak flow (cfs)	Time interval (min)	Time to peak (min)	Volume (cuft)	Inflow hyd(s)	Maximum elevation (ft)	Maximum storage (cuft)	Hydrograph description
1	SCS Runoff	0.29	2	484	4,519	---	-----	-----	Pre
2	SCS Runoff	0.37	2	474	5,191	---	-----	-----	Dev
3	Reservoir	0.29	2	484	5,189	2	101.26	298	pond
10616basin2.gpw					Return Period: 10 Year			Friday, Nov 15 2013, 1:58 PM	

Hydrograph Plot

Hydraflow Hydrographs by Intelisolve

Friday, Nov 15 2013, 1:58 PM

Hyd. No. 3

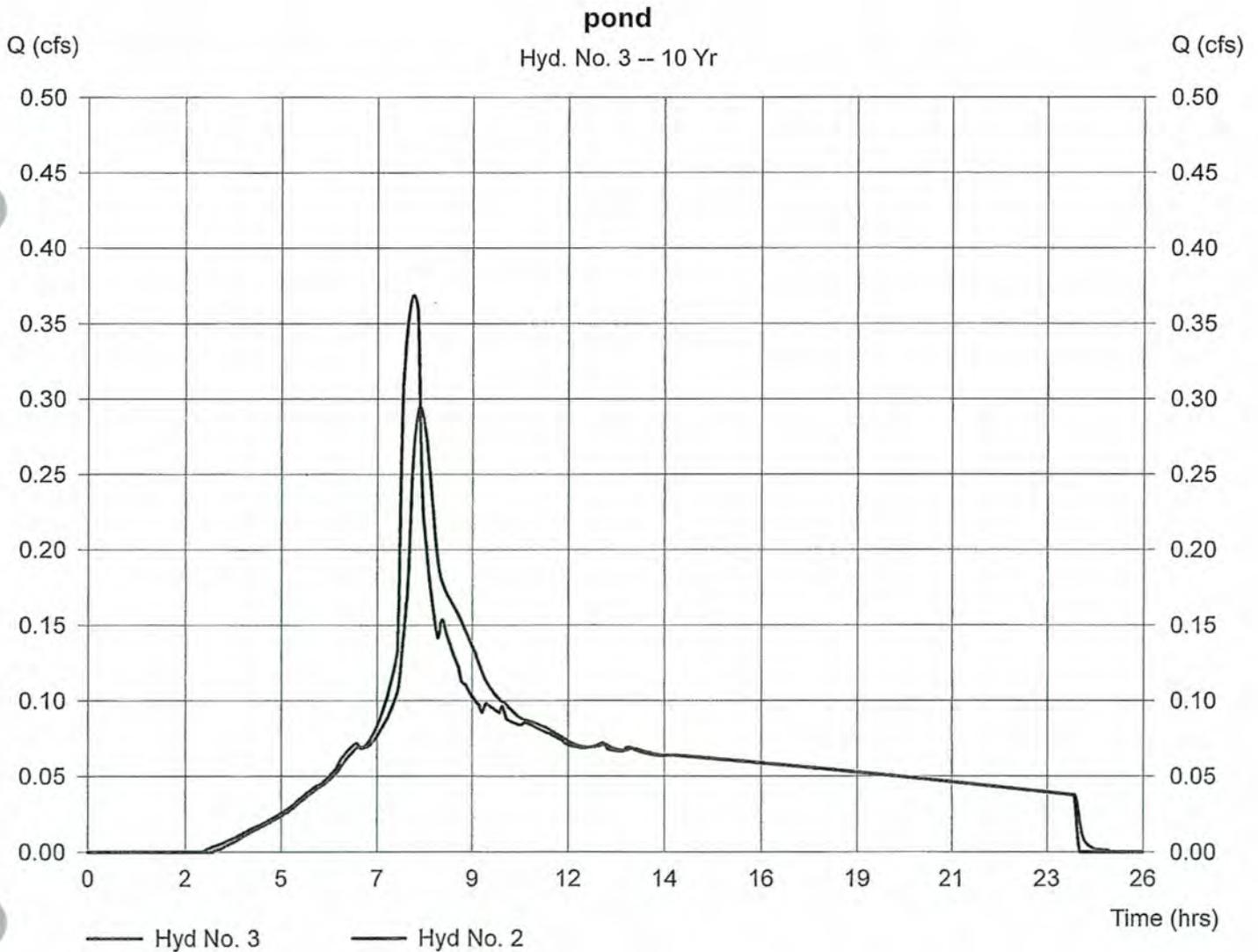
pond

Hydrograph type = Reservoir
 Storm frequency = 10 yrs
 Inflow hyd. No. = 2
 Reservoir name = pond

Peak discharge = 0.29 cfs
 Time interval = 2 min
 Max. Elevation = 101.26 ft
 Max. Storage = 298 cuft

Storage Indication method used.

Hydrograph Volume = 5,189 cuft



Hydrograph Summary Report

id.	Hydrograph type (origin)	Peak flow (cfs)	Time interval (min)	Time to peak (min)	Volume (cuft)	Inflow hyd(s)	Maximum elevation (ft)	Maximum storage (cuft)	Hydrograph description	
1	SCS Runoff	0.35	2	484	5,426	---	-----	-----	Pre	
2	SCS Runoff	0.44	2	474	6,130	---	-----	-----	Dev	
3	Reservoir	0.34	2	484	6,128	2	101.43	372	pond	
10616basin2.gpw					Return Period: 25 Year			Friday, Nov 15 2013, 1:58 PM		

Hydrograph Plot

Hydraflow Hydrographs by Intelisolve

Friday, Nov 15 2013, 1:58 PM

Hyd. No. 3

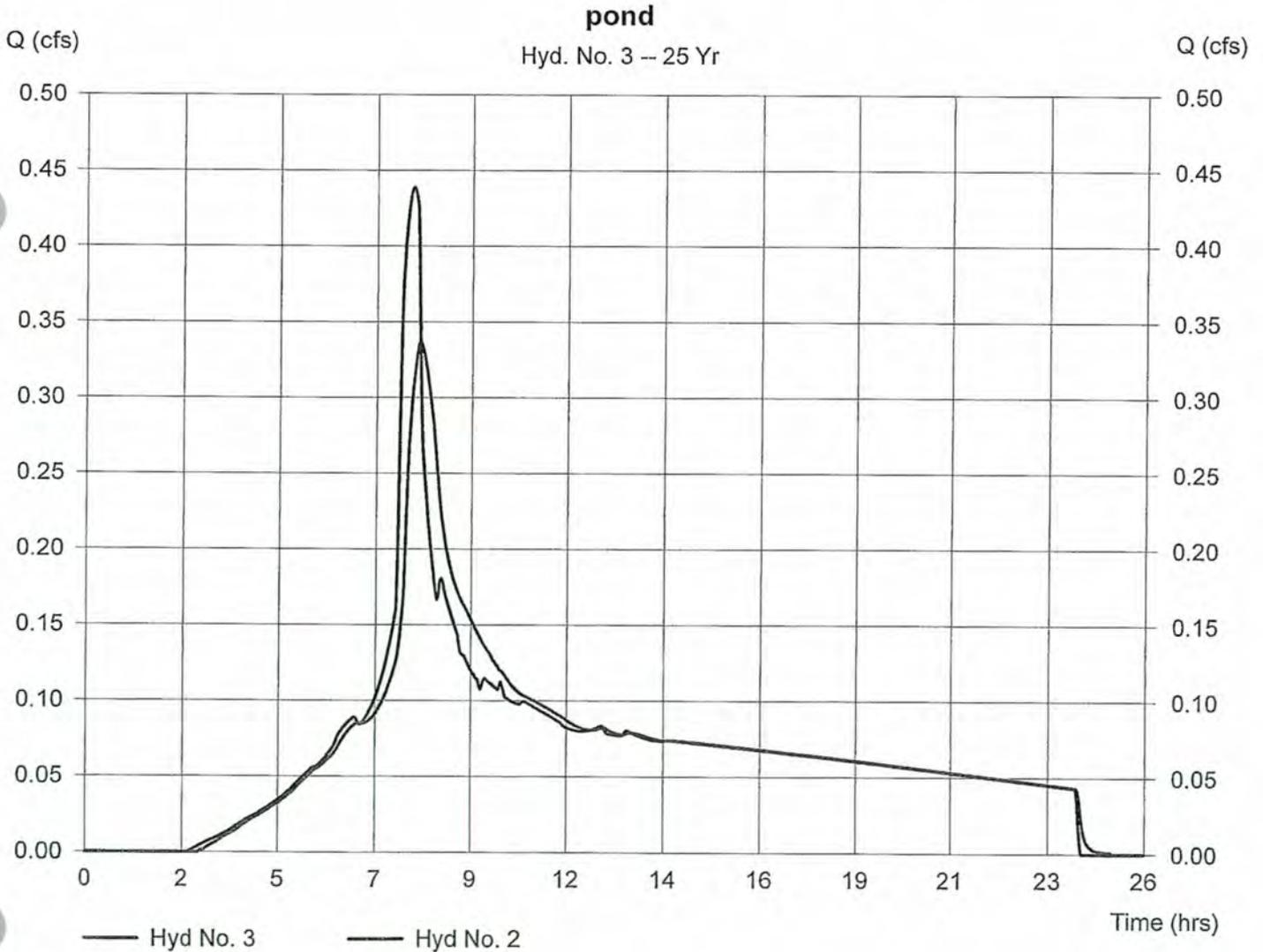
pond

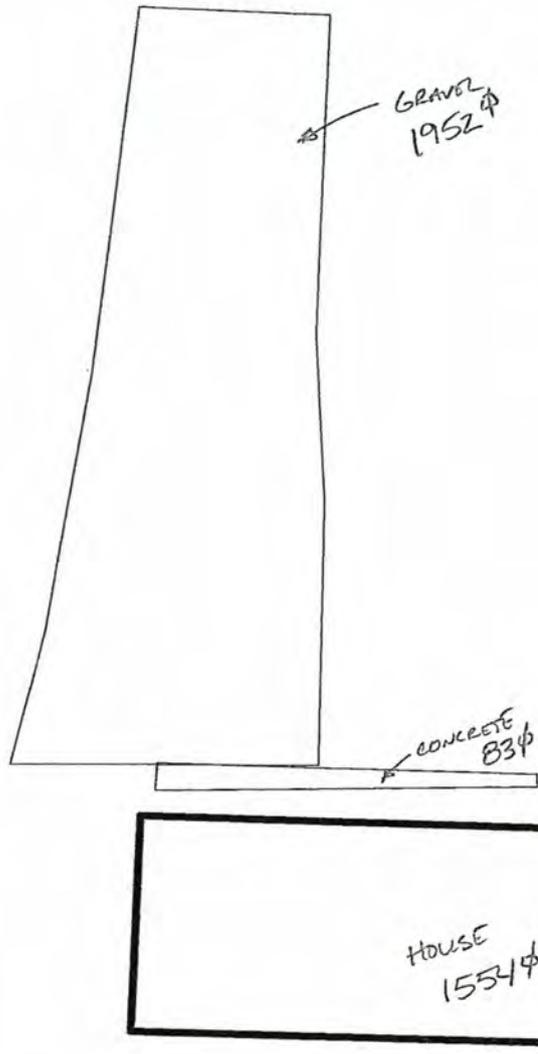
Hydrograph type = Reservoir
Storm frequency = 25 yrs
Inflow hyd. No. = 2
Reservoir name = pond

Peak discharge = 0.34 cfs
Time interval = 2 min
Max. Elevation = 101.43 ft
Max. Storage = 372 cuft

Storage Indication method used.

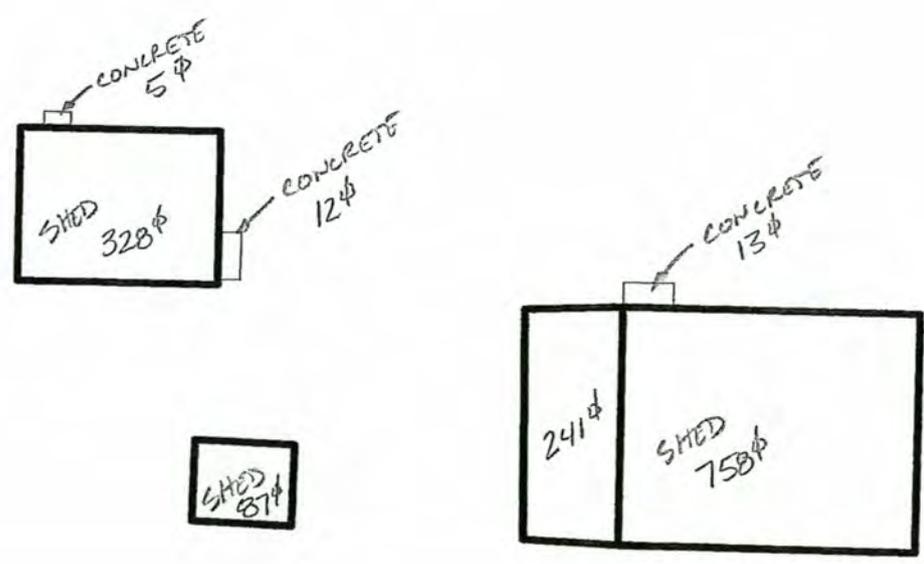
Hydrograph Volume = 6,128 cuft





GRAVEL = 1,952 φ @ 60% = 1172 φ
 CONCRETE = 113 φ
 STRUCTURES = 2968 φ

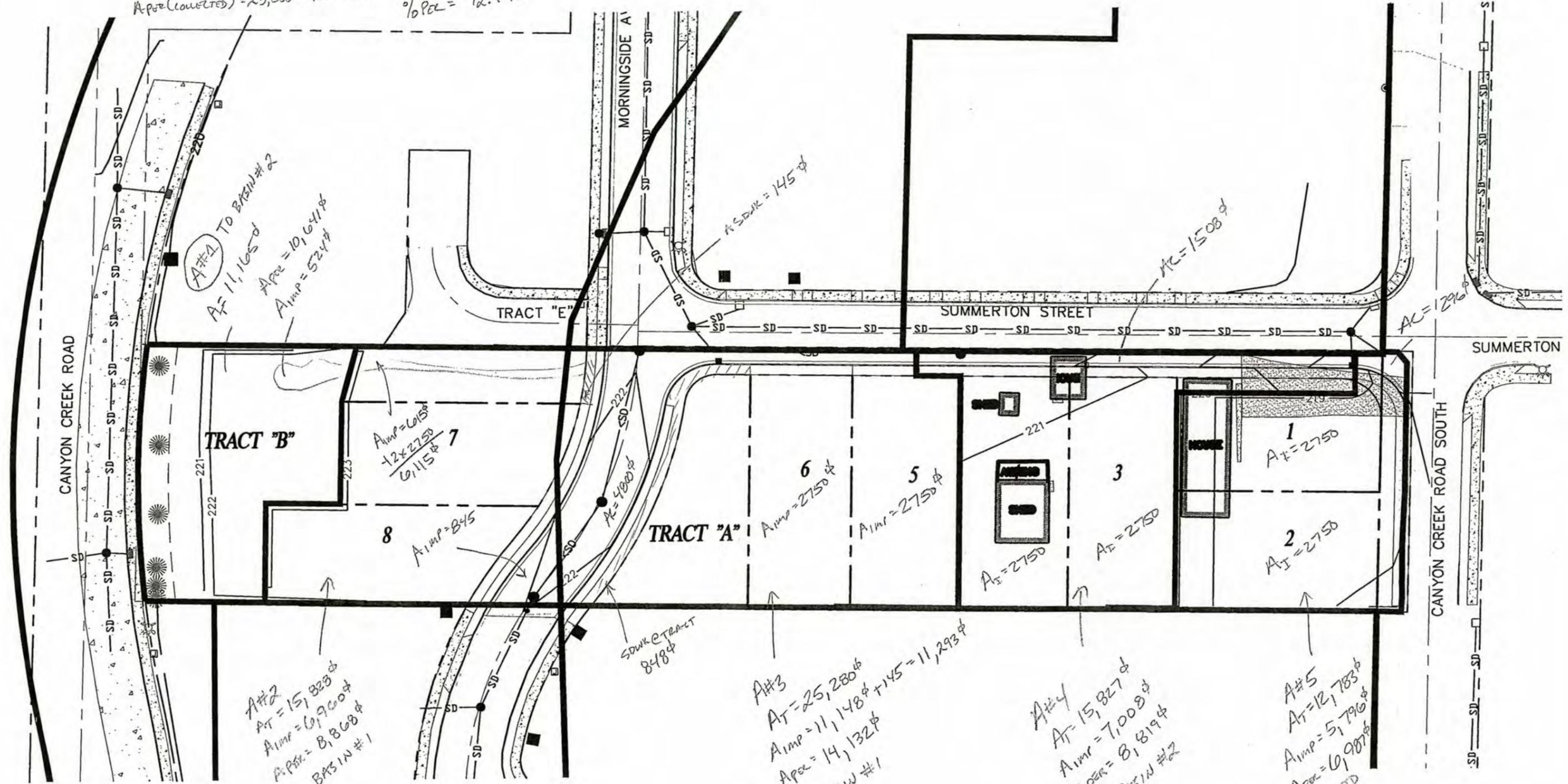
TOTAL AREA = 79,365.05 φ
 OR
 1.82 AC



42

BASIN #1
 $A_T = 53,891 \phi$, $A_I = 23,904 \phi$, $A_P = 29,987 \phi$
 $A_{NOT\ COLLECTED} = 12,783 \phi$
 $A_T (COLLECTED) = 41,108 \phi$
 $A_{IMP} (COLLECTED) = 18,263 \phi$ %I = 44%
 $A_{PER} (COLLECTED) = 23,000 \phi$ %P = 56%

BASIN #2
 $A_T = 26,992 \phi$
 $A_{IMP} = 7,532 \phi$
 $A_{PER} = 19,460 \phi$
 %IMP = 27.9%
 %PER = 72.1%



A#1 TO BASIN #2
 $A_T = 11,165 \phi$
 $A_{PER} = 10,641 \phi$
 $A_{IMP} = 524 \phi$

$A_{IMP} = 615 \phi$
 $\frac{12 \times 2750}{6115 \phi} = 7$

A#2
 $A_T = 15,328 \phi$
 $A_{IMP} = 6,960 \phi$
 $A_{PER} = 8,368 \phi$
 TO BASIN #1

SDW@TRACT
 848 ϕ

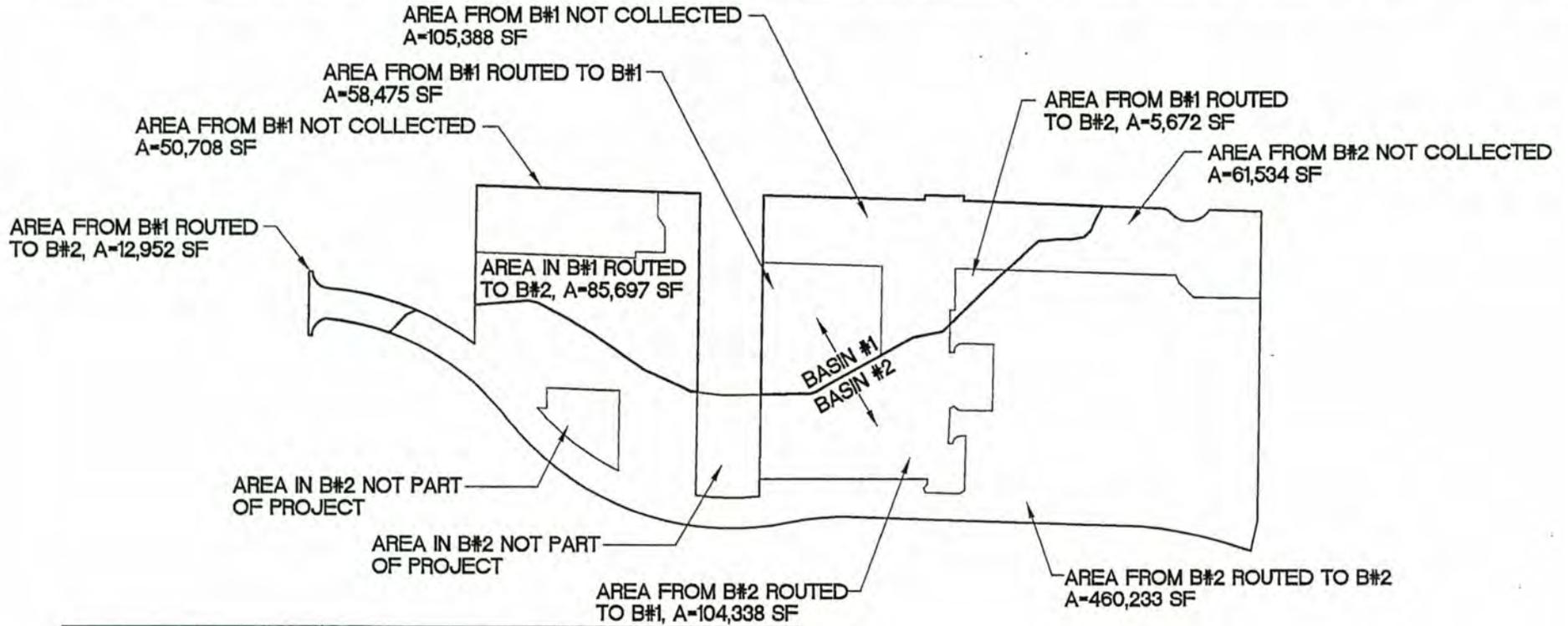
A#3
 $A_T = 25,280 \phi$
 $A_{IMP} = 11,148 \phi + 145 = 11,293 \phi$
 $A_{PER} = 14,132 \phi$
 TO BASIN #1

A#4
 $A_T = 15,827 \phi$
 $A_{IMP} = 7,008 \phi$
 $A_{PER} = 8,819 \phi$
 TO BASIN #2

A#5
 $A_T = 12,783 \phi$
 $A_{IMP} = 5,796 \phi$
 $A_{PER} = 6,987 \phi$
 UNCOLLECTED
 TO BASIN #1
 $T_C = 5min$

CANYON CRE #1

AREA CALCULATIONS FOR BASIN BALANCE AND DETENTION REQUIREMENTS



SITE BREAK DOWN:

EXISTING AREA OF BASIN#1 IN PROJECT = 318,913 SF, 7.32 AC
EXISTING AREA OF BASIN#2 IN PROJECT = 626,094 SF, 14.37 AC

TOTAL OF BASINS = 945,007 SF, 21.69 AC

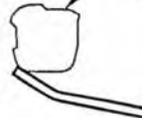
AREA COLLECTED AND ROUTED TO BASIN#1 = 162,813 SF, 3.74 AC
AREA NOT COLLECTED IN BASIN#1 = 156,096 SF, 3.58 AC

TOTAL OF BASINS = 318,909 SF, 7.32 AC

AREA COLLECTED AND ROUTED TO BASIN#2 = 564,554 SF, 12.96 AC
AREA NOT COLLECTED IN BASIN#2 = 61,534 SF, 1.41 AC

TOTAL OF BASINS = 626,094 SF, 14.37 AC

POND AREA OF B#2
A=11,338 SF





SFA Design Group, LLC
STRUCTURAL | CIVIL | LAND USE PLANNING

RENAISSANCE AT CANYON CREEK

DRAINAGE REPORT

PLANNING DB No. 03DB43

DATE: June 15, 2004

REVISED: September 14, 2004

By: Brent Fitch, PE

Job No. 106-001

Applicant: Renaissance Homes
Christopher Harrell
1672 SW Willamette Falls Drive
West Linn, OR 97068
(503) 557-8000

Engineer: SFA Design Group, LLC
Brent Fitch, PE
9020 SW Washington Square Drive, Suite 350
Portland, OR 97223
(503) 641-8311



Site Description:

Renaissance at Canyon Creek is a proposed 73 lot development located within the Willamette River Drainage Basin. The property is made up of 10 original tax lots from the Bridle Trail Ranchettes and has an area of 21.69 acres which includes the right of way for Canyon Creek South, Map T3S R1W Sec.13B – tax lots 1500, 1501, 1600, 1601, 1700, 1800, 1900, 2100, 2200 and 2301. The existing property has large lots with single family homes on them with miscellaneous out buildings. With the proposed development we will be reducing the lot sizes. The properties surrounding the development are residential property or currently being farmed.

The existing topography is relatively flat sloping to the south and west and is mainly pasture. The existing homes will remain on the property and be platted into the subdivision. The site is split into two drainage basins which discharge to the east at Boeckman Creek and to the west at the South Tributary to Coffee Lake Creek. The site soils are predominately soil type 1-A Aloha Silt Loam with a Hydrologic Group C designation. I have designated the basins as Basin 1, which discharges to the east (Boeckman Creek Drainage), and Basin 2, which discharges to the west (South Tributary of Coffee Lake Creek). Refer to the attached exhibit. Through development the two basins will change in configuration on-site but will not vary in area. We will direct the same amount of area to each basin as the existing condition currently does.

Through research into the existing conditions prior to the Ranchette's it was found that the property was being farmed and bare ground. I have attached a photo of the property from Spencer Gross dated 06/14/63. Therefore, we are proceeding with the pre-developed Time of Concentration values representing the 1963 conditions prior to the development. Refer to attached photo.

Proposed Improvements:

We will be constructing impervious surfaces as a result of the public streets and private drives along with the eventual homes. Site amenities include multiple Open Space areas with a Club House and Pool for the use of the home owners within the development and will be fully landscaped and maintained by the Homeowners Association. Public utilities will be extended throughout the site for the use of the proposed lots. We will be constructing two ponds to treat and detain the storm water generated from the new impervious surfaces. Each detention pond will contain a water quality swale within the bottom of the pond. One pond will be located on site which will catch Basin 1's storm water and one pond will be located on the Mentor Graphics site to catch Basin 2's storm water. Refer to the Water Quality Swale Calculations and Pond Calculations.

By constructing the storm pipe to Mentor's property we will be crossing a wetland but disturbing less than 50 cubic yards which we have approval for from DSL and the CORP. The pond on Mentor's property is situated to allow for future development and expansion of the facility to handle additional flows. We also have approval for constructing the storm drain pipe to Boeckman Creek. Refer to the attached permits.

Conveyance and Detention:

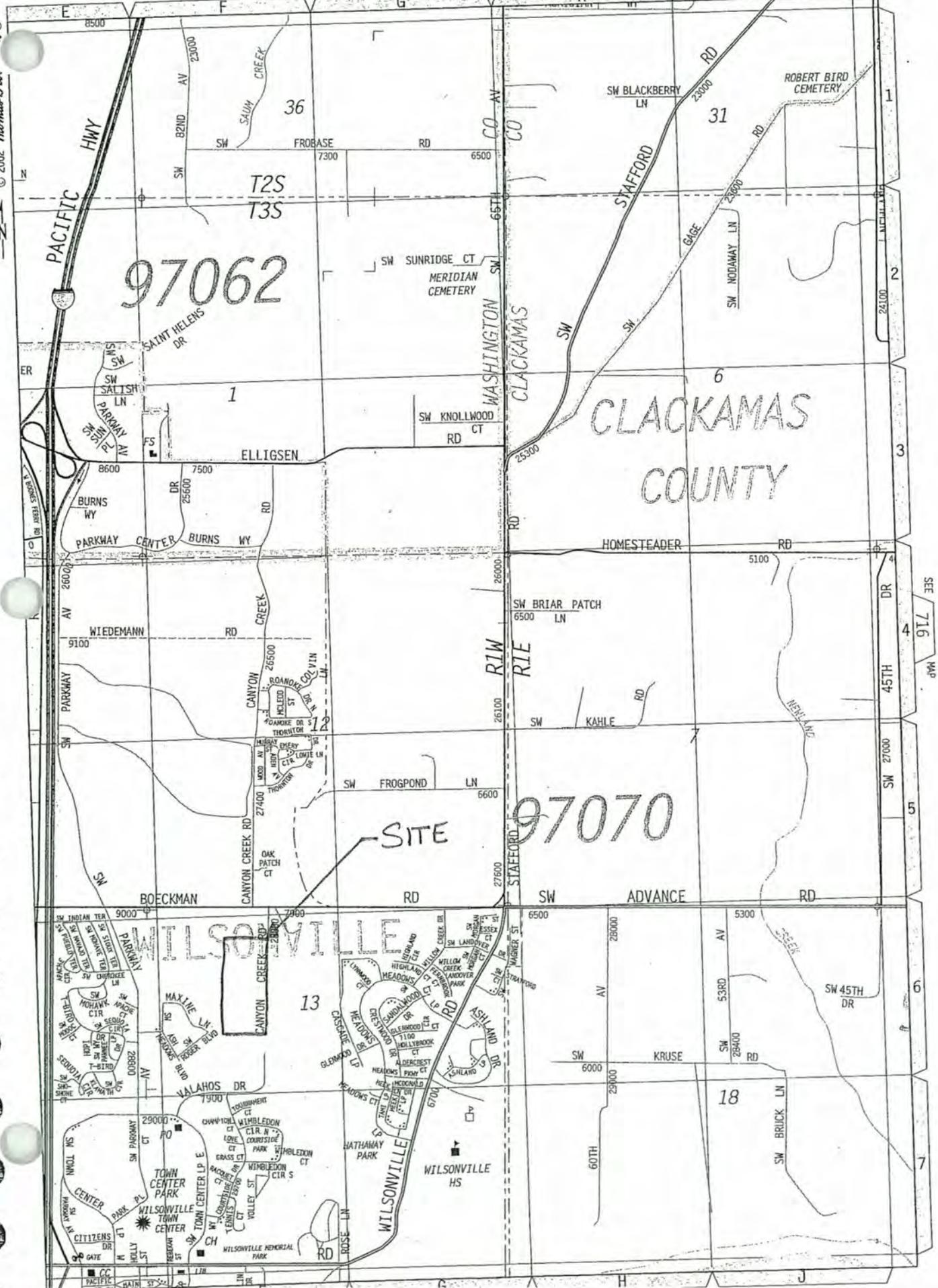
Attached you will find the conveyance and detention requirements and calculations for the development of the site. The calculations provided are for the proposed development and the full build-out of Canyon Creek South, but not for the full development of the remaining 10 large lots.

There are areas within each Basin #1 and Basin #2 that we are unable to collect due to the topography of the site and the existing and proposed conveyance systems. We have accounted for the areas we were unable to collect by calculating the difference between the pre and post release rate of these areas and reducing the allowed release rate within each pond to account for the flow by-passing the detention ponds. Therefore; we will be balancing the release of the storms with taking into account the areas we were unable to collect.

With the construction of the Ponds we will release the storm water at the respective pre-developed rate for the 2, 10 and 25 year storm events. We modeled these storm events using the King County Hydrograph program. Since we will release the storm water at the existing rates we will not further impact any properties downstream of the site with our development. Refer to the attached calculations.

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6. IMPERVIOUS AREA CALCULATIONS
7. SANTA BARBARA URBAN HYDROGRAPHS
8. WATER QUALITY CALCULATIONS
9. STORMWATER CONVEYANCE CALCULATIONS
10. EXISTING AND PROPOSED CONDITIONS BREAK DOWN
11. POND SIZING – KING COUNTY HYDROGRAPH PROGRAMS
VERSION 4.20
12. DSL AND CORP PERMITS

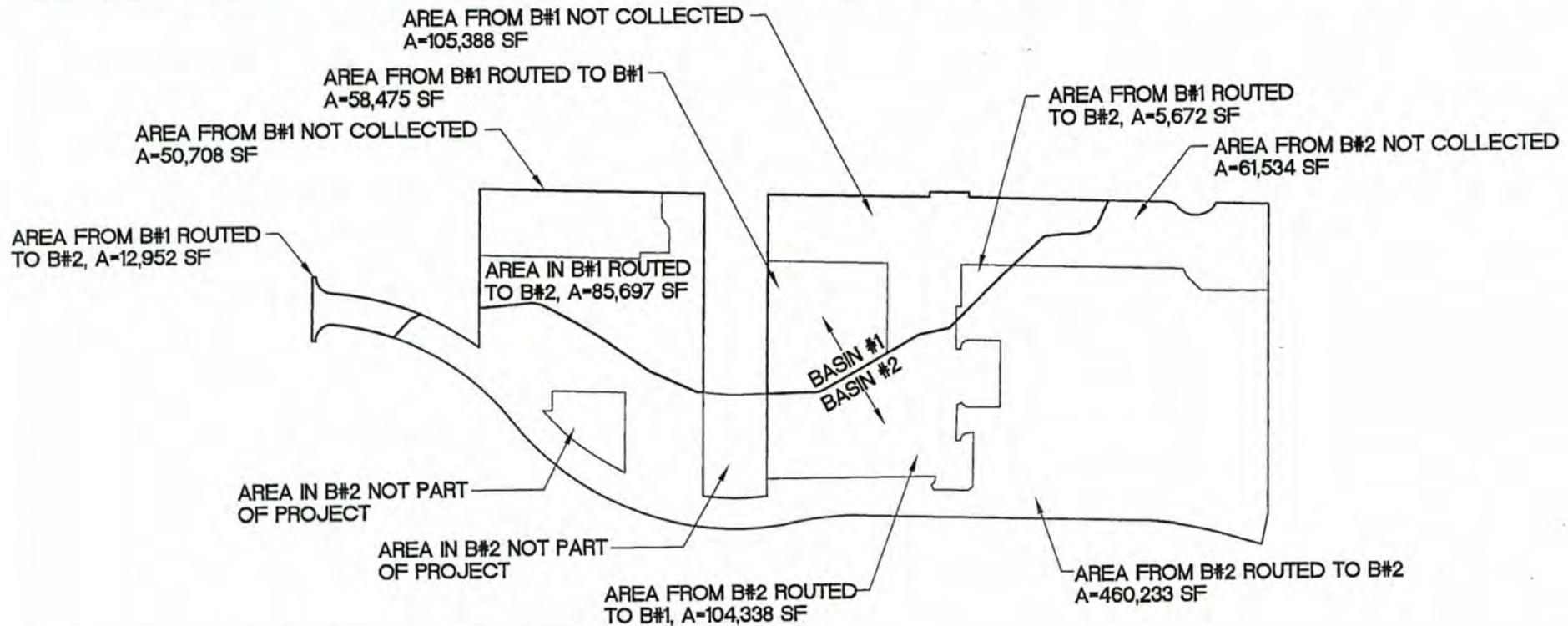


VICINITY MAP



MAP

AREA CALCULATIONS FOR BASIN BALANCE AND DETENTION REQUIREMENTS



SITE BREAK DOWN:

EXISTING AREA OF BASIN#1 IN PROJECT = 318,913 SF, 7.32 AC
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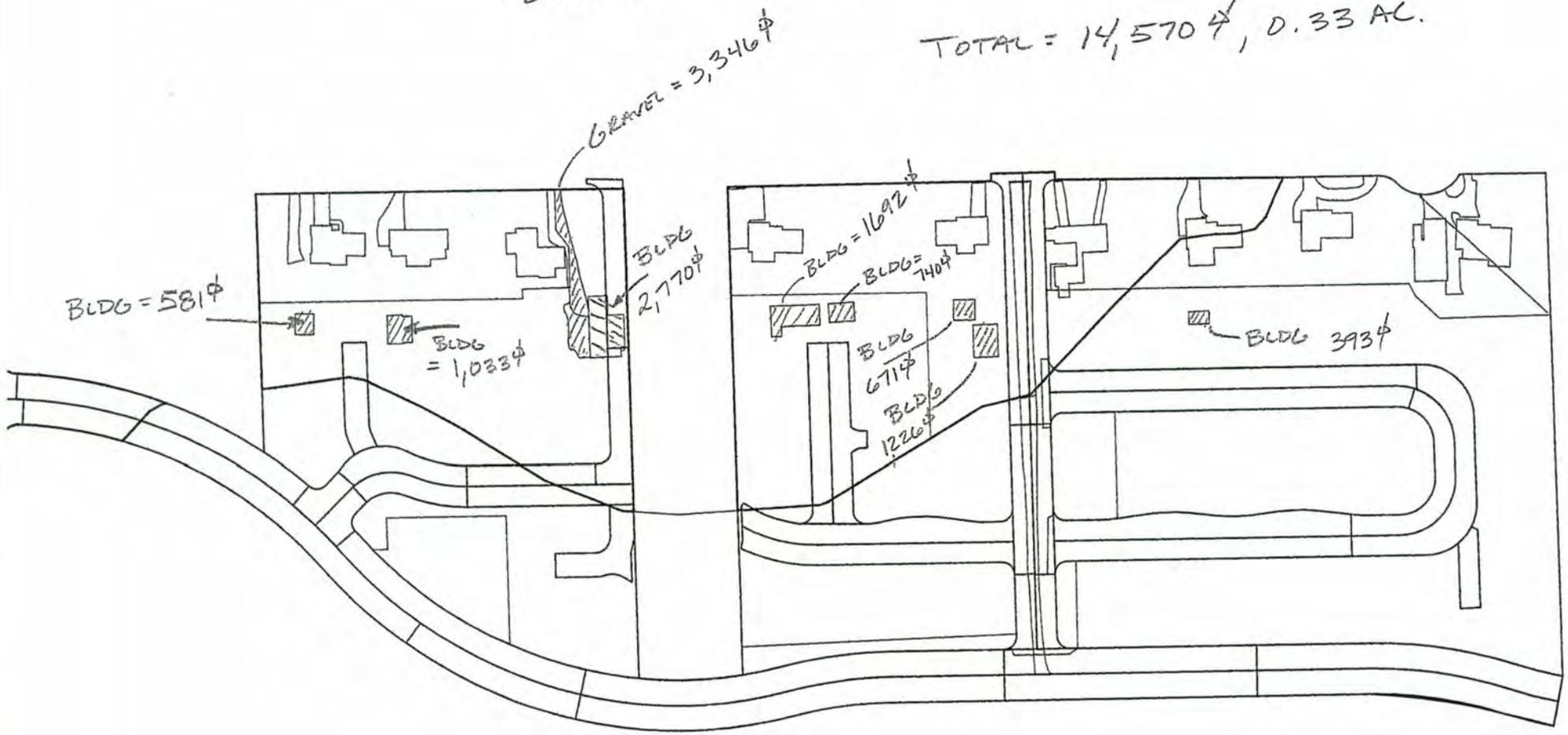


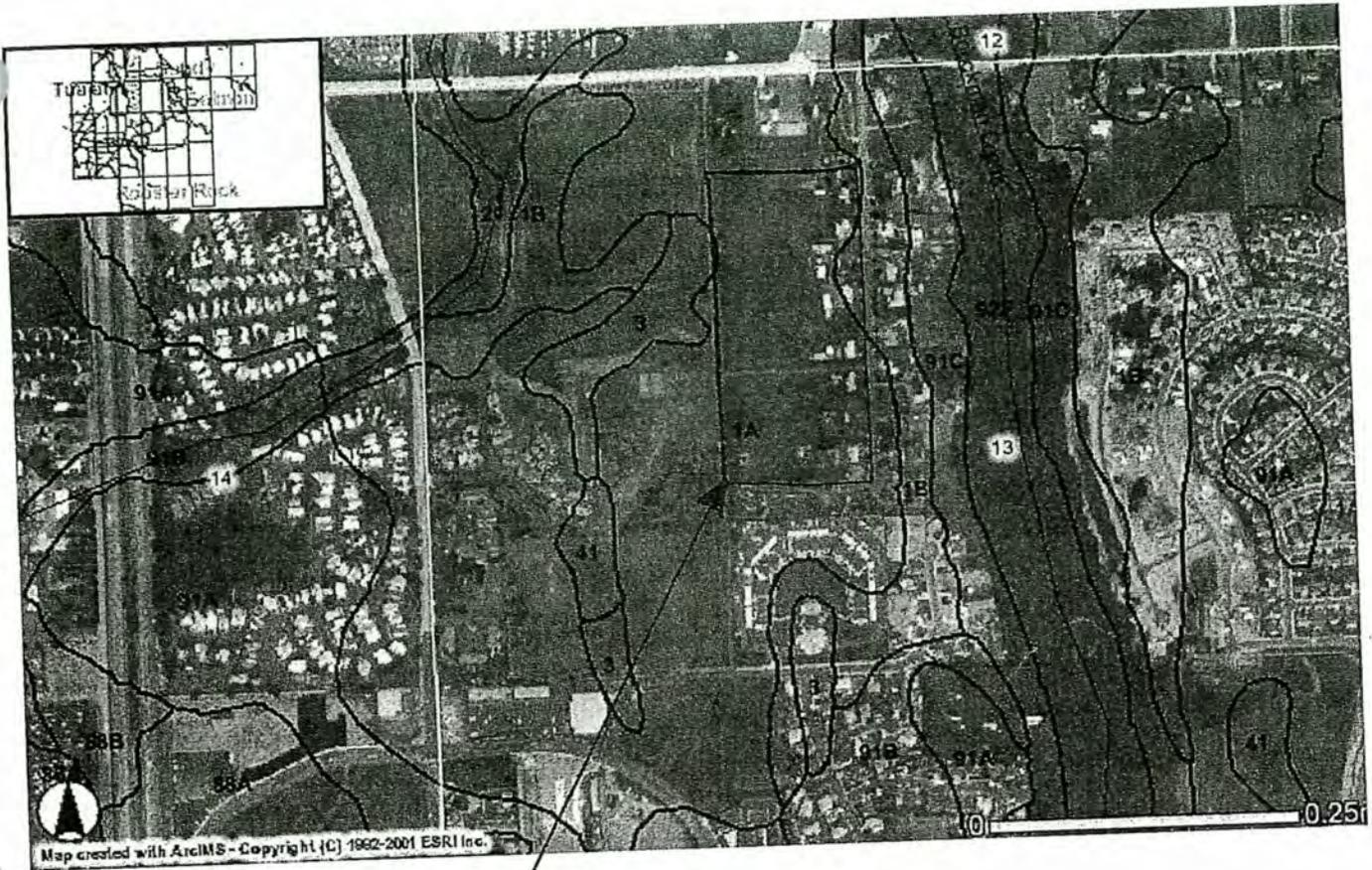
EXISTING AREA OF IMPERVIOUS SURFACE
REMOVED DUE TO DEVELOPMENT

BLDG AREA = 9,106 ϕ

GRAVEL = 3,346 ϕ @ 60% = 5,464 ϕ

TOTAL = 14,570 ϕ , 0.33 AC.





SITE

SOIL FEATURES FOR WASHINGTON COUNTY

Soil name and map symbol	Hydro-logic group	Flooding		
		Frequency	Duration	Months
Aloha: 1	C	NONE	NONE	NONE
Amity: 2	C	NONE	NONE	NONE
Astoria: 3E, 3F	B	NONE	NONE	NONE
Briedwell: 4B, 5B, 5C, 5D	B	NONE	NONE	NONE
Carlton: 6B, 6C	B	NONE	NONE	NONE
Cascade: 7B, 7C, 7D, 7E, 7F	C	NONE	NONE	NONE
Chehalem: 8C	C	NONE	NONE	NONE
Chehalis: 9, 10	B	COMMON	BRIEF	NOV-MAR
Cornelius: 11B, 11C, 11D, 11E, 11F:	C	NONE	NONE	NONE
Cornelius part	C	NONE	NONE	NONE
Kinton part	C	NONE	NONE	NONE
Cornelius Variant: 12A, 12B, 12C	C	NONE	NONE	NONE
Cove: 13, 14	D	COMMON	BRIEF	DEC-APR
Dayton: 15	D	NONE	NONE	NONE
Delena: 16C	D	NONE	NONE	NONE
Goble: 17B, 17C, 17D, 17E, 18E, 18F	C	NONE	NONE	NONE
Helvetia: 19B, 19C, 19D, 19E	C	NONE	NONE	NONE
Hembre: 20E, 20F, 20G	B	NONE	NONE	NONE
Hillsboro: 21A, 21B, 21C, 21D	B	NONE	NONE	NONE
Hubberly: 22	D	NONE	NONE	NONE
Jory: 23B, 23C, 23D, 23E, 23F	C	NONE	NONE	NONE
Kilchis: 24G	C	NONE	NONE	NONE
Kilchis part	C	NONE	NONE	NONE
Klickitat part	B	NONE	NONE	NONE

Soil name and map symbol	Hydro-logic group	Flooding		
		Frequency	Duration	Months

SOIL FEATURES FOR WASHINGTON COUNTY

		Frequency	Duration	Months
Klickitat: 25E, 25F, 25G	B	NONE	NONE	NONE
Knappa: 26	B	NONE	NONE	NONE
Lablsh: 27	D	FREQUENT	VERY LONG	DEC - APR
Laurelwood: 28B, 28C, 28D, 28E, 29E, 29F	B	NONE	NONE	NONE
McBee: 30	B	FREQUENT	BRIEF	NOV - MAY
Melborne: 31B, 31C, 31D, 31E, 31F	B	NONE	NONE	NONE
Melby: 32C, 32D, 32E, 33E, 33F, 33G	C	NONE	NONE	NONE
Olyic: 34C, 34D, 34E, 35E, 35F, 35G	B	NONE	NONE	NONE
Pervina: 36C, 36D, 36E, 36F	C	NONE	NONE	NONE
Quatama: 37A, 37B, 37C, 37D	C	NONE	NONE	NONE
Saum: 38B, 38C, 38D, 38E, 38F	C	NONE	NONE	NONE
Tolke: 39E, 39F	B	NONE	NONE	NONE
Udifluvents: 40	B	FREQUENT	VERY LONG	NOV - APR
Verboot: 42	D	FREQUENT	BRIEF	DEC - APR
Wapato: 43	D	FREQUENT	BRIEF	DEC - APR
Willamette: 44A, 44B, 44C, 44D	B	NONE	NONE	NONE
Woodburn: 45A, 45B, 45C, 45D	C	NONE	NONE	NONE
Xerchrepts: 46F	B	NONE	NONE	NONE
Xerochrepts part	C	NONE	NONE	NONE
Haploxerolls part				
47D	D	NONE	NONE	NONE
Xerochrepts part				
Rock outcrop part				

MANNING'S "n" VALUES

SHEET FLOW EQUATION MANNING'S VALUES

	n_s
Smooth Surfaces (concrete, asphalt, gravel, or bare hand packed soil)	0.011
Fallow Fields or loose soil surface (no residue)	0.05
Cultivated soil with residue cover (≤ 0.20 ft/ft)	0.06
Cultivated soil with residue cover (≥ 0.20 ft/ft)	0.17
Short prairie grass and lawns	0.15
Dense grasses	0.24
Bermuda grasses	0.41
Range (natural)	0.13
Woods or forrest with light underbrush	0.40
Woods or forrest with dense underbrush	0.80

SHALLOW CONCENTRATED FLOW (after initial 300 ft of sheet flow, $R = 0.1$)

	k_s
Forrest with heavy ground litter and meadows ($n = 0.010$)	3
Brushy ground with some trees ($n = 0.060$)	5
Fallow or minimum tillage cultivation ($n = 0.040$)	8
High grass ($n = 0.035$)	9
Short grass, pasture and lawns ($n = 0.030$)	11
Nearly bare ground ($n = 0.25$)	13
Paved and gravel areas ($n = 0.012$)	27

CHANNEL FLOW (Intermittent) (At the beginning of all visible channels, $R = 0.2$)

	k_c
Forested swale with heavy ground cover ($n = 0.10$)	5
Forested drainage course/ravine with defined channel bed ($n = 0.050$)	10
Rock-lined waterway ($n = 0.035$)	15
Grassed waterway ($n = 0.030$)	17
Earth-lined waterway ($n = 0.025$)	20
CMP pipe ($n = 0.024$)	21
Concrete pipe ($n = 0.012$)	42
Other waterways and pipe $0.508/n$	

CHANNEL FLOW (continuous stream, $R = 0.4$)

	k_c
Meandering stream ($n = 0.040$)	20
Rock-lined stream ($n = 0.035$)	23
Grass-lined stream ($n = 0.030$)	27
Other streams, man-made channels and pipe ($n = 0.807/n$)	

SCS CURVE NUMBERS

LAND USE DESCRIPTION		CURVE NUMBERS BY HYDROLOGIC SOIL GROUP				
		A	B	C	D	
Cultivated land (1):	winter condition	86	91	94	95	
Mountain open areas:	low growing brush & grasslands	74	82	89	92	
Meadow or pasture:		65	78	85	89	PRE-DEV.
Wood or forest land:	undisturbed	42	64	76	81	
Wood or forest land:	young second growth or brush	55	72	81	86	
Orchard:	with crop cover	81	88	92	94	
Open spaces, lawns, parks, golf courses, cemeteries, landscaping						
Good condition:	grass cover on $\geq 75\%$ of the area	68	80	86	90	DEV.
Fair condition:	grass cover on 50-75% of the area	77	85	90	92	
Gravel roads and parking lots:		76	85	89	91	
Dirt roads and parking lots:		72	82	87	89	
Impervious surfaces, pavement, roofs etc.		98	98	98	98	
Open water bodies:	lakes, wetlands, ponds, etc.	100	100	100	100	
Single family residential (2):						
Dwelling units/Gross Acre	%Impervious (3)					Separate curve number shall be selected for pervious & impervious portions of the site or basin
1.0 DU/GA	15					
1.5 DU/GA	20					
2.0 DU/GA	25					
2.5 DU/GA	30					
3.0 DU/GA	34					
3.5 DU/GA	38					
4.0 DU/GA	42					
4.5 DU/GA	46					
5.0 DU/GA	48					
5.5 DU/GA	50					
6.0 DU/GA	52					
6.5 DU/GA	54					
7.0 DU/GA	56					
PUD's, condos, apartments, commercial businesses & industrial areas	%impervious must be computed					

- (1) For a more detailed description of agricultural land use curve numbers refer to National Engineering Handbook, Sec. 4, Hydrology, Chapter 9, August 1972.
- (2) Assumes roof and driveway runoff is directed into street/storm system.
- (3) The remaining pervious areas (lawn) are considered to be in good condition for these curve numbers.

Table K1. - Water Features

Washington County, Oregon

Depths of layers are in feet. Estimates of the frequency of ponding and flooding apply to the whole year rather than to individual months. Absence of an entry indicates that the feature is not a concern or that data were not estimated.

Map Symbol and Soil Name	Hydrologic Group	Month	Water Table		Ponding			Flooding	
			Upper Limit	Lower Limit	Surface Depth	Duration	Frequency	Duration	Frequency
			Ft	Ft	Ft				
1: Aloha	C	January	1.5-2.0	1.7-3.3	---	---	None	---	None
		February	1.5-2.0	1.7-3.3	---	---	None	---	None
		March	1.5-2.0	1.7-3.3	---	---	None	---	None
		April	1.5-2.0	1.7-3.3	---	---	None	---	None
		December	1.5-2.0	1.7-3.3	---	---	None	---	None
2: Amity	D	January	0.5-1.5	>6.0	---	---	None	---	None
		February	0.5-1.5	>6.0	---	---	None	---	None
		March	0.5-1.5	>6.0	---	---	None	---	None
		April	0.5-1.5	>6.0	---	---	None	---	None
		May	0.5-1.5	>6.0	---	---	None	---	None
		November	0.5-1.5	>6.0	---	---	None	---	None
		December	0.5-1.5	>6.0	---	---	None	---	None
3E: Astoria	B	Jan-Dec			---	---	None	---	None
3F: Astoria	B	Jan-Dec			---	---	None	---	None
4B: Briedwell	B	Jan-Dec			---	---	None	---	None
5B: Briedwell	B	Jan-Dec			---	---	None	---	None
5C: Briedwell	B	Jan-Dec			---	---	None	---	None
5D:									



PREDEVELOPED TIME OF CONCENTRATION

BASIN 1 BOECKMAN

JOB NUMBER: 106-01
 PROJECT: CANYON CREEK
 FILE: 106-001\HYDRO\1061HYDR.XLS

LAG ONE: SHEET FLOW (FIRST 270 FEET)

Tt = Travel time
 Manning's "n" = 0.15
 Flow Length, L = 270 ft (300 ft. max.)

P = 2-year, 24hr storm = 2.5 in
 Slope, S₀ = 0.006 ft/ft

$$T_T = \frac{(0.42)(n * L)^{0.8}}{(P)^{0.5}(S_0)^{0.4}} = 40.83 \text{ min.} \quad \text{Accum. Tc} = 40.83 \text{ min.}$$

LAG TWO: SHALLOW CONCENTRATED FLOW (NEXT 155 FEET)

Tc Velocity factor, k = 11
 Slope, S₀ = 0.026 ft/ft
 $V = k\sqrt{S_0} = 1.77 \text{ ft/s}$
 Flow Length, L = 155 ft
 $T_c = \frac{L}{(60)(V)} = 1.46 \text{ min.} \quad \text{Accum. Tc} = 42.29 \text{ min.}$

TOTAL PREDEVELOPED TIME OF CONCENTRATION = 42.29 min.



PREDEVELOPED/DEVELOPED TIME OF CONCENTRATION

BASIN 1 BOECKMAN NOT COLLECTED

JOB NUMBER: 106-01
PROJECT: CANYON CREEK
FILE: 106-001\HYDRO\1061HYDR.XLS

Accum.
Tc

LAG ONE: SHEET FLOW (FIRST 193 FEET)

Tt = Travel time
Manning's "n" = 0.15
Flow Length, L = 193 ft (300 ft. max.)

P = 2-year, 24hr storm = 2.5 in
Slope, S₀ = 0.019 ft/ft

$$T_T = \frac{(0.42)(n * L)^{0.8}}{(P)^{0.5} (S_0)^{0.4}} \quad 18.99 \text{ min.} \quad 18.99 \text{ min.}$$

TOTAL PREDEVELOPED TIME OF CONCENTRATION = 18.99 min.



PREDEVELOPED TIME OF CONCENTRATION

BASIN 2 COFFEE LAKE CREEK

JOB NUMBER: 106-01
 PROJECT: CANYON CREEK
 FILE: 106-001\HYDRO\1061HYDR.XLS

LAG ONE: SHEET FLOW (FIRST 300 FEET)

Accum.
Tc

Tt = Travel time
 Manning's "n" = 0.15
 Flow Length, L = 300 ft (300 ft. max.)

P = 2-year, 24hr storm = 2.5 in
 Slope, S₀ = 0.012 ft/ft

$$T_T = \frac{(0.42)(n * L)^{0.8}}{(P)^{0.5}(S_0)^{0.4}} \quad 32.75 \text{ min.} \quad 32.75 \text{ min.}$$

LAG TWO: SHALLOW CONCENTRATED FLOW (NEXT 418 FEET)

Tc Velocity factor, k = 11
 Slope, S₀ = 0.020 ft/ft
 $V = k\sqrt{S_0}$ = 1.56 ft/s
 Flow Length, L = 418 ft
 $T = \frac{L}{(60)(V)}$ = 4.48 min. 37.23 min.

TOTAL PREDEVELOPED TIME OF CONCENTRATION = 37.23 min.



PREDEVELOPED/DEVELOPED TIME OF CONCENTRATION

BASIN 2 COFFEE LAKE CREEK NOT COLLECTED

JOB NUMBER: 106-01
PROJECT: CANYON CREEK
FILE: 106-001\HYDRO\1061HYDR.XLS

LAG ONE: SHEET FLOW (FIRST 215 FEET)

Tt = Travel time

Manning's "n" =

Flow Length, L =

0.15

215 ft

(300 ft. max.)

P = 2-year, 24hr storm =

2.5 in

Slope, S₀ =

0.019 ft/ft

$$T_T = \frac{(0.42)(n * L)^{0.8}}{(P)^{0.5} (S_0)^{0.4}}$$

20.70 min.

Accum.

Tc

20.70 min.

TOTAL PREDEVELOPED TIME OF CONCENTRATION =

20.70 min.

DEVELOPED TIME OF CONCENTRATION

TOTAL SITE

JOB NUMBER: 106-01
PROJECT: CANYON CREEK
FILE: 106-001\HYDRO\1061HYDR.XLS

Catchment Time	10 min.	
Longest Run of Pipe	2654 ft	Longest run from basins
Velocity of Flow	3 ft/s	
Time in Pipe = (2654 ft)/(3.00 ft/s) =	885 s	

TOTAL DEVELOPED Tc = 24.7 min.



BASIN 1

Catchment Time	10 min.	
Longest Run of Pipe	1872 ft	
Velocity of Flow	3 ft/s	
Time in Pipe = (1872 ft)/(3.00 ft/s) =	624 s	

TOTAL DEVELOPED Tc = 20.4 min.

BASIN 2

Catchment Time	10 min.	
Longest Run of Pipe	2654 ft	
Velocity of Flow	3 ft/s	
Time in Pipe = (2654 ft)/(3.00 ft/s) =	885 s	

TOTAL DEVELOPED Tc = 24.7 min.

IMPERVIOUS AREA CALCULATIONS

TOTAL SITE

JOB NUMBER: 106-01
 PROJECT: CANYON CREEK
 FILE: 106-001\HYDRO\1061HYDR.XLS



NEW IMPERVIOUS AREA

63 NEW LOTS @ 2,750	173250.00 ft ²	
PUBLIC STREETS OFF-SITE (ANTICIPATE FULL BUILD OUT OF CANYON CREEK SOUTH)	129016 ft ²	
STREETS AND SDWK'S ON-SITE	<u>123554 ft²</u>	
	425820.00 ft²	9.78 ac

EXISTING IMPERVIOUS AREA

BUILDINGS AND PAVEMENT	50254 ft ²	(EXISTING 10 LOTS)
GRAVEL DRIVES/ROADS @ 60%	<u>12297 ft²</u>	
	62551.00 ft²	1.44 ac
EXISTING PERCENT IMPERVIOUS	6.62%	
EXISTING IMPERVIOUS AREA TO BE REMOVED DUE TO DEVELOPMENT	14570 ft ²	0.33 ac

IMPERVIOUS AREA USED FOR DETENTION, WATER QUALITY AND HYDROGRAPH CALCULATIONS

Total Shed Area	945007.00 ft ²	21.69 ac
63 LOTS / STREETS PUBLIC / PRIVATE	425820.00 ft ²	9.78 ac
EXISTING IMPERVIOUS AREA	62551.00 ft ²	1.44 ac
EXISTING IMPERVIOUS AREA TO BE REMOVED	<u>14570.00 ft²</u>	<u>0.33 ac</u>
EFFECTIVE TOTAL IMPERVIOUS AREA	473801.00 ft²	10.88 ac
% Impervious		50.1 %

IMPERVIOUS AREA REPRESENTS 63 LOTS WITH THE PROPOSED IMPROVEMENTS
ALONG WITH THE EXISTING IMPERVIOUS AREA



SANTA BARBARA URBAN HYDROGRAPHS

TOTAL BASIN

JOB: 106-01
 PROJECT: CANYON CREEK
 FILE: 106-001\HYDRO\1061HYDR.XLS

DESCRIPTION	DESIGN STORM (YR)	DURATION (HR)	PRECIP (IN)	AREA TOTAL (AC)	% IMP	AREA PERV. (AC)	CN PER.	AREA IMP. (AC)	CN IMP.	TIME (MIN)	Q (CFS)
PREDEVELOPED 2-YEAR PEAK DISCHARGE	2	24	2.50	21.69	6.5	20.28	85	1.41	98	42.29	3.78
DEVELOPED 2-YEAR PEAK DISCHARGE	2	24	2.50	21.69	50.08	10.83	86	10.86	98	24.74	7.41
PREDEVELOPED 10-YEAR PEAK DISCHARGE	10	24	3.45	21.69	6.5	20.28	85	1.41	98	42.29	6.69
DEVELOPED 10-YEAR PEAK DISCHARGE	10	24	3.45	21.69	50.08	10.83	86	10.86	98	24.74	11.30
PREDEVELOPED 25-YEAR PEAK DISCHARGE	25	24	3.90	21.69	6.5	20.28	85	1.41	98	42.29	8.17
DEVELOPED 25-YEAR PEAK DISCHARGE	25	24	3.90	21.69	50.08	10.83	86	10.86	98	24.74	13.18
PREDEVELOPED 100-YEAR PEAK DISCHARGE	100	24	4.50	21.69	6.5	20.28	85	1.41	98	42.29	10.21
DEVELOPED 100-YEAR PEAK DISCHARGE	100	24	4.50	21.69	50.08	10.83	86	10.86	98	24.74	15.72



SANTA BARBARA URBAN HYDROGRAPHS

BASIN #1

JOB: 106-01
 PROJECT: CANYON CREEK
 FILE: 106-001\HYDRO\1061HYDR.XLS

DESCRIPTION	DESIGN STORM (YR)	DURATION (HR)	PRECIP (IN)	AREA TOTAL (AC)	% IMP	AREA PERV. (AC)	CN PER.	AREA IMP. (AC)	CN IMP.	TIME (MIN)	Q (CFS)
PREDEVELOPED 2-YEAR PEAK DISCHARGE	2	24	2.50	7.32	12.98	6.37	76	0.95	98	42.29	0.74
DEVELOPED 2-YEAR PEAK DISCHARGE	2	24	2.50	7.32	50.08	3.65	86	3.67	98	20.40	2.67
PREDEVELOPED 10-YEAR PEAK DISCHARGE	10	24	3.45	7.32	12.98	6.37	76	0.95	98	42.29	1.51
DEVELOPED 10-YEAR PEAK DISCHARGE	10	24	3.45	7.32	50.08	3.65	86	3.67	98	20.40	4.07
PREDEVELOPED 25-YEAR PEAK DISCHARGE	25	24	3.90	7.32	12.98	6.37	76	0.95	98	42.29	1.92
DEVELOPED 25-YEAR PEAK DISCHARGE	25	24	3.90	7.32	50.08	3.65	86	3.67	98	20.40	4.75
PREDEVELOPED 100-YEAR PEAK DISCHARGE	100	24	4.50	7.32	12.98	6.37	76	0.95	98	42.29	2.50
DEVELOPED 100-YEAR PEAK DISCHARGE	100	24	4.50	7.32	50.08	3.65	86	3.67	98	20.40	5.66



SANTA BARBARA URBAN HYDROGRAPHS

BASIN #2

JOB: 106-01
 PROJECT: CANYON CREEK
 FILE: 106-001\HYDRO\1061HYDR.XLS

DESCRIPTION	DESIGN STORM (YR)	DURATION (HR)	PRECIP (IN)	AREA TOTAL (AC)	% IMP	AREA PERV. (AC)	CN PER.	AREA IMP. (AC)	CN IMP.	TIME (MIN)	Q (CFS)
PREDEVELOPED 2-YEAR PEAK DISCHARGE	2	24	2.50	14.37	3.41	13.88	85	0.49	98	37.23	2.54
DEVELOPED 2-YEAR PEAK DISCHARGE	2	24	2.50	14.37	50.08	7.17	86	7.20	98	24.74	4.91
PREDEVELOPED 10-YEAR PEAK DISCHARGE	10	24	3.45	14.37	3.41	13.88	85	0.49	98	37.23	4.60
DEVELOPED 10-YEAR PEAK DISCHARGE	10	24	3.45	14.37	50.08	7.17	86	7.20	98	24.74	7.48
PREDEVELOPED 25-YEAR PEAK DISCHARGE	25	24	3.90	14.37	3.41	13.88	85	0.49	98	37.23	5.64
DEVELOPED 25-YEAR PEAK DISCHARGE	25	24	3.90	14.37	50.08	7.17	86	7.20	98	24.74	8.73
PREDEVELOPED 100-YEAR PEAK DISCHARGE	100	24	4.50	14.37	3.41	13.88	85	0.49	98	37.23	7.07
DEVELOPED 100-YEAR PEAK DISCHARGE	100	24	4.50	14.37	50.08	7.17	86	7.20	98	24.74	10.41



WATER QUALITY SWALE CALCULATIONS

BASIN 1

JOB NUMBER: 106-01
 PROJECT: CANYON CREEK
 FILE: 106-001\HYDRO\1061HYDR.XLS

- REFERENCES:
1. Clean Water Services R&O 00-7.
 2. Discussions with Clean Water Services.

REQUIRED WATER QUALITY TREATMENT: 65% Phosphorus Removal.

PROPOSED TREATMENT METHODS:

1. Sumped Catch Basins	15%
2. Bio-Filtration Swale	50%
total	65%

DESIGN STORM:

Precipitation:	0.36 inches
Storm Duration:	4 hours
Storm Return Period:	96 hours
Storm Window:	2 weeks

IMPERVIOUS AREA:

Watershed Area:	7.32 acres
Percent imp:	50.08 %
Impervious Area:	3.67 acres

Design Inflow = $(3.67 \text{ ac}) * (43560 \text{ ft}^2/\text{ac}) * (0.36 \text{ in} / 4.0 \text{ hrs}) =$

0.33 cfs

BIOFILTRATION SWALE DESIGN CRITERIA:

Max Velocity:	0.9 ft/s
Side Slopes:	4 :1 (treatment area)
Base:	2 feet (2' min)
n Factor:	0.18 (plantings)

SWALE CHARACTERISTICS:

Q=	0.33 Design Storm Discharge (determined above)
N=	0.18 Plantings
B=	2 ft Base width of channel
Z=	4 :1 Side slopes
SLOPE=	0.005 ft/ft Slope of channel (0.005 minimum)
ASS. Y=	0.5 ft Assumed depth to begin analysis (0.5 ft maximum)

ITERATIVE SOLUTION OF MANNING'S EQUATION FOR NORMAL DEPTH:

ITERATION	Y (FT)	P (FT)	A (FT ²)	R	Q (CFS)	% ERROR	V (FPS)
				0.33	0.56	68.25	0.28
1	0.50	6.12	2.00	0.25	0.28	-16.08	0.23
2	0.35	4.91	1.21	0.27	0.35	5.72	0.24
3	0.40	5.28	1.43	0.26	0.32	-1.79	0.24
4	0.38	5.16	1.35	0.26	0.33	0.58	0.24
5	0.39	5.19	1.37	0.26	0.33	-0.19	0.24
6	0.39	5.18	1.37	0.26	0.33	0.06	0.24
7	0.39	5.19	1.37	0.26	0.33	-0.02	0.24
8	0.39	5.19	1.37	0.26	0.33	0.01	0.24
9	0.39	5.19	1.37	0.26	0.33	0.00	0.24
10	0.39	5.19	1.37	0.26	0.33	0.00	0.24
11	0.39	5.19	1.37	0.26	0.33	0.00	0.24
12	0.39	5.19	1.37	0.26	0.33	0.00	0.24
13	0.39	5.19	1.37	0.26	0.33	0.00	0.24
14	0.39	5.19	1.37	0.26	0.33	0.00	0.24
15	0.39	5.19	1.37	0.26	0.33	0.00	0.24

NORMAL DEPTH = 0.39 ft
 FLOW WIDTH = 5.09 ft
 VELOCITY = 0.24 ft/s
 TREATMENT TIME = 9.00 min
 TREATMENT LENGTH = 130.11 ft

LOW FLOW ORIFICE CALCULATIONS

$$Q = C_o A \sqrt{2gh}$$

Q = 0.33 cfs (Design Discharge from above)

A = Cross sectional area of orifice

C_o = orifice coefficient = 0.62

g = gravity (32.2 ft/sec²)

h = average hydraulic head =

6 inches below high flow

$$A = \frac{Q}{C_o \sqrt{2gh}}$$

A = 0.09 ft²

A = π r² 0.17 ft. radius

r =

d = 2r

d =

4.15 in. diameter, use

4 3/16 " orifice



WATER QUALITY SWALE CALCULATIONS

BASIN 2

JOB NUMBER: 106-01
 PROJECT: CANYON CREEK
 FILE: 106-001\HYDRO\1061HYDR.XLS

REFERENCES:

1. Clean Water Services R&O 00-7.
2. Discussions with Clean Water Services.

REQUIRED WATER QUALITY TREATMENT: 65% Phosphorus Removal.

PROPOSED TREATMENT METHODS:

1. Sumped Catch Basins	15%
2. Bio-Filtration Swale	50%
total	65%

DESIGN STORM:

Precipitation:	0.36 inches
Storm Duration:	4 hours
Storm Return Period:	96 hours
Storm Window:	2 weeks

IMPERVIOUS AREA:

Watershed Area:	14.37 acres
Percent imp:	50.08 %
Impervious Area:	7.20 acres

Design Inflow = (7.20 ac)*(43560 ft²/ac)*(0.36 in / 4.0 hrs) =

0.65 cfs

BIOFILTRATION SWALE DESIGN CRITERIA:

Max Velocity:	0.9 ft/s
Side Slopes:	4 :1 (treatment area)
Base:	2 feet (2' min)
n Factor:	0.18 (plantings)

SWALE CHARACTERISTICS:

Q=	0.65 Design Storm Discharge (determined above)
N=	0.18 Plantings
B=	2 ft Base width of channel
Z=	4 :1 Side slopes
SLOPE=	0.005 ft/ft Slope of channel (0.005 minimum)
ASS. Y=	0.5 ft Assumed depth to begin analysis (0.5 ft maximum)

ITERATIVE SOLUTION OF MANNING'S EQUATION FOR NORMAL DEPTH:

ITERATION	Y (FT)	P (FT)	A (FT ²)	R	Q (CFS)	% ERROR	V (FPS)
1	0.50	6.12	2.00	0.33	0.56	-14.58	0.28
2	0.56	6.58	2.34	0.36	0.69	6.12	0.29
3	0.53	6.40	2.21	0.34	0.64	-2.25	0.29
4	0.54	6.47	2.26	0.35	0.66	0.87	0.29
5	0.54	6.44	2.24	0.35	0.65	-0.33	0.29
6	0.54	6.45	2.25	0.35	0.65	0.13	0.29
7	0.54	6.45	2.24	0.35	0.65	-0.05	0.29
8	0.54	6.45	2.24	0.35	0.65	0.02	0.29
9	0.54	6.45	2.24	0.35	0.65	-0.01	0.29
10	0.54	6.45	2.24	0.35	0.65	0.00	0.29
11	0.54	6.45	2.24	0.35	0.65	0.00	0.29
12	0.54	6.45	2.24	0.35	0.65	0.00	0.29
13	0.54	6.45	2.24	0.35	0.65	0.00	0.29
14	0.54	6.45	2.24	0.35	0.65	0.00	0.29
15	0.54	6.45	2.24	0.35	0.65	0.00	0.29

NORMAL DEPTH = 0.54 ft
 FLOW WIDTH = 6.32 ft
 VELOCITY = 0.29 ft/s
 TREATMENT TIME = 9.00 min
 TREATMENT LENGTH = 156.37 ft

LOW FLOW ORIFICE CALCULATIONS

$$Q = C_o A \sqrt{2gh}$$

Q = 0.65 cfs (Design Discharge from above)

A = Cross sectional area of orifice

C_o = orifice coefficient = 0.62

g = gravity (32.2 ft/sec²)

h = average hydraulic head = 6 inches below high flow

$$A = \frac{Q}{C_o \sqrt{2gh}}$$

A = 0.18 ft²

A = π r²
 r = 0.24 ft. radius

d = 2r
 d = 5.82 in. diameter, use

5 14/16 " orifice

STORMWATER CONVEYANCE CALCULATIONS

JOB: 106-01
 PROJECT: CANYON CREEK
 FILE: 106-001\HYDRO\1061HYDR.XLS
 Design Storm: 25 YR
 Storm Duration: 24 HRS
 Precipitation: 3.9 IN
 Manning's "n": 0.011

LINE	INC. AREA (AC)	AREA TOTAL (AC)	% IMP.	AREA PERV. (AC)	CN PER.	AREA IMP. (AC)	CN IMP.	TIME (MIN)	Q (CFS)	PIPE SIZE (IN)	SLOPE (FT/FT)	Qf (CFS)	Q/Qf (%)	Vf (FPS)	V/Vf (%)	ACTUAL V (FPS)	LENGTH (FT)	INC. TIME (MIN)
BASIN 1																		
SDLN-5																		
MH 15 TO MH 14	1.13	1.13	50.1	0.56	86	0.57	98	10.00	0.87	12	0.0050	2.99	0.29	3.80	0.49046	1.86	192.75	1.72
OSCB 9 TO MH 14	0.18	0.18	50.1	0.09	86	0.09	98	10.00	0.14	10	0.0050	1.84	0.08	3.37	0.27524	0.93	10	0.18
OSCB 10 TO MH 14	0.17	0.17	50.1	0.08	86	0.09	98	10.00	0.13	10	0.0050	1.84	0.07	3.37	0.27106	0.91	20	0.37
MH 14 TO MH 13	0.35	1.48	50.1	0.74	86	0.74	98	11.72	1.11	12	0.0050	2.99	0.37	3.80	0.57053	2.17	45.27	0.35
SDLN-9																		
OSCB 5 TO MH 39	0.085	0.085	50.1	0.04	86	0.04	98	10.00	0.07	10	0.0050	1.84	0.04	3.37	0.23553	0.79	22.36	0.47
OSCB 4 TO MH 39	0.15	0.15	50.1	0.07	86	0.08	98	10.00	0.12	10	0.0050	1.84	0.06	3.37	0.2627	0.88	14.14	0.27
MH 39 TO WQMH 11	0	0.235	50.1	0.12	86	0.12	98	10.00	0.18	12	0.0114	4.51	0.04	5.74	0.24	1.38	71.35	0.86
SDLN-4																		
CO 1 TO MH 37	0.11	0.11	50.1	0.05	86	0.06	98	10.00	0.08	12	0.0050	2.99	0.03	3.80	0.22828	0.87	56.23	1.08
MH 38 TO MH 13	0.45	0.56	50.1	0.28	86	0.28	98	11.08	0.42	12	0.0050	2.99	0.14	3.80	0.34163	1.30	70.84	0.91
MH 13 TO MH 12	0.57	2.61	50.1	1.30	86	1.31	98	11.99	1.94	12	0.0050	2.99	0.65	3.80	0.85066	3.23	197.93	1.02

OSCB 7 TO MH 12	0.55	0.55	50.1	0.27	86	0.28	98	10.00	0.42	10	0.0900	7.79	0.05	14.28	0.25419	3.63	14.67	0.07	
OSCB 8 TO MH 12	0.21	0.21	50.1	0.10	86	0.11	98	10.00	0.16	10	0.0050	1.84	0.09	3.37	0.28778	0.97	18.31	0.32	
MH 12 TO WQMH 11	0.76	3.37	50.1	1.68	86	1.69	98	13.01	2.47	12	0.0050	2.99	0.83	3.80	1.02631	3.90	53.09	0.23	
WQMH 11 TO OUT 3	0.235	3.605	50.1	1.80	86	1.81	98	13.24	2.63	12	0.0050	2.99	0.88	3.80	1.08064	4.11	61.45	0.25	
OSCB 6 TO CI 3	0.065	0.065	50.1	0.03	86	0.03	98	10.00	0.05	10	0.0243	4.05	0.01	7.42	0.21232	1.58	32.52	0.34	
CI 3 TO OUTLET 4	0.065	0.13	50.1	0.06	86	0.07	98	10.00	0.10	12	0.0050	2.99	0.03	3.80	0.23342	0.89	28.39	0.53	
SDLN-3																			
AD 5 TO AD 4	0.25	3.855	50.1	1.92	86	1.93	98	22.49	2.42	6	0.0100	0.66	3.64	3.39	3.84338	13.01	13.41	0.02	
AD 4 TO MH 10	0	3.855	50.1	1.92	86	1.93	98	22.50	2.42	12	0.0075	3.66	0.66	4.66	0.86239	4.01	63.69	0.26	
MH 10 MH 9	0.77	4.625	50.1	2.31	86	2.32	98	22.77	2.89	12	0.0075	3.66	0.79	4.66	0.99154	4.62	285.57	1.03	
OSCB 2 TO CI 1	0.17	0.17	50.1	0.08	86	0.09	98	10.00	0.13	10	0.0050	1.84	0.07	3.37	0.27106	0.91	32.5	0.59	
CI 1 TO MH 9	0.19	0.36	50.1	0.18	86	0.18	98	10.59	0.27	12	0.0302	7.34	0.04	9.34	0.23732	2.22	49.28	0.37	
MH 9 TO MH 8A	0.36	4.985	50.1	2.49	86	2.50	98	23.80	3.07	12	0.0075	3.66	0.84	4.66	1.04016	4.84	64.41	0.22	
AD 9 TO MH 8A	0.11	0.11	50.1	0.05	86	0.06	98	10.00	0.08	10	0.2337	12.55	0.01	23.01	0.20673	4.76	27.64	0.10	
AD 8 TO MH 8A	0.03	0.03	50.1	0.01	86	0.02	98	10.00	0.02	10	0.3523	15.41	0.00	28.25	0.20149	5.69	17.77	0.05	
MH 8A TO MH 8	0	5.125	50.1	2.56	86	2.57	98	24.02	3.15	12	0.0075	3.66	0.86	4.66	1.06094	4.94	321.22	1.08	
AD 6 TO MH 7	0.1	0.1	50.1	0.05	86	0.05	98	10.00	0.08	10	0.3907	16.23	0.00	29.75	0.20473	6.09	23.42	0.06	
WQMH 8 TO MH 7	0	5.125	50.1	2.56	86	2.57	98	24.02	3.15	12	0.0075	3.66	0.86	4.66	1.06094	4.94	37.8	0.13	
MH 7 TO MH 6	0	5.225	50.1	2.61	86	2.62	98	24.15	3.20	12	0.0075	3.66	0.88	4.66	1.0761	5.01	34.62	0.12	
MH 6 TO MH 5	0	5.225	50.1	2.61	86	2.62	98	24.26	3.20	12	0.0432	8.77	0.36	11.17	0.56443	6.31	270	0.71	
MH 5 TO MH 4	0	5.225	50.1	2.61	86	2.62	98	24.98	3.16	12	0.3655	25.52	0.12	32.50	0.324	10.53	193.69	0.31	
MH 4 TO AD 3	0	5.225	50.1	2.61	86	2.62	98	25.28	3.15	12	0.1864	18.23	0.17	23.21	0.37287	8.65	14.7	0.03	

BASIN 2

SDLN-11

OSCB 33 TO MH 36	0.28	0.28	50.08	0.14	86	0.14	98	10.00	0.21	10	0.0050	1.84	0.12	3.37	0.31703	1.07	19.58	0.31
MH 36 TO MH 35	0.39	0.67	50.08	0.33	86	0.34	98	10.31	0.51	12	0.0050	2.99	0.17	3.80	0.37144	1.41	324.51	3.83
OSCB 32 TO MH 35	0.11	0.11	50.08	0.05	86	0.06	98	10.00	0.08	10	0.0593	6.32	0.01	11.59	0.21335	2.47	27.97	0.19
MH 35 TO MH 34	0	0.78	50.08	0.39	86	0.39	98	14.14	0.56	12	0.0050	2.99	0.19	3.80	0.38771	1.47	54.74	0.62
OSCB 29 TO MH 34	0.21	0.21	50.08	0.10	86	0.11	98	10.00	0.16	10	0.2798	13.73	0.01	25.18	0.21173	5.33	13.83	0.04
OSCB 30 TO OSCB 31	0.12	0.12	50.08	0.06	86	0.06	98	10.00	0.09	10	0.0639	6.56	0.01	12.03	0.21403	2.58	38.02	0.25
CI 31 TO MH 34	0.29	0.41	50.08	0.20	86	0.21	98	10.25	0.31	12	0.1002	13.36	0.02	17.02	0.22346	3.80	18.67	0.08
MH 34 TO MH 33	0.25	1.65	50.08	0.82	86	0.83	98	14.76	1.17	12	0.0050	2.99	0.39	3.80	0.59303	2.25	147.04	1.09
MH 33 TO MH 32	0.2	1.85	50.08	0.92	86	0.93	98	15.84	1.29	12	0.0050	2.99	0.43	3.80	0.6328	2.41	121.54	0.84

SDLN-12

CO 3 TO MH 37	0.82	0.82	50.08	0.41	86	0.41	98	10.00	0.63	12	0.0077	3.70	0.17	4.72	0.36984	1.74	94.88	0.91
MH 37 TO MH 32	0	0.82	50.08	0.41	86	0.41	98	10.91	0.62	12	0.0972	13.16	0.05	16.76	0.24716	4.14	50.22	0.20
OSCB 28 TO MH 32	0.09	0.09	50.08	0.04	86	0.05	98	10.00	0.07	10	0.1713	10.75	0.01	19.70	0.20643	4.07	29.59	0.12

SDLN-11 CONT.

MH 32 TO MH 31	0	2.76	50.08	1.38	86	1.38	98	16.69	1.90	12	0.0050	2.99	0.64	3.80	0.83678	3.18	34.06	0.18
OSCB 27 TO MH 31	0.22	0.22	50.08	0.11	86	0.11	98	10.00	0.17	10	0.4367	17.16	0.01	31.46	0.20984	6.60	14.45	0.04
OSCB 26 TO MH 31	0.3	0.3	50.08	0.15	86	0.15	98	10.00	0.23	10	0.3515	15.39	0.01	28.22	0.21495	6.07	17.95	0.05
MH 31 TO MH 28	0	3.28	50.08	1.64	86	1.64	98	16.86	2.25	12	0.0050	2.99	0.75	3.80	0.95453	3.63	66.04	0.30

SDLN-10

CI 24 TO MH 30	0.04	0.04	50.08	0.02	86	0.02	98	10.00	0.03	10	0.0471	5.63	0.01	10.33	0.20545	2.12	25.89	0.20
CI 25 TO MH 30	0.04	0.04	50.08	0.02	86	0.02	98	10.00	0.03	10	0.0472	5.64	0.01	10.34	0.20544	2.12	25.86	0.20
MH 30 TO MH 29	0	0.08	50.08	0.04	86	0.04	98	10.20	0.06	12	0.0054	3.10	0.02	3.95	0.21973	0.87	190.3	3.65
STUB FROM TL# 2403 TO MH 29	0.21	0.21	50.08	0.10	86	0.11	98	10.00	0.16	12	0.0050	2.99	0.05	3.80	0.25398	0.97	47.23	0.82
STUB FROM TL# 2401 TO MH 29	0.25	0.25	50.08	0.12	86	0.13	98	10.00	0.19	12	0.0050	2.99	0.06	3.80	0.26426	1.00	47.23	0.78
MH 29 TO MH 28	0	0.54	50.08	0.27	86	0.27	98	13.86	0.39	12	0.0347	7.86	0.05	10.01	0.24956	2.50	200.03	1.33
CI 23 TO MH 28	0.27	0.27	50.08	0.13	86	0.14	98	10.00	0.21	10	0.1097	8.60	0.02	15.77	0.22409	3.53	47.23	0.22
MH 28 TO MH 27	0	4.09	50.08	2.04	86	2.05	98	17.17	2.79	12	0.0050	2.99	0.94	3.80	1.1362	4.32	177.78	0.69
CI 22 TO MH 27	0.41	0.41	50.08	0.20	86	0.21	98	10.00	0.31	10	0.2902	13.99	0.02	25.64	0.22249	5.71	25.5	0.07
MH 27 TO MH 26	0.29	4.79	50.08	2.39	86	2.40	98	17.85	3.24	12	0.0050	2.99	1.08	3.80	1.28424	4.88	214.4	0.73
CI 21 TO MH 26	0.25	0.25	50.08	0.12	86	0.13	98	10.00	0.19	10	0.1724	10.78	0.02	19.76	0.21779	4.30	26.11	0.10
MH 26 TO MH 25	0.14	5.18	50.08	2.59	86	2.59	98	18.59	3.46	12	0.0050	2.99	1.16	3.80	1.35872	5.16	185.16	0.60
CI 20 TO MH 25	1.4	1.4	50.08	0.70	86	0.70	98	10.00	1.07	10	0.3668	15.72	0.07	28.83	0.26832	7.74	11.64	0.03
STUB TO MH 25	0.19	0.19	50.08	0.09	86	0.10	98	10.10	0.15	12	0.0050	2.99	0.05	3.80	0.24876	0.95	24.02	0.42
MH 25 TO WQMH 3	0.19	6.96	50.08	3.47	86	3.49	98	19.18	4.60	12	0.0092	4.05	1.14	5.16	1.33683	6.89	336.44	0.81

SDLN-7

MH 23 TO MH 22	2.7	2.7	50.08	1.35	86	1.35	98	10.00	2.07	12	0.0137	4.94	0.42	6.29	0.61924	3.90	361.36	1.55
OSCB 19 TO MH 22	0.27	0.27	50.08	0.13	86	0.14	98	10.00	0.21	10	0.0292	4.44	0.05	8.13	0.2467	2.01	14.05	0.12
OSCB 18 TO MH 22	0.27	0.27	50.08	0.13	86	0.14	98	10.00	0.21	10	0.0146	3.14	0.07	5.75	0.26604	1.53	24.6	0.27

MH 22 TO MH 21	0.24	3.48	50.08	1.74	86	1.74	98	11.55	2.61	12	0.0050	2.99	0.87	3.80	1.07364	4.08	51.77	0.21
MH 21 TO MH 20	0.42	3.9	50.08	1.95	86	1.95	98	11.76	2.91	12	0.0050	2.99	0.98	3.80	1.1758	4.47	73.45	0.27
OSCB 14 TO MH 20	0.3	0.3	50.08	0.15	86	0.15	98	10.00	0.23	10	0.0111	2.74	0.08	5.02	0.28415	1.43	16.17	0.19
OSCB 15 TO MH 20	0.39	0.39	50.1	0.19	86	0.20	98	10.00	0.30	10	0.0130	2.96	0.10	5.43	0.3011	1.63	13.83	0.14
MH 20 TO MH 19	0	4.59	50.1	2.29	86	2.30	98	12.03	3.41	16	0.0050	6.43	0.53	4.60	0.73097	3.37	73.66	0.36
SDLN-8																		
OSCB 16 TO MH 24	0.46	0.46	50.08	0.23	86	0.23	98	10.00	0.35	10	0.1389	9.68	0.04	17.74	0.23648	4.20	11.09	0.04
OSCB 17 TO MH 24	0.22	0.22	50.08	0.11	86	0.11	98	10.00	0.17	10	0.0802	7.35	0.02	13.48	0.22296	3.01	19.21	0.11
MH 24 TO MH 19	0.46	1.14	50.08	0.57	86	0.57	98	10.11	0.87	12	0.0050	2.99	0.29	3.80	0.49256	1.87	128.1	1.14
SDLN-7 CONT.																		
OSCB 34 TO MAIN	0.05	0.05	50.08	0.02	86	0.03	98	10.00	0.04	6	0.2460	3.30	0.01	16.80	0.21163	3.55	5	0.02
MH 19 TO MH 17	0.48	6.26	50.08	3.12	86	3.14	98	12.40	4.63	18	0.0023	5.97	0.78	3.38	0.97526	3.29	172.86	0.87
SDLN-6																		
CI 13 TO MH 18	0.27	0.27	50.08	0.13	86	0.14	98	10.00	0.21	10	0.1126	8.71	0.02	15.97	0.22378	3.57	15.18	0.07
STUB TO MH 18	0.15	0.15	50.08	0.07	86	0.08	98	10.00	0.12	12	0.0050	2.99	0.04	3.80	0.23855	0.91	21.66	0.40
MH 18 TO MH 17	0.5	0.92	50.08	0.46	86	0.46	98	10.07	0.71	18	0.0050	8.80	0.08	4.98	0.28012	1.40	119.18	1.42
MH 17 TO MH 16	0.45	7.63	50.08	3.81	86	3.82	98	13.27	5.56	18	0.0023	5.97	0.93	3.38	1.13151	3.82	254.83	1.11
CI 12 TO MH 16	0.23	0.23	50.08	0.11	86	0.12	98	10.00	0.18	10	0.4129	16.68	0.01	30.59	0.21058	6.44	14	0.04
MH 16 TO WQMH 3	0.35	8.21	50.08	4.10	86	4.11	98	14.38	5.87	18	0.0023	5.97	0.98	3.38	1.18406	4.00	333.64	1.39

SDLN-2

CI 11 TO WQMH 3	0.23	0.23	50.08	0.11	86	0.12	98	10.00	0.18	10	0.5154	18.64	0.01	34.17	0.20947	7.16	20.78	0.05
WQMH 3 TO MH 2	0	15.4	50.08	7.69	86	7.71	98	20.00	10.06	21	0.0023	9.00	1.12	3.74	1.31669	4.93	280.36	0.95
MH 2 TO MH 1	0	15.4	50.08	7.69	86	7.71	98	20.94	9.91	21	0.0023	9.00	1.10	3.74	1.30027	4.87	276.85	0.95
MH 1 TO OUTLET 2	0	15.4	50.08	7.69	86	7.71	98	21.89	9.76	21	0.0023	9.00	1.08	3.74	1.28434	4.81	368.64	1.28

SDLN-1

AD 2 TO AD 1	0.26	15.66	50.08	7.82	86	7.84	98	23.17	9.74	6	0.0100	0.66	14.65	3.39	14.848	50.28	8.84	0.00
AD 1 TO OUTLET 1	0	15.66	50.08	7.82	86	7.84	98	23.17	9.74	21	0.0023	9.00	1.08	3.74	1.28155	4.80	42.17	0.15

*CONVEYANCE CALCULATIONS INCLUDE ADDITIONAL AREAS OFF-SITE WHICH WILL BE COLLECTED WITHIN THE STORM DRAIN SYSTEM



JOB: 106-001
 PROJECT: CANYON CREEK
 FILE: 106-001\HYDRO\ 1061HYDR.XLS

EXISTING CONDITIONS BREAK DOWN

DESCRIPTION

TOTAL PROJECT AREA INCLUDING CANYON CREEK	21.69 ac		
SOIL TYPE 1A-ALOHA			
HYDROLOGIC GROUP	C		
PREDEVELOPED CN - IMP	98		
PREDEVELOPED CN - PER	85		
EXISTING IMPERVIOUS	1.44 ac		
PERCENT IMPERVIOUS	6.62%		
PERCENT PERVIOUS	93.38%		
		<u>COLLECTED</u>	<u>UNCOLLECTED</u>
AREA OF BASIN 1	7.32 ac	3.74	3.58
IMP. AREA BASIN 1	0.95 ac	0.33	0.62
PER. AREA BASIN 1	6.37 ac	3.41	2.96
AREA OF BASIN 2	14.37 ac	12.96	1.41
IMP. AREA BASIN 2	0.49 ac	0.13	0.36
PER. AREA BASIN 2	13.88 ac	12.83	1.05
TIME OF CONCENTRATION COMPLETE SITE (LONGEST RUN)	42.29 min		
TIME OF CONCENTRATION BASIN 1	42.29 min	42.29	25.02
TIME OF CONCENTRATION BASIN 2	37.23 min	37.23	18.22

PROPOSED CONDITIONS BREAK DOWN

DESCRIPTION	AREA		
TOTAL PROJECT AREA INCLUDING CANYON CREEK	21.69 ac		
SOIL TYPE 1A-ALOHA			
HYDROLOGIC GROUP	C		
DEVELOPED CN - IMP	98		
DEVELOPED CN - PER	86		
PROPOSED IMPERVIOUS	10.88 ac		
PERCENT IMPERVIOUS	50.14%		
PERCENT PERVIOUS	49.86%		
		<u>COLLECTED</u>	<u>UNCOLLECTED</u>
AREA OF BASIN 1	7.32 ac	3.74	3.58
IMP. AREA BASIN 1	3.67 ac	1.88	1.80
PER. AREA BASIN 1	3.65 ac	1.86	1.78
AREA OF BASIN 2	14.37 ac	12.96	1.41
IMP. AREA BASIN 2	7.20 ac	6.84	0.36
PER. AREA BASIN 2	7.17 ac	6.12	1.05
TIME OF CONCENTRATION COMPLETE SITE (LONGEST RUN)	24.74 min		
TIME OF CONCENTRATION BASIN 1	20.40 min	20.40	20.40
TIME OF CONCENTRATION BASIN 2	24.74 min	24.74	18.22



JOB: 106-001
 PROJECT: CANYON CREEK
 FILE: 106-001\HYDRO\1061HYDR.XLS

POND SIZING

PARAMETERS:

SIDE SLOPE 3 to 1
 DEPTH OF STORAGE 3 ft
 1' OF FREE BOARD
 DIA. OF STAND PIPE 18 in for basin 2
 12 in for basin 1

BASIN 1-COLLECTED AREA ROUTED AND RESTRICTED TO WHAT WAS UNABLE TO BE COLLECTED

STORM EVENT	INFLOW (cfs)	TARGET OUTFLOW (cfs)	UNDETAINED DEV-PRE FLOW (cfs)	ADJUSTED TARGET OUTFLOW (cfs)	ACTUAL-OUTFLOW (cfs)	PEAK STAGE (ft)	STORAGE (cu.ft)	
25 YEAR	2.43	1.43	0.52	0.91	0.91	3.00	12,018	PEAK VOLUME
10 YEAR	2.08	1.17	0.49	0.68	0.63	2.79	10,970	
2 YEAR	1.37	0.67	0.42	0.25	0.25	2.53	9,670	

BASIN 2-COLLECTED AREA ROUTED AND RESTRICTED TO WHAT WAS UNABLE TO BE COLLECTED

STORM EVENT	INFLOW (cfs)	TARGET OUTFLOW (cfs)	UNDETAINED DEV-PRE FLOW (cfs)	ADJUSTED TARGET OUTFLOW (cfs)	ACTUAL-OUTFLOW (cfs)	PEAK STAGE (ft)	STORAGE (cu.ft)	
25 YEAR	7.96	5.01	0	5.01	5.00	3.00	20,384	PEAK VOLUME
10 YEAR	6.84	4.07	0	4.07	3.79	2.72	18,090	
2 YEAR	4.51	2.22	0	2.22	2.22	1.95	12,220	

KING COUNTY DEPARTMENT OF PUBLIC WORKS
Surface Water Management Division

HYDROGRAPH PROGRAMS
Version 4.20

- 1 - INFO ON THIS PROGRAM
- 2 - SBUHYD
- 3 - ROUTE
- 4 - ROUTE2
- 5 - ADDHYD
- 6 - BASEFLOW
- 7 - PLOTHYD
- 8 - DATA
- 9 - RDFAC
- 10 - RETURN TO DOS

ENTER OPTION:

BUH/SCS METHOD FOR COMPUTING RUNOFF HYDROGRAPH

STORM OPTIONS:

- S.C.S. TYPE-1A
- 7-DAY DESIGN STORM
- STORM DATA FILE

SPECIFY STORM OPTION:

BASIN #1 - 2-YEAR COLLECTED PRE-DEVELOPED

***** S.C.S. TYPE-1A DISTRIBUTION *****
***** 2-YEAR 24-HOUR STORM **** 2.50" TOTAL PRECIP. *****

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
3.41,85,.33,98,42.29

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
3.7	3.4	85.0	.3	98.0	42.3
PEAK-Q(CFS)	T-PEAK(HRS)	VOL(CU-FT)			
.67	8.00	17165			

BASIN #1 - 2-YEAR COLLECTED DEVELOPED

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
 1.86,86,1.88,98,20.4

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
3.7	1.9	86.0	1.9	98.0	20.4
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
1.37	7.83		23800		

BASIN #1 - 10-YEAR COLLECTED PRE-DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 10-YEAR 24-HOUR STORM ***** 3.45" TOTAL PRECIP. *****

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 3.41,85,.33,98,42.29

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
3.7	3.4	85.0	.3	98.0	42.3
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
1.17	8.00		28062		

BASIN #1 - 10-YEAR COLLECTED DEVELOPED

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
 1.86,86,1.88,98,20.4

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
3.7	1.9	86.0	1.9	98.0	20.4
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
2.08	7.83		35688		

BASIN #1 - 25-YEAR COLLECTED PRE-DEVELOPED

***** S.C.S. TYPE-1A DISTRIBUTION *****
***** 25-YEAR 24-HOUR STORM ***** 3.90" TOTAL PRECIP. *****

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
3.41,85,.33,98,42.29

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
3.7	3.4	85.0	.3	98.0	42.3
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
1.43	7.83		33399		

BASIN #1 - 25-YEAR COLLECTED DEVELOPED

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
1.86,86,1.88,98,20.4

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
3.7	1.9	86.0	1.9	98.0	20.4
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
2.43	7.83		41444		

BASIN #1 - 2-YEAR UNCOLLECTED PRE-DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 2-YEAR 24-HOUR STORM **** 2.50" TOTAL PRECIP. *****

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 2.96,85,.62,98,25.02

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS	IMPERVIOUS	TC(MINUTES)
	A CN	A CN	
3.6	3.0 85.0	.6 98.0	25.0
PEAK-Q(CFS)	T-PEAK(HRS)	VOL(CU-FT)	
.89	7.83	17692	

BASIN #1 - 2-YEAR UNCOLLECTED DEVELOPED

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
 1.78,86,1.8,98,20.4

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS	IMPERVIOUS	TC(MINUTES)
	A CN	A CN	
3.6	1.8 86.0	1.8 98.0	20.4
PEAK-Q(CFS)	T-PEAK(HRS)	VOL(CU-FT)	
1.31	7.83	22783	

BASIN #1 - 10-YEAR UNCOLLECTED PRE-DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 10-YEAR 24-HOUR STORM **** 3.45" TOTAL PRECIP. *****

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 2.96,85,.62,98,25.02

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS	IMPERVIOUS	TC(MINUTES)
	A CN	A CN	
3.6	3.0 85.0	.6 98.0	25.0
PEAK-Q(CFS)	T-PEAK(HRS)	VOL(CU-FT)	
1.50	7.83	28260	

BASIN #1 - 10-YEAR UNCOLLECTED DEVELOPED

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
1.78,86,1.8,98,20.4

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
3.6	1.8	86.0	1.8	98.0	20.4
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
1.99	7.83		34163		

BASIN #1 - 25-YEAR UNCOLLECTED PRE-DEVELOPED

***** S.C.S. TYPE-1A DISTRIBUTION *****
***** 25-YEAR 24-HOUR STORM **** 3.90" TOTAL PRECIP. *****

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
2.96,85,.62,98,25.02

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
3.6	3.0	85.0	.6	98.0	25.0
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
1.80	7.83		33495		

BASIN #1 - 25-YEAR UNCOLLECTED DEVELOPED

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
1.78,86,1.8,98,20.4

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
3.6	1.8	86.0	1.8	98.0	20.4
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
2.32	7.83		39673		

ENTIRE BASIN #1 - 2-YEAR PRE-DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 2-YEAR 24-HOUR STORM **** 2.50" TOTAL PRECIP. *****

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 6.37,85,.95,98,42.29

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
7.3	6.4	85.0	.9	98.0	42.3
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
1.37	8.00		34800		

ENTIRE BASIN #1 - 2-YEAR DEVELOPED

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
 3.64,86,3.68,98,20.4

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
7.3	3.6	86.0	3.7	98.0	20.4
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
2.68	7.83		46583		

ENTIRE BASIN #1 - 10-YEAR PRE-DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 10-YEAR 24-HOUR STORM **** 3.45" TOTAL PRECIP. *****

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 6.37,85,.95,98,42.29

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
7.3	6.4	85.0	.9	98.0	42.3
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
2.37	7.83		56183		

ENTIRE BASIN #1 - 10-YEAR DEVELOPED

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
3.64,86,3.68,98,20.4

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
7.3	3.6	86.0	3.7	98.0	20.4
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
4.08	7.83		69852		

ENTIRE BASIN #1 - 25-YEAR PRE-DEVELOPED

***** S.C.S. TYPE-1A DISTRIBUTION *****
***** 25-YEAR 24-HOUR STORM **** 3.90" TOTAL PRECIP. *****

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
6.37,85,.95,98,42.29

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
7.3	6.4	85.0	.9	98.0	42.3
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
2.87	7.83		66799		

ENTIRE BASIN #1 - 25-YEAR DEVELOPED

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
3.64,86,3.68,98,20.4

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
7.3	3.6	86.0	3.7	98.0	20.4
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
4.75	7.83		81118		

POND - BASIN #1 ROUTE DATA

PERFORMANCE:	INFLOW	TARGET-OUTFLOW	ACTUAL-OUTFLOW	PK-STAGE	STORAGE
DESIGN HYD:	2.43	.91	.91	3.00	12018
TEST HYD 1:	2.08	.68	.63	2.79	10970
TEST HYD 2:	1.37	.25	.25	2.53	9670

STRUCTURE DATA: R/D-POND (3.0:1 SIDE SLOPES)

RISER-HEAD	POND-BOTTOM-AREA	TOP-AREA(@1'F.B.)	STOR-DEPTH	STORAGE-VOLUME
3.00 FT	2877.9 SQ-FT	6185.1 SQ-FT	3.00 FT	12018 CU-FT

TRIPLE ORIFICE RESTRICTOR:	DIA(INCHES)	HT(FEET)	Q-MAX(CFS)
BOTTOM ORIFICE:	2.31	.00	.250
MIDDLE ORIFICE:	4.78	2.52	.430
TOP ORIFICE:	3.94	2.70	.230

ROUTING DATA:

STAGE(FT)	DISCHARGE(CFS)	STORAGE(CU-FT)	PERM-AREA(SQ-FT)
.00	.00	.0	.0
.30	.08	894.4	.0
.60	.11	1852.2	.0
.90	.14	2875.4	.0
1.20	.16	3965.8	.0
1.50	.18	5125.4	.0
1.80	.19	6356.3	.0
2.10	.21	7660.2	.0
2.40	.22	9039.2	.0
2.52	.23	9612.3	.0
2.70	.50	10495.2	.0
3.00	.91	12030.2	.0
3.10	1.30	12559.7	.0
3.20	1.94	13098.3	.0
3.30	2.74	13646.0	.0
3.40	3.59	14202.9	.0
3.50	3.93	14769.2	.0

AVERAGE VERTICAL PERMEABILITY: .0 MINUTES/INCH

Project No.	Sheet No.
Project	
Date	
Subject	
BASIN #1 ENTIRE BASIN	

STORM	PREL.	FLOW PRE	DEV
2	2.5"	1.37	2.68
10	3.45"	2.37	4.08
25	3.90"	2.87	4.75

* BASIN #1 COLLECTED ← ROUTE WHAT IS BEING COLLECTED TO POND AND SUBTRACT THE DEV RELEASE OF THE UNCOLLECTED AREAS

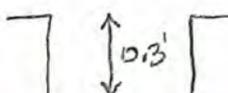
2	2.5"	0.67	1.37	0.25 = 0.67 - 0.42
10	3.45"	1.17	2.08	0.68 = 1.17 - 0.49
25	3.90"	1.43	2.43	0.91 = 1.43 - 0.52

		UNCOLLECTED		DEV - PRE RELEASE
2	2.5"	0.89	1.31	0.42
10	3.45"	1.50	1.99	0.49
25	3.90"	1.80	2.32	0.52

POND ORIFILE	ROUTING Ø	HEIGHT	ALLOWED FLOW
1	2.31"	Ø	0.25 CFS
2	4.78"	2.52'	0.43 CFS
3	3.94"	2.70'	0.23 CFS
RISER	12"	3'	

REQ'D STORAGE = 12,018 CF

NOTCH WIER #3 AREA'D = $\pi \left(\frac{3.94/12}{2} \right)^2 = 0.08 \text{ SF}$

 $L = 0.08 / 0.30 = \underline{\underline{0.28'}}$

BASIN #2 - 2-YEAR COLLECTED PRE-DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 2-YEAR 24-HOUR STORM **** 2.50" TOTAL PRECIP. *****

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 12.83,85, .13,98,37.23

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
13.0	12.8	85.0	.1	98.0	37.2
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
2.22	8.00		55595		

BASIN #2 - 2-YEAR COLLECTED DEVELOPED

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
 6.12,86,6.84,98,24.74

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
13.0	6.1	86.0	6.8	98.0	24.7
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
4.51	7.83		83539		

BASIN #2 - 10-YEAR COLLECTED PRE-DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 10-YEAR 24-HOUR STORM **** 3.45" TOTAL PRECIP. *****

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 12.83,85, .13,98,37.23

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
13.0	12.8	85.0	.1	98.0	37.2
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
4.07	7.83		92690		

BASIN #2 - 10-YEAR COLLECTED DEVELOPED

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
 6.12,86,6.84,98,24.74

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
13.0	6.1	86.0	6.8	98.0	24.7
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
6.84	7.83		124833		

BASIN #2 - 25-YEAR COLLECTED PRE-DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 25-YEAR 24-HOUR STORM **** 3.90" TOTAL PRECIP. *****

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 12.83,85,.13,98,37.23

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
13.0	12.8	85.0	.1	98.0	37.2
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
5.01	7.83		111220		

BASIN #2 - 25-YEAR COLLECTED DEVELOPED

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
 6.12,86,6.84,98,24.74

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
13.0	6.1	86.0	6.8	98.0	24.7
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
7.96	7.83		144806		

BASIN #2 - 2-YEAR UNCOLLECTED PRE-DEVELOPED / DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 2-YEAR 24-HOUR STORM **** 2.50" TOTAL PRECIP. *****

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 1.05,85,.36,98,18.22

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
1.4	1.0	85.0	.4	98.0	18.2
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
.42	7.83		7433		

BASIN #2 - 10-YEAR UNCOLLECTED PRE-DEVELOPED / DEVELOPED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 10-YEAR 24-HOUR STORM **** 3.45" TOTAL PRECIP. *****

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 1.05,85,.36,98,18.22

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
1.4	1.0	85.0	.4	98.0	18.2
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
.69	7.83		11685		

BASIN #2 - 25-YEAR UNCOLLECTED PRE-DEVELOPED / COLLECTED

 ***** S.C.S. TYPE-1A DISTRIBUTION *****
 ***** 25-YEAR 24-HOUR STORM **** 3.90" TOTAL PRECIP. *****

 ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
 1.05,85,.36,98,18.22

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
1.4	1.0	85.0	.4	98.0	18.2
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
.83	7.83		13774		

ENTIRE BASIN #2 - 2-YEAR PRE-DEVELOPED

***** S.C.S. TYPE-1A DISTRIBUTION *****
***** 2-YEAR 24-HOUR STORM **** 2.50" TOTAL PRECIP. *****

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
13.88,85,.49,98,37.23

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
14.4	13.9	85.0	.5	98.0	37.2
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
2.54	8.00		63013		

ENTIRE BASIN #2 - 2-YEAR DEVELOPED

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
7.17,86,7.2,98,24.74

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
14.4	7.2	86.0	7.2	98.0	24.7
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
4.91	7.83		91197		

ENTIRE BASIN #2 - 10-YEAR PRE-DEVELOPED

***** S.C.S. TYPE-1A DISTRIBUTION *****
***** 10-YEAR 24-HOUR STORM **** 3.45" TOTAL PRECIP. *****

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
13.88,85,.49,98,37.23

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
14.4	13.9	85.0	.5	98.0	37.2
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
4.60	7.83		104333		

ENTIRE BASIN #2 - 10-YEAR DEVELOPED

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
7.17,86,7.2,98,24.74

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
14.4	7.2	86.0	7.2	98.0	24.7
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
7.49	7.83		136796		

ENTIRE BASIN #2 - 25-YEAR PRE-DEVELOPED

***** S.C.S. TYPE-1A DISTRIBUTION *****
***** 25-YEAR 24-HOUR STORM **** 3.90" TOTAL PRECIP. *****

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 1
13.88,85,.49,98,37.23

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
14.4	13.9	85.0	.5	98.0	37.2
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
5.64	7.83		124946		

ENTIRE BASIN #2 - 25-YEAR DEVELOPED

ENTER: A(PERV), CN(PERV), A(IMPERV), CN(IMPERV), TC FOR BASIN NO. 2
7.17,86,7.2,98,24.74

DATA PRINT-OUT:

AREA(ACRES)	PERVIOUS		IMPERVIOUS		TC(MINUTES)
	A	CN	A	CN	
14.4	7.2	86.0	7.2	98.0	24.7
PEAK-Q(CFS)	T-PEAK(HRS)		VOL(CU-FT)		
8.73	7.83		158876		

POND - BASIN #2 ROUTE DATA

PERFORMANCE:	INFLOW	TARGET-OUTFLOW	ACTUAL-OUTFLOW	PK-STAGE	STORAGE
DESIGN HYD:	7.96	5.01	5.00	3.00	20384
TEST HYD 1:	6.84	4.07	3.79	2.72	18090
TEST HYD 2:	4.51	2.22	2.22	1.95	12220

STRUCTURE DATA: R/D-POND (3.0:1 SIDE SLOPES)

RISER-HEAD	POND-BOTTOM-AREA	TOP-AREA(@1'F.B.)	STOR-DEPTH	STORAGE-VOLUME
3.00 FT	5303.0 SQ-FT	9586.5 SQ-FT	3.00 FT	20384 CU-FT

TRIPLE ORIFICE RESTRICTOR:	DIA(INCHES)	HT(FEET)	Q-MAX(CFS)
BOTTOM ORIFICE:	6.87	.00	2.220
MIDDLE ORIFICE:	7.92	1.82	1.850
TOP ORIFICE:	7.96	2.70	.940

ROUTING DATA:

STAGE(FT)	DISCHARGE(CFS)	STORAGE(CU-FT)	PERM-AREA(SQ-FT)
.00	.00	.0	.0
.30	.70	1632.9	.0
.60	.99	3351.2	.0
.90	1.22	5156.9	.0
1.20	1.40	7051.7	.0
1.50	1.57	9037.8	.0
1.80	1.72	11117.0	.0
1.82	1.73	11258.9	.0
2.10	2.76	13291.3	.0
2.40	3.28	15562.6	.0
2.70	3.70	17932.8	.0
3.00	5.01	20404.0	.0
3.10	5.73	21250.5	.0
3.20	6.81	22108.5	.0
3.30	8.13	22978.1	.0
3.40	9.64	23859.3	.0
3.50	11.31	24752.2	.0
3.60	12.92	25656.9	.0
3.70	13.64	26573.5	.0
3.80	14.31	27502.0	.0

AVERAGE VERTICAL PERMEABILITY: .0 MINUTES/INCH



Project No.	Sheet No.
Project	
Date	
Subject	
BASIN # 2 ENTIRE BASIN	

STORM	PREL.	PRE FLOW	DEV
2	2.5"	2.54	4.91
10	3.45"	4.60	7.49
25	3.90"	5.64	8.73

	COLLECTED	← ROUTE COLLECTED THROUGH POND BUT SUBTRACT THE DEV. RELEASE OF UNCOLLECTED AREAS	
2	2.5"	2.22	4.51 2.22 = 2.22 - 0
10	3.45"	4.07	6.84 4.07 = 4.07 - 0
25	3.90"	5.01	7.96 5.01 = 5.01 - 0

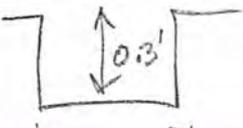
	UNCOLLECTED	← NO CHANGE TO EX. CONDITIONS. TO DEV. CONDITIONS	
2	2.5"	0.42	0.42 0
10	3.45"	0.69	0.69 0
25	3.90"	0.83	0.83 0

POND ROUTING

ORIFICE	Ø	H	ALLOWED RELEASE
#1	6.87"	0	2.22 CFS
#2	7.92"	1.82'	1.85 CFS
#3	7.96"	2.70'	0.94 CFS
RISER	18"	3'	

REQ'D STORAGE = 20,384 SF

NOTCH WIER #3 Area's = $\pi \left(\frac{7.96/12}{2} \right)^2 = 0.35 \text{ SF}$



$L = 0.35 / 0.3 = \underline{\underline{1.17 \text{ FT}}}$

BASIN #1

GRAVEL = 1202 + 790 + 1402 + 1500 + 2702 + 768 + 5733 + 6668 + 463 = 17,240

BLDG = 2608 + 2852 + 3073 + 2609 + 2389 + 3111 + 224 + 1000 = 17,866

IMP = 27,015 ϕ , 0.62 AC

BASIN #2

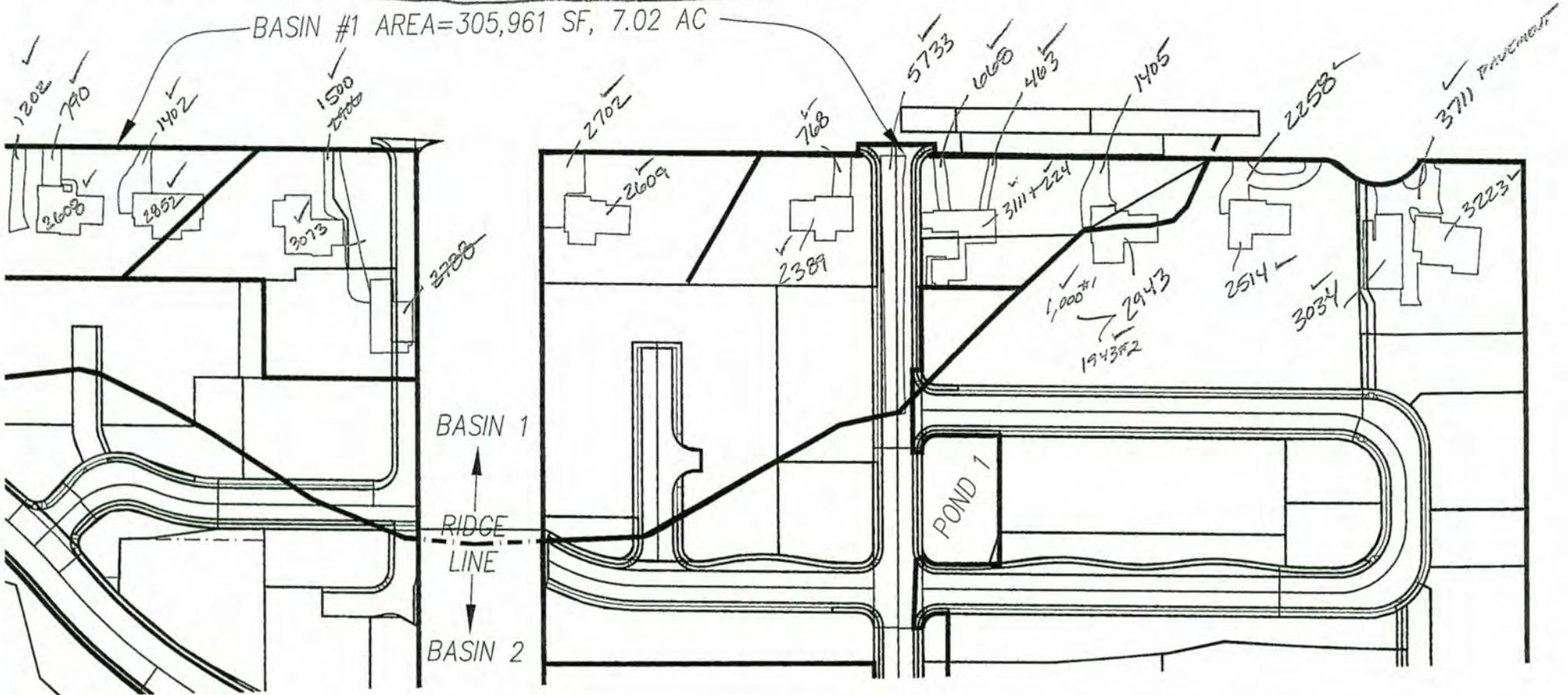
GRAVEL = 2258 x 0.6 = 1355 SF

BLDG = 1943 + 2514 + 3034 + 3223 = 10,714 SF

TRUNK = 3711

IMP = 15,780 SF, 0.36 AC

BASIN #1 AREA = 305,961 SF, 7.02 AC



106-001 CORR-IN



Oregon

Theodore R. Kulongoski, Governor

Department of State Lands

775 Summer Street NE, Suite 100

Salem, OR 97301-1279

(503) 378-3805

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March 9, 2004

REC'D MAR 12 2004

cc: Chris
Terri

cc Matt Sprague
Bea Allan

State Land Board

Theodore R. Kulongoski
Governor

MP02/31572

CHRISTOPHER HARRELL

RENAISSANCE HOMES

1672 SW WILLAMETTE FALLS DRIVE

WEST LINN OREGON 97068

Bill Bradbury
Secretary of State

Randall Edwards
State Treasurer

Re: State Application Number 31572-NSP
Wetland / Coffee Lake Creek Trib.,
City of Wilsonville, Clackamas County

Dear Mr. Harrell:

We have received your application to remove and fill approximately 42 cubic yards of material for a stormwater pipe connection to a proposed outfall on the South Tributary of Coffee Lake Creek in Section 13, Township 3S, Range 1W, Clackamas County, Oregon. The Department of State Lands requires a permit if you plan to remove, fill or alter 50 cubic yards or more of material within the banks of most waters of the state or designated wetlands. State-designated Essential Salmon Habitat streams and State Scenic Waterways are exceptions in that any amount of removal, fill or alteration typically requires a permit.

Based on your application, your project involves removal or filling of less than 50 cubic yards of material in waters that are NOT CURRENTLY DESIGNATED Essential Salmon Habitat or State Scenic Waterways. Therefore, a state removal-fill permit is not required.

You must also receive authorization, when required, from the U.S. Army Corps of Engineers and local planning department before beginning construction.

If you have any questions, please call Mike Powers at (503) 378-3805, extension 226.

Sincerely,

Lori Warner

Western Region Manager, Field Operations
Department of State Lands

c: Jim Grimes, Oregon Dept. of Fish and Wildlife
John Barco, Corps of Engineers, Portland District
City of Wilsonville Planning Dept.

CC: Chris, Matt, Ben
file: Canyon Creek M4



Oregon

Theodore R. Kulongoski, Governor

Department of State Lands
775 Summer Street NE, Suite 100
Salem, OR 97301-1279
(503) 378-3805
FAX (503) 378-4844
www.oregonstatelands.us.

State Land Board

Theodore R. Kulongoski
Governor

Bill Bradbury
Secretary of State

Randall Edwards
State Treasurer

February 27, 2004

REC'D MAR 02 2004

Christopher Harrell
Renaissance Homes
1672 SW Willamette Falls Drive
West Linn, Oregon 97068

Re: Wetland Delineation for Canyon Creek Road located in T3S R1W
Section 13B, Tax Lot 1200, 2691, 2700 in Wilsonville; WD #04-0023

Dear Mr. Harrell:

I have reviewed the wetland delineation report prepared by Fishman Environmental Services for the project referenced above. Please note that the study area only includes a portion of the tax lots stated above (please see the attached map). Based on the information presented in the report, I concur with the wetlands A, C, and D (~1.38 acres) and Boeckman Creek and South Tributary to Coffee Lake Creek boundaries as mapped in the revised Figure (see attached). These wetlands and waterways are subject to the permit requirements of the state Removal-Fill Law. A state permit is required for fill or excavation of 50 cubic yards or more in a wetland area or below the ordinary high water mark of a waterway.

The mapped ditch that flows into "Wetland C" is not regulated by the Department because it does not meet wetland criteria nor the definition of an intermittent stream.

This concurrence is for purposes of the state Removal-Fill Law only. Federal or local permit requirements may apply as well. The Army Corps of Engineers will review the report and make a determination of jurisdiction for purposes of the Clean Water Act at the time that a permit application is submitted. We recommend that you attach a copy of this concurrence letter to both copies of any subsequent joint permit application to speed application review.

Please be advised that state law establishes a preference for avoidance of wetland impacts. Measures to avoid and minimize wetland impacts may include reconfiguring parcel layout and size or development design; therefore, we recommend that you work with Department staff on appropriate site design before completing the city or county land use approval process. The permit coordinator for this site is Mike Powers, Ext. 226.



This jurisdictional determination is valid for five years from the date of this letter, unless new information necessitates a revision. Circumstances under which the Department may change a determination and procedures for renewal of an expired determination are found in OAR 141-090-0045 (available on our web site or upon request). A request for reconsideration of this determination may be submitted in writing by the applicant, landowner, or agent within 60 calendar days of the date of this letter. Thank you for your report.

Site 2.02, 2.12d, and 2.121d on the Wilsonville Local Wetland Inventory should now be revised or annotated to show these more accurate wetland boundaries.

Sincerely,

Melinda Wood

Melinda Wood
Wetlands Specialist

Approved by *Janet C. Morlan*
Janet C. Morlan, PWS
Wetlands Program Manager

cc: Mirth Walker, Fishman Environmental Services
Clackamas County Planning Department
John Barco, Corps of Engineers
Mike Powers, DSL



Oregon

Theodore R. Kulongoski, Governor

February 12, 2004

MP02/31572

FISHMAN ENVIRONMENTAL SERVICES, LLC
ATTN: C. MIRTH WALKER, PWS
434 NW SIXTH AVENUE, SUITE 304
PORTLAND, OR 97209

Re: DSL Removal/Fill Permit Application No. 31572-NSP
T. 3S, R. 01W, Section 13 N of NW Tax Lot 2691,
City of Wilsonville, Clackamas County

Dear Ms. Walker:

We have received your application to conduct removal or fill activities in a water of the state. Based on the information provided, the activity is subject to our jurisdiction and a State Removal/fill Permit is required. The purpose of this letter is to inform you of the results of our initial completeness review. Your application has been reviewed pursuant to OAR 141-085-0025, *et seq.*, and determined to be incomplete.

To continue processing your application, please submit the following items:

1. The proposed work may not need a permit. However, we shall not make that determination until the Department has concurred with the associated wetland delineation report. At this time the Department has not provided concurrence. Please submit the additional information requested by the Department's Wetland Team. If you have provided the information, you may disregard the request. However, because of our mandated application review timelines, you must resubmit the application.

It is important that you reference application number 31572-NSP on all future correspondence. Your resubmission will initiate a new 30-day completeness review period by Department staff.

You may wish to call me at extension 226 to discuss the needed or revised information and avoid unnecessary confusion and processing delays.

Sincerely,

Michael Powers
Resource Coordinator
Western Region - Field Operations

c: John Barco, Corps of Engineers
Christopher Harrell, Renaissance Homes

Department of State Lands
775 Summer Street NE, Suite 100
Salem, OR 97301-1279
(503) 378-3805
FAX (503) 378-4844
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State Land Board

Theodore R. Kulongoski
Governor

Bill Bradbury
Secretary of State

Randall Edwards
State Treasurer

CC: Chris
file



DEPARTMENT OF THE ARMY
PORTLAND DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2946
PORTLAND, OREGON 97208-2946

March 1, 2004

REPLY TO
ATTENTION OF:

Operations Division
Regulatory Branch
Corps No.: 200400029

REC'D MAR 02 2004

Mr. Christopher Harrell
Renaissance Homes
1672 SW Willamette Falls Drive
West Linn, Oregon 97068

Dear Mr. Carter:

The U.S. Army Corps of Engineers (Corps) has received your permit application requesting Department of the Army authorization to discharge fill material into wetlands adjacent to the South Tributary to Coffee Lake Creek as shown in the enclosed drawings (Enclosure 1). The project is located in a palustrine, emergent wetland adjacent to the South Tributary to Coffee Lake Creek, west of Canyon Creek Road South, south of Boeckman Road, and east of SW Parkway Avenue, Section 13, Township 3 South, Range 1 West, Wilsonville, Clackamas County, Oregon. It is the Corps understanding that to install a stormwater outfall utility line, an area 47.51 feet long by 3.5 feet wide and 3.75 feet deep will be excavated to create a trench for the placement of an 18-inch stormwater pipe, impacting approximately 0.0039 acre of waters of the United States. The stormwater utility line will discharge into the South Tributary to Coffee Lake Creek and is needed to manage stormwater associated with a proposed residential development.

This letter verifies that your project is authorized under the terms and limitations of Nationwide Permit No. 12 (Utility Line Activities). Your activities must be conducted in accordance with the conditions found in Regional Conditions (Enclosure 2), General Conditions (Enclosure 3), Oregon Department of Environmental Quality Certification Conditions (Enclosure 4), and the following project specific conditions:

- Renaissance Homes shall restore the trench site to pre-excavation contours with native soil and revegetate the area with native wetland seed mix.

We also direct your attention to the Regional Conditions, (Enclosure 2), that requires the transfer of this permit if the property is sold and General Conditions 14 that requires you to submit a signed certificate when the work is completed. A "Compliance Certification" is provided (Enclosure 5).

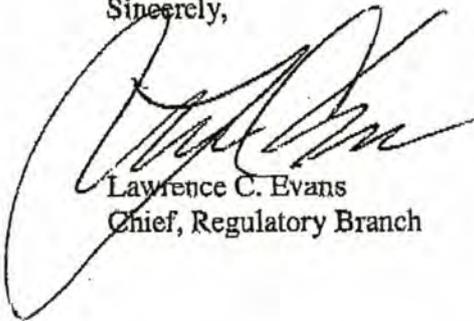
Failure to comply with any of the listed conditions could result in the Corps initiating an enforcement action. This authorization does not obviate the need to obtain other permits where

required. Permits, such as those required from the Oregon Division of State Lands (ODSL) under Oregon's Removal /Fill Law, must also be obtained before work begins.

This verification is valid for a period of 2 years from the date of this letter unless the nationwide permit expires, is modified, reissued, or revoked prior to that date. All the nationwide permits are scheduled to be modified, reissued or revoked in March 2007. If you commence or are under contract to commence this activity before the date the nationwide permit expires, is modified or revoked, you will have twelve months from the date of the modification or revocation to complete the activity under the present terms and conditions of the current nationwide permit

If you have any questions regarding this nationwide permit verification, please contact Ms. Tina J. Teed at the letterhead address or telephone (503) 808-4384.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lawrence C. Evans', is written over the typed name and title.

Lawrence C. Evans
Chief, Regulatory Branch

Enclosures

Copy Furnished:

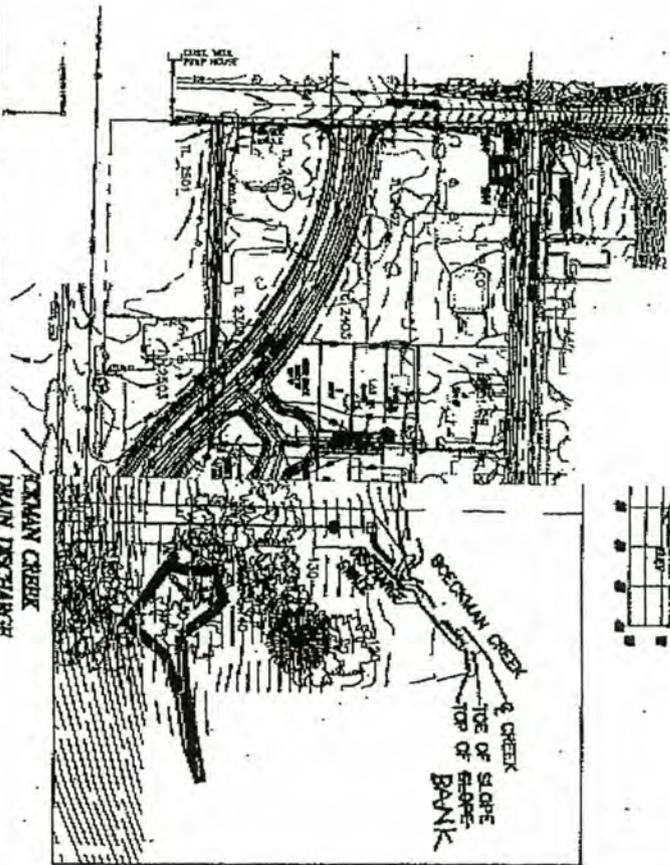
Oregon Department of State Lands (McCabe)
Oregon Department of Environmental Quality (Melville)
OP-GP (Veenstra) w/Enclosure 1



APPLICANT: Renaissance Homes, LLC,
 Chris Harrell, Land Dev. Manager
 WATERWAY: South Tributary to Coffee
 Lake Creek and Wetland C
 ACTIVITY: Stormwater Pipe Connection
 DATE: January 2004; SHEET: 1 of 3

Enclosure 1.

STATION	ELEVATION
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MAP ACCURACY

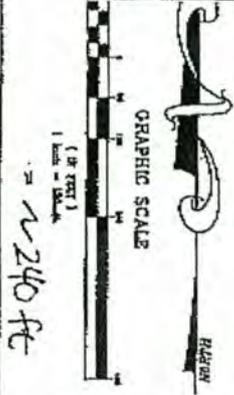
The accuracy for professionally land surveyed horizontal wetland and water boundaries is +/- 0.01 feet.

Estimated error of field delineation method is +/- 2-3 feet for wetland areas A and C.

Estimated error of field delineation method is +/- <1 foot for water area B and wetland area D.

Vertical accuracy (for contour elevation) is +/- 0.5 feet if done from aerial topography and +/- 0.2 feet if shot horizontally by the Professional Land Surveyor.

Sample Plots 7, 8, 9, Y, and Z were mapped by hand on an aerial photograph in the field based on visible features and estimated distances and then transferred to the survey provided by the engineer. Estimated map accuracy for hand-mapped sample plot locations is +/- 10 feet.



**DEVELOPMENT EXHIBIT
RENAISSANCE AT CANYON CREEK**

sta SFA Design Group, LLC
 STRUCTURAL | CIVIL | LANDSCAPE ARCHITECTURE
 7420 NW Westlough Science Dr. Suite 500
 Portland, Oregon 97221
 P: (503) 841-8211 F: (503) 840-7805
 sfa@sfadesigngroup.com

NO.	DATE	REVISION	BY

DESIGNED BY	REV.	DATE
DRAWN BY	REV.	DATE
REVIEWED BY		DATE
PROJECT NO.	DATE	REV.
SCALE	MERCATOR	

SHEET	2
OF	2

Practicable erosion control measures include but are not limited to the following:

- a. Fill is placed in a manner that avoids disturbance to the maximum practicable extent (e.g. placing fill with a machine rather than end-dumping from a truck).
- b. Prevent all construction materials and debris from entering waterway;
- c. Use filter bags, sediment fences, sediment traps or catch basins, silt curtains, leave strips or berms, Jersey barriers, sand bags, or other measures sufficient to prevent movement of soil;
- d. Use impervious materials to cover stockpiles when unattended or during rain event;
- e. Erosion control measures shall be inspected and maintained daily to ensure their continued effectiveness;
- f. No heavy machinery in a wetland or other waterway;
- g. Use a gravel staging area and construction access;
- h. Fence off planted areas to protect from disturbance and/or erosion; and
- i. Flag or fence off wetlands adjacent to the construction area.

(i) **Maps and drawings:** In addition to the items required in Nationwide Permit General Conditions 13, all preconstruction notifications shall contain maps showing the project location as well as plan-view and cross-sectional drawings showing the proposed work. The map(s) shall be of a scale and detail to clearly identify the project location(s). Drawings shall be sufficient in number and detail to accurately portray the project.

(j) **Bank Protection:** Rip-rap shall be clean, durable, angular rock. The use of other materials such as broken concrete, asphalt, tires, wire, steel posts or similar materials is not authorized. The project design shall minimize the placement of rock and maximize the use vegetation and organic material such as root wads to the extent practicable. Riparian plantings shall be included in all project designs unless the permittee can demonstrate they are not practicable. The permittee must notify the District Engineer in accordance with nationwide permit general condition #13 for any activity that includes bank stabilization.

(k) **Inspection of project site:** The permittee must allow representatives of the Corps to inspect the authorized activity to confirm compliance with nationwide permit terms and conditions. Personnel from the Oregon Department of Environmental Quality and the Department of Land Conservation and Development are considered to be authorized "representatives" for the purpose of Section 401 Water Quality or Coastal Zone Management inspections. For projects on tribal land the Environmental Protection Agency is considered an authorized representative. A request for access to the site will normally be made sufficiently in advance to allow a property owner or representative to be on site with the agency representative making the inspection.

(l) **Sale of property/transfer of permit:** If you sell the property associated with this permit, you must transfer the permit to the new owner(s) and obtain their signature(s). A copy of this permit with the new owner(s) signature shall be sent to this office to validate the transfer of this permit authorization

Nationwide Permit General Conditions
(From the January 15, 2002 Federal Register, Vol. 67, No. 10)

1. Navigation
2. Proper Maintenance
3. Soil Erosion and Sediment Controls
4. Aquatic Life Movements
5. Equipment
6. Regional and Case-by-Case Conditions
7. Wild and Scenic Rivers
8. Tribal Rights
9. Water Quality
10. Coastal Zone Management
11. Endangered Species
12. Historic Properties
13. Notification
14. Compliance Certification
15. Use of Multiple Nationwide Permits.
16. Water Supply Intakes
17. Shellfish Beds
18. Suitable Material
19. Mitigation
20. Spawning Areas
21. Management of Water Flows
22. Adverse Effects from Impoundments
23. Waterfowl Breeding Areas
24. Removal of Temporary Fills
25. Designated Critical Resource Waters
26. Fills Within 100-year Floodplains
27. Construction Period

Encl. 3

C. Nationwide Permit General Conditions

The following General Conditions must be followed in order for any authorization by an NWP to be valid:

1. Navigation. No activity may cause more than a minimal adverse effect on navigation.
2. Proper Maintenance. Any structure or fill authorized shall be properly maintained, including maintenance to ensure public safety.
3. Soil Erosion and Sediment Controls. Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States during periods of low-flow or no-flow.
4. Aquatic Life Movements. No activity may substantially disrupt the necessary life-cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. Culverts placed in streams must be installed to maintain low flow conditions.
5. Equipment. Heavy equipment working in wetlands must be placed on mats, or other measures must be taken to minimize soil disturbance.
6. Regional and Case-By-Case Conditions. The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)). The activity must comply with any regional conditions that may have been added by the Division Engineer (see 33 CFR 330.4(e)) and with any case specific conditions added by the Corps or by the state or tribe in its Section 401 Water Quality Certification and Coastal Zone Management Act consistency determination.
7. Wild and Scenic Rivers. No activity may occur in a component of the National Wild and Scenic River System; or in a river officially designated by Congress as a "study river" for possible inclusion in the system, while the river is in an official study status; unless the appropriate Federal agency, with direct management responsibility for such river, has determined in writing that the proposed activity will not adversely affect the Wild and Scenic River designation, or study status. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency in the area (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service).
8. Tribal Rights. No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.
9. Water Quality. (a) In certain states and tribal lands an individual 401 Water Quality Certification must be obtained or waived (See 33 CFR 330.4(c)). (b) For NWPs 12, 14, 17, 18, 32, 39, 40, 42, 43, and 44, where the state or tribal 401 certification (either generically or individually) does not require or approve water quality management measures, the permittee must provide water quality management measures that will ensure that the authorized work does not result in more than minimal degradation of water quality (or the Corps determines that compliance with state or local standards, where applicable, will ensure no more than minimal adverse effect on water quality). An important component of water quality management includes stormwater management that minimizes degradation of the downstream aquatic system, including water quality (refer to General Condition 21 for stormwater management requirements). Another important component of water quality management is the establishment and maintenance of vegetated buffers next to open waters, including streams (refer to General Condition 19 for vegetated buffer requirements for the NWPs).

This condition is only applicable to projects that have the potential to affect water quality. While appropriate measures must be taken, in most cases it is not necessary to conduct detailed studies to identify such measures or to require monitoring.

10. Coastal Zone Management. In certain states, an individual state coastal zone management consistency concurrence must be obtained or waived (see 33 CFR Section 330.4(d)).

11. Endangered Species. (a) No activity is authorized under any NWP, which is likely to jeopardize the continued existence of a threatened or endangered species, or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will destroy or adversely modify the critical habitat of such species. Non-federal permittees shall notify the District Engineer if any listed species or designated critical habitat might be affected or is in the vicinity of the project, or is located in the designated critical habitat and shall not begin work on the activity until notified by the District Engineer that the requirements of the ESA have been satisfied and that the activity is authorized. For activities that may affect Federally-listed endangered or threatened species or designated critical habitat, the *notification* must include the name(s) of the endangered or threatened species that may be affected by the proposed work or that utilize the designated critical habitat that may be affected by the proposed work. As a result of formal or informal consultation with the FWS or NMFS the District Engineer may add species-specific regional endangered species conditions to the NWPs.

(b) Authorization of an activity by a NWP does not authorize the "take" of a threatened or endangered species as defined under the ESA. In the absence of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with "incidental take" provisions, etc.) from the USFWS or the NMFS, both lethal and non-lethal "takes" of protected species are in violation of the ESA. Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the USFWS and NMFS or their world wide web pages at <http://www.fws.gov/9endspp/endspp.html> and http://www.nmfs.noaa.gov/prof_res/overview/cs.htm respectively.

12. Historic Properties. No activity which may affect historic properties listed, or eligible for listing, in the National Register of Historic Places is authorized, until the District Engineer has complied with the provisions of 33 CFR Part 325, Appendix C. The prospective permittee must notify the District Engineer if the authorized activity may affect any historic properties listed, determined to be eligible, or which the prospective permittee has reason to believe may be eligible for listing on the National Register of Historic Places, and shall not begin the activity until notified by the District Engineer that the requirements of the National Historic Preservation Act have been satisfied and that the activity is authorized. Information on the location and existence of historic resources can be obtained from the State Historic Preservation Office and the National Register of Historic Places (see 33 CFR 330.4(g)). For activities that may affect historic properties listed in, or eligible for listing in, the National Register of Historic Places, the *notification* must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property.

13. Notification.

(a) Timing; where required by the terms of the NWP, the prospective permittee must notify the District Engineer with a preconstruction *notification* (PCN) as early as possible. The District Engineer must determine if the *notification* is complete within 30 days of the date of receipt and can request additional information necessary to make the PCN complete only once. However, if the prospective permittee does not provide all of the requested information, then the District Engineer will notify the prospective permittee that the *notification* is still incomplete and the PCN review process will not commence until all of the requested information has been received by the District Engineer. The prospective permittee shall not begin the activity.

(1) Until notified in writing by the District Engineer that the activity may proceed under the NWP with any special conditions imposed by the District or Division Engineer; or

(2) If notified in writing by the District or Division Engineer that an Individual Permit is required; or

(3) Unless 45 days have passed from the District Engineer's receipt of the complete *notification* and the permittee's right to proceed under the NWP may be modified, suspended, or revoked only in accordance with the procedure set forth in 33 CFR 330.5(d)(2).

(b) Contents of Notification: The *notification* must be in writing and include the following information:

(1) Name, address and telephone numbers of the prospective permittee;

(2) Location of the proposed project;

(3) Brief description of the proposed project; the project's purpose; direct and indirect adverse environmental effects the project would cause; any other NWP(s), Regional General Permit(s), or Individual Permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. Sketches should be

provided when necessary to show that the activity complies with the terms of the NWP (Sketches usually clarify the project and when provided result in a quicker decision.);

(4) For NWPs 7, 12, 14, 18, 21, 34, 38, 39, 40, 41, 42, and 43, the PCN must also include a delineation of affected special aquatic sites, including wetlands, vegetated shallows (e.g., submerged aquatic vegetation, seagrass beds), and riffle and pool complexes (see paragraph 13(f));

(5) For NWP 7 (Outfall Structures and Maintenance), the PCN must include information regarding the original design capacities and configurations of those areas of the facility where maintenance dredging or excavation is proposed;

(6) For NWP 14 (Linear Transportation Projects), The PCN must include a compensatory mitigation proposal to offset permanent losses of waters of the US and a statement describing how temporary losses of waters of the US will be minimized to the maximum extent practicable;

(7) For NWP 21 (Surface Coal Mining Activities), the PCN must include an Office of Surface Mining (OSM) or state-approved mitigation plan, if applicable. To be authorized by this NWP, the District Engineer must determine that the activity complies with the terms and conditions of the NWP and that the adverse environmental effects are minimal both individually and cumulatively and must notify the project sponsor of this determination in writing;

(8) For NWP 27 (Stream and Wetland Restoration), the PCN must include documentation of the prior condition of the site that will be reverted by the permittee;

(9) For NWP 29 (Single-Family Housing), the PCN must also include:

(i) Any past use of this NWP by the Individual Permittee and/or the permittee's spouse;

(ii) A statement that the single-family housing activity is for a personal residence of the permittee;

(iii) A description of the entire parcel, including its size, and a delineation of wetlands. For the purpose of this NWP, parcels of land measuring 1/4-acre or less will not require a formal on-site delineation. However, the applicant shall provide an indication of where the wetlands are and the amount of wetlands that exists on the property. For parcels greater than 1/4-acre in size, formal wetland delineation must be prepared in accordance with the current method required by the Corps. (See paragraph 13(f));

(iv) A written description of all land (including, if available, legal descriptions) owned by the prospective permittee and/or the prospective permittee's spouse, within a one mile radius of the parcel, in any form of ownership (including any land owned as a partner, corporation, joint tenant, co-tenant, or as a tenant-by-the-entirety) and any land on which a purchase and sale agreement or other contract for sale or purchase has been executed;

(10) For NWP 31 (Maintenance of Existing Flood Control Projects); the prospective permittee must either notify the District Engineer with a PCN prior to each maintenance activity or submit a five year (or less) maintenance plan. In addition, the PCN must include all of the following:

(i) Sufficient baseline information identifying the approved channel depths and configurations and existing facilities. Minor deviations are authorized, provided the approved flood control protection or drainage is not increased;

(ii) A delineation of any affected special aquatic sites, including wetlands; and,

(iii) Location of the dredged material disposal site;

(11) For NWP 33 (Temporary Construction, Access, and Dewatering), the PCN must also include a restoration plan of reasonable measures to avoid and minimize adverse effects to aquatic resources;

(12) For NWPs 39, 43 and 44, the PCN must also include a written statement to the District Engineer explaining how avoidance and minimization for losses of waters of the US were achieved on the project site;

(13) For NWP 39 and NWP 42, the PCN must include a compensatory mitigation proposal to offset losses of waters of the US or justification explaining why compensatory mitigation should not be required. For discharges that cause the loss of greater than 300 linear feet of an intermittent stream bed, to be authorized, the District Engineer must determine that the activity complies with the other terms and conditions of the NWP, determine adverse environmental effects are minimal both individually and cumulatively, and waive the limitation on stream impacts in writing before the permittee may proceed;

(14) For NWP 40 (Agricultural Activities), the PCN must include a compensatory mitigation proposal to offset losses of waters of the US. This NWP does not authorize the relocation of greater than 300 linear-feet of existing serviceable drainage ditches constructed in non-tidal streams unless, for drainage ditches constructed in intermittent non-tidal streams, the District Engineer waives this criterion in writing, and the District Engineer has determined that the project complies with all terms and conditions of this NWP, and that any adverse impacts of the project on the aquatic environment are minimal, both individually and cumulatively;

(15) For NWP 43 (Stormwater Management Facilities), the PCN must include, for the construction of new stormwater management facilities, a maintenance plan (in accordance with state and local requirements, if

applicable) and a compensatory mitigation proposal to offset losses of waters of the US. For discharges that cause the loss of greater than 300 linear feet of an intermittent stream bed, to be authorized, the District Engineer must determine that the activity complies with the other terms and conditions of the NWP, determine adverse environmental effects are minimal both individually and cumulatively, and waive the limitation on stream impacts in writing before the permittee may proceed;

(16) For NWP 44 (Mining Activities), the PCN must include a description of all waters of the US adversely affected by the project, a description of measures taken to minimize adverse effects to waters of the US, a description of measures taken to comply with the criteria of the NWP, and a reclamation plan (for all aggregate mining activities in isolated waters and non-tidal wetlands adjacent to headwaters and any hard rock/mineral mining activities);

(17) For activities that may adversely affect Federally-listed endangered or threatened species, the PCN must include the name(s) of those endangered or threatened species that may be affected by the proposed work or utilize the designated critical habitat that may be affected by the proposed work; and

(18) For activities that may affect historic properties listed in, or eligible for listing in, the National Register of Historic Places, the PCN must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property.

(c) Form of Notification: The standard Individual Permit application form (Form ENG 4345) may be used as the notification but must clearly indicate that it is a PCN and must include all of the information required in (b) (1)-(18) of General Condition 13. A letter containing the requisite information may also be used.

(d) District Engineer's Decision: In reviewing the PCN for the proposed activity, the District Engineer will determine whether the activity authorized by the NWP will result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public interest. The prospective permittee may submit a proposed mitigation plan with the PCN to expedite the process. The District Engineer will consider any proposed compensatory mitigation the applicant has included in the proposal in determining whether the net adverse environmental effects to the aquatic environment of the proposed work are minimal. If the District Engineer determines that the activity complies with the terms and conditions of the NWP and that the adverse effects on the aquatic environment are minimal, after considering mitigation, the District Engineer will notify the permittee and include any conditions the District Engineer deems necessary. The District Engineer must approve any compensatory mitigation proposal before the permittee commences work. If the prospective permittee is required to submit a compensatory mitigation proposal with the PCN, the proposal may be either conceptual or detailed. If the prospective permittee elects to submit a compensatory mitigation plan with the PCN, the District Engineer will expeditiously review the proposed compensatory mitigation plan. The District Engineer must review the plan within 45 days of receiving a complete PCN and determine whether the conceptual or specific proposed mitigation would ensure no more than minimal adverse effects on the aquatic environment. If the net adverse effects of the project on the aquatic environment (after consideration of the compensatory mitigation proposal) are determined by the District Engineer to be minimal, the District Engineer will provide a timely written response to the applicant. The response will state that the project can proceed under the terms and conditions of the NWP.

If the District Engineer determines that the adverse effects of the proposed work are more than minimal, then the District Engineer will notify the applicant either: (1) that the project does not qualify for authorization under the NWP and instruct the applicant on the procedures to seek authorization under an Individual Permit; (2) that the project is authorized under the NWP subject to the applicant's submission of a mitigation proposal that would reduce the adverse effects on the aquatic environment to the minimal level; or (3) that the project is authorized under the NWP with specific modifications or conditions. Where the District Engineer determines that mitigation is required to ensure no more than minimal adverse effects occur to the aquatic environment, the activity will be authorized within the 45-day PCN period. The authorization will include the necessary conceptual or specific mitigation or a requirement that the applicant submit a mitigation proposal that would reduce the adverse effects on the aquatic environment to the minimal level. When conceptual mitigation is included, or a mitigation plan is required under item (2) above, no work in waters of the US will occur until the District Engineer has approved a specific mitigation plan.

(e) Agency Coordination: The District Engineer will consider any comments from Federal and state agencies concerning the proposed activity's compliance with the terms and conditions of the NWPs and the need for mitigation to reduce the project's adverse environmental effects to a minimal level.

For activities requiring *notification* to the District Engineer that result in the loss of greater than 1/2-acre of waters of the US, the District Engineer will provide immediately (e.g., via facsimile transmission, overnight mail, or other expeditious manner) a copy to the appropriate Federal or state offices (USFWS, state natural resource or water quality agency, EPA, State Historic Preservation Officer (SHPO), and, if appropriate, the NMFS). With the exception of NWP 37, these agencies will then have 10 calendar days from the date the material is transmitted to telephone or fax the District Engineer notice that they intend to provide substantive, site-specific comments. If so contacted by an agency, the District Engineer will wait an additional 15 calendar days before making a decision on the *notification*. The District Engineer will fully consider agency comments received within the specified time frame, but will provide no response to the resource agency, except as provided below. The District Engineer will indicate in the administrative record associated with each *notification* that the resource agencies' concerns were considered. As required by Section 305(b)(4)(B) of the Magnuson-Stevens Fishery Conservation and Management Act, the District Engineer will provide a response to NMFS within 30 days of receipt of any Essential Fish Habitat conservation recommendations. Applicants are encouraged to provide the Corps multiple copies of *notifications* to expedite agency *notification*.

(f) Wetland Delineations: Wetland delineations must be prepared in accordance with the current method required by the Corps (For NWP 29 see paragraph (b)(9)(iii) for parcels less than 1/4-acre in size). The permittee may ask the Corps to delineate the special aquatic site. There may be some delay if the Corps does the delineation. Furthermore, the 45-day period will not start until the wetland delineation has been completed and submitted to the Corps, where appropriate.

14. Compliance Certification. Every permittee who has received NWP verification from the Corps will submit a signed certification regarding the completed work and any required mitigation. The certification will be forwarded by the Corps with the authorization letter and will include: (a) A statement that the authorized work was done in accordance with the Corps authorization, including any general or specific conditions; (b) A statement that any required mitigation was completed in accordance with the permit conditions; and (c) The signature of the permittee certifying the completion of the work and mitigation.

15. Use of Multiple Nationwide Permits. The use of more than one NWP for a single and complete project is prohibited, except when the acreage loss of waters of the US authorized by the NWPs does not exceed the acreage limit of the NWP with the highest specified acreage limit (e.g. if a road crossing over tidal waters is constructed under NWP 14, with associated bank stabilization authorized by NWP 13, the maximum acreage loss of waters of the US for the total project cannot exceed 1/3-acre).

16. Water Supply Intakes: No activity, including structures and work in navigable waters of the US or discharges of dredged or fill material, may occur in the proximity of a public water supply intake except where the activity is for repair of the public water supply intake structures or adjacent bank stabilization.

17. Shellfish Beds. No activity, including structures and work in navigable waters of the US or discharges of dredged or fill material, may occur in areas of concentrated shellfish populations, unless the activity is directly related to a shellfish harvesting activity authorized by NWP 4.

18. Suitable Material. No activity, including structures and work in navigable waters of the US or discharges of dredged or fill material, may consist of unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.) and material used for construction or discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the CWA).

19. Mitigation. The District Engineer will consider the factors discussed below when determining the acceptability of appropriate and practicable mitigation necessary to offset adverse effects on the aquatic environment that are more than minimal.

(a) The project must be designed and constructed to avoid and minimize adverse effects to waters of the US to the maximum extent practicable at the project site (i.e., on site).

(b) Mitigation in all its forms (avoiding, minimizing, rectifying, reducing or compensating) will be required to the extent necessary to ensure that the adverse effects to the aquatic environment are minimal.

(c) Compensatory mitigation at a minimum one-for-one ratio will be required for all wetland impacts requiring a PCN, unless the District Engineer determines in writing that some other form of mitigation would be more

environmentally appropriate and provides a project-specific waiver of this requirement. Consistent with National policy, the District Engineer will establish a preference for restoration of wetlands as compensatory mitigation, with preservation used only in exceptional circumstances.

(d) Compensatory mitigation (i.e., replacement or substitution of aquatic resources for those impacted) will not be used to increase the acreage losses allowed by the acreage limits of some of the NWP's. For example, 1/4-acre of wetlands cannot be created to change a 1/4-acre loss of wetlands to a 1/2-acre loss associated with NWP 39 verification. However, 1/4-acre of created wetlands can be used to reduce the impacts of a 1/2-acre loss of wetlands to the minimum impact level in order to meet the minimal impact requirement associated with NWP's.

(e) To be practicable, the mitigation must be available and capable of being done considering costs, existing technology, and logistics in light of the overall project purposes. Examples of mitigation that may be appropriate and practicable include, but are not limited to: reducing the size of the project; establishing and maintaining wetland or upland vegetated buffers to protect open waters such as streams; and replacing losses of aquatic resource functions and values by creating, restoring, enhancing, or preserving similar functions and values, preferably in the same watershed.

(f) Compensatory mitigation plans for projects in or near streams or other open waters will normally include a requirement for the establishment, maintenance, and legal protection (e.g., easements, deed restrictions) of vegetated buffers to open waters. In many cases, vegetated buffers will be the only compensatory mitigation required. Vegetated buffers should consist of native species. The width of the vegetated buffers required will address documented water quality or aquatic habitat loss concerns. Normally, the vegetated buffer will be 25 to 50 feet wide on each side of the stream, but the District Engineers may require slightly wider vegetated buffers to address documented water quality or habitat loss concerns. Where both wetlands and open waters exist on the project site, the Corps will determine the appropriate compensatory mitigation (e.g., stream buffers or wetlands compensation) based on what is best for the aquatic environment on a watershed basis. In cases where vegetated buffers are determined to be the most appropriate form of compensatory mitigation, the District Engineer may waive or reduce the requirement to provide wetland compensatory mitigation for wetland impacts.

(g) Compensatory mitigation proposals submitted with the "notification" may be either conceptual or detailed. If conceptual plans are approved under the verification, then the Corps will condition the verification to require detailed plans be submitted and approved by the Corps prior to construction of the authorized activity in waters of the US.

(h) Permittees may propose the use of mitigation banks, in-lieu fee arrangements or separate activity-specific compensatory mitigation. In all cases that require compensatory mitigation, the mitigation provisions will specify the party responsible for accomplishing and/or complying with the mitigation plan.

20. Spawning Areas. Activities, including structures and work in navigable waters of the US or discharges of dredged or fill material, in spawning areas during spawning seasons must be avoided to the maximum extent practicable. Activities that result in the physical destruction (e.g., excavate, fill, or smother downstream by substantial turbidity) of an important spawning area are not authorized.

21. Management of Water Flows. To the maximum extent practicable, the activity must be designed to maintain preconstruction downstream flow conditions (e.g., location, capacity, and flow rates). Furthermore, the activity must not permanently restrict or impede the passage of normal or expected high flows (unless the primary purpose of the fill is to impound waters) and the structure or discharge of dredged or fill material must withstand expected high flows. The activity must, to the maximum extent practicable, provide for retaining excess flows from the site, provide for maintaining surface flow rates from the site similar to preconstruction conditions, and provide for not increasing water flows from the project site, relocating water, or redirecting water flow beyond preconstruction conditions. Stream channelizing will be reduced to the minimal amount necessary, and the activity must, to the maximum extent practicable, reduce adverse effects such as flooding or erosion downstream and upstream of the project site, unless the activity is part of a larger system designed to manage water flows. In most cases, it will not be a requirement to conduct detailed studies and monitoring of water flow.

This condition is only applicable to projects that have the potential to affect waterflows. While appropriate measures must be taken, it is not necessary to conduct detailed studies to identify such measures or require monitoring to ensure their effectiveness. Normally, the Corps will defer to state and local authorities regarding management of water flow.

22. Adverse Effects From Impoundments. If the activity creates an impoundment of water, adverse effects to the aquatic system due to the acceleration of the passage of water, and/or the restricting its flow shall be minimized to the maximum extent practicable. This includes structures and work in navigable waters of the US, or discharges of dredged or fill material.

23. Waterfowl Breeding Areas. Activities, including structures and work in navigable waters of the US or discharges of dredged or fill material, into breeding areas for migratory waterfowl must be avoided to the maximum extent practicable.

24. Removal of Temporary Fills. Any temporary fills must be removed in their entirety and the affected areas returned to their preexisting elevation.

25. Designated Critical Resource Waters. Critical resource waters include, NOAA-designated marine sanctuaries, National Estuarine Research Reserves, National Wild and Scenic Rivers, critical habitat for Federally listed threatened and endangered species, coral reefs, state natural heritage sites, and outstanding national resource waters or other waters officially designated by a state as having particular environmental or ecological significance and identified by the District Engineer after notice and opportunity for public comment. The District Engineer may also designate additional critical resource waters after notice and opportunity for comment.

(a) Except as noted below, discharges of dredged or fill material into waters of the US are not authorized by NWP's 7, 12, 14, 16, 17, 21, 29, 31, 35, 39, 40, 42, 43, and 44 for any activity within, or directly affecting, critical resource waters, including wetlands adjacent to such waters. Discharges of dredged or fill materials into waters of the US may be authorized by the above NWP's in National Wild and Scenic Rivers if the activity complies with General Condition 7. Further, such discharges may be authorized in designated critical habitat for Federally listed threatened or endangered species if the activity complies with General Condition 11 and the USFWS or the NMFS has concurred in a determination of compliance with this condition.

(b) For NWP's 3, 8, 10, 13, 15, 18, 19, 22, 23, 25, 27, 28, 30, 33, 34, 36, 37, and 38, notification is required in accordance with General Condition 13, for any activity proposed in the designated critical resource waters including wetlands adjacent to those waters. The District Engineer may authorize activities under these NWP's only after it is determined that the impacts to the critical resource waters will be no more than minimal.

26. Fills Within 100-Year Floodplains. For purposes of this General Condition, 100-year floodplains will be identified through the existing Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps or FEMA-approved local floodplain maps.

(a) Discharges in Floodplain: Below Headwaters. Discharges of dredged or fill material into waters of the US within the mapped 100-year floodplain, below headwaters (i.e. five cfs), resulting in permanent above-grade fills, are not authorized by NWP's 39, 40, 42, 43, and 44.

(b) Discharges in Floodway: Above Headwaters. Discharges of dredged or fill material into waters of the US within the FEMA or locally mapped floodway, resulting in permanent above-grade fills, are not authorized by NWP's 39, 40, 42, and 44.

(c) The permittee must comply with any applicable FEMA-approved state or local floodplain management requirements.

27. Construction Period. For activities that have not been verified by the Corps and the project was commenced or under contract to commence by the expiration date of the NWP (or modification or revocation date), the work must be completed within 12-months after such date (including any modification that affects the project).

For activities that have been verified and the project was commenced or under contract to commence within the verification period, the work must be completed by the date determined by the Corps.

For projects that have been verified by the Corps, an extension of a Corps approved completion date may be requested. This request must be submitted at least one month before the previously approved completion date.

2. **In-Water Work Periods-** All in-water work, including temporary fills or structures, may be undertaken only during the time periods recommended by Oregon Department of Fish and Wildlife (ODFW) for in-water work specified in the most current version of *Oregon Guidelines for Timing of In-Water Work to Protect Fish and Wildlife Resources*. An exception is allowed only with specific approval from the USACE after consultation with ODFW or National Marine Fisheries Service (NMFS). On tribal lands, the USACE will coordinate exceptions with the U.S. Environmental Agency (USEPA)
3. **Riparian Vegetation Protection and Restoration-** Riparian, wetland, and shoreline vegetation in the project area must be protected from disturbance to the maximum extent possible and be restored and enhanced when unavoidably disturbed due to activities associated with the authorized work. All damaged or destroyed vegetation must be replaced with native plant materials. The standard for success is 75% areal coverage after the fifth growing season for native plant species that replace the habitat type lost or damaged. Planted areas must be temporarily fenced, or otherwise protected from damage, until the vegetation is established. Project sites must be revegetated to the extent possible up to the bankfull stage or line of non-aquatic vegetation, whichever is greater. When any wetland areas are adversely affected, revegetation must extend to the upland limits of the wetland area.
4. **Stormwater-** Stormwater from any authorized activity, conveyed or discharged to a water of the state, must be treated by a facility specifically designed to remove stormwater contaminants before entering streams, wetlands, or other waters of the state, including mitigation wetlands, so as to minimize pollutants entering those water bodies.
5. **Bank Stabilization-**

The linear threshold for bank stabilization projects under any nationwide is 250 feet. All projects exceeding the threshold require individual water quality certification.

 - a. Bioengineering is required: Native plantings, such as willow saplings, must be incorporated into stream bank stabilization structures in order to provide bank erosion protection, variable habitat for wildlife, and shade. [See the Division of State Lands *Guidelines On Riparian Restoration: Bioengineering*, included in their 1996 Erosion Control General Authorization.]
 - b. The project must not include retaining walls, bulkheads, gabions or similar vertical structures.



First American

First American Title Company of Oregon
121 SW Morrison St, FL 3
Portland, OR 97204
Phn - (503)222-3651 (800)929-3651
Fax - (877)242-3513

Order No.: 7000-1983686
November 27, 2012

FOR QUESTIONS REGARDING YOUR CLOSING, PLEASE CONTACT:

GLORIA MILLER, Escrow Officer/Closer
Phone: (503)350-5005 - Fax: (866)656-1602- Email:gmiller@firstam.com
First American Title Company of Oregon
5335 SW Meadows Rd #100, Lake Oswego, OR 97035

FOR ALL QUESTIONS REGARDING THIS PRELIMINARY REPORT, PLEASE CONTACT:

James J. Welch, Title Officer
Toll Free: (800)929-3651 - Direct: (503)795-7669 - Fax: (877)242-2911 - Email: jwelch@firstam.com

2nd Supplemental Preliminary Title Report

County Tax Roll Situs Address: 28325 SW Canyon Creek Road S, Wilsonville, OR 97070

Proposed Insured Lender: TBD

2006 ALTA Owners Standard Coverage	Liability \$	550,000.00	Premium \$	1,425.00
2006 ALTA Owners Extended Coverage	Liability \$		Premium \$	
2006 ALTA Lenders Standard Coverage	Liability \$		Premium \$	
2006 ALTA Lenders Extended Coverage	Liability \$		Premium \$	
Endorsement			Premium \$	
Govt Service Charge			Cost \$	25.00
City Lien/Service District Search			Cost \$	
Other			Cost \$	

We are prepared to issue Title Insurance Policy or Policies in the form and amount shown above, insuring title to the following described land:

THE NORTH 130 FEET OF LOT 15, BRIDLE TRAIL RANCHETTES, IN THE COUNTY OF CLACKAMAS AND STATE OF OREGON.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF WILSONVILLE BY THAT CERTAIN WARRANTY DEED RECORDED APRIL 20, 2005 AS FEE NO. 2005035448.

and as of October 22, 2012 at 8:00 a.m., title to the fee simple estate is vested in:

James W. Dillon and Debra Ann Gruber, as tenants in common

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and the following:

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

The exceptions to coverage 1-5 inclusive as set forth above will remain on any subsequently issued Standard Coverage Title Insurance Policy.

In order to remove these exceptions to coverage in the issuance of an Extended Coverage Policy the following items are required to be furnished to the Company; additional exceptions to coverage may be added upon review of such information:

- A. Survey or alternative acceptable to the company
 - B. Affidavit regarding possession
 - C. Proof that there is no new construction or remodeling of any improvement located on the premises. In the event of new construction or remodeling the following is required:
 - i. Satisfactory evidence that no construction liens will be filed; or
 - ii. Adequate security to protect against actual or potential construction liens;
 - iii. Payment of additional premiums as required by the Industry Rate Filing approved by the Insurance Division of the State of Oregon
6. Taxes for the year 2012-2013
- | | | |
|--------------------|----|---|
| Tax Amount | \$ | 4,186.67 |
| Unpaid Balance: | \$ | 4,186.67, plus interest and penalties, if any |
| Code No.: | | 003-027 |
| Map & Tax Lot No.: | | 31W13BA05000 |
| Property ID No.: | | 00806827 |
7. City liens, if any, of the City of Wilsonville.

Note: There are no liens as of October 29, 2012. All outstanding utility and user fees are not liens and therefore are excluded from coverage.

8. Easement, including terms and provisions contained therein:
Recording Information: April 20, 2005 as Fee No. 2005 035449
In Favor of: City of Wilsonville, a municipal corporation
For: Public utility

- END OF EXCEPTIONS -

NOTE: We find no matters of public record against Stone Bridge Homes NW, LLC that will take priority over any trust deed, mortgage or other security instrument given to purchase the subject real property as established by ORS 18.165.

NOTE: According to the public record, the following deed(s) affecting the property herein described have been recorded within 24 months of the effective date of this report: NONE

**THANK YOU FOR CHOOSING FIRST AMERICAN TITLE!
WE KNOW YOU HAVE A CHOICE!**

RECORDING INFORMATION

Filing Address: **Clackamas County**
2051 Kaen Road
Oregon City, OR 97045

Recording Fees: \$ **5.00** E-Recording per document
\$ **5.00** per page
\$ **5.00** per page (GIS Fee)
\$ **10.00** per document (Public Land Corner Preservation Fund)
\$ **11.00** per document (OLIS Assessment & Taxation Fee)
\$ **17.00** per document (Oregon Housing Alliance Fee)
\$ **5.00** for each additional document title
\$ **20.00** non-standard fee



First American Title Insurance Company

SCHEDULE OF EXCLUSIONS FROM COVERAGE

ALTA LOAN POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

ALTA OWNER'S POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risks 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

SCHEDULE OF STANDARD EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lienⁿ or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

NOTE: A SPECIMEN COPY OF THE POLICY FORM (OR FORMS) WILL BE FURNISHED UPON REQUEST

TI 149 Rev. 7-22-08



**First American
Title Company of Oregon**

Property Information Department
121 SW Morrison Street Suite 300 - Portland, OR 97204
Phone: 503.219.TRIO (8746) Fax: 503.790.7872
Email: pid.portland@firstam.com
Today's Date : 12/28/2012

OWNERSHIP INFORMATION

Owner	: Dillon James W	Ref Parcel Number	: 31W13BA05000
Co Owner	:	Parcel Number	: 00806827
Site Address	: 28325 SW Canyon Creek Rd Wilsonville 97070	T: 03S R: 01W S: 13 Q: NW QQ: NE	
Mail Address	: 4620 E Russell Rd Colbert Wa 99005	County	: Clackamas (OR)
Taxpayer	: Dillon James W	Telephone	:

PROPERTY DESCRIPTION

Map Page & Grid : 715 F6
 Census Tract : 244.00 Block: 3
 Improvement Type : 131 Sgl Family,R1-3,1-Story
 Subdivision/Plat : Bridle Trail Ranchetts
 Neighborhood : City of Wilsonville
 Land Use : 101 Res,Residential Land,Improved
 Legal : 1147 BRIDLE TRAIL RANCHETTS PT LT
 : 15
 :

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$178,920
 Mkt Structure : \$100,020
 Mkt Total : \$278,940
 % Improved : 36
 11-12 Taxes : \$4,039.07
 Exempt Amount :
 Exempt Type :
 Levy Code : 003027
 Millage Rate : 18.7129
 M50AssdValue : \$215,844

PROPERTY CHARACTERISTICS

Bedrooms	: 3	Building SF	: 1,012	BldgTotSqFt	: 1,012
Bathrooms	: 1.50	1st Floor SF	: 1,012	Lot Acres	: 1.82
Full Baths	: 1	Upper Finished SF	:	Lot SqFt	: 79,264
Half Baths	: 1	Finished SF	: 1,012	Garage SF	: 484
Fireplace	: Single Fireplace	Above Ground SF	: 1,012	Year Built	: 1967
Heat Type	: Forced Air-Gas	Upper Total SF	:	School Dist	: 003
Floor Cover	: Carpet	UnFinUpperStorySF	:	Foundation	: Concrete
Stories	: 1	Basement Fin SF	:	Roof Type	: Wood Shake Med
Int Finish	: Drywall	Basement Unfin SF	:	Roof Shape	: Gable
Ext Finish	: Aluminum	Basement Total SF	:		

TRANSFER INFORMATION

Owner Name(s)	Sale Date	Doc#	Sale Price	Deed Type	Loan Amount	Loan Type
:Dillon James W	:09/05/2008	008-062101	:	:Bargain &	:	:
:Dillon Virginia Trustee	:09/01/1998	0098-92591	:	:Grant De	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
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This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.



Clackamas County
 Department of Assessment and Taxation
 150 Beaver Creek Rd
 Oregon City, Oregon 97045
 503-655-8671

Property Account Summary

Parcel Number	00806827	Situs Address	28325 SW CANYON CREEK RD S , WILSONVILLE, OR 97070
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General Information

Alternate Property #	31W13BA05000
Property Description	1147 BRIDLE TRAIL RANCHETTS PT LT 15
Property Category	Land &/or Buildings
Status	Active, Locally Assessed
Tax Code Area	003-027
Remarks	

Tax Rate

Description	Rate
Taxable Fire District Value	1.9145
Taxable Value	16.9173

Property Characteristics

Neighborhood	15751: City of Wilsonville 100, 101
Land Class Category	101: Residential land improved
Building Class Category	13: Single family res, class 3
Year Built	1967
Change property ratio	1XX

Related Properties

No Values Found

Parties

Role	Percent	Name	Address
Taxpayer	100	DILLON JAMES W	4620 E RUSSELL RD, COLBERT, WA 99005
Owner	100	DILLON JAMES W	4620 E RUSSELL RD, COLBERT, WA 99005
Owner	100	GRUBER DEBRA ANN	NO MAILING ADDRESS, AVAILABLE,

Property Values

Description	2012	2011	2010	2009	2008
AVR Total	222,319	215,844	209,557	203,453	197,527
Exempt					15,914
TVR Total	222,319	215,844	209,557	203,453	181,613
Real Mkt Land	181,305	178,920	192,038	215,894	237,364
Real Mkt Bldg	100,590	100,020	108,940	122,850	136,840
Real Mkt Total	281,895	278,940	300,978	338,744	374,204
M5 Mkt Land	181,305	178,920	192,038	215,894	237,364
M5 Mkt Bldg	100,590	100,020	108,940	122,850	136,840
M5 SAV	0	0	0	0	0
SAVL (MAV Use Portion)					
MAV (Market Portion)	222,319	215,844	209,557	203,453	197,527
Mkt Exception	0	0	0	0	0

AV Exception	0	0	0	0	0
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Active Exemptions

No Exemptions Found

Events

Effective Date	Entry Date-Time	Type	Remarks
09/05/2008	2008-09-10 15:20:00.000	Recording Processed	Property Transfer Filing No.: 181139, Bargain & Sale, Recording No.: 2008-062101 09/05/2008 by LAURIEB
09/05/2008	2008-09-10 15:20:00.000	Taxpayer Changed	Property Transfer Filing No.: 181139 09/05/2008 by LAURIEB
05/09/2005	2005-05-09 09:35:00.000	Seg/Merge Initiated	SM050528 EFFECTIVE 2005-06; PT TO ROAD BY 2005-035448; AFTER 01/01/2005 by LAURIEB
05/09/2005	2005-05-09 09:35:00.000	Seg/Merge Completed	Parent in Seg/Merge SM050528, Effective: 01/02/2004 by LAURIEB
03/17/2003	2003-03-17 12:44:00.000	The situs address has changed	by LINDAPET
07/01/1999	1999-07-01 12:00:00.000	Ownership at Conversion	Bargain and Sale: 98-92591, 9/1/98, \$ 0

Taxes

Tax Year	Category	TCA/District	Charged	Minimum	Balance Due	Due Date
1993	Property Tax Principal	003-027	2,213.80	0.00	0.00	11/15/1993
1994	Property Tax Principal	003-027	2,200.89	0.00	0.00	11/15/1994
1995	Property Tax Principal	003-027	2,179.51	0.00	0.00	11/15/1995
1996	Property Tax Principal	003-027	2,274.62	0.00	0.00	11/15/1996
1997	Property Tax Principal	003-027	2,122.99	0.00	0.00	11/15/1997
1998	Property Tax Principal	003-027	2,388.84	0.00	0.00	11/15/1998
1999	Property Tax Principal	003-027	2,277.25	0.00	0.00	11/15/1999
2000	Property Tax Principal	003-027	2,491.89	0.00	0.00	11/15/2000
2001	Property Tax Principal	003-027	2,639.47	0.00	0.00	11/15/2001
2002	Property Tax Principal	003-027	2,908.02	0.00	0.00	11/15/2002
2003	Property Tax Principal	003-027	2,876.95	0.00	0.00	11/15/2003
2004	Property Tax Principal	003-027	2,952.74	0.00	0.00	11/15/2004
2005	Property Tax Principal	003-027	3,044.44	0.00	0.00	11/15/2005
2006	Property Tax Principal	003-027	3,055.91	0.00	0.00	11/15/2006
2007	Property Tax Principal	003-027	3,216.36	0.00	0.00	11/15/2007
2008	Property Tax Principal	003-027	3,269.75	0.00	0.00	11/15/2008
2009	Property Tax Principal	003-027	3,801.23	0.00	0.00	11/15/2009
2010	Property Tax Principal	003-027	3,933.90	0.00	0.00	11/15/2010
2011	Property Tax Principal	003-027	4,039.07	0.00	0.00	11/15/2011
2012	Property Tax Principal	003-027	4,186.67	0.00	0.00	11/15/2012
TOTAL Due as of 2012/12/28					0.00	

Receipts

Date	Receipt	Amount Applied	Amount Due	Tendered	Change
2012/11/05	3296371	4,186.67	4,186.67	4,061.07	0.00
2011/11/02	3090779	4,039.07	4,039.07	3,917.90	0.00
2010/11/09	2935777	3,933.90	3,933.90	3,815.88	0.00
2009/10/29	2684669	3,801.23	3,801.23	3,687.19	0.00
2008/11/14	2575483	3,269.75	3,269.75	3,171.66	0.00
2007/10/29	2289305	3,216.36	3,216.36	3,119.87	0.00
2006/11/17	2200792	3,055.91	3,055.91	2,964.23	0.00
2005/11/21	2028503	3,044.44	3,044.44	2,953.11	0.00
2004/11/15	1802965	2,952.74	2,952.74	2,864.16	0.00
2003/11/12	1587072	2,876.95	2,876.95	2,790.64	0.00
2002/11/14	1413527	2,908.02	2,908.02	2,820.78	0.00
2001/11/06	1190608	2,639.47	2,639.47	2,560.29	0.00

2000/11/09	1033821	2,491.89	2,491.89	2,417.13	0.00
1999/11/16	879112	2,277.25	2,277.25	2,208.93	0.00
1998/11/15	517528	2,388.84	2,388.84	2,317.17	0.00
1997/11/15	517527	2,122.99	2,122.99	2,059.30	0.00
1996/11/15	517526	2,274.62	2,274.62	2,206.38	0.00
1995/11/15	517525	2,179.51	2,179.51	2,114.12	0.00
1994/11/15	517524	2,200.89	2,200.89	2,134.86	0.00
1993/11/15	517523	2,213.80	2,213.80	2,147.39	0.00

Sales History					
Transfer Date	Recording Number	Sale Amount	Deed Type	Grantee	Grantor
08/22/2008	2008-062101	0	S	DILLON JAMES W	DILLON VIRGINIA TRUSTEE
09/01/1998	1998-092591	0			

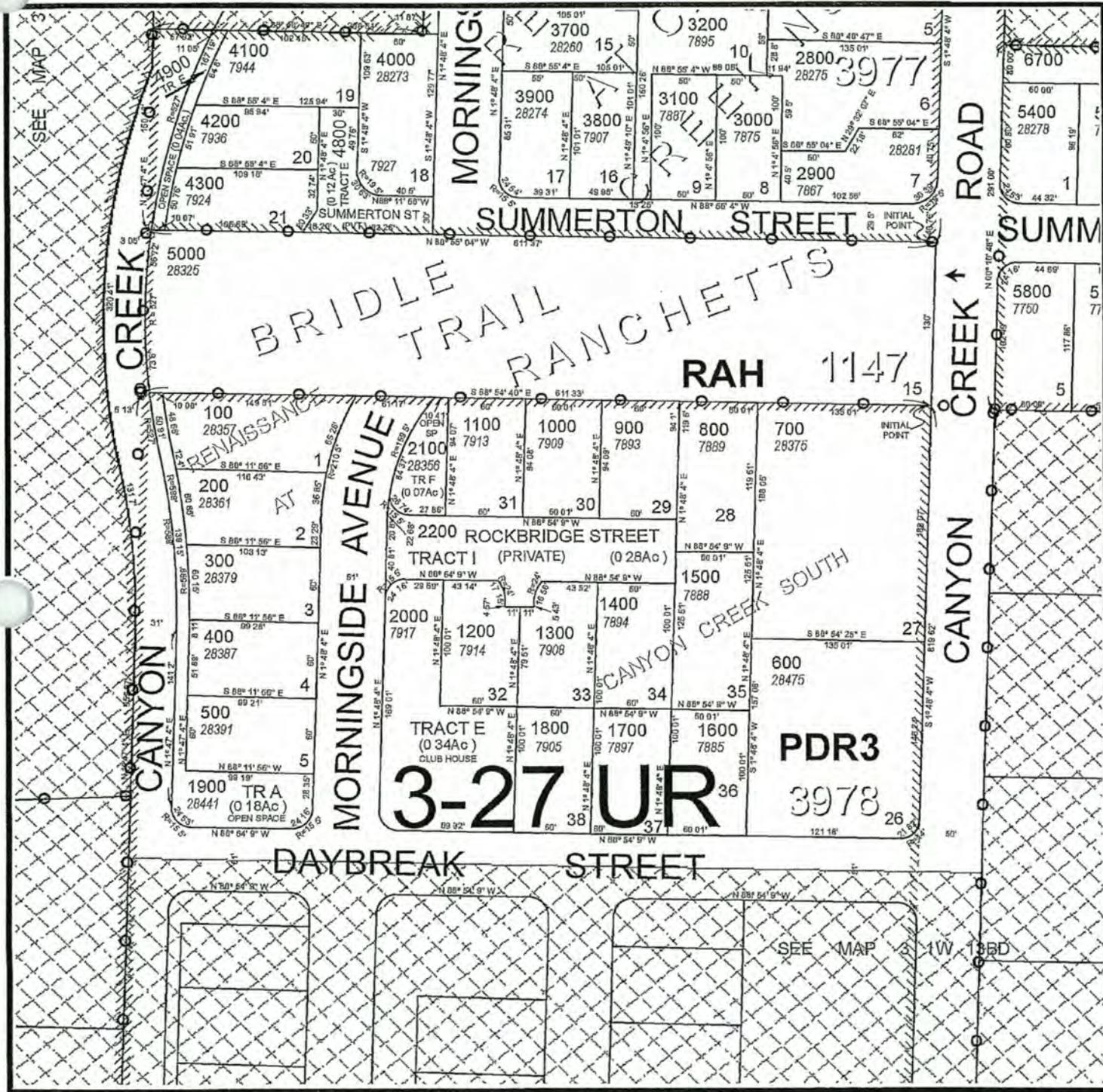
Property Details							
Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths
1,012	0 X 0	1967	38	1.0	3	1	1

Developed by ASIX, Incorporated.

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Version 1.0.3357.16890

Reference Parcel #: 31W13BA05000

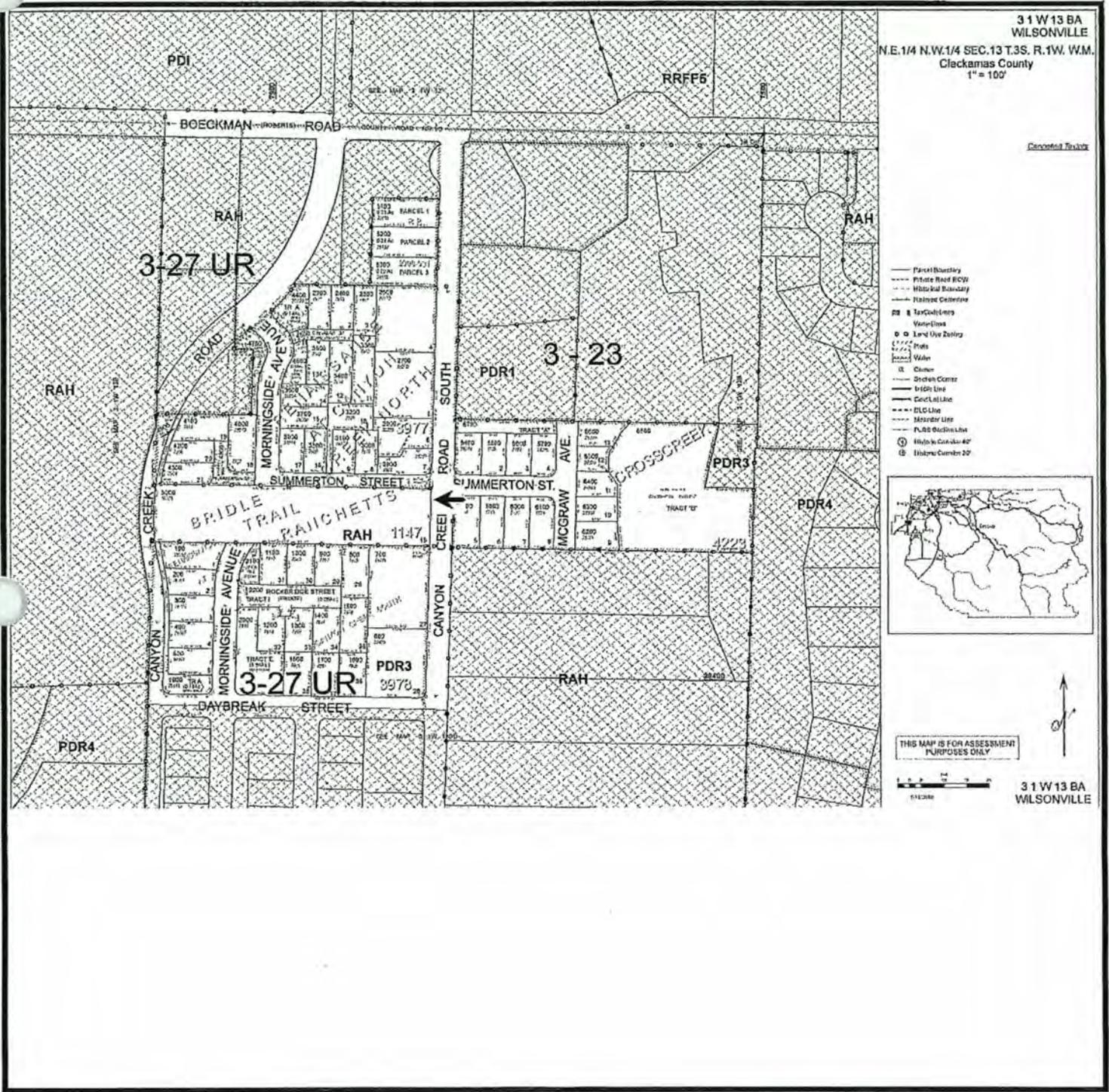


First American
Title Company of Oregon

Property Information Department
121 SW Morrison Street Suite 300 Portland, OR 97204
Phone: 503.219.TRIO (8746) Fax: 503.790.7872
Email: pid.portland@firstam.com

THIS MAP IS PROVIDED AS A CONVENIENCE IN LOCATING PROPERTY. FIRST AMERICAN TITLE COMPANY OF OREGON ASSUMES NO LIABILITY FOR ANY VARIATIONS AS MAY BE DISCLOSED BY AN ACTUAL SURVEY

Reference Parcel #: 31W13BA05000



**First American
Title Company of Oregon**

Property Information Department
121 SW Morrison Street Suite 300 Portland, OR 97204
Phone: 503.219.7872 Fax: 503.790.7872
Email: pid.portland@firstam.com

THIS MAP IS PROVIDED AS A CONVENIENCE IN LOCATING PROPERTY. FIRST AMERICAN TITLE COMPANY OF OREGON ASSUMES NO LIABILITY FOR ANY VARIATIONS AS MAY BE DISCLOSED BY AN ACTUAL SURVEY

2008

After recording, return to:
Michael D. Williams
1515 S.W. 5th, Ste. 844
Portland, OR 97201

Clackamas County Official Records
Sherry Hall, County Clerk

2008-062101



\$36.00

01245423200800621010020029

09/05/2008 11:43:16 AM

D-D Cnt=1 Stn=9 JANISKEL
\$10.00 \$10.00 \$16.00

All tax statements to:
James W. Dillon
3175 NE Fremont
Portland, Or 97220-5273

Tax ID , Assessor Nos:

BARGAIN AND SALE DEED

KNOW ALL MEN BY THESE PRESENTS that **JAMES W. DILLON, SUCCESSOR TRUSTEE OF THE VIRGINIA A. DILLON TRUST UNDER AGREEMENT DATED AUGUST 24, 1998**, Grantor, for the consideration hereinafter stated, do hereby grant, bargain, sell and convey to **JAMES W. DILLON and DEBRA ANN GRUBER**, as tenants in common, Grantee, and to Grantees' heirs, successors, and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in Clackamas County, Oregon, legally described as:

The North 130 feet of Lot 15, BRIDLE TRAIL RANCHETTES

Subject to liens, encumbrances, easements and restrictions of record.

To have and to hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

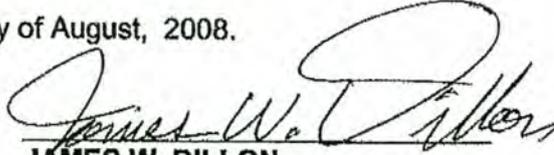
The true consideration for this conveyance is \$-0-. (Transfer of Inheritance)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR

1- BARGAIN AND SALE DEED

FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

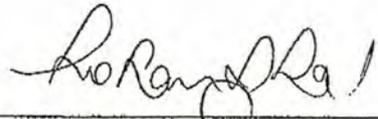
DATED this 22 day of August, 2008.


JAMES W. DILLON

STATE OF OREGON)
) ss.
County of Multnomah)

This instrument was acknowledged before me on August 22nd, 2008, by
JAMES W. DILLON , TRUSTEE..




Notary Public for Oregon
My commission expires: Dec 18th, 2011

2- BARGAIN AND SALE DEED

65



117 Commercial Street NE
 Suite 310
 Salem, OR 97301
 503.391.8773
 www.dksassociates.com

MEMORANDUM



DATE: September 26, 2013
TO: Steve Adams, P.E., City of Wilsonville
FROM: Scott Mansur P.E., P.T.O.E. *SM*
SUBJECT: Wilsonville Renaissance Subdivision Trip Generation Update

P13003-021

This memorandum documents an updated trip generation estimate and a site plan review for the proposed Renaissance Homes site located east of Canyon Creek Road in Wilsonville, Oregon. A previous transportation impact analysis¹ was performed for the project site assuming it would include 86 new single family units. As part of the land use application, the applicant had modified the site plan to only include 59 single family units. To date, the 59 new homes that were approved have been constructed. It is now proposed that eight additional single family be constructed at this time for a total of 67 new homes. The sections of this memorandum identify the original trip generation, proposed trip generation based on the eight additional units, and a site plan review.

Original Traffic Study Assumptions

The trip generation estimates used for the prior impact study are shown in Table 1. Trip rates provided by the Institute of Transportation Engineers (ITE)² were used to estimate the p.m. peak hour project trips levels. The ITE trip rates for single family homes are based on a regression equation, therefore, the trip rate changes as the development unit count increases or decreases. The original analysis estimated the 86 units would generate 94 (60 in, 34 out) p.m. peak hour trips.

Table 1: Renaissance Homes Trip Generation from Original Transportation Analysis (April 2003)

Land Use (ITE Code)	Size	P.M. Peak Hour Trip Generation Rate	P.M. Peak Hour Trips		
			In	Out	Total
Single Family Residential (210)	86 units	1.09 trips/lot	60	34	94

Approved Trip Generation

As previously discussed, the final Renaissance Homes site plan was modified as part of the land use approval to reduce the total number of new single family units from 86 to 59. DKS submitted a trip generation memorandum consistent with the revised site plan as part of the land use application. The approved trip

¹ Renaissance Homes Traffic Impact Study, DKS Associates, April 2003.

² Trip Generation, 6th Edition, Institute of Transportation Engineers, 1997.



generation based on the 59 units is summarized in Table 2. The Renaissance Homes subdivision was approved for 67 (42 in, 25 out) p.m. peak hour trips that was 27 trips lower than was assumed in the approved.

Table 2: Renaissance Homes Approved Trip Generation (May 2004)

Land Use (ITE Code)	Size	P.M. Peak Hour Trip Generation Rate	P.M. Peak Hour Trips		
			In	Out	Total
Single Family Residential (210)	59 units	1.13 trips/lot	42	25	67

Current Application

Renaissance Homes is currently seeking approval for eight single family homes located south of Summerton Street. These eight homes were included in the original site plan that was analyzed as part of the *Renaissance Homes Transportation Impact Study*³. DKS applied the average ITE trip rate of 1.01 trips per lot to be consistent with the overall trip rate of 1.09 trips per lot as utilized in the original traffic study. As shown in Table 3, the eight single family units would generate eight p.m. peak hour trips.

Table 3: Renaissance Homes Proposed Eight Unit Trip Generation

Land Use (ITE Code)	Size	P.M. Peak Hour Trip Generation Rate	P.M. Peak Hour Trips		
			In	Out	Total
Single Family- Current Proposed	8 Units	1.01 trips/lot	5	3	8

As previously discussed, the original transportation impact study evaluated a sufficient number of trips that would account for the impacts of the eight additional single family units that are currently desired by the applicant. Therefore, no additional transportation analysis is required at this time.

Interchange Trips

The number of p.m. peak hour trips traveling through the Wilsonville Road or Elligsen Road interchange areas was determined using the same methodology as the *Renaissance Homes Transportation Impact Study*⁴. The proposed eight single family units would generate two new p.m. peak hour trips through the Elligsen Road interchange area and one new p.m. peak hour trip through the Wilsonville Road interchange area.

Site Plan Review

The updated site plan provided by the project sponsor (provided August 6, 2013) was reviewed to evaluate pedestrian, bicycle, vehicular access and circulation, safety, and parking needs. We have no site plan related comments. A copy of the site plan is provided in the appendix.

³ Renaissance Homes Transportation Impact Study, DKS Associates, April 2003.

⁴ *ibid.*



Summary

Key transportation findings for the proposed eight single family units are as follows:

- The proposed eight single family lots would generate eight p.m. peak hour trips. The original *Renaissance Homes Transportation Impact Study* evaluated a sufficient number of trips that would account for the impacts of the proposed single family units that are currently desired by the applicant. At this time, no additional transportation analysis is required.
- The proposed eight single family units would generate two new p.m. peak hour trips through the Elligsen Road interchange area and one new p.m. peak hour trip through the Wilsonville Road interchange area.

Please let us know if you have any questions.



*First American
Title Company of Oregon*

Date of Production: Wednesday, October 30, 2013

The ownership information enclosed is time sensitive and should be utilized as soon as possible.

This mailing list was produced with the use of tax assessor maps available online from OR Maps (www.ormap.org/maps/index.cfm) as well as data purchased from the Portland Metro regional government and Real Estate Solutions Inc.

We assume no liability in connection with this service.

Thank you for your business and for using First American Title.

31W13B 00302
Glenn Jr & Donna Schroder
2200 SW Canyon Creek Rd
Wilsonville, OR 97070

31W13B 00700
David Schalk
28400 SW Canyon Creek Rd
Wilsonville, OR 97070

31W13B 00800
Jeffrey & Cathy Knapp
28450 SW Canyon Creek Rd
Wilsonville, OR 97070

31W13B 02500
Jill Ann Downs
28209 SW Morningside Ave
Wilsonville, OR 97070

31W13B 02502
City Of Wilsonville
29799 SW Town Center Loop E
Wilsonville, OR 97070

31W13B 02503
Deborah Mager
7970 SW Boeckman Rd
Wilsonville, OR 97070

31W13B 02603
Mentor Graphics Corp
8005 SW Boeckman Rd
Wilsonville, OR 97070

31W13BA00100
Name Suppressed
28357 SW Morningside Ave
Wilsonville, OR 97070

31W13BA00200
Michael & Schlaadt
28361 SW Morningside Ave
Wilsonville, OR 97070

31W13BA00300
Deanna Connell
28379 SW Morningside Ave
Wilsonville, OR 97070

31W13BA00400
Curtis & Tammy Hendrix
28387 SW Morningside Ave
Wilsonville, OR 97070

31W13BA00500
Kathleen Henderson
28391 SW Morningside Ave
Wilsonville, OR 97070

31W13BA00601
Thomas Kevin Stathem
18460 SW Boones Ferry Rd #K30
Tigard, OR 97224

31W13BA00700
Larry Dean Huckey
Po Box 598
Wilsonville, OR 97070

31W13BA00800
David & Jonelle Marquis
7885 SW Roakoke Dr
Wilsonville, OR 97070

31W13BA00900
Glen & Elizabeth McCord
7893 SW Rockbridge St
Wilsonville, OR 97070

31W13BA01000
Jay Clemens
7909 SW Rockbridge St
Wilsonville, OR 97070

31W13BA01100
Huaxing Tang
7913 SW Rockbridge St
Wilsonville, OR 97070

31W13BA01200
Robert & Cari Hausserman
7914 SW Rockbridge St
Wilsonville, OR 97070

31W13BA01300
Adrian Cagnoni
7908 SW Rockbridge St
Wilsonville, OR 97070

31W13BA01400
Samuel Sumner
7894 SW Rockbridge St
Wilsonville, OR 97070

31W13BA01500
Ronald & Joy Stahl
7888 SW Rockbridge St
Wilsonville, OR 97070

31W13BA01600
Us Bank Na Series 2007-2
1499 SE Tech Center Pl #255
Vancouver, WA 98683

31W13BA01700
George & Mary Johnston
7897 SW Daybreak St
Wilsonville, OR 97070

31W13BA01800
William Terway
7905 SW Daybreak St
Wilsonville, OR 97070

31W13BA01900
Renaissance Canyon Crk Hmownrs Assn
28441 SW Canyon Creek Rd
Wilsonville, OR 97070

31W13BA02000
Renaissance Canyon Crk Hmownrs Assn
7917 SW Daybreak St
Wilsonville, OR 97070

31W13BA02100
Renaissance Canyon Crk Hmownrs Assn
28356 SW Morningside Ave
Wilsonville, OR 97070

31W13BA02200
Renaissance Canyon Crk Hmownrs Assn
P. O. Box 23099
Tigard, OR 97281

31W13BA02700
Gerald & Cleo Downs
28205 SW Canyon Creek Rd
Wilsonville, OR 97070

31W13BA02800
Charles & Patricia Knorr
28275 SW Canyon Creek Rd
Wilsonville, OR 97070

31W13BA02900
Charles & Patricia Knorr
28275 SW Canyon Creek Rd
Wilsonville, OR 97070

31W13BA03000
Terry & Judith McEntee
7875 SW Summerton St
Wilsonville, OR 97070

31W13BA03100
Michael & Christina Williams
7887 SW Summerton St
Wilsonville, OR 97070

31W13BA03200
Melissa & Uriel Sanchez
7895 SW Summerton St
Wilsonville, OR 97070

31W13BA03300
Marvin & Sandra Nelson
7882 SW Cinnabar
Wilsonville, OR 97070

31W13BA03400
Xian Hu
7894 SW Cinnabar
Wilsonville, OR 97070

31W13BA03500
Carter
7902 SW Cinnabar
Wilsonville, OR 97070

31W13BA03600
Robert Anderson
Po Box 1049
Tualatin, OR 97062

31W13BA03700
Carsten & Jeanne Roedel
25828 SW Canyon Creek Rd #K201
Wilsonville, OR 97070

31W13BA03800
Andrew & Christine Holt
7907 SW Summerton St
Wilsonville, OR 97070

31W13BA03900
Andrew Ehlers
7915 SW Summerton St
Wilsonville, OR 97070

31W13BA04000
Kent & Judith Fender
7927 SW Summerton St
Wilsonville, OR 97070

31W13BA04100
Bryan & Elizabeth Flannery
7944 SW Summerton St
Wilsonville, OR 97070

31W13BA04200
Curtis & Diane Schnepf
7936 SW Summerton St
Wilsonville, OR 97070

31W13BA04300
Chris & Dana Edmiston
7924 SW Summerton St
Wilsonville, OR 97070

31W13BA04600
Renaissance Canyon Crk Hmownrs Assn
P. O. Box 23099
Tigard, OR 97281

31W13BA04700
Renaissance Canyon Crk Hmownrs Assn
P. O. Box 23099
Tigard, OR 97281

31W13BA04800
Renaissance Canyon Crk Hmownrs Assn
P. O. Box 23099
Tigard, OR 97281

31W13BA04900
Renaissance Canyon Crk Hmownrs Assn
P. O. Box 23099
Tigard, OR 97281

31W13BA05400
William Lekavich
7749 SW Summerton St
Wilsonville, OR 97070

31W13BA05500
Farrand & Judith Livingston
7739 SW Summerton St
Wilsonville, OR 97070

31W13BA05600
Mark & Teresa Tennyson
7729 SW Summerton St
Wilsonville, OR 97070

31W13BA05700
Jean Leonard
7719 SW Summerton St
Wilsonville, OR 97070

31W13BA05800
Brendan Colyer
7750 SW Summerton St
Wilsonville, OR 97070

31W13BA05900
Kimihiro & Ritsuko Satoh
7740 SW Summerton St
Wilsonville, OR 97070

31W13BA06000
Barry & Donna Webb
7730 SW Summerton St
Wilsonville, OR 97070

31W13BA06100
Jason & Jennifer Koenig
7720 SW Summerton St
Wilsonville, OR 97070

31W13BA06700
Crosscreek Homeowners Assn
28340 SW McGraw Ave
Wilsonville, OR 97070



**First American
Title Company of Oregon**

Customer Service Department
121 SW Morrison Street Suite 300 - Portland, OR 97204
Phone: 503.219.TRIO (8746) Fax: 503.790.7872
Email: cs.portland@firstam.com
Today's Date : 10/30/2013

OWNERSHIP INFORMATION

Owner	: Dillon James W	Ref Parcel Number	: 31W13BA05000
Co Owner	:	Parcel Number	: 00806827
Site Address	: 28325 SW Canyon Creek Rd Wilsonville 97070	T: 03S	R: 01W S: 13 Q: NW QQ: NE
Mail Address	: 4620 E Russell Rd Colbert Wa 99005	County	: Clackamas (OR)
Taxpayer	: Dillon James W	Telephone	:

PROPERTY DESCRIPTION

Map Page & Grid : 715 F6
 Census Tract : 244.00 Block: 3
 Improvement Type : 131 Sgl Family,R1-3,1-Story
 Subdivision/Plat : Bridle Trail Ranchetts
 Neighborhood : City of Wilsonville
 Land Use : 101 Res,Residential Land,Improved
 Legal : 1147 BRIDLE TRAIL RANCHETTS PT LT
 : 15
 :

ASSESSMENT AND TAX INFORMATION

Mkt Land : \$181,305
 Mkt Structure : \$100,590
 Mkt Total : \$281,895
 % Improved : 36
 12-13 Taxes : \$4,186.67
 Exempt Amount :
 Exempt Type :
 Levy Code : 003027
 Millage Rate : 18.8318
 M50AssdValue : \$222,319

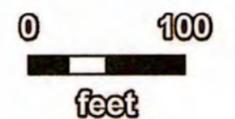
PROPERTY CHARACTERISTICS

Bedrooms	: 3	Building SF	: 1,012	BldgTotSqFt	: 1,012
Bathrooms	: 1.50	1st Floor SF	: 1,012	Lot Acres	: 1.82
Full Baths	: 1	Upper Finished SF	:	Lot SqFt	: 79,264
Half Baths	: 1	Finished SF	: 1,012	Garage SF	: 484
Fireplace	: Single Fireplce	Above Ground SF	: 1,012	Year Built	: 1967
Heat Type	: Forced Air-Gas	Upper Total SF	:	School Dist	: 003
Floor Cover	: Carpet	UnFinUpperStorySF	:	Foundation	: Concrete
Stories	: 1	Basement Fin SF	:	Roof Type	: Wood Shake Med
Int Finish	: Drywall	Basement Unfin SF	:	Roof Shape	: Gable
Ext Finsh	: Aluminum	Basement Total SF	:		

TRANSFER INFORMATION

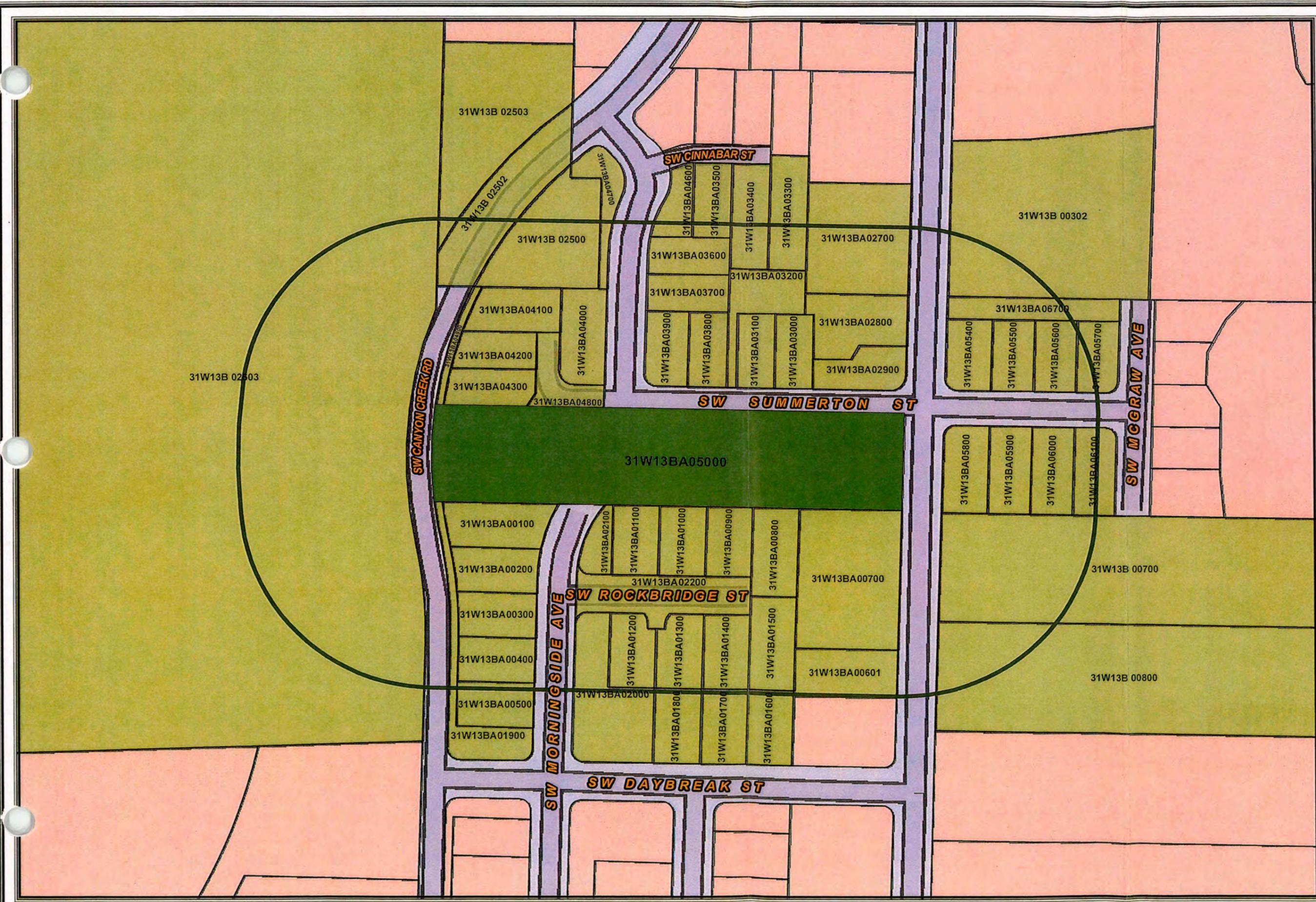
Owner Name(s)	Sale Date	Doc#	Sale Price	Deed Type	Loan Amount	Loan Type
:Dillon James W	:09/05/2008	008-062101	:	:Bargain &	:	:
:Dillon Virginia Trustee	:09/01/1998	0098-92591	:	:Grant De	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:
:	:	:	:	:	:	:

This title information has been furnished, without charge, in conformance with the guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions intermediaries that this service is designed to benefit the ultimate insureds. Indiscriminate use only benefiting intermediaries will not be permitted. Said services may be discontinued. No liability is assumed for any errors in this report.



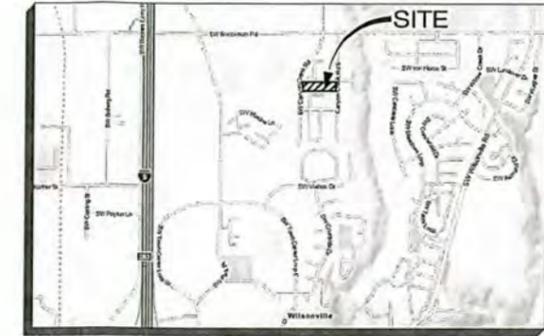
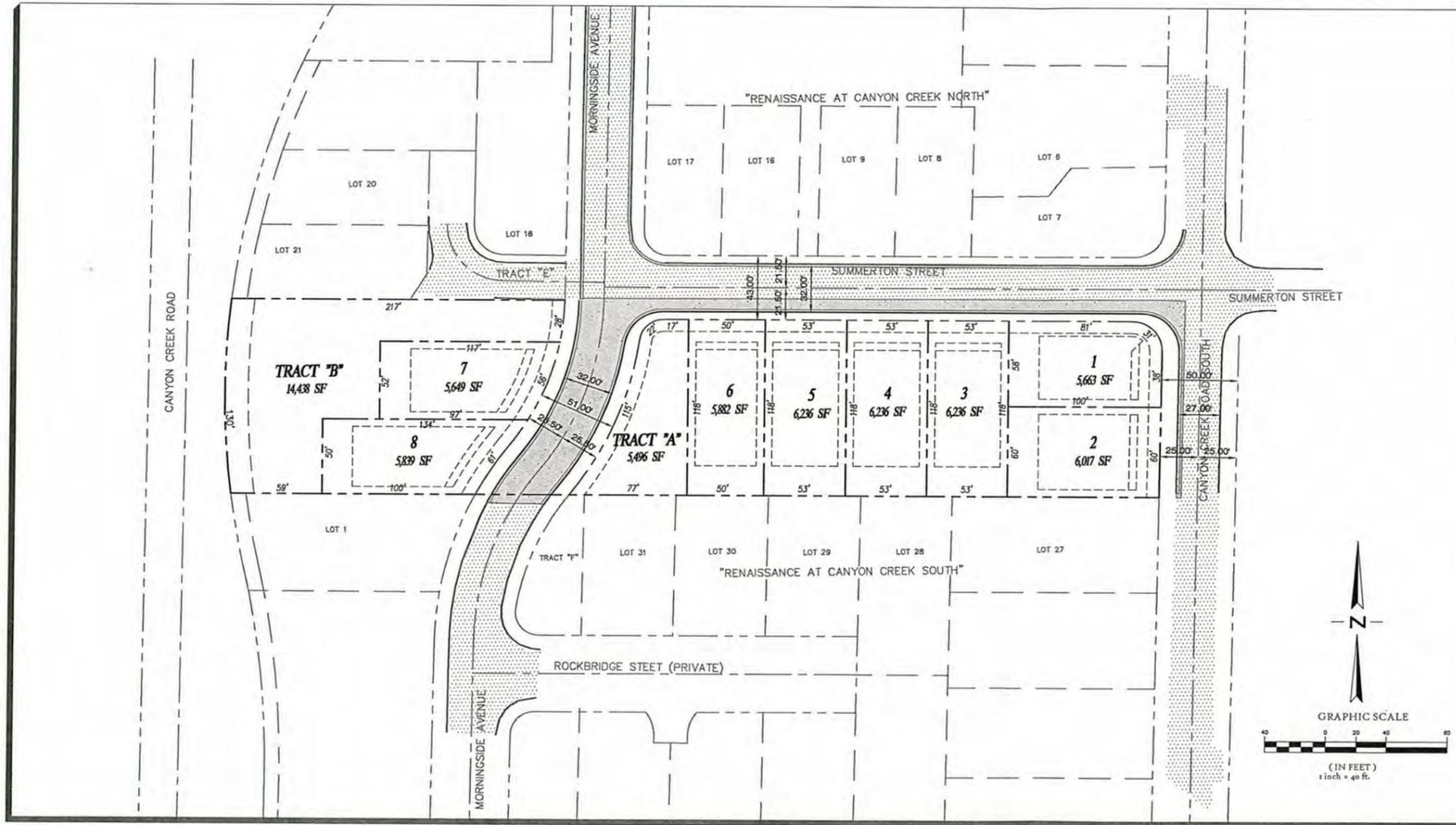
**250 Foot Radius
 31W13BA05000**

	Subject Parcels
	Notification Area
	Radius
	Taxlots



CANYON CREEK II

AN 8 LOT SUBDIVISION PROJECT ON TAX LOT 5000 MAP 3 1W 13BA



SHEET INDEX

1. PRELIMINARY PLAT
 2. COMP PLAN/ZONE MAP
 3. EXISTING CONDITIONS
 4. PRELIMINARY GRADING AND DEMOLITION PLAN
 5. PRELIMINARY STREET AND UTILITY PLAN
 6. AERIAL
- L1. LANDSCAPE PLAN

SITE INFORMATION

TOTAL AREA: 1.79 ACRES
 LOCATION: T3 R1W SEC 13BA
 TAX LOT: 5000

VERTICAL DATUM

DATUM: ASSUMED
 ELEVATION: 500.00 FT.



BY: _____

APPLICANT

RENAISSANCE DEVELOPMENT
 16771 SW BOONES FERRY ROAD
 LAKE OSWEGO, OR 97035
 PHONE (503) 496-0616 / FAX (503) 635-8400
 CONTACT: AMY SCHINELL

OWNER

JAMES DILLON & DEBRA GRUBER
 3175 NE FREEMONT
 PORTLAND, OR 97220
 PHONE (503) 981-2274

APPLICANT'S REPRESENTATIVE

SFA DESIGN GROUP, LLC
 9020 WASHINGTON SQ DR, SUITE 350
 PORTLAND, OR 97223
 PHONE (503) 641-8311 / FAX (503) 643-7905
 CONTACT: BEN ALTMAN OR MATT SPRAGUE

PLANNING/ENGINEER/SURVEY

SFA DESIGN GROUP, LLC
 9020 WASHINGTON SQ DR, SUITE 350
 PORTLAND, OR 97223
 PHONE (503) 641-8311 / FAX (503) 643-7905
 CONTACT: BRENT E. FITCH P.E.

ZONE CHANGE: RAHR TO PDR-3

	CODE	PROPOSED
FRONT YARD	15', 20' TO GARAGE	15', 20' TO GARAGE
SIDE YARD	7' FOR 2 STORY	WAIVER - 5' INCLUDING 2+ STORIES
STREET SIDE YARD	10'	10'
REAR YARD	20' FOR 2 STORY	20'



PRELIMINARY PLAT
 CANYON CREEK II
 38325 SW OLD CANYON CREEK ROAD
 CLACKAMAS COUNTY, OREGON

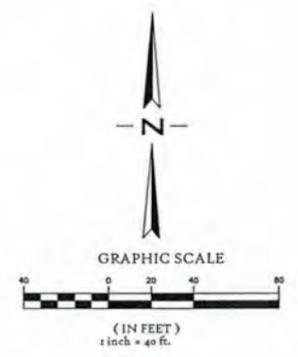
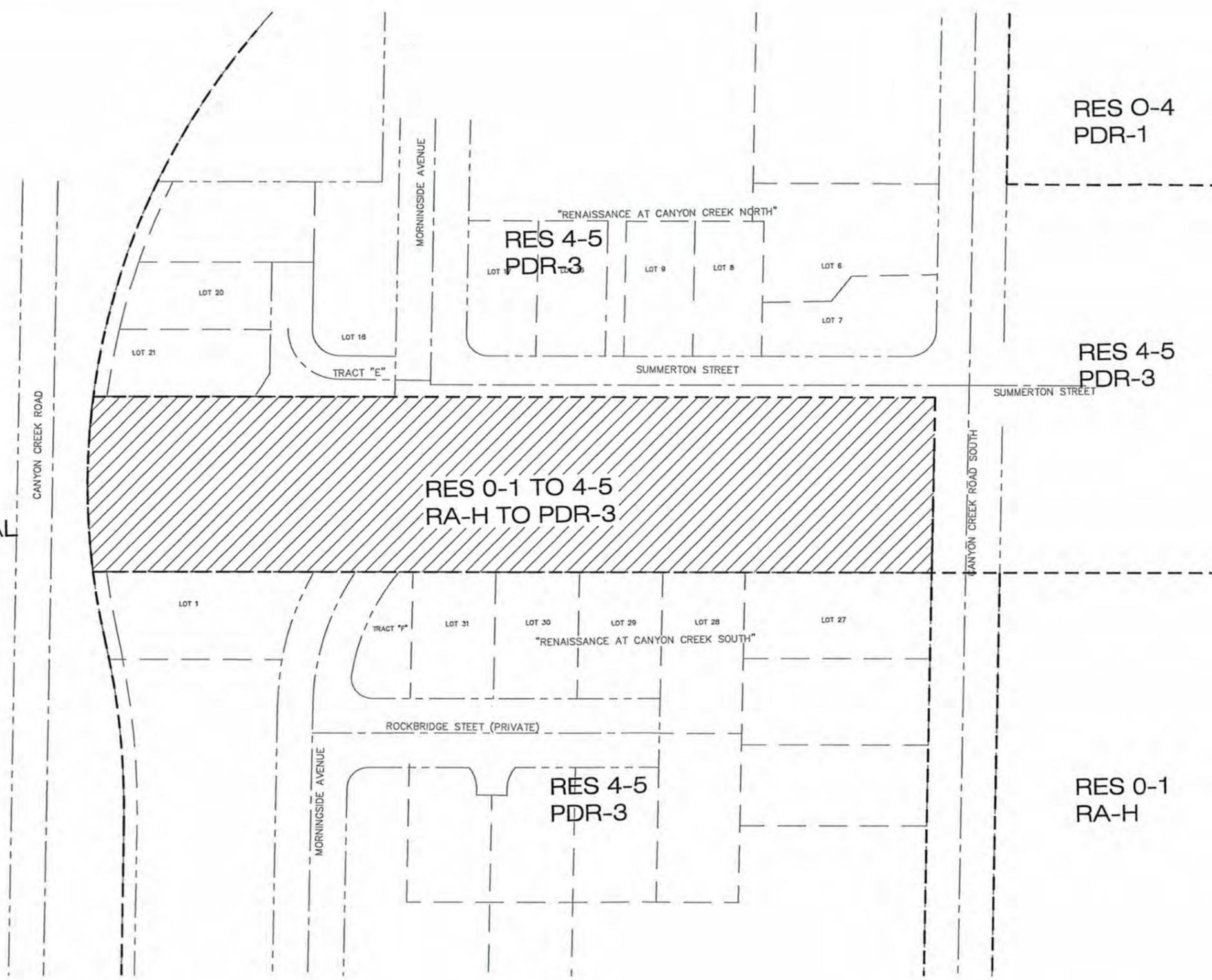
NO.	DATE	REVISION	BY

DESIGNED BY	M.S.	DATE	2/1/2014
DRAWN BY	DPM	DATE	2/1/2014
REVIEWED BY	M.S.	DATE	2/1/2014
PROJECT NO.	106-016	REF.	
SCALE	1"=40'		

SHEET	1	OF	6
PROJECT	CANYON CREEK II		
NO.	106-016		
TYPE	PLANNING		

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INDUSTRIAL
RAHI



LEGEND
 PROPOSED ZONE CHANGE
 RAHR TO PDR-3

SFA Design Group, LLC
 STRUCTURAL | CIVIL | PLANNING | SURVEYING
 9020 SW Washington Square Dr, Suite 505
 Portland, Oregon 97223
 Ph: (503) 641-8311 Fax: (503) 643-7985
<http://www.sfadg.com>

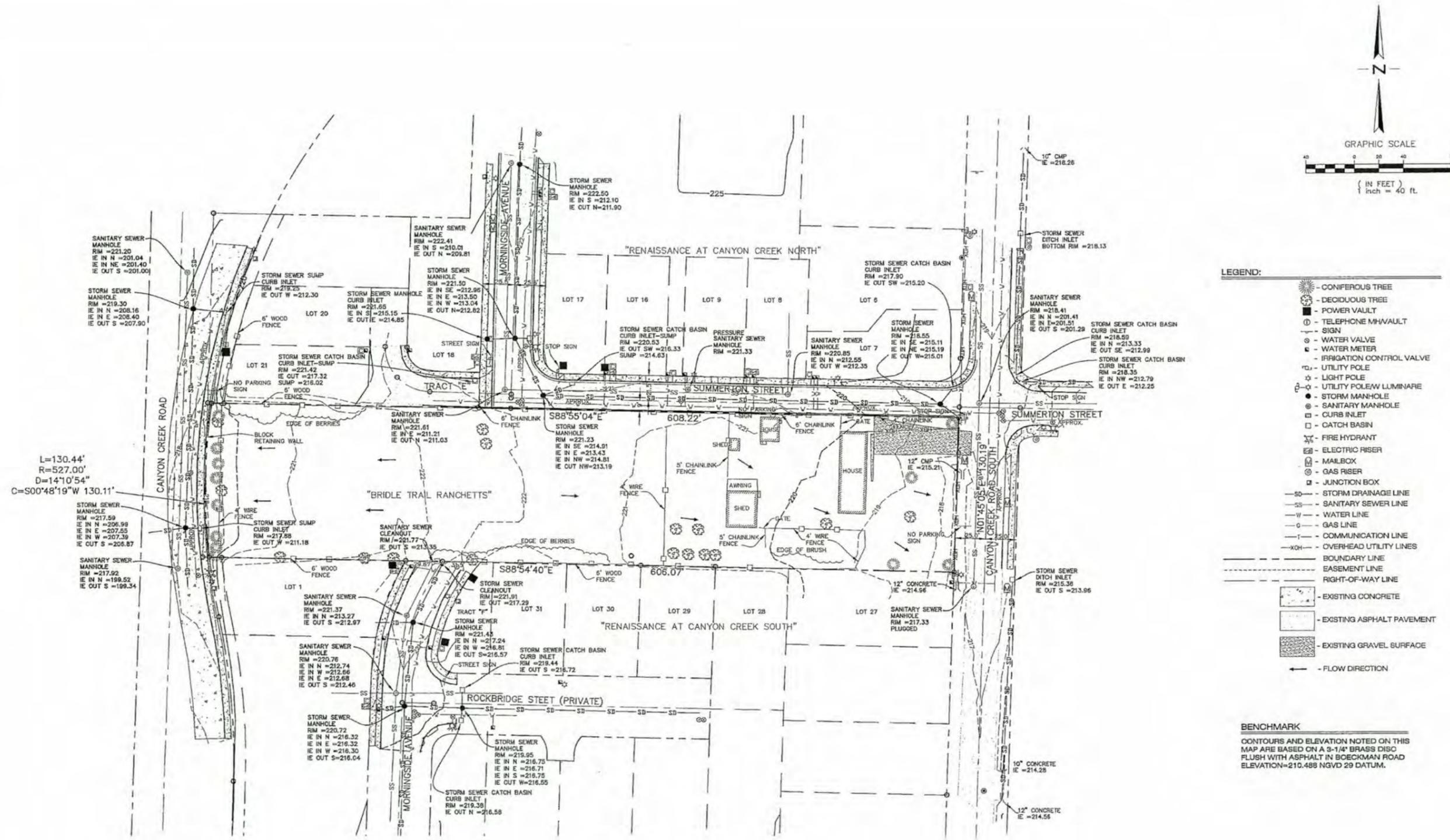


COMP PLAN/ZONE MAP
CANYON CREEK II
 38325 SW OLD CANYON CREEK ROAD
 CLACKAMAS COUNTY, OREGON

NO.	DATE	REVISION	BY

DESIGNED BY: M.J. DATE: 11/2015
 DRAWN BY: DPL DATE: 11/2015
 REVIEWED BY: M.J. DATE: 11/2015
 PROJECT NO: 106-016 REF: _____
 SCALE: 1"=40'

SHEET **2** OF **6**
 PROJECT **CANYON CREEK II**
 NO. **106-016**
 TYPE **PLANNING**



LEGEND:

- ☉ - CONIFEROUS TREE
- 🌳 - DECIDUOUS TREE
- ⬛ - POWER VAULT
- ☎ - TELEPHONE MH/VAULT
- ⊙ - SIGN
- ⊕ - WATER VALVE
- ⊖ - WATER METER
- ⊗ - IRRIGATION CONTROL VALVE
- ⊙ - UTILITY POLE
- ⊕ - LIGHT POLE
- ⊙ - UTILITY POLE/LUMINAIRE
- - STORM MANHOLE
- ⊙ - SANITARY MANHOLE
- ⊙ - CURB INLET
- ⊙ - CATCH BASIN
- ⊙ - FIRE HYDRANT
- ⊙ - ELECTRIC RISER
- ⊙ - MAILBOX
- ⊙ - GAS RISER
- ⊙ - JUNCTION BOX
- SD— - STORM DRAINAGE LINE
- SS— - SANITARY SEWER LINE
- W— - WATER LINE
- G— - GAS LINE
- T— - COMMUNICATION LINE
- X— - OVERHEAD UTILITY LINES
- - - - - BOUNDARY LINE
- - - - - EASEMENT LINE
- - - - - RIGHT-OF-WAY LINE
- ▨ - EXISTING CONCRETE
- ▨ - EXISTING ASPHALT PAVEMENT
- ▨ - EXISTING GRAVEL SURFACE
- - FLOW DIRECTION

BENCHMARK
 CONTOURS AND ELEVATION NOTED ON THIS MAP ARE BASED ON A 3-1/4" BRASS DISC FLUSH WITH ASPHALT IN BOECKMAN ROAD ELEVATION=210.488 NGVD 29 DATUM.

EXISTING CONDITIONS
CANYON CREEK II
 38925 SW OLD CANYON CREEK ROAD
 CLACKAMAS COUNTY, OREGON

NO.	DATE	REVISION	BY

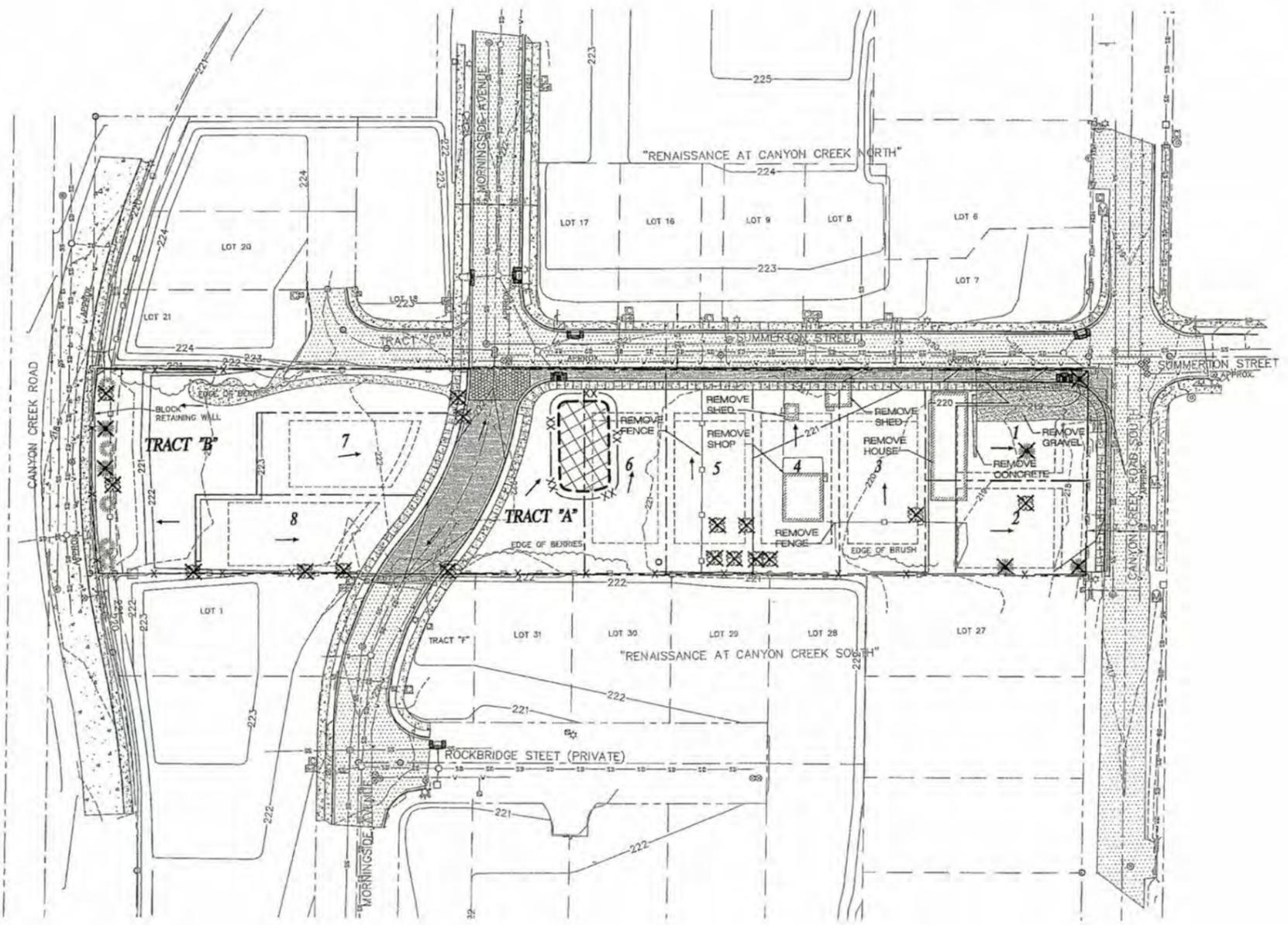
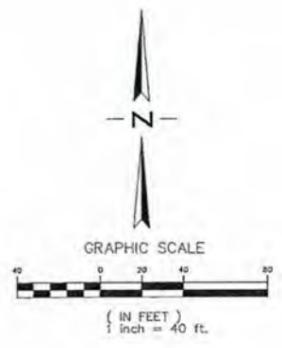
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DRAWN BY	DSS	DATE	10/2013
REVIEWED BY	M.S.	DATE	10/2013
PROJECT NO.	108-016	REF.	
SCALE	1"=40'		

SHEET	3	OF	6
PROJECT	CANYON CREEK II		
NO.	108-016		
TYPE	PLANNING		

d:\meyer, Plotted: Nov 14, 2013 - 2:51pm. B:\Land Projects\2004\106-016\dwg\plan\10616_04-grad.dwg

LEGEND

- 341 --- EXISTING 1' CONTOUR
- 345 --- EXISTING 5' CONTOUR
- 347 --- PROPOSED 2' CONTOUR
- 345 --- PROPOSED 5' CONTOUR
- PROPOSED CATCH BASIN
- PROPOSED BIOBAG BARRIER
- X- PROPOSED EROSION CONTROL FENCING
- XX- PROPOSED EROSION CONTROL FENCING - INTERIOR
- PROPOSED FLOW DIRECTION
- [Grid Pattern] PROPOSED CONSTRUCTION ENTRANCE
- [Grid Pattern with X] PROPOSED STOCKPILE LOCATION
- ☉ EXISTING EVERGREEN TREE TO BE SAVED
- ☼ EXISTING DECIDUOUS TREE TO BE SAVED
- ☼☼ TREE TO BE REMOVED



**PRELIMINARY GRADING
AND DEMOLITION PLAN
CANYON CREEK II
38925 SW OLD CANYON CREEK ROAD
CLACKAMAS COUNTY, OREGON**

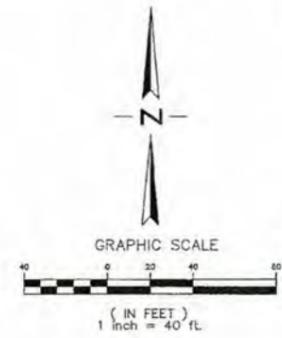
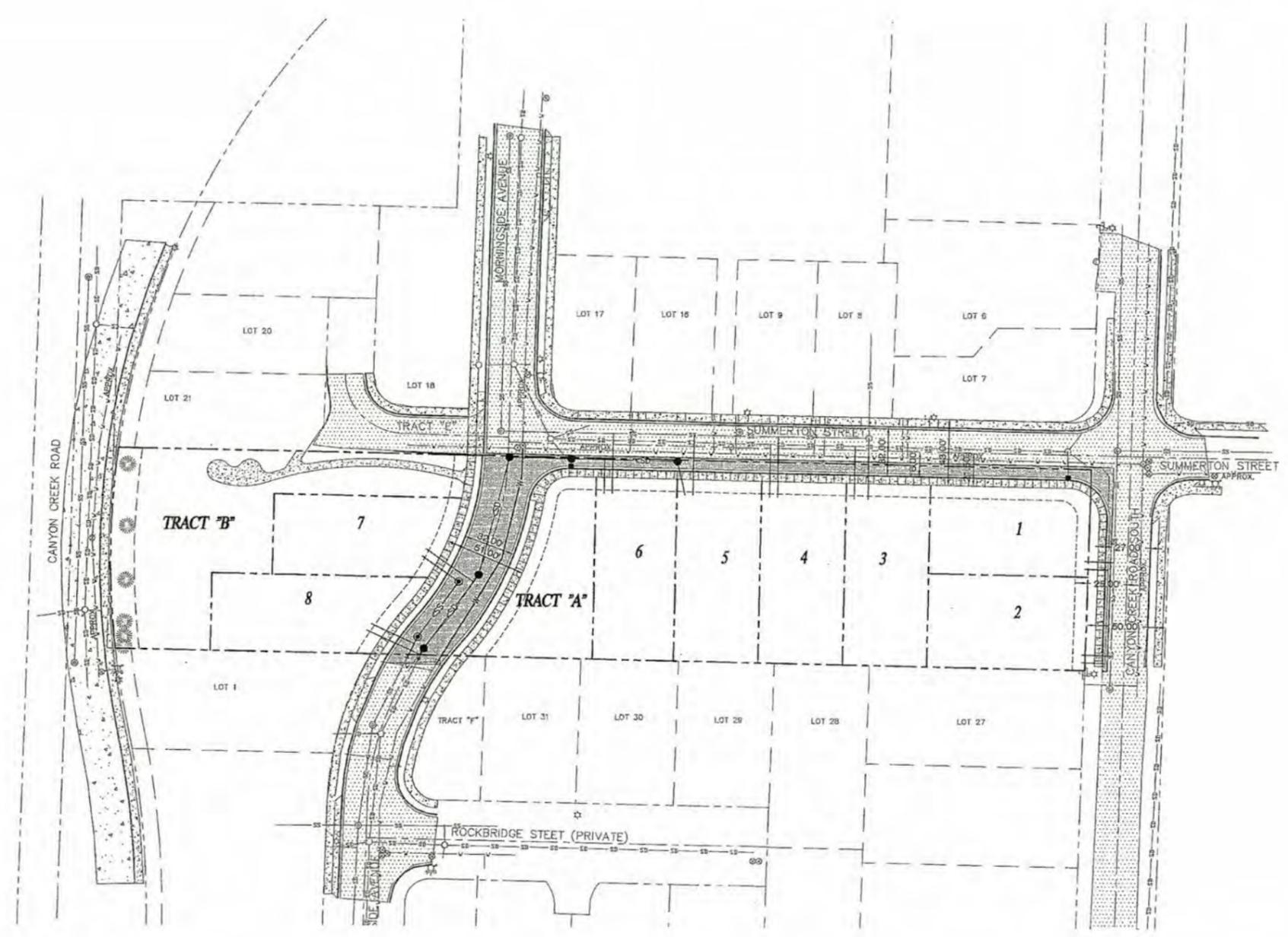
SFA Design Group, LLC
STRUCTURAL | CIVIL | PLANNING | SURVEYING
3829 SW Washington Square Dr. Suite 505
Portland, OR 97201
PH: (503) 644-3311 Fax: (503) 643-7895
<http://www.sfadg.com>

NO.	DATE	REVISION	BY

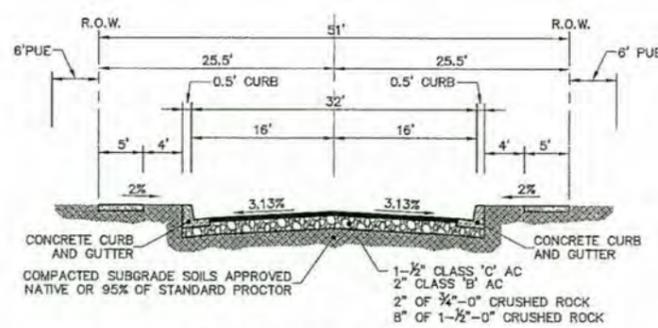
DESIGNED BY: M.S. DATE: 10/2009
DRAWN BY: DTM DATE: 09/2009
REVIEWED BY: M.S. DATE: 10/2009
PROJECT NO: 05-016 REF: _____
SCALE: 1"=40'
10616_04grad.dwg

SHEET 4 OF 6
PROJECT CANYON CREEK II
NO. 106-016
TYPE PLANNING

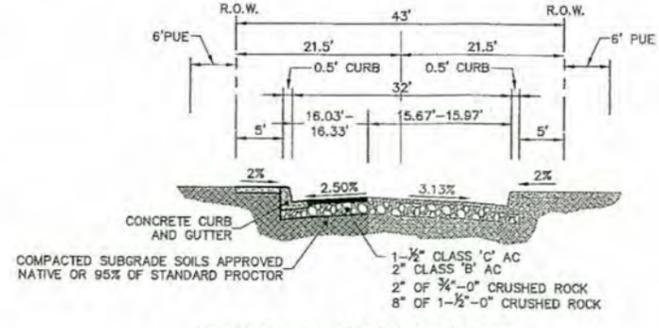
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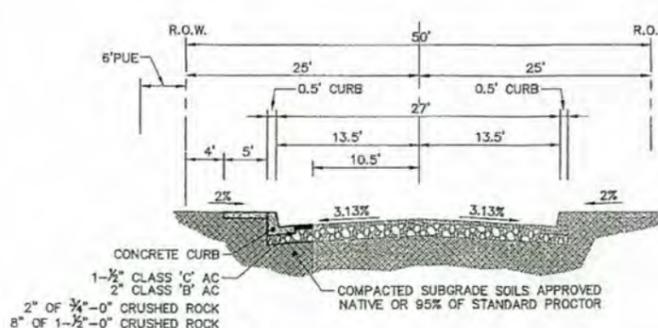
- LEGEND**
- PROPOSED AC PAVEMENT
 - PROPOSED CONCRETE SIDEWALK
 - PROPOSED CURB
 - PROPOSED PROPERTY LINE
 - PROPOSED RIGHT OF WAY LINE
 - SS PROPOSED SANITARY SEWER LINE
 - SD PROPOSED STORM DRAIN LINE
 - W PROPOSED DOMESTIC WATER LINE
 - PROPOSED CATCH BASIN
 - PROPOSED STREET LIGHT



TYPICAL LOCAL STREET
MORNINGSIDE AVENUE



TYPICAL LOCAL STREET
SUMMERTON STREET



TYPICAL LOCAL STREET
CANYON CREEK SOUTH

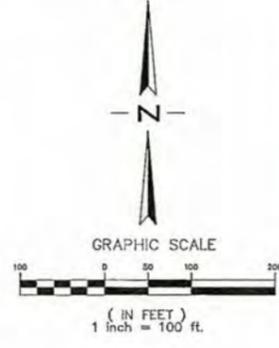
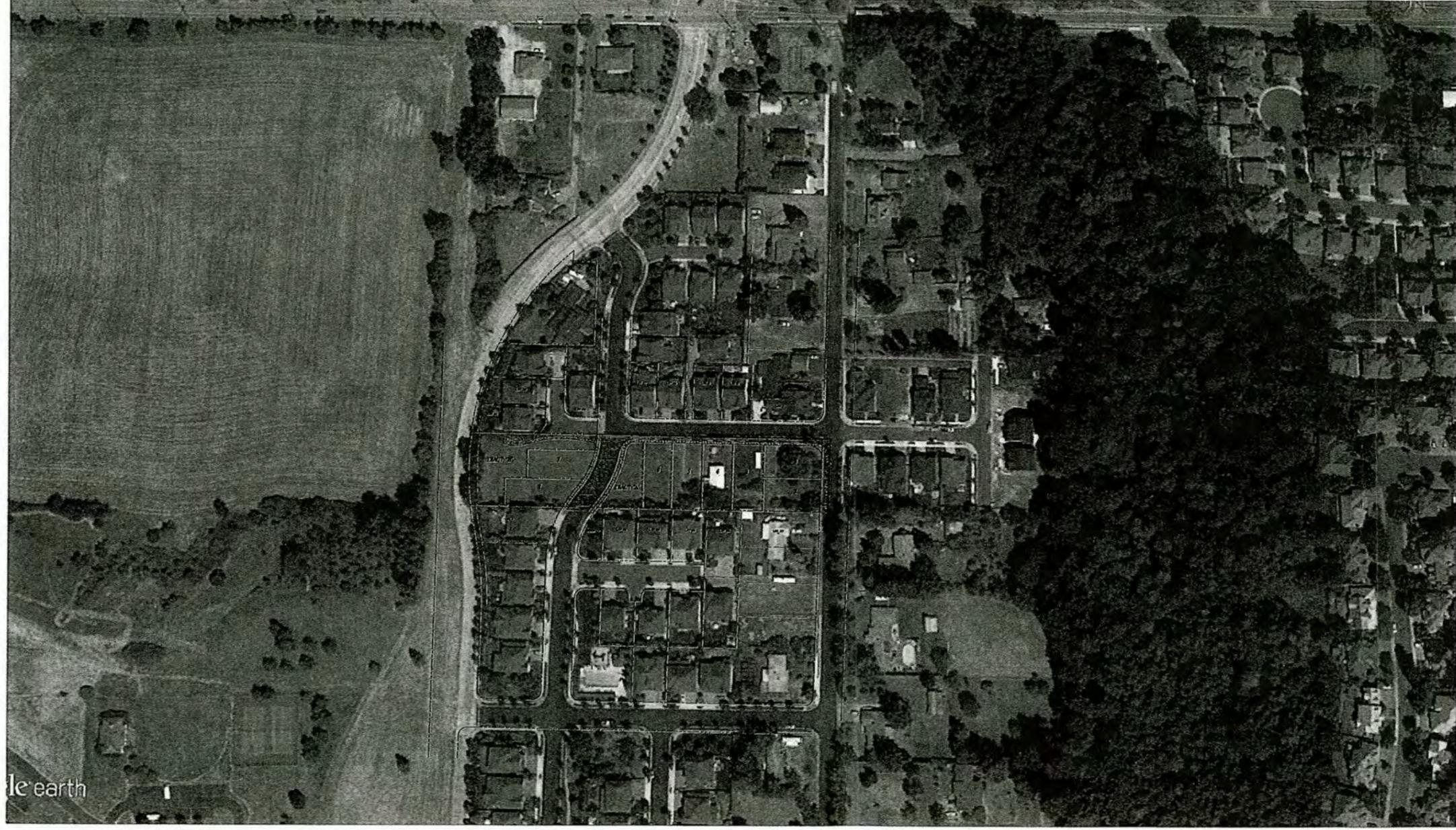


SITE AND UTILITY PLAN
CANYON CREEK II
38325 SW OLD CANYON CREEK ROAD
CLACKAMAS COUNTY, OREGON

NO.	DATE	REVISION	BY

DESIGNED BY: M.S. DATE: 10/2010
 DRAWN BY: DSS DATE: 10/2010
 REVIEWED BY: M.S. DATE: 10/2010
 PROJECT NO.: 106-016 REF.:
 SCALE: 1"=40'
 DSS: [Signature]

SHEET **5** OF **6**
 PROJECT: CANYON CREEK II
 NO.: 106-016
 TYPE: PLANNING



AERIAL
CANYON CREEK II
 38325 SW OLD CANYON CREEK ROAD
 CLACKAMAS COUNTY, OREGON

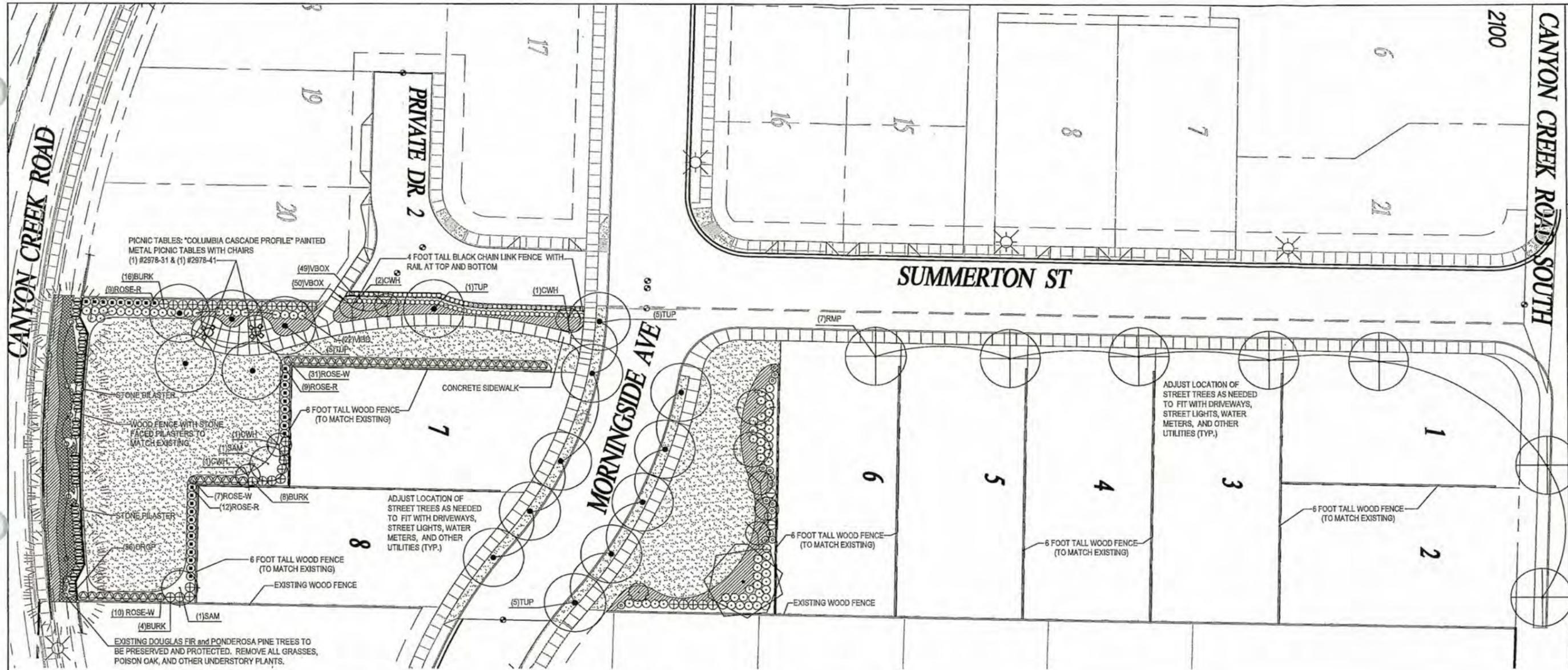
SFA Design Group, LLC
 STRUCTURAL / CIVIL / PLANNING / SURVEYING
 9926 SW Washington Square Dr, Suite 505
 Portland, Oregon 97223
 Ph: (503) 641-8311 Fax: (503) 643-7905
<http://www.sfadg.com>



NO.	DATE	REVISION	BY

DESIGNED BY MLB DATE 11/20/03
 DRAWN BY DSS DATE 11/20/03
 REVIEWED BY MLB DATE 11/20/03
 PROJECT NO. 106-016 REF. _____
 SCALE 1"=100'
 10616_06aeri.dwg

SHEET **6** OF **6**
 PROJECT **CANYON CREEK II**
 NO. **106-016**
 TYPE **PLANNING**



LANDSCAPE PLAN



PLANT MATERIAL LEGEND

symbol	tag	common name / botanical name: size, comments (quantity)	symbol	tag	common name / botanical name: size, comments (quantity)
TREES					
	CWH	CHINESE WITCH HAZEL / HAMAMELIS MOLLIS: 6 FT. HEIGHT, YELLOW FLOWER VARIETY (8)		BOCN	- / VIBURNUM BODNANTENSE: 48 INCH HEIGHT (2)
	DMA	YULAN MAGNOLIA / MAGNOLIA DENUDATA: 3 INCH CALIPER (1)		BURK	- / VIBURNUM BURKWOODII: 48 INCH HEIGHT (33)
	RMP	RED MAPLE / ACER RUBRUM: 2.5 INCH CALIPER (7)		NAND	TALL NANDINA / NANDINA DOMESTICA: 36 INCH HEIGHT (15)
	SAM	SAUCER MAGNOLIA / MAGNOLIA SOULANGIANA: 6 FOOT HEIGHT (4)		ORGP	TALL ORGON GRAPE / MAHONIA AQUIFOLIUM: 36 INCH HEIGHT, FOLIAGE TOP TO BOTTOM (36)
	STM	STAR MAGNOLIA / MAGNOLIA STELLATA: 48 INCH HEIGHT (1)		ROSE-R	- / ROSA RUGOSA: 5 GALLON, SPECIES (No Hybrid) (30)
	TUP	TUPELO / NYSSA SYLVATICA: 2.5 INCH CALIPER (16)		ROSE-W	- / ROSA RUGOSA 'ALBA': 5 GALLON (48)
SHRUBS					
	VBOX	VARIEGATED BOXWOOD / BUXUS S. VARIEGATA: 24 INCH HEIGHT (59)		ORGP	TALL ORGON GRAPE / MAHONIA AQUIFOLIUM: 36 INCH HEIGHT, FOLIAGE TOP TO BOTTOM (36)
	VIBD	- / VIBURNUM DAVIDII: 24 INCH HEIGHT AND SPREAD (72)		ROSE-R	- / ROSA RUGOSA: 5 GALLON, SPECIES (No Hybrid) (30)
GROUND COVER					
		CREeping BRAMBLE / RUBUS PENTALOBUS: 4" POTS @ 18" O.C.		ROSE-W	- / ROSA RUGOSA 'ALBA': 5 GALLON (48)
		DWARF OREGON GRAPE / MAHONIA AQ. COMPACTA: 1 GALLON AT 24" O.C.		ROSE-R	- / ROSA RUGOSA: 5 GALLON, SPECIES (No Hybrid) (30)
		LAWN: (SOD OR SEED)		ROSE-W	- / ROSA RUGOSA 'ALBA': 5 GALLON (48)

IRRIGATION NOTE:
ALL NEW LAWN WILL BE IRRIGATED WITH AUTOMATICALLY CONTROLLED POP-UP IRRIGATION. ALL NEW SHRUB AND GROUND COVER AREAS WILL BE IRRIGATED WITH BURIED, AUTOMATICALLY CONTROLLER DRIPPER LINE IRRIGATION.

ADJUST LOCATION OF STREET TREES AS NEEDED TO FIT WITH DRIVEWAYS, STREET LIGHTS, WATER METERS, AND OTHER UTILITIES (TYP.)

ADJUST LOCATION OF STREET TREES AS NEEDED TO FIT WITH DRIVEWAYS, STREET LIGHTS, WATER METERS, AND OTHER UTILITIES (TYP.)

6 FOOT TALL WOOD FENCE (TO MATCH EXISTING)

6 FOOT TALL WOOD FENCE (TO MATCH EXISTING)

6 FOOT TALL WOOD FENCE (TO MATCH EXISTING)

PICNIC TABLES: "COLUMBIA CASCADE PROFILE" PAINTED METAL PICNIC TABLES WITH CHAIRS
(1) #2978-31 & (1) #2978-41



VENTURE PROPERTIES
PRE-APPLICATION
CITY OF WILSONVILLE, OREGON



DESIGNED BY	DATE	REVISION
DRAWN BY	DATE	
REVIEWED BY	DATE	
PROJECT NO.	299-001	REF.
SCALE	1"=50' HORIZ	
SHEET	L1	OF 1
PROJECT NO.	299-001	
TYPE	PLANNING	

STAFF REPORT
WILSONVILLE PLANNING DIVISION
DEVELOPMENT REVIEW BOARD PANEL 'B'

Public Hearing Date: June 28, 2004
Date of Report: June 22, 2004 (Amended by the DRB on 6/28/2004.)

Application: 03 DB 43 (A) – (C)

Description of Proposal/Requests:

Urban Solutions, acting as agent for Renaissance Homes, proposes the development of a 79-lot residential planned development (subdivision), along with associated site improvements, for the property located west of SW Canyon Creek Road South, 360 feet south of Boeckman Road. Total development site area is comprised of an assembly of discontinuous parcels which total approximately 18.35 acres (Exhibits 8 and 9).

The following requests apply to the subject property, as defined in the applicant's submittal documents:

- (A) Approve Comprehensive Plan Map Amendment (Residential 0 – 1 du/ac to Residential 4 – 5 du/ac;
- (B) Approve a Stage I Preliminary Plan;
- (C) Approve a Zone Map Amendment from Residential Agricultural - Holding Zone (RA-H) to Planned Development Residential (PDR-3);

Location: The subject property is located west of Canyon Creek Road South, 360 feet south of Boeckman Road, more specifically described as Tax Lots 1500, 1501, 1600, 1601, 1700, 1800, 1900, 2100, 2200 and 2301, in Section 13B; Township 3S, Range 1W; Clackamas County; Wilsonville, Oregon.

Applicant: Urban Solutions, agent for Renaissance Homes

Owners: Patricia Smith Trust; Michael and Heidi Swickard; Marie McNeany; Shirley Walker; Dorothy Bernard; Larry and Delaine Huckey; Todd and Kara Eck; Gerald and Cleo Downs; and James Boster.

Other Participants: Mentor Graphics Corp.; Christopher Zimmerman; and, the City of Wilsonville

Comp. Plan Designation: Residential 0 – 1 du/ac

Zone Map Designation: Residential Agricultural - Holding Zone (RA-H)

Vicinity Map: Exhibit 1

Staff Reviewer: Michael R. Wheeler, Associate Planner

Note: The statutory 120-day time limit applies to this application. The application was received on December 19, 2004. The applicant was sent one letter identifying the application as incomplete on January 20, 2004. The application was deemed complete on April 6, 2004. The City must render a final decision, including any appeals, for Requests A through C by August 4, 2004.

OVERALL SUMMARY OF ISSUES

The applicant is seeking approval of a Comprehensive Plan Map, and Zone Map amendments, as well as Stage I Master Plan to allow the incremental development of 79 single-family homes on ten tax lots west of Canyon Creek Road South, 360 feet south of Boeckman Road . In a separate consideration, the applicant also seeks approval of a Tentative Subdivision Plat, Stage II Final Plan, Type 'C' Tree Removal Plan, and Site Design Review Plans for the common elements of the proposed subdivision. Under the applicant's proposal, the Comprehensive Plan Map designation would change from its current 0-1 dwelling units per acre to 4-5 dwelling units per acre. The Zone Map designation would change from Residential Agricultural – Holding (RA-H) to Planned Development Residential (PDR-3).

The project, as proposed, would preserve the nine existing homes on the subject properties, each on their own resulting lot, one lot left vacant, and add 59 additional single family home lots. (The 10 preserved lots are proposed to be divided later.) This addition would not significantly alter the ratio of multi-family to single-family housing (currently 46.9 to 40.8 percent).

No areas in the proposed project are designated Significant Resource Overlay Zone (SROZ). However two off-site water quality treatment/detention facilities are proposed, each of which involve construction activities within the SROZ.

Residential development standards require that 25% of the site be set aside for outdoor recreation or open space. This requirement is met through common open space (78,605 SF), active outdoor areas (~15,000 SF) and through rear yards (68,620 SF) for a combined total of 147,225 SF (33 %) of the proposed project in open space, which exceeds Code requirements.

The traffic study for this project estimates 640 total daily trips, 67 of which are p.m. peak hour trips. Thirteen (13) of these trips would use the Stafford Road/I-5 interchange, while eight (8) would use the Wilsonville Road/I-5 interchange. The traffic study also indicates that traffic generated by this project would not produce traffic congestion in excess of the level of service (LOS D) at the most probable used intersections.

Due to the exceptions noted above, the tentative subdivision plat is not fully consistent with the applicable implementation measures and policies of the Comprehensive Plan.

Existing public facilities are or can be made available and are of adequate size to serve the proposed subdivision. The applicant is responsible for constructing all internal streets to the project to public street standards.

OVERALL RECOMMENDATION FOR REQUESTS (A) – (C):

Staff recommends that the Development Review Board find that the Comprehensive Plan Amendment, Stage I Preliminary Plan, and Zone Map Amendment, with the addition of proposed conditions herein, meet all applicable requirements, and may recommend their approval to the City Council.

FINDINGS OF FACT

1. Finding: Site Analysis Data (existing, from applicant's information)

Affected Property		Use			Area	
Tax Lots (Township 3S, Range 1W, Section 13B)	Owner(s)	Streets	Lots	Easem't or Open Space	Acres	% of Site
Authorized Participants ¹						
1500	P. Smith Trust	x	x	x		
1501	M. and H. Swickard	x	x	x		
1600	P. Smith Trust	x	x	x		
1601	M. McNeary	x	x	x		
1700	S. Walker	x	x	x		
1800	D. Bernard	x	x	x		
1900	L. and D. Huckey	x	x	x		
2100	T. and K. Eck	x	x	x		
2200	G. and C. Downs	x	x	x		
2301	J. Boster	x	x	x		
<i>Subtotal Participants</i>					<i>19.35</i> ²	<i>100</i> ³
Other Participants ⁴						
2691	Mentor Graphics Corp.			x		
2601	Mentor Graphics Corp.			x		
1200	C. and K. Zimmerman			x		
Unnumbered (nontaxable)	City of Wilsonville	x				
Other Affected Parcels						
2502	G. and C. Downs	x				
2000	V. Dillion, Trustee	x		x		

¹ Source: Authorization petition (Exhibit 4).

² Source: Legal Description, by Alpha Engineering, Inc.; Exhibits 8 and 9.

³ This total disagrees with other material submitted by the applicant (e.g., Exhibits 10 and 16b).

⁴ Source: Authorization letters (Exhibits 4, 5 and 6).

Existing Site Conditions:

The applicant provides a site description on page two of the narrative (Exhibit 10). The subject property is developed and zoned Residential Agricultural - Holding Zone (RA-H). Also affected are two parcels to the west (TLs 2691 and 2601), and one to the east (TL 1200).

Surrounding Development: The adjacent land uses are as follows:

Compass Direction	Existing Use(s)
North	Industrial (Mentor Graphics); Residential
East	Residential (Bridle Trail Ranchetts; Arbor Crossing Subdivision; Wilsonville Meadows)
South	Residential (Sundial Apartments)
West	Vacant Industrial (Mentor Graphics); Residential (Ash Meadows)

Natural Characteristics:

The subject site contains gentle- to moderate-slopes, draining generally from north to south. The site is characterized as sparsely vegetated, except surrounding existing homes and associated structures. Trees are scattered throughout the site. The site does not contain any City of Wilsonville inventoried cultural, historic, or natural resources, although off-site drainage improvements are proposed to impact portions of the Significant Resource Overlay Zone (SROZ).

Streets:

Boeckman Road acts as a baseline for Canyon Creek Road, with Canyon Creek Road North lying to its north, and Canyon Creek Road South lying to its south. The site is bounded on the east by SW Canyon Creek Road South. A right-of-way for an alignment of the future southerly extension of Canyon Creek Road North abuts the site at its northwest corner. The right-of-way of Canyon Creek South is 50 feet wide; the right-of-way of future southerly extension of Canyon Creek Road North is 62 feet wide.

2. **Finding: Previous Planning Applications Relevant in Vicinity**

Subject	Result
Partition	Partition Plat 1991-84
Partition	Partition Plat 1993-176
Partition	Partition Plat 1997-45
Partition	Partition Plat 1999-77

3. **Finding:** The Applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.

REQUEST (A): Approve a COMPREHENSIVE PLAN MAP AMENDMENT for the site

CONCLUSIONARY FINDINGS FOR REQUEST (A):

Comprehensive Plan – Comprehensive Plan Changes

Pages 7 through 10 of the City of Wilsonville's Comprehensive Plan updated April, 2004, provide the following procedure for amending the Comprehensive Plan:

Who May Initiate Plan Amendments

- A1. Finding:** The subject property owners through their authorized agent (the applicant) have made application to modify the Comprehensive Plan map designation for their property from 0-1 DU/AC to 4-5 DU/AC.

Application for Plan Amendment

- A2. Finding:** The applicant has met all applicable filing requirements for a Comprehensive Plan Map amendment.

Consideration of Plan Amendment

- A3. Finding:** The Planning Division received the application on December 19, 2003. Staff met with the applicant subsequent to the submittal of the application to discuss the completeness of the application and perceived deficiencies of the application. The Planning Division received the applicant's revised arborist report and revised plans on February 17, 2004. The final traffic report was received on March 24, 2004. Authorizations from affected owners were submitted on March 30, and April 6, 2004. The application was deemed complete on April 6, 2004.
- A4. Finding:** The findings and recommended conditions of approval adopted by the Development Review Board in review of the application to modify the Comprehensive Plan Map designation will be forwarded as a recommendation to the City Council.

Standards for Development Review Board and City Council Approval of Plan Amendments (page 8 of the Comprehensive Plan):

- a. *The proposed amendment is in conformance with those portions of the Plan that are 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 following factors have been adequately addressed in the proposed amendment:*
Suitability of the various areas for particular land uses and improvements;

Land uses and improvements in the area;
Trends in land improvement;
Density of development;
Property values;
Needs of economic enterprises in the future development of the area;
Transportation access;
Natural resources; and
Public need for healthful, safe and aesthetic surroundings and conditions.

e. Proposed changes or amendments to the Comprehensive Plan do not result in conflicts with applicable Metro requirements.

- A5. Finding:** At the writing of this report, the applicant has satisfied Plan requirements of citizen involvement. The applicant has yet to satisfy the requirements of the Plan relative to and residential planning densities and community design that specifically address the impact of the proposed development on the provision of franchise and emergency services, and pedestrian and vehicular connectivity.
- A6. Finding:** Policy 4.1.4 and Implementation Measures 4.1.4.f, 4.1.4.l, and 4.1.4.p of the Comprehensive Plan speak to the City's desire to see the development of housing that is affordable to and serves employees working in the City. The proposed project would provide an incremental net increase of 70 single-family homes within the City.
- A7. Finding:** The traffic study completed for this project (Exhibit 12), and an addendum (Exhibit 13), indicate that the proposed entry streets provides sufficient access for emergency vehicles and comply with the traffic level of service requirements of the Development Code and the Transportation Systems Plan.
- A8. Finding:** The properties within the proposed project site are currently large lots, most of which include single-family homes that were developed on what was agricultural land. The proposed project is surrounded by higher density, single-family homes on the south, east and west sides. Implementation Measures 4.1.4.b, d, and o speak to the City's desire to see a diversity of housing types and affordability. The applicant's proposal would provide adding to the diversity of single family home choices in the City. Through the conditions of approval proposed by staff, the project could be adequately served with urban services and would minimize off-site impacts.
- A9. Finding:** Metro's Functional Plan limits cul-de-sac lengths and the distance between local roads. The applicant has provided findings addressing these concerns (see Exhibits 10 and 16c).

Public Notice

A10. Finding: Public Notice of the June 28, 2004, Development Review Board and the July 19, 2004, City Council public hearings regarding this application was mailed and posted on June 8, 2004.

Wilsonville Development Code (WC) – Comprehensive Plan Changes

Subsection 4.198(.01) of the Development Code stipulates, "Proposals to amend the Comprehensive Plan, or to adopt new elements or sub-elements of the Plan, shall be subject to the procedures and criteria contained in the Comprehensive Plan. Each such amendment shall include findings in support of the following:

Approval Criterion A: "That the proposed amendment meets a public need that has been identified;"

A11. Finding: The "Residential Development" portion of the Comprehensive Plan (Policy 4.1.4) identifies the need for additional housing within the City to serve housing and economic needs of residents and employees working within the City. The December 2001 Development Summary completed by the City indicates that approximately 23% of 4,502 acres of land within the City is zoned Planned Development Residential (PDR). Of the land currently zoned PDR, only seven (7) percent is vacant. While single family development currently makes up over 41% of the housing units in the City, the 2000 Census figures for Wilsonville shows a vacancy rate of 2.6% for owner-occupied housing units in the City. By comparison, multi-family housing makes up over 45% of the housing stock in the City and was at a 9.5% vacancy rate in 2000. Of the 5,937 'occupied housing units' in the City in the year 2000, 3,199 (54%) were owner occupied, and 2,738 (46%) were renter-occupied. (The Census figures do not make a distinction between single-family detached housing and attached housing [condos, etc.]). While the Census figures show a greater percentage of the city's housing stock being owner occupied, the vacancy rate would suggest a higher demand for this type of housing.

Land Use							
Type	Total Acres	% of Total	Acres in Use	% of Type	% of Total	Acres Vacant	% Vacant - Type
PDC	340	7.55%	262	77.06%	5.82%	78	22.94%
PDI	1084	24.08%	891	82.20%	19.79%	193	17.80%
PDR	1051	23.35%	980	93.24%	21.77%	71	6.76%
R	110	2.44%	85	77.27%	1.89%	25	22.73%
RA-H	650	14.44%	301	46.31%	6.69%	349	53.69%
PF	594	13.19%					
Other	673	14.95%					
Total	4502	100.00%	2,519			716	

Housing Units

<i>Type</i>	Total	% of Total
Apartment	3560	46.93%
Condominium	427	5.63%
Duplex	68	0.90%
Mobile Homes	22	0.29%
Mobile Home/Park	416	5.48%
Single Family ⁵	3093	40.77%
Totals	7586	100.00%

Census 2000

Dwelling Units	6407
Owner occupied	5937
<i>Vacant</i>	470
For Sale Only	17.90%
For Rent	61.10%
Rec/Occ use	11.30%

Vacancy Rate

Owner	2.60%
Rental	9.50%

The proposed project would increase the percentage of land in PDR zoning and single-family houses by a negligible amount.

Approval Criterion B: “That the proposed amendment meets the identified public need at least as well as any other amendment or change that could reasonably be made;”

A12. Finding: The current Comprehensive Plan designation for the subject properties is Residential with a density range of 0-1 dwelling units per acre. The Zoning Map identifies the subject properties as Residential Agricultural – Holding (RA-H). The Planned Development Regulations of the Development Code require that the subdivision of properties such as the subject properties (over two acres) result in a Planned Development community. The applicant proposes a net density of 5.3 dwelling units per acre. The Comprehensive Plan allows a range of densities from 0-1 dwelling units per acre to over 20 dwelling units per acre. The properties to the southwest, south, and east of the proposed project are designated residential on the Comprehensive Plan Map of the City. The subject property has a Comprehensive Plan designation of ‘Residential’ with a density of 0-1 dwelling units per acre, while the properties to the southwest, south and east have a designation of 6-7 dwelling unit per acre. It is appropriate to designate these properties as residential. In addition, the proposed subdivision has similarities in site density and housing product to other subdivisions nearby such as Wilsonville Meadows and Landover subdivisions, making the proposed transitional density of 4-5 du/ac appropriate. Comparisons to the single family density of Wilsonville Meadows need to

⁵ With proposed project.

consider the overall density of the project that includes multi-family projects such as Berkshire Court and Hathaway Village that are part of the overall master plan.

Approval Criterion C: "That the proposed amendment supports applicable Statewide Planning Goals, or a Goal exception has been found to be appropriate;"

A13. Finding: With the implementation of the proposed conditions of approval, the project supports the applicable Statewide Planning Goals.

Approval Criterion D: "That the proposed change will not result in conflicts with any portion of the Comprehensive Plan that is not being amended."

A14. Finding: The applicant is requesting an amendment of the Comprehensive Plan Map for the subject properties. The applicant does not propose to modify or amend any other portion of the Comprehensive Plan or Plan Map.

METRO'S URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN

A15. Finding: Title 1 of the Urban Growth Management Functional Plan (UGMFP) requires 80% Maximum density at build-out of any particular parcel. With the rewrite of the City's Development Code in November 2000, the lower end of the planned density range was increased to reflect this 80% requirement. The applicant is requesting a zone change to Planned Development Residential (PDR-3) which corresponds to a Comprehensive Plan Map density of 4-5 dwelling units per acre.

SUMMARY FINDING FOR REQUEST (A):

A16. Finding: The applicant's proposed Comprehensive Plan Amendment meets all applicable requirements, and its approval may be recommend to the City Council.

STAFF RECOMMENDATION FOR REQUEST (A):

Based on findings of fact 1 - 3, analysis and conclusionary findings A1 through A16, staff recommends that the Development Review Board forward the Comprehensive Plan Amendment to City Council for a hearing on July 19, 2004, along with the recommended conditions necessary to fully comply with the requirements of the Code. Proposed conditions of approval are found on page 21 of this report.

REQUEST (B): Approve a STAGE I PRELIMINARY PLAN for the site

CONCLUSIONARY FINDINGS FOR REQUEST (B):

Site Information. *Subsections 4.009(.01) and 4.140(.07)(A)(1):*

B1. Finding: The applicant has demonstrated ownership of the subject property in the form of written consent of ten property owners (Applicant's Exhibit 4).

B2. Finding: The subject property is proposed to be rezoned from Residential Agricultural - Holding Zone (RA-H) to a Planned Development Residential (PDR-3) zone. The proposed residential use of the property is in compliance with uses typically found in the zone.

Subsection 4.140(.05): *Planned Development Permit Process*

B3. Finding: The applicant's response to these criteria is found in the narrative (Exhibits 10, and 11). The proposed project is not allowed to proceed nor receive a building permit until all applicable review criteria have been satisfied. By the applicant's submittal, these criteria have been met.

Subsection 4.140(.07)(A): *Preliminary Approval (Stage One) Application Requirements*

B4. Finding: The applicant's proposal is provided by professional services in response to this criterion, as found in Exhibits 10 and 16a. This criterion is satisfied.

Subsections 4.140(.07)(B) & 4.035(.04): *Preliminary Approval (Stage One) Application Requirements and Site Development Permit Application*

B5. Finding: The applicant's response to Subsection 4.140(.07)(B) cannot be found in Exhibits 10 or 11. The applicant has not submitted evidence of the intention to commence construction of the project within two years of receiving Stage II Final Plan approval, nor a commitment to install, or provide acceptable security for the capital improvements required by the project, at the time of Stage II Final Plan. A full accounting of project details is required. These criteria are not yet met.

SUMMARY FINDING FOR REQUEST (B):

B6. Finding: The applicant's proposal does not satisfy all applicable Code requirements and standards, as discussed above. The applicant's proposal can be made to satisfy all applicable Code requirements for approval of a Stage I Preliminary Plan, if the proposed conditions of approval are included.

STAFF RECOMMENDATION FOR REQUEST (B):

Based on findings of fact 1 - 3, analysis and conclusionary findings B1 through B6, staff recommends that the Development Review Board **approve** the applicant's request for Stage I Preliminary Plan as illustrated in the Site Overview (Exhibit 16c), along with the recommended conditions necessary to fully comply with the requirements of the Code. Proposed conditions of approval are found on page 21 of this report.

REQUEST (C): Approve a ZONE MAP AMENDMENT for the site

CONCLUSIONARY FINDINGS FOR REQUEST (C):

The subject properties are currently zoned Residential Agricultural Holding (RA-H). The purpose of the RA-H Zone is set forth in the 4.120 of the Code. The proposed Zone Map amendment from RA-H to PDR-3 is intended to serve as a procedure to evaluate the conversion of urbanizable land to urban land consistent with the Comprehensive Plan. Because the service levels vary throughout the City, the zoning process allows for a case-by-case analysis of the availability of public facilities and services and to determine specific conditions related to needed public facilities improvements. All land development proposals are reviewed for conformity with the Comprehensive Plan and specific standards set forth in the zoning ordinance. As set forth in Subsection 4.197(.02) of the Wilsonville Code, in recommending approval or denial of a proposed zone map amendment, the Development Review Board must at a minimum, adopt findings addressing Criteria A-G, below.

Criterion 'A'

"That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008 or, in the case of a Planned Development, Section 4.140."

- C1. Finding:** The applicant has provided findings in Exhibit 10 addressing the tentative plat criteria and the zone map amendment criteria.

Criterion 'B'

"That the proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with the applicable goals, policies and objectives, set forth in the Comprehensive Plan text."

- C2. Finding:** The applicant has provided findings in Exhibit 10 in response to these Code criteria. Staff is recommending approval of the proposed Comprehensive Plan Map amendment, with conditions of approval contained in this staff report. Approval of the proposed amendment to the Zoning Map is contingent upon approval of the Comprehensive Plan Map amendment by the City Council.
- C3. Finding:** The land area of the proposed subdivision is 19.35 acres. The applicant is proposing to change the Comprehensive Plan designation from 0-1 dwelling units per acre to 4-5 dwelling units per acre. Proposed are a total of 79 lots, making the gross density of the proposed subdivision four (4) dwelling units per acre. Net density (gross minus streets) is 5.3 dwelling units per acre.

Comprehensive Plan – Residential Development

Variety/Diversity of Housing

Implementation Measures 4.1.4.c, 4.1.4.g, 4.1.4.j, 4.1.4.k, 4.1.4.l, and 4.1.4.p speak to the City's desire to plan for and establish a variety and diversity of housing types that meet the social and economic needs of the residents, including the need for affordable housing and a balance of housing with jobs.

C4. Finding: The applicant's proposal would provide an incremental net addition of 70 single-family houses. Response findings to 4.198(.01)(A) speak to the need for additional single-family housing in the City.

Implementation Measures 4.1.1.j, 4.1.4.i, 4.1.4.o, and 4.1.4.r speak to the City's desire to approve new residential development concurrent with the availability of public facilities.

C5. Finding: Water, sanitary sewer, and storm sewer are either available to the proposed project (with appropriate connections) or can be supplied to the project. The applicant/owner will be responsible for providing on-site storm water detention for water quality and quantity. The applicant will also be responsible for providing public streets within the project with appropriate right-of-way, and two (or three) connections to the planned public southerly extension of Canyon Creek Road North, full- and half-street improvement to that extension along the project's westerly frontage. The applicant will be required to cap all existing on-site utilities prior to the issuance of building permits by the City.

Implementation Measure 4.1.4.h: "Require new housing developments to pay an equitable share of the cost of required capital improvements for public services."

C6. Finding: The applicant/owner will be required to pay the equitable share (as determined by the Community Development Director) of the capital improvement costs for public services.

C7. Finding: The entirety of the subject properties has a Comprehensive Plan designation of Residential, 0-1 dwelling units per acre. The applicant is proposing a Comprehensive Plan Map designation of 4-5 dwelling units per acre. See Request A, beginning on page 7 of this report.

Zone Map

C8. Finding: The subject properties are currently zoned Residential Agricultural – Holding (RA-H). The applicant proposes a change to Planned Development Residential (PDR-3) zone to accommodate a total of 79 single-family lots averaging 5,280 SF each, and the retention of nine (9) existing single family homes (Exhibit 10).

Significant Natural Resources

- 1) **Finding:** The applicant has provided a depiction of the SROZ and Impact Area boundaries relative to the proposed project, which is described in the narrative (Exhibits 10 and 11). Based on the material submitted to date, it appears that a portion of the drainage improvements for the proposed project would encroach into the SROZ and the Impact Area (Exhibit 10).

Area of Special Concern

- C9. **Finding:** The Comprehensive Plan does not identify the subject property as an area of special concern.

Criterion ‘C’

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

- C10. **Finding:** The subject properties are designated “Residential” on the City’s Comprehensive Plan Map. The above section of the Comprehensive Plan, mentioned by the applicant regarding this subsection of the Development Code, refers to an older version of the Comprehensive Plan. The corrected references are shown below:

- Goal 4.3 → Implementation Measure 4.1.4.b
- Objective 4.3.3 → Implementation Measure 4.1.4.d
- Objective 4.3.4 → Implementation Measure 4.1.4.e
- Policy 4.4.2 → Implementation Measure 4.1.4.q
- Policy 4.4.8 → Implementation Measure 4.1.4.x

The current text is as follows:

“In the event that the subject property, or any portion thereof, is designated as "Residential" on the City's Comprehensive Plan Map; specific findings shall be made addressing substantial compliance with Implementation Measures 4.1.4.b, d, e, q, and x of Wilsonville's Comprehensive Plan text...”

Implementation Measure 4.1.4.b – Variety in Housing Type

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

- C11. Finding:** The low vacancy rates of similar subdivisions in the City provide circumstantial evidence that there is demand for the housing product proposed by the applicant. Adequate public services could be made available to the site.

Implementation Measure 4.1.4.d – Diversity of Housing Types

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

- C12. Finding:** The applicant has not indicated whether a variety of house models are proposed for the subdivision.

Implementation Measure 4.1.4.e

“Targets are to be set in order to meet the City’s Goals for housing and to assure compliance with State and regional standards.”

- C13. Finding:** The City has established a 50% multi-family, 40% single-family target for housing in the City. The December 2001 Development Summary estimate by the City indicates a current split of 46.93% multi-family to 40.77% single-family. The proposed project would change this split to 46.93% multi-family and 41.7% single-family.

Implementation Measure 4.1.4.q

“The City will continue to allow for mobile homes and manufactured dwellings, subject to development review processes that are similar to those used for other forms of housing. Individual units will continue to be allowed on individual lots, subject to design standards. Mobile home parks and subdivisions shall be subject to the same procedures as other forms of planned developments.”

- C14. Finding:** The applicant is not proposing mobile homes in this application.

Implementation Measure 4.1.4.x

“Apartments and mobile homes are to be located to produce an optimum living environment for the occupants and surrounding residential areas. Development criteria includes:

1. *Buffering by means of landscaping, fencing, and distance from conflicting uses.*
2. *Compatibility of design, recognizing the architectural differences between apartment buildings and houses.*
3. *On-site recreation space as well as pedestrian and bicycle access to parks, schools, mass transit stops and convenience shopping.*
4. *The siting of buildings to minimize the visual effects of parking areas and to increase the availability of privacy and natural surveillance for security.”*

C15. Finding: The applicant is proposing neither apartments nor mobile homes in this application.

Criterion ‘D’ – Public Facilities

“That the existing primary public facilities, i.e., roads and sidewalks, water, sewer and storm sewer are available and are of adequate size to serve the proposed development; or, that adequate facilities can be provided in conjunction with project development. The Planning Commission and Development Review Board shall utilize any and all means to insure that all primary facilities are available and are adequately sized.”

C16. Finding: The City Engineer’s Public Facilities (PF) conditions, imposed upon the subsequent Stage II Final Plan application, will require the applicant to provide adequate road, water, and sewer infrastructure to serve the proposed project. These conditions require that all Public Works permits granted to the applicant/owner will be in accordance with the need determined by the City Engineer to serve the proposed project.

Criterion ‘E’ – Significant Resource Overlay Zone

“That the proposed development does not have a significant adverse effect upon Significant Resource Overlay Zone areas, an identified natural hazard, or an identified geologic hazard. When Significant Resource Overlay Zone areas or natural hazard, and/or geologic hazard are located on or about the proposed development, the Planning Commission or Development Review Board shall use appropriate measures to mitigate and significantly reduce conflicts between the development and identified hazard or Significant Resource Overlay Zone.”

C17. Finding: The Natural Resources Program Manager’s Report, to be provided regarding the subsequent Stage II Final Plan application, will prescribe conditions of approval and specific requirements to address these encroachments.

Criterion 'F'

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

- C18. Finding:** The applicant's submittal document indicates intent to incrementally develop the 59 new lots shown on the tentative plat after final approvals are obtained from the City. (The applicant proposes 79 lots overall, plus a small, undetermined number needed for minimum density compliance.) The applicant offers no schedule for the full build-out of the remnant lots or adjacent parcels.

Criterion 'G'

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

- C19. Finding:** Staff is recommending conditions of approval for the proposed project that should bring the project into compliance with all applicable development standards.

Subsection 4.197(.03) provides that *"If affirmative findings cannot be made for all applicable criteria listed above the Planning Commission or Development Review Board shall recommend that the proposed text or map amendment, as the case may be, be denied."*

- C20. Finding:** Staff has made affirmative findings for subsection 4.197(.02)(A)-(G), above. Staff is also recommending conditions of approval for the project to ensure compliance with the subject code criteria.

Subsection 4.197(.04) stipulates that the *"City Council action approving a change in zoning shall be in the form of a Zoning Order."*

- C21. Finding:** Staff is recommending approval of the Stage I Preliminary Plan of the proposed project, with conditions of approval. A City Council Zoning Order will be required prior to approval of the remaining applications, reviewed later in this report.

Subsection 4.197(.05) provides *"In cases where a property owner or other applicant has requested a change in zoning and the City Council has approved the change subject to conditions, the owner or applicant shall sign a statement accepting, and agreeing to complete the conditions of approval before the zoning shall be changed."*

- C22. Finding:** Staff is recommending a condition of approval that would implement the City Council Zoning Order, contingent on the completion of the conditions of approval adopted by City Council.

SUMMARY FINDING FOR REQUEST (C):

C23. Finding: The applicant's proposed Comprehensive Plan Amendment meets all applicable requirements, and its approval may be recommend to the City Council.

STAFF RECOMMENDATION FOR REQUEST (C):

Based on findings of fact 1 - 3, analysis and conclusionary findings C1 through C23, staff recommends that the Development Review Board forward the Zone Map Amendment to City Council for a hearing on July 19, 2004, along with the recommended conditions necessary to fully comply with the requirements of the Code. Proposed conditions of approval are found on page 21 of this report.

03 DB 43 (A) – (C)
Urban Solutions for Renaissance Homes
Comprehensive Plan Amendment
Stage I Preliminary Plan
Zone Map Amendment

RECOMMENDED CONDITIONS OF APPROVAL FOR REQUESTS (A) – (C):

REQUEST (A) - Comprehensive Plan Map Amendment

- A1. This action recommends adoption of the Comprehensive Plan amendment to the City Council, as entered into the record on June 28, 2004.

REQUEST (B) - Stage I Preliminary Plan

- B1. This action recommends adoption of the Zone Map amendment and Stage I Preliminary Plan to the City Council, as entered into the record on June 28, 2004.
- B2. The Stage I Preliminary Plan will expire two years after final approval if substantial development has not occurred on the property within that time, unless extended by the DRB for just cause.
- B3. The applicant shall provide such schedules, demonstrations, and commitments as are required by Sections 4.140(.07)(B)(4) and (5), prior to the Board's consideration of an application for approval of a Stage II Final Plan.

REQUEST (C) - Zone Map Amendment

- C1. This action recommends adoption of the Zone Map amendment and Stage I Preliminary Plan to the City Council, as entered into the record on June 28, 2004.

Applicable Review Criteria:

Zoning Review Criteria:	
Sections 4.008-4.035	Application Procedure
Section 4.100	Zoning Purpose
Section 4.118 (as applicable)	Standards Applying to All Planned Development Zones
Section 4.118(03)	Waivers
Subsection 4.118.02	Utilities
Section 4.120 (as applicable)	Residential Agricultural - Holding (RA-H) Zone
Section 4.124.3 (as applicable)	Planned Development Residential (PDC-3) Zone
Section 4.140	Planned Development Regulations
Section 4.140(.07)	Stage I Preliminary Plan
Section 4.140(.07)(A)(1)	Owner's Authorization of Affected Property for Development
Other Planning Documents:	
Metro's Urban Growth Management Functional Plan	
Storm Water Master Plan	
Transportation Systems Plan	

EXHIBITS

The following exhibits are hereby entered into the public record by the Development Review Board in consideration of the application as submitted:

Exhibit No.	Description
A	Staff Report (this document)
1	Vicinity Map (Public Notice Map)
2	Tax Map (T3S, R1W, Section 23A; portion)
3	Application form; dated 12/16/2004
4	Authorization letter (12 signatories); dated 12/12/2003
5	Authorization letter, C. Zimmerman; dated 3/26/2004
6	Authorization letter, Mentor Graphics; dated 4/5/2004
7	Calculation summary; date 1/23/2004
8	Legal Description, Parcel 1; dated 12/9/2003
9	Legal Description, Parcel 2; dated 12/9/2003
10	Applicant's narrative (relevant portion); dated 2/12/2004
11	Applicant's narrative addendum; dated 2/11/2004
12	Transportation Impact Study; dated 4/16/2003
13	Memo from DKS Associates; dated 3/26/2004
14	Comprehensive Plan Map
15	Zone Map
16	Drawings:
a.	Title Sheet [Applicant's Sheet 1]; dated 2/17/2004
b.	Zone Change/Stage I Master Plan [Applicant's Sheet 2]; dated 2/17/2004
c.	Site Overview: Pre[liminary]-Plat 1 + 2 – Stage II Master Plan [Applicant's Sheet 3]; dated 2/17/2004
17	Authorization letter (one signature); dated 6/23/2004

PLANNING DIVISION
STAFF REPORT & RECOMMENDATION

DATE: August 30, 2004
TO: Honorable Mayor and City Councilors
FROM: Blaise Edmonds, Manager of Current Planning

SUBJECT: Planning File No. 03DB43 (A- C): Urban Solutions acting as an agent for Renaissance Homes, Applicant. Proposed Comprehensive Plan Map amendment, Zone Map amendment and Stage I Preliminary Plan for the proposed residential subdivision.

SUMMARY:

On June 28, 2004, Panel B of the Development Review Board recommended approval of the proposed Comprehensive Plan Map amendment, Zone Map amendment and Stage I Preliminary Plan. On August 23rd Panel B approved Requests D – H, which includes the proposed Tentative Subdivision Plat, Stage II Final Plans, Site and Design Plans, Type C Tree Plan and 5-waivers to the Wilsonville Code. Those approvals are contingent upon City Council approval of the proposed Comprehensive Plan Map amendment, Zone Map amendment and the Stage I Preliminary Plan.

The Development Review Board voted 4-0 to recommend approval of the proposed Comprehensive Plan amendment, Zone Map amendment and Stage I Preliminary Plan. The findings and conclusions in Exhibit 'C' (*original staff report with proposed findings and conditions of approval*) support the Development Review Board decision for approval.

The Development Review Board adopted staff recommendations and findings included as Exhibit C of proposed Ordinance No. 570, imposing one new condition:

- A. The applicant shall provide such schedules, demonstrations, and commitments as are required by Section 4.140(.07)(B)(4) and (5), prior to the board's consideration of an application for approval of a Stage II Final Plan.

RECOMMENDATION

After conducting a duly advertised public hearing, that the City Council act favorably on the Development Review Board recommendation of June 28, 2004 to approve the request. Appropriate Council action would be adoption of proposed Ordinance No. 570.

DISCUSSION/BACKGROUND

- The applicant, Urban Solutions agent for Renaissance Homes proposes the development of a 73-lot residential planned development (subdivision), along with associated site improvements, for the property located west of SW Canyon Creek Road South, 360 feet south of Boeckman Road. Total development site area is comprised of an assembly of discontinuous parcels, which total approximately 19.32 acres and has the potential for a total 82 lots.

The following requests apply to the subject property, as defined in the applicant's submittal documents:

- (A) Approve Comprehensive Plan Map Amendment (Residential 0 – 1 du/ac to Residential 3 – 5 du/ac;
- (B) Approve a Stage I Preliminary Plan;
- (C) Approve a Zone Map Amendment from Residential Agricultural - Holding Zone (RA-H) to Planned Development Residential (PDR-3).

- No areas in the proposed project are designated Significant Resource Overlay Zone (SROZ). However two off-site water quality treatment/detention facilities are proposed, each of which involve construction activities within the SROZ.

- The proposal meets the Planning and Land Development Ordinance and with the goals, policies, and implementation measures of the City of Wilsonville Comprehensive Plan.

- Primary facilities, i.e., roadways, water and sanitary sewer, are or shortly will be available and are of adequate size to serve the subject territory. Thus, adequate facilities can be provided.

- The public interest is best served by granting the Comprehensive Plan Map amendment and Zone Map amendment at this time since there is a high demand single-family housing.

See the Planning Division Staff Report, Exhibit C, of proposed Ordinance No. 570 for additional detail and findings of fact.

The decision of the August 23rd Development Review Board meeting:

After conducting a duly advertised public hearing, the DRB acted favorably to approve the following requests:

- (D) Approved a Stage II Final Plan;
- (E) Approved a proposed 73-lot tentative subdivision plat;
- (F) Approved Site Design Review Plans for all site amenities and common open space;
- (G) Approved Type 'C' Tree Removal Plan for the removal of 133 trees; and,

(H) Approved four (4) waivers to the Wilsonville Code.

These approvals are contingent upon the City Council approval of Requests A, B and C. General background documents for the above approvals are included in the City Council packet.

STAFF REPORT
WILSONVILLE PLANNING DIVISION
DEVELOPMENT REVIEW BOARD PANEL 'B'

Public Hearing Date: August 23, 2004
Date of Report: August 16, 2004 (*Amended by the DRB on 8/23/2004*)

Application: 03 DB 43 (2)

Description of Proposal/Requests:

Urban Solutions, acting as agent for Renaissance Homes, proposes the initial development of a ~~72-lot~~ 73-lot¹ residential planned development (subdivision), along with associated site improvements, for the property located west of SW Canyon Creek Road South, 360 feet south of Boeckman Road. Total development site area is comprised of an assembly of discontinuous parcels which total approximately 19.35 acres (Exhibits 8 and 9), and has the potential for a total of 82 lots. (**Amended by the DRB on 8/23/2004**)

The following requests apply to the subject property, as defined in the applicant's submittal documents:

- (D) Approve a Stage II Final Plan;
- (E) Approve a proposed ~~72-lot~~ 73-lot tentative subdivision plat; (**Amended by the DRB on 8/23/2004**)
- (F) Approve Site Design Review Plans for all site amenities;
- (G) Approve Type 'C' Tree Removal Plan for the removal of 133 trees; and,
- (H) Approve ~~eight (8)~~ four (4)² requested waivers to the Wilsonville Code. (**Amended by the DRB on 8/23/2004**)

Location: The subject property is located west of Canyon Creek Road South, 360 feet south of Boeckman Road, more specifically described as Tax Lots 1500, 1501, 1600, 1601, 1700, 1800, 1900, 2100, 2200 and 2301, in Section 13B; Township 3S, Range 1W; Clackamas County; Wilsonville, Oregon.

Applicant: Urban Solutions, agent for Renaissance Homes

Owners: Patricia Smith Trust; Michael and Heidi Swickard; Marie McNeany; Shirley Walker; Dorothy Bernard; Larry and Delaine Huckey; Todd and Kara Eck; Gerald and Cleo Downs; and James Boster.

¹ The number of proposed lots was amended orally by the applicant at the hearing on 8/23/2004, as reflected in oral testimony and Exhibit 45.

² The number of requested waivers was amended by the applicant in writing (Exhibit 40), and orally at the hearing on 8/23/2004.

Other Participants: Mentor Graphics Corp.; Christopher Zimmerman; and, the City of Wilsonville

Comp. Plan Designation: Residential 0 –1 du/ac

Zone Map Designation: Residential Agricultural - Holding Zone (RA-H)

Vicinity Map: Exhibit 1

Staff Reviewer: Michael R. Wheeler, Associate Planner

Note: The statutory 120-day time limit applies to this application. The application was received on December 19, 2003. The applicant was sent one letter identifying the application as incomplete on January 20, 2004. The application was deemed complete on March 26, 2004. However, because this portion of the application is dependent upon a Comprehensive Plan Map Amendment, the date by which the City must render a final decision, including any appeals, for Requests D through H will not begin until a decision is final regarding that amendment, scheduled to be heard August 30, 2004.

Frames of Reference: Figure 1, below, reflects street names currently in use in the neighborhood, as used in this report. Please note that some names used by the applicant differ from those in use in the neighborhood (Exhibits 10, 11, 33 and 37). Figure 2 provides an overview of the applicant's proposal. Staff hopes that the Board's comparison of these two figures will assist the in review of this application.

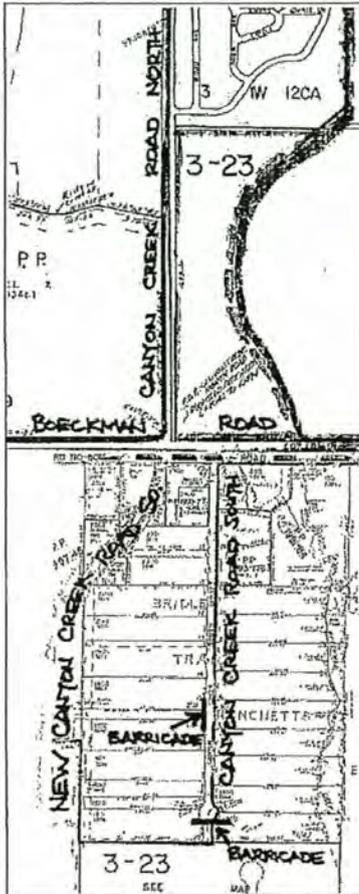


Figure 1

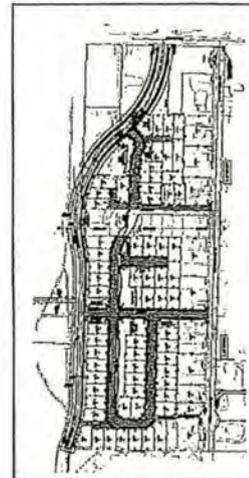


Figure 2

OVERALL SUMMARY OF ISSUES

In an earlier consideration of a portion of the application by the Board on June 26, 2004, the Board forwarded a recommendation to the City Council for approval of a Comprehensive Plan Map amendment, Zone Map amendment, and Stage I Preliminary Plan, to allow the incremental development of single-family homes on the subject ten parcels, located west of Canyon Creek Road South, approximately 360 feet south of Boeckman Road. Under the applicant's proposal, the Comprehensive Plan Map designation would change from its current density of 0-1 dwelling units per acre to 4-5 dwelling units per acre. The Zone Map designation would change from Residential Agricultural – Holding (RA-H) to Planned Development Residential (PDR-3). Consideration of the Board's previous recommendation is pending before the City Council, and is scheduled to be heard August 30, 2004.

In this portion of the application, the applicant is seeking approval of a Stage II Final Plan, Tentative Subdivision Plat, Type 'C' Tree Removal Plan, Site Design Review Plans for the common elements of the proposed subdivision, and eight (8) Waivers,.

The project, as proposed, would preserve the nine (9) existing homes **and one (1) vacant lot** on the subject property, each on their own resulting lot, and incrementally add ~~72~~ **73** additional single family home lots, to be created over an unspecified period of time. **(Amended by the DRB on 8/23/2004)**

Upon submittal of the application on December 19, 2003, the applicant requested waivers from the minimum side yard setbacks, minimum street frontage requirements, required sidewalks on both sides of streets, required lot depth for through lots, and minimum pedestrian pathway spacing. On July 27, 2004, the applicant added three (3) additional waivers, for a total of eight (8) waivers (Exhibit 37). **On August 10, 2004, the applicant withdrew one (1) waiver (Exhibit 40), and on August 23, 2004, at the hearing, the applicant orally withdrew three (3) requested waivers. (Amended by the DRB on 8/23/2004)**

No areas in the proposed project are designated Significant Resource Overlay Zone (SROZ). However, off-site drainage improvements will impact a wetland west of the proposed subdivision, and be drainage will be directed to Basalt Creek and Boeckman Creek, west and east, respectively, both of which are within the SROZ. Permission for these improvements has been secured from both property owners (Exhibits 5 and 6). See the discussion of this impact on page 13 of this report.

Residential development standards require that 25% of the site be set aside for outdoor recreation or open space. This requirement is met through this proposal by areas of common open space and active outdoor recreation (12%), and through rear yards (13%), for a combined total of 25%. This amount meets the minimum Code requirement for open space.

The traffic study for this project (Exhibits 12 and 13) estimates 67 p.m. peak hour trips. Thirteen of these trips would use the Stafford Road/I-5 interchange while eight (8) would

use the Wilsonville Road/I-5 interchange. The traffic study also indicates that traffic generated by this project would not produce traffic congestion in excess of the allowed level of service (LOS "D") at the most probable used intersections. The staff notes that because the majority of peak hour trips are directed to the north interchange, the proposed development is not subject to trip limitations (Exhibit 31).

The applicant is relying upon the City to acquire right-of-way for construction of the southerly extension of Canyon Creek Road, south of Boeckman Road.

The applicant has a cooperative arrangement with the City to dedicate the area known as Hackamore Street as a public street (Street "C") as part of the proposed project. The property is owned by the City, but is not dedicated as public right-of-way. The applicant proposes to dedicate additional right-of-way along the route of the existing City ownership to enable a right-of-way of 50 feet in width.

The application has gone through two iterations of design since initially submitted on December 19, 2003. The currently-proposed design is reflected in Exhibits 35a, 35b and 35c; all other exhibits have not been redrawn and resubmitted to replace the originals. All references to "the proposal" or "applicant's proposal" in this report are to the design represented in Exhibits 35a, 35b and 35c. To the extent that other drawings do not demonstrate compliance with Code provisions, but which compliance can be accommodated by the applicant's current proposal, staff is proposing conditions intended to achieve that result.

The project provides two access streets onto the southerly extension of Canyon Creek Road, and one onto Canyon Creek Road South. The length of the interim dead-end streets exceed the 200-foot maximum of the Code. While the Code makes an exception for dead-end streets that are constrained by barriers such as steep slopes, such is not the case with the proposed subdivision. See the related discussion regarding site circulation on page 17, below.

The arborist report identifies 235 trees on site. The applicant proposes to remove 133 trees, and save 102. Tree mitigation is proposed in the form of 76 street two (2) inch caliper trees throughout the project (Exhibit 321).

The applicant's landscape plan (Exhibit 321) shows a planting scheme for street trees and the water quality buffer [Tract D (south)] within the proposed project. A planting scheme has not been submitted regarding the off-site drainage improvements.

The listed exceptions noted above can be remedied by the applicant at the Board's hearing, or conditions may be imposed upon an approval in order to make the proposal fully consistent with the applicable implementation measures and policies of the Comprehensive Plan, and the Code.

Existing public facilities are, or can be made to be, available and are of adequate size to serve the proposed subdivision. The applicant is responsible for construction of all internal streets to the project to public street standards. Staff also recommends that the

applicant construct a full street improvement along the southerly extension of Canyon Creek Road to the west property line of Tax Lot 2502; staff further recommends that the applicant construct a half-street improvement from there, to the southerly property line of the proposed project, and receive a street SDC credit for the westerly half of the full-street improvement.

Except for three of the four proposed private streets, for which a waiver has been requested, the applicant proposes five (5) foot wide sidewalks on both sides of each street throughout the project, and on both sides of the full-street improvement of the southerly extension of Canyon Creek Road, along the west side of the project site. Bike lanes are also proposed along both sides of the full-street improvement.

Except to propose to initially plat 72 73 lots, the applicant has not provided a phasing plan for the development of all of the 82 proposed lots. Instead, the applicant proposes to provide language in the proposed Conditions, Covenants and Restrictions (CC&Rs) that will require the owners of Lots 4 – 6 (north), and 21, 24 – 27 (south), to create the remaining lots as the result of any redevelopment in excess of remodeling or replacement of the existing dwellings. This redevelopment will occur in random sequence, effectively amounting to Phases 2 – 9 of the proposed planned development, but without need for a specified sequence. **(Amended by the DRB on 8/23/2004)**

While not a critical issue, the applicant's naming convention may cause the Board some confusion in the course of this review. Staff offers the following table in order to identify anomalies in public street names, private drive identification, and open space tract labeling (all exhibits). Where confusion could arise, staff will refer to the affected item along with its geographic location (i.e., north [plat] or south [plat]).

PROPOSED FEATURE	PRE[LIMINARY]-PLAT 1 (NORTH)	PRE[LIMINARY]-PLAT 2 (SOUTH)
<i>Public Streets</i>		
	Street A (north portion)	Street A (south portion)
		Street C
		Street D
		Street E
	Street F	
<i>Private Streets</i>		
		Street B
<i>Private Drives</i>		
	Tract B	
		Tract C
	Tract E	
<i>Open Space and Pedestrian Pathways</i>		
	Tract A (north)	Tract A
		Tract B
	Tract C	
	Tract D (north)	Tract D (south)
		Tract E
	Tract F (north)	Tract F (south)

PROPOSED FEATURE	PRE[LIMINARY]-PLAT 1 (NORTH)	PRE[LIMINARY]-PLAT 2 (SOUTH)
		Tract G
		Tract H

PREVIEW OF RECOMMENDATION FOR REQUESTS (D) – (H):

Staff recommends that, contingent upon affirmative City Council action regarding the three previously-considered requests [03 DB 43 (1)], the Development Review Board approve the proposed Stage II Final Plan, Tentative Subdivision Plat, Site Design Review Plans, Type ‘C’ Tree Removal Plan, and requested waivers, with the addition of proposed conditions herein, necessary to meet all applicable requirements.

FINDINGS OF FACT

1. Finding: Site Analysis Data (existing, from applicant's information)

AFFECTED PROPERTY		USE			AREA	
Tax Lots (Township 3S, Range 1W, Section 13B)	Owner(s)	Streets	Lots or Open Space	Easem't	Acres	% of Site
Authorized Participants³						
1500	P. Smith Trust	x	x			
1501	M. and H. Swickard	x	x			
1600	P. Smith Trust	x	x			
1601	M. McNeary	x	x			
1700	S. Walker	x	x			
1800	D. Bernard	x	x			
1900	L. and D. Huckey	x	x			
2100	T. and K. Eck	x	x			
2200	G. and C. Downs	x	x			
2301	J. Boster	x	x			
<i>Subtotal Participants</i>					<i>19.35⁴</i>	<i>100</i>
Other Participants⁵						
2601	Mentor Graphics Corp.	x		x		
2691	Mentor Graphics Corp.	x		x		
1200	C. and K. Zimmerman			x		
No Number Assigned (nontaxable)	City of Wilsonville	x				
Other Affected Parcels						
2502	G. and C. Downs	x				
2000	V. Dillion, Trustee	x		x		

Existing Site Conditions: The applicant provides a site description on page 2 of the original narrative (Exhibit 10). Most of the subject property is developed and zoned Residential Agricultural - Holding Zone (RA-H). Also participating are the owners of two parcels to the west (TLs 2601 and 2691), and one to the east (TL

³ Source: Authorization petition (Exhibit 4).

⁴ Source: Legal Descriptions, by Alpha Engineering, Inc.; Exhibits 8 and 9.

⁵ Source: Authorization letters (Exhibits 5, 6 and 17).

1200). Additionally affected owners involve right-of-way acquisition (TL 2000 and 2502), and future development (TL 2000).

Surrounding Development: The existing, adjacent land uses are as follows:

Compass Direction	Existing Use(s)
North	Industrial (Mentor Graphics); Residential
East	Residential (Bridle Trail Ranchetts; Arbor Crossing Subdivision; Wilsonville Meadows)
South	Residential (Sundial Apartments)
West	Vacant Industrial (Mentor Graphics); Residential (Ash Meadows)

Natural Characteristics:

The subject site contains gentle- to moderate-slopes, draining from northwest to southeast. The site is characterized as nine developed, and one vacant, rural home sites, including accessory structures and a number of significant trees (Exhibit 32a). The site does not contain any City of Wilsonville inventoried cultural, historic, or natural resources, although off-site drainage improvements are proposed to impact portions of the Significant Resource Overlay Zone (SROZ) west and east of the site.

Easements:

Existing easements are illustrated on the drawing entitled Street and Utility Plans (Exhibits 32j and 32k), although some known easements are not shown. Missing from this drawing is the presence of known bridle trail easements which were conveyed as part of the plat of Bridle Trail Ranchetts (Exhibit 42b), Bridle Trail Acres (Exhibit 42a), and preserved through subsequent partitions (Exhibits 43a, 43b and 43c).

Streets:

Boeckman Road acts as an east-west baseline for two existing segments of SW Canyon Creek Road. Canyon Creek Road North is located north of Boeckman Road, and, approximately 270 feet east, Canyon Creek Road South is located south of Boeckman Road (Staff report: Page 3, Figure 1). Street signs reflect these currently-used names, despite other names that appear on county tax maps, or in the applicant's drawings and narrative.

The site is located approx 360 feet south of (but not abutting) Boeckman Road. It is bounded on the east by SW Canyon Creek Road South.

An alignment of the future right-of-way of the planned southerly extension of Canyon Creek Road abuts the site at its northwest corner (Exhibit 2). The

existing right-of-way of Canyon Creek Road South is 50 feet wide; the future right-of-way of the planned southerly extension of Canyon Creek Road is 62 feet wide. Acquisition of portions of the needed right-of-way is being coordinated by the City's Urban Renewal staff and City Attorney.

2. **Finding: Previous Planning Applications Relevant in Vicinity**

The following table reflects partition activity relevant to the applicant's proposal. The location of each may be seen on Figure 1, on page 3 of this report.

Subject	Result
Partition	Partition Plat 1991-84
Partition	Partition Plat 1993-176
Partition	Partition Plat 1997-45
Partition	Partition Plat 1999-77

3. **Finding:** The Applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent, and resent as the applicant has amended the proposal, and all proper notification procedures have been satisfied.

REQUEST (D): Approve Stage II Final Plan for all site improvements and buildings within the entire project

CONCLUSIONARY FINDINGS FOR REQUEST (D):

Subsection 4.140(.09)(J)(1-3) stipulate the following criteria for Final Plan approval:

- “1. The location, design, size and uses, both separately and as a whole, are consistent with the Comprehensive Plan, and with any other applicable plan, development map or Ordinance adopted by the City Council.*
- 2. That the location, design, size and uses are such that traffic generated by the development can be accommodated safely and without congestion in excess of level service "D" defined in the highway capacity manual published by the National Highway Research Board on existing or immediately planned arterial or collector streets and will, in the case of commercial or industrial developments, avoid traversing local streets.*
- 3. That the location, design, size and uses are such that the residents or establishments to be accommodated will be adequately served by existing or immediately planned facilities and services.”*

4.140(.09)(J)(2) - Traffic

- D1. **Finding:** A Transportation Impact Study (Traffic Study; Exhibit 12) was completed for this application, and an addendum was provided (Exhibit 13). Because the majority of the traffic generated by the proposed project is expected to use the Stafford Road/I-5 interchange, the project is not subject to the Code provisions regarding its impact on the interchange of Interstate 5 (I-5) at Wilsonville Road.
- D2. **Finding:** Under the proposed (and recommended) PDR-3 zoning, the subject properties could generate 67 p.m. peak hour trips, with 13 of these trips using the Stafford Road Interchange, with eight (8) using the Wilsonville Road interchange.
- D3. **Finding:** The traffic study indicates that the traffic generated by this project would not produce traffic congestion in excess of LOS D at the study intersections, including the proposed entry streets.
- D4. **Finding:** The applicant/owner will be required to pay all applicable SDCs.

Comprehensive Plan– Implementation Measures 3.1.6a-3.1.6.cc - Transportation

- D5. **Finding:** The City’s 2003 Transportation System Plan (TSP) identifies Boeckman Road as a minor arterial. The TSP also establishes the design standards for arterial and major collector streets. While the TSP specifies minor arterial streets as having 71-to 77-feet of right-of-way and 50 feet of pavement width, with a three lane cross section, the City Council has agreed to construct the proposed southerly extension of Canyon Creek Road according to the 1991 Transportation Master Plan (TMP). The City Engineer is requiring a full-street improvement for approximately the northerly 750 feet of the southerly extension of Canyon Creek Road, and a half-street improvement south from that point, to the

southerly property line of the project site, on the west side of the project. With the exception of Tax Lots 2502 and 2000, whose access will be affected by the proposal, none of the proposed lots will have access from, or frontage on, the southerly extension of Canyon Creek Road. The applicant is proposing to dedicate the westerly portions of the subject property as right-of-way for the half-street improvement. The proposed right-of-way would be 62 feet wide, and would include a planter strip, sidewalk, and, upon completion, a second planter strip (see proposed cross section, Exhibit 32j). Internal public streets will each have a dedicated 50-foot-wide right-of-way, with two (2) 16-foot travel lanes. Sidewalks will be provided on all streets.

- D6. **Finding:** The street layout of the proposed project provides one 50-foot-wide entry street connection to the southerly extension of Canyon Creek Road. A five (5) foot sidewalk would be provided on the both sides of the entry street, and a five (5) foot meandering sidewalk would be provided along segments of Street "A". A future 20-foot wide, gated emergency/pedestrian access is proposed at the north end of Canyon Creek Road South. The City Engineer will determine when this gate will be installed and made operational (Exhibit 31).
- D7. **Finding:** The applicant's proposal for the internal streets of the project is to dedicate them as public streets, except Street "B", and Private Drives B, C, and E. All public right-of-way for the project will need to be recorded with Clackamas County prior to the issuance of any occupancy permits for dwellings or other structures in the project.
- D8. **Finding:** Staff recommends proposed condition PF25, requiring the applicant/owner to contribute the share of system development charges attributed to the project.
- D9. **Finding:** The City's 1991 Transportation Master Plan identifies the southerly extension of Canyon Creek Road as providing an "On-Street Bikeway/Sidewalk". The applicant proposes five-foot-wide bike lanes on both sides of the full-street improvement, but the half-street improvement does not include a bike lane (Exhibit 32j). This has been agreed upon by the City Council (Exhibit 31).

4.140(09)(J)(3) – Adequate Facilities and Services

- D10. **Finding:** Policy 3.1.2 and Implementation Measures 3.1.2.a and 3.1.2.e of the Comprehensive Plan require that urban development only be allowed where necessary facilities and services can be provided. The proposed project has available to it, or will be required to make available to it, adequate facilities to serve the project.

Sanitary Sewer

- D11. **Finding:** Policy 3.1.4 and Implementation Measures 3.1.4.b and 3.1.4.f specify the responsibilities for providing sanitary sewer service to new development. A 12-inch sanitary sewer running parallel to the westerly property line of the site, along the alignment of undedicated Hackamore Street, and along Canyon Creek Road South, all could serve the project. The applicant/owner will be required to install and fund, including the payment of system development charges, all improvements necessary to provide the project with sanitary sewer service. The existing septic systems on site shall be removed prior to the issuance of a final grading permit.

Water

D12. **Finding:** Policy 3.1.5 and Implementation Measures 3.1.5.c and 3.1.5.d specify the responsibility for providing water service to new development. The applicant is responsible for the extension of water lines to serve the project, subject to the City's Public Works Standards. Public water is available to the site via Boeckman Road. The City Engineer is requiring that the water service available to the project be looped through the project to ensure service. The existing wells will need to be capped prior to the issuance of building permits (Exhibit 31).

Roads

D13. **Finding:** Staff recommends that the applicant be required to install a full-street improvement from Boeckman Road, south approximately 750 feet. Staff also recommends the applicant construct a half-street improvement from that point, south along the project's westerly boundary (Exhibit 31). With these proposed street improvements, the proposed project would be adequately served by the road system.

Storm Drainage

D14. **Finding:** The developer of the project has the responsibility to fund and install all necessary storm water facilities to meet the requirements of the City's Storm Water Master Plan. The applicant proposes to capture, detain, and treat the runoff from the streets within the project. Storm water runoff from the north third and westerly third of the south two-thirds of the project would drain to a proposed off-site water quality/detention facility on Tax Lot 2691, that would ultimately drain to Boeckman Creek. Storm water runoff from the eastern two-thirds of the south two-thirds of the project is proposed to drain to a water quality detention facility in Tract D (south). Staff recommends a Significant Resource Impact Report be conducted for all encroachments into SROZ and its Impact Area including the proposed detention facilities and their outfalls. Approval of this SRIR by staff would be required prior to the approval of the final plat.

D15. **Finding:** The final design and installation of all storm water facilities will require a public works permit from the City's Engineering Division. The design shall ensure that water will not be discharged at an erosive velocity to the drainage swale in the SROZ, or their outfalls.

Schools

D16. **Finding:** The applicant has not estimated how many school-age children will reside within the project at full build-out (Exhibit 10). The West Linn/Wilsonville School District completed construction of the new Boones Ferry Primary School in the fall of 2001. The Wilsonville High School has been experiencing overcrowding for a number of years now. However, the WHS is currently being expanded to accommodate the overcrowding. While not required by the Development Code, staff suggests the applicant provide the West Linn/Wilsonville School District with this estimate to aid in the school district's planning of future facilities.

Parks

- D17. **Finding:** Policy 3.1.11 and Implementation Measures 3.1.11.a, 3.1.11.b, 3.1.11.d, 3.1.11.e, 3.1.11.g, 3.1.11.i, 3.1.11.j, 3.1.11.o, and 3.1.11.p specify the responsibility of providing parks in new development.
- D18. **Finding:** The applicant is proposing open space areas in Tracts A (north), D (north), A (south), B (south), F (south) and G (south); and in Tract D (south), an active and passive recreation area in Tract E (south); and pedestrian connections via Tracts B (south) and H (south).
- D19. **Finding:** The recreation facilities proposed by the applicant provide a mix of active and passive recreation areas (Exhibits 35b and 35c). The Covenants, Conditions, and Restrictions of the Homeowner’s Association (Exhibit 23) place the ownership and maintenance responsibilities of the common areas upon the Homeowners Association.

4.113(.02)(A) – Outdoor Recreational Area

- D20. **Finding:** An outdoor recreation area is proposed through the provision of 0.34 acres located in Tract E (south) and through pedestrian easements (Tracts B and H). The proposed open space provides passive and active recreation opportunities, and meets the intent of this section of the Code.

Open Space Area

Subsection 4.113 provides for the required open space in new residential developments. In addition, Implementation Measures 4.1.5.d, 4.1.5.j, and 4.1.5.k speak to the Comprehensive Plan’s desire to create and conserve open space in the City for specified objectives.

- D21. **Finding:** Subsection 4.113(.02)(A) requires “at least twenty-five percent (25%) of the area (residential development) shall be open space, excluding streets.” This section also allows “required rear yard areas and other landscaped areas that are not within required front or side yards and may be counted as part of the required open space.” Open space for the proposed project is proposed to be provided as noted in the applicant’s replacement table (Exhibit 36a). Approximately 13 percent of the open space proposed in the project is obtained through rear yards (proposed rear yard setbacks times lot width at rear yard line, less the width of both side yards). Staff confirms that approximately 25 percent of the proposed project would be in open space based on the following estimate:

	Area (SF)	% of Gross Area
Gross Area of Proposal	842,886	100%
Public/Private Streets	191,406	23%
Net Area (Gross Area minus Streets)	651,480	77%

	Area (SF)	% of Net Area
<i>Open Space in Tracts</i>	78,561	12.06%
<i>Open Space in Rear Yards</i>	85,155	13.07%
Open Space Area of Proposal	163,716	25.13%

D22. **Finding:** The closest public parks are Wiedeman Park (0.89 miles) and Hathaway Park (0.85 miles).

Public Services

D23. **Finding:** The City staff has consulted with public service providers (e.g., Sheriff, Tualatin Valley Fire & Rescue, South Metro Area Rapid Transit, etc.) within the City about the potential of providing service to the subject project. Some providers have provided a written response (Exhibits 26, 28, 28a, and 28b).

Semi-Public Utilities

D24. **Finding:** The applicant/owner will need to consult with the private utility providers (e.g., gas, electric, cable, waste collection, etc.) within the City about the potential of providing service to the subject project. Some providers have been consulted, and have provided input (Exhibits 24 and 25).

SUMMARY FINDING FOR REQUEST (D):

D25. **Finding:** The applicant's proposed Stage II Final Plan can be made to meet all applicable Code requirements through required conditions of approval.

STAFF RECOMMENDATION FOR REQUEST (D):

Based on findings of fact 1 - 3, analysis and conclusionary findings D1 through D24, staff recommends that the Development Review Board approve the applicant's Stage II Final Plan (Exhibits 35a, 35b and 35c, along with the recommended conditions necessary to fully comply with the requirements of the Code. Proposed conditions of approval are found on pages 33 through 41 of this report.

REQUEST (E): Approve a Tentative Subdivision Plat for the site

Tentative Plat Submission – 4.210(.01)(B)

- E1. **Finding:** At the writing of this staff report, the applicant has not fully provided an indication of existing easements as required by 16 of this Subsection. Specifically, the plat will need to show the easement for the 12” sanitary sewer that traverses the southwestern portion of the site. Also see Finding E13, below.

Subsection 4.236: General Requirements – Streets

4.236(.01) – Conformity to the Master Plan or Map

- E2. **Finding:** The southerly extension of Canyon Creek Road is listed as a minor arterial in the City’s 2003 Transportation System Plan. The City Engineer is requiring that a full- street improvement be constructed from its intersection with Boeckman Road, 750 feet south, to the south property line of Tax Lot 2502 to accommodate the traffic impact of the proposed project (See Condition PF25). Under this condition, the applicant would pay for the eastern half-street improvement and receive a credit on street system development charges for the western half-street improvement. The Transportation System Plan also identifies the southerly extension of Canyon Creek Road as an ‘On-Street Bikeway/Sidewalk’. The City’s Parks and Recreation Master Plan identifies the following local and regional parks as being available to serve the proposed development: Wiedeman and Hathaway. The applicant is providing a recreational facility within the project.

4.236(.02)(A) - Relation to Adjoining Streets

- E3. **Finding:** Neither Wilsonville Meadows No. 2, No. 5, or No. 7 were platted to provide future street connections to the west, through the subject properties. Similar constraints exist to the south, due to the Sundial Apartments development. Extension of streets from the subject properties to the south or east is not feasible at this time.

4.236(.02)(B) – Future streets

- E4. **Finding:** The applicant’s Preliminary Utility Plan identifies ‘shadow’ plats, including street layout, for the remainder of Tax Lot 2000, showing a scenario with most of the existing houses. The scenario shows two connections of the proposed public streets to Canyon Creek Road South, three (3) 20-foot-wide private drives, and one (1) 51-foot-wide Private street.

4.236(.04) – Creation of Easements

- E5. **Finding:** An existing bridle trail is located along the west property line of the project site, which will need to be properly extinguished, or reflected on the final subdivision plat. In addition, drainage easements will be required for off-site improvements, and the applicant proposes construction easements on both sides of the southerly extension of Canyon Creek Road.

4.236(.07) – Future Expansion of Street

- E6. **Finding:** The applicant is presenting a ‘shadow’ plat of future lots on the remaining portions of Tax Lots 2000 (Exhibits 35a, 35b and 35c). The scenario shows further

development, while retaining most of the existing houses. The proposed future platting identifies a street layout for the incremental full build-out of the project, including subsequent partitions. The applicant has submitted a drawing reflecting the lot areas of future partition lots (Exhibit 44).

4.236(.08) – Existing Streets

E7. **Finding:** The City Engineer's Public Facilities conditions require that all right-of-way easements and road improvements are to be completed to the requirements of the City's 2003 Transportation System Plan (Exhibit 31).

4.236(.09) – Street Names

E8. **Finding:** The City Engineer will have final approval authority for all street names in the project.

4.237(.01)(A) – Blocks

At the time of application, all planned development residential zones require the following block and access standards:

"A. The length, width, and shape of blocks shall be designed with due regard to providing adequate building sites for the use contemplated, consideration of needs for convenient access, circulation, control, and safety of pedestrian, bicycle, and motor vehicle traffic, and recognition of limitations and opportunities of topography.

B. Sizes: Blocks shall not exceed the sizes and lengths specified for the zone in which they are located unless topographical conditions or other physical constraints necessitate larger blocks. Larger blocks shall only be approved where specific findings are made justifying the size, shape, and configuration."

4.177(.01)(G) – Dead End Streets

This section requires that "new dead-end streets or cul-de-sacs shall not exceed 200 feet in length, unless the adjoining land contains barriers such as existing buildings, railroads or freeways, or environmental constraints such as steep slopes, or major streams or rivers, that prevent future street extension and connection."

E9. **Finding:** Staff estimates the length of Street A (north) is 420 feet; Street B (south) is 710 feet; and, Street A (south) is 530 feet. Once the north and south segments of Street A are connected, Street B will be 310 feet long. Private Drives B (north), C (north), and C (south) are each less than 200 feet in length.

E10. **Finding:** The applicant has provided a pedestrian connection via Tract B (south) and H (south). A street connection in the area of Street B (south) has not been proposed, due to the locations of existing dwellings and accessory structures.

E11. **Finding:** The City's Public Works standards require a minimum street spacing, for arterials, of 600 feet. Except for the entry street, Street A at 470 feet, the applicant has satisfied this requirement with Street A (north) 940 feet distant from Street C (south).

E12. **Finding:** The applicant is proposing a pedestrian connection (south Tracts B and H) between Street 'D' and Street 'C' to break up the block length of the internal blocks, which are currently proposed at approximately 520 feet.

4.237(.02) – Easements

E13. **Finding:** The applicant's submittal documents indicate "appropriate easements will be provided as part of the final plat." Staff's proposed condition of approval PF1 stipulates that all easements on the final plat shall be specified per the City's Public Works Standards and shall be approved by the City Engineer prior to the issuance of engineering permits for the project.

4.237(.03) – Pedestrian and bicycle pathways.

E14. **Finding:** The proposed subdivision plat specifies five (5) foot sidewalks and pedestrian access via Tracts B (south), and H (south). The proposed tracts would remain in common ownership. Bicycle pathways are not required on the interior streets of the project. The City Council has relieved the southerly extension of Canyon Creek Road of the requirement for bile lanes (Exhibit 31).

4.237(.04) – Tree Planting

E15. **Finding:** The applicant's "Landscape Plan" (Exhibit 321) identifies the location of street trees and other trees, but does not indicate species or size at installation. The applicant/owner will be required to provide an instrument guaranteeing the City the right to enter the site and plant, remove, or maintain approved street trees that are located on private property.

4.237(.05) – Lot Size and Shape

E16. **Finding:** Subsection 4.124.3, PDR-3 specifies the following for lot size and shape:

- “(01) Average lot size: 7,000 square feet.
- (.02) Minimum lot size: 5,000 square feet.
- (.03) Minimum density at build-out: One unit per 8,000 square feet.
- (.04) Other standards:
 - A. Minimum lot width at building line: Forty (40) feet.
 - B. Minimum street frontage of lot: Forty (40) feet; however, street frontage may be reduced to twenty-four (24) feet when the lot fronts a cul-de-sac. No street frontage is required when the lot fronts on an approved, platted private road.
 - C. Minimum lot depth: Sixty (60) feet.
 - D. Setbacks: per Section 4.113(.03).
 - E. Maximum building height: Thirty-five (35) feet.
 - F. Maximum lot coverage: Fifty percent (50%) for lots containing less than 7000 square feet. Forty-five percent (45%) for lots between 7000 and 8000 square feet. Forty percent (40%) for lots exceeding 8000 square feet.”

- E17. **Finding:** Based on the Tentative Subdivision Plat provided by the applicant (Exhibits 35a, 35b and 35c, and 44), the average lot size is approximately 7,288 SF, which exceeds the 7,000 SF average.
- E18. **Finding:** All proposed lot sizes are greater than the 5,000 SF.
- E19. **Finding:** Required minimum density at build-out is one (1) dwelling unit per 8,000 SF. The applicant's proposal meets this requirement (15.01 net acres * 43,560 SF) / 8000 SF = 81 dwelling units).
- E20. **Finding:** Lot depths range from 94 to 156 feet.
- E21. **Finding:** The applicant is requesting a waiver from the minimum street frontage requirements for Lots 1 – 3 (north), 9 – 12 (north), 17 – 20 (north), 28 – 35 (south), 14 – 16 (south) and 20 (south). The applicant shall seek approval from the City Engineer for the placement of the driveway aprons to those lots to ensure safe maneuverability. This waiver is favorably considered, beginning on page 29.
- E22. **Finding:** The applicant is requesting a waiver from the minimum setback criteria for side yards for two-story dwellings on all lots.
- E23. **Finding:** Of the estimated 163,716 SF of open space proposed in this subdivision, approximately 85,155 SF of that would be in rear yards (44% of total open space), as allowed by Code.
- E24. **Finding:** The applicant proposes home less than 35 feet in height.
- E25. **Finding:** Proposed lot sizes range from 5000 SF to 28,096 SF (Lot 21). As with all new single-family houses developed in the City, Planning staff will approve all building plans relative to setbacks and lot coverage.

4.237(.06) – Access

- E26. **Finding:** Subsection 4.124.3 (PDR-3 Zone) requires a minimum lot width at building line of 40 feet. While the proposed tentative subdivision plat proposes the creation of two (2) flag lots, all lots have sufficient width to allow for 40 feet at building line.
- E27. **Finding:** Except for three private drives and one private street, the applicant is proposing public streets for the project. Subsection 4.124.3 requires 40 feet of minimum street frontage for each lot. This frontage can be reduced to 24 feet when a lot fronts a cul-de-sac. No culs-de-sac are proposed. The applicant requests a waiver from this standard for proposed Lots 1 – 3 (north), 9 – 12 (north), 17 – 20 (north), 28 – 35 (south), 14 – 16 (south) and 20 (south). Subsection 4.237(.06)(B) grants the DRB the authority to waive the frontage requirements “where in its judgment the waiver of frontage requirements will not have the effect of nullifying the intent and purpose of this regulation”. This waiver request is given consideration, beginning on page 41 of this report.

4.237(.07) – Through Lots

E28. **Finding:** The applicant believes that Lots 15 – 20 are through lots; they are not, as they do not abut the right-of-way of the southerly extension of Canyon Creek Road. There are no through lots in the proposal.

4.237(.08) – Side Lot Lines

E29. **Finding:** It appears that most lot side lines are proposed perpendicular to the street upon which the lots face. Staff is recommending that the City Engineer be granted approval authority for the alignment of the driveways for all lots (Conditions PF31 and PF37), to ensure adequate sight distance and access maneuverability.

4.237(.09) – Large Lot Land Divisions

E30. **Finding:** Eight (8) of the proposed 72 lots of the proposed initial subdivision have been demonstrated to be further divisible. The proposed improvements shown on the applicant's revised drawings (Exhibits 35a, 35b and 35c) present the possibility of 10 additional lots. This potential future platting identifies the potential location of streets and utilities to serve these lots. Additional phases 2 – 9, in no particular order, will be required to occur in subsequent redevelopment of the affected lots. Conditions DRB D3 and DRB E5.d are proposed to achieve this, in order to achieve required minimum density at buildout.

4.237(.10) – Building Line

E31. **Finding:** The applicant is not requesting, nor is staff recommending, the establishment of building lines.

4.237(.11) – Build-To-Line

E32. **Finding:** The applicant has not requested, nor is staff recommending, any build-to-lines.

4.237(.12) – Land for Public Purposes

E33. **Finding:** The applicant proposes to dedicate appropriate street rights-of-way for the project, including road frontage for the southerly extension of Canyon Creek Road. The applicant will be required to dedicate all public utility easements deemed necessary by the City Engineer for the project, prior to approval of any Certificate of Occupancy requested subsequent to this action, if approved.

4.237(.13) – Corner Lots

E34. **Finding:** All radii in the proposed subdivision plat are in excess of 10 feet, which meets the Code's requirement.

4.262 – Improvements – Requirements

E35. **Finding:** The City Engineer's condition PF1 requires the installation of all public utilities to the City's Public Works standards.

4.264 – Improvements – Assurance

E36. **Finding:** The applicant has furnished an assurance to the City for the complete installation of all improvements (Exhibit 34). The applicant shall provide cost estimate and securities acceptable to the City Engineer for the completion of all public improvements.

SUMMARY FINDING FOR REQUEST (E):

E37. **Finding:** The applicant's proposed Tentative Subdivision Plat can be made to meet all applicable requirements, through the imposition recommended conditions of approval.

STAFF RECOMMENDATION FOR REQUEST (E):

Based on findings of fact 1 - 3, analysis and conclusionary findings E1 through E37, staff recommends that the Development Review Board approve the Tentative Subdivision Plat (Exhibits 35a, 35b and 35c), along with the recommended conditions necessary to fully comply with the requirements of the Code. Proposed conditions of approval are found on pages 33 through 39 of this report.

REQUEST (F): Site Design Review Plans (layout, architecture, and landscaping) for all site improvements and buildings (typical) within the entire project

DESCRIPTION OF REQUEST:

The applicant is seeking approval for the design of planned street trees, and landscape for all open space tracts.

CONCLUSIONARY FINDINGS FOR REQUEST (F):

Architecture

Implementation Measure 4.1.4.y of the Comprehensive Plan provides that *"Housing units shall be designed, constructed, and maintained so that the community is assured of safe, sanitary, and convenient living conditions in dwellings that are sound, energy efficient, and attractive in their appearance. Conservation of housing resources shall be encouraged through code enforcement, renovation, and rehabilitation of the existing housing stock."* However, the Code does not provide for the architectural review of single-family homes.

- F1. **Finding:** The applicant has not described the architecture of the proposed dwellings. While the request would otherwise include a review of the architecture of the proposed clubhouse and pool facilities, the applicant has not submitted drawings to enable the Board's review in this regard. Consideration of the design of this structure must be deferred, and submitted as a separate application for future Board consideration. This is implemented by Condition DRB F2.

Subsections 4.400(.02)(A) to (J) - Site Design Review

This section specifies the purpose and objectives of site development requirements and the Site Design Review procedure.

- F2. **Finding:** The proposed landscaping plans have been designed to define the interior driveway system as well as utilize the existing perimeter plantings, and have been designed to ensure a high quality visual environment. While not fully in compliance with applicable Code provisions, these plantings, once supplemented, will generally result in a harmonious development and may be designed to support the purpose and objectives of the Site Design Review criteria.

4.176 - Landscaping, Screening, and Buffering

4.176(.01)(A) – (I) - Purpose

- F3. **Finding:** The proposed landscaping plan satisfies the purpose criteria of the landscaping section. The plan has been designed to be aesthetically pleasing, to preserve native vegetation and to conserve water through the selection of drought tolerant and native plants. The applicant has submitted a design for a cedar and masonry fence, to be installed along the southerly extension of Canyon Creek Road (Exhibits 39a, 39b, 39c, and 39d).

4.176(.02) – Landscaping and Screening Standards

- F4. **Finding:** The applicant's proposed landscape plan identifies the proposed placement of street trees and the planting scheme for site. The street profiles proposed on Exhibit 32i identify planter strips on each side of the internal streets and two planter strips along the southerly extension of Canyon Creek Road. These planter strips are proposed to contain fencing, street trees and shrubs. Although architecture of the proposed dwellings is not reviewed, the wall and landscape treatment along the southerly extension of Canyon Creek Road is important, in order to effectively screen the rear elevations of the abutting dwellings.
- F5. **Finding:** The applicant has provided a screening plan for the southerly extension of Canyon Creek Road along the frontage of the project (Exhibits 39a, 39b, 39c, and 39d). The plan uses a planter strip with fencing, street trees, and large and small shrubs to provide screening appropriate for the southerly extension of Canyon Creek Road frontage of the project. This treatment will be similar to other projects in the City along arterial and collector streets.

4.176(.02)(E)(1) – (2) - High Screen Landscaping Standard

- F6. **Finding:** The applicant's proposed improvement satisfies the High Screen Landscaping Standard, which requires a sufficient number of high shrubs to form a continuous screen at least six (6) feet high and become 95% opaque, year-round. Planting are proposed to achieve the required high screen between the site and the southerly extension of Canyon Creek Road, abutting to the west.

4.176(.03) - Landscape Area

- F7. **Finding:** This section requires that not less than 15% of the total lot area be landscaped with plants. The applicant's submittal documents include a revised site area summary (Exhibit 36a). This summary states that the site, which is comprised of 19.35 acres (842,886 SF) of land, contains a 12% (approximately 78,561 SF) of open space, an undefined portion of which will be in landscaping. The remainder may be achieved on each lot, each of which may have only 75% maximum coverage, thereby satisfying this Code criterion. The plan further complies with this Code section by providing a balance between various plant forms and heights and uses a mix of native and ornamental species.

4.176(.06)(A) – (E) - Plant Materials

- F8. **Finding:** No species or material sizes are provided for open space plantings or street trees, with the exception of the water quality treatment facilities. Some of the proposed shrub selections are proposed in one-gallon containers. Condition Number DRB F3.b is recommended as a condition of this action, to achieve compliance with this requirement, requiring that the one-gallon containers be increased in size to two-gallon containers, as required by Code.
- F9. **Finding:** The applicant proposes to install trees that are well-branched and typical of their type as described in current American Association of Nurserymen (AAN) Standards, and all are proposed to be balled and burlapped (B&B).

4.176(.06)(D) - Street Trees

- F10. **Finding:** The applicant is proposing a total of 373 street trees for the project, although the proposed species have not been specified.

- F11. **Finding:** The proposed landscape plan (Exhibit 321) illustrates the placement of the trees on internal streets in the planter strip.
- F12. **Finding:** The proposed half street improvement along the southerly extension of Canyon Creek Road includes one planter strip behind the sidewalk. Here, the applicant is proposing 2-inch caliper street trees. All others are proposed to be 1-3/4-inch caliper trees.

Tree Preservation and Protection

- F13. **Finding:** The arborist report supplied by the applicant identifies 235 trees on-site over six inches in diameter at 4-1/2 feet from the ground. The report also proposes to remove 133 trees, and save 102. The majority of the trees to be saved are reported in 'Fair' or 'Good' condition. The majority of the trees to be removed are reported in 'Good' or 'Excellent' condition. The proposed landscape plan would install 373 streets trees, 76 at two (2) inch caliper, and 297 at 1-3/4 inch caliper.

4.176(.06)(G) - Exceeding Standards

- F14. **Finding:** Landscape materials that exceed minimum standards are encouraged, where height and vision clearance requirements are met.

4.176(.07) - Installation and Maintenance

- F15. **Finding:** Conditions Number DRB F3.a - DRB F3.f are recommended as conditions of this action, to address installation and maintenance of the required plant materials.

4.176(.09) - Landscape Plans

- F16. **Finding:** The applicant has submitted a landscape plan that addresses the above required Code criterion. The submitted landscape plans are drawn to scale, and show the type, size, number and placement of the proposed plant material.

4.176(.10) - Completion of Landscaping.

- F17. **Finding:** The applicant/owner will be required to post a bond or other security acceptable to the Community Development Director for the installation of the landscaping. If the proposed project proceeds in more than one phase, the applicant will be required to post a bond or other security for each phase of the project.

- F18. **Finding:** Condition Number DRB F5 is recommended as a condition of this action, to address completion of landscaping.

- F19. **Finding:** The site has existing trees, but these trees will be removed in order to construct street improvements. The applicant proposes street trees on all streets (Exhibit 321).

4.176(.12) (D) - Irrigation

- F20. **Finding:** The applicant's planting plan for the project perimeter and internal trees is comprised of ornamental plant species, and some native varieties. An irrigation system has been proposed, and is required in order to assure that the installed plants will survive. Detailed plans for the irrigation system are required to be submitted, reviewed and approved when in compliance with the Code, as part of the review of building permit construction plans. Condition Number DRB F3.e is recommended as a condition of this action, to achieve compliance with this requirement.

4.118(.02) - Utilities and Drainage

F21. **Finding:** The Engineering Division has indicated that storm water generated by the proposed site improvements must be treated before entering the City's storm system (Exhibit 31). The City Engineer has recommended Condition Number PF12 to address these drainage requirements, in order to achieve compliance with these requirements.

4.155 (.02) - Minimum and Maximum Off-Street Parking Requirements

Table 5 of Section 4.155 regulates the minimum and maximum number of parking spaces and bicycle parking

F22. **Finding:** The applicant's proposal provides an opportunity for each dwelling to meet the requirement for one (1) off-street parking space per dwelling unit.

4.155(.01)(B) - *Site design and impervious surfaces shall address the environmental impacts of air and water pollution, as well as climate change from heat islands.*

F23. **Finding:** The applicant's proposed drainage plan will satisfy this requirement.

4.155(.02)(K) - *All areas used for parking and maneuvering of cars shall be surfaced with asphalt or concrete, or other surface that is found by the City Engineer to be suitable for the purpose. In all cases, suitable drainage, meeting standards set by the City Engineer, shall be provided.*

F24. **Finding:** All proposed driveways will be required to be paved.

4.155(.02)(L) - *Artificial lighting which may be provided shall be so limited or deflected as not to shine into adjoining structures or into the eyes of passers-by.*

F25. **Finding:** Exterior lighting must be of a cohesive design throughout the project. Condition Number DRB F3.g is recommended to address this requirement.—

4.155(.03)(A)(2) - *Separate vehicle and pedestrian traffic.*

F26. **Finding:** The applicant's plan for on-site and off-site pedestrian pathways and sidewalks, meets this requirement.

4.155(.03)(B)(7) - *On-street parking spaces.*

F27. **Finding:** While on-street parking is provided on all interior streets, none are proposed in order to satisfy minimum parking requirements.

4.177(.01)(F) - *Future widening*

F28. **Finding:** As the applicant's proposal has taken future widening of the southerly extension of Canyon Creek Road into consideration in the design of the project.

4.420.02 - Powers of the Board

This section specifies that construction, site development and landscaping shall be carried out in substantial accord with the plans, drawings, sketches and other documents approved by the Board, unless altered by subsequent Board approval.

F29. **Finding:** Conditions Number DRB F3.a is recommended to address this requirement.

SUMMARY FINDING FOR REQUEST (F):

F30. **Finding:** The applicant's proposal, with the recommended conditions of approval, satisfies the applicable Wilsonville Code requirements and Site Design Review approval criteria for perimeter, internal and streetscape landscaping; as well as required parking.

STAFF RECOMMENDATION FOR REQUEST (F):

Based on findings of fact numbers 1 through 3, analysis and conclusionary findings F1 through F30, staff recommends that the Development Review Board approve the applicant's Site Design Review plans for the proposed residential planned development, with conditions necessary to fully comply with pedestrian and landscape requirements of the Code. Proposed conditions of approval are found on pages 33 through 39 of this report.

REQUEST (G): Type 'C' Tree Removal Plan

DESCRIPTION OF REQUEST:

The applicant requests review and approval of a Type 'C' Tree Removal Plan for the proposed residential planned development.

SUMMARY OF ISSUES/BACKGROUND:

The applicant's submittal documents include an arborist report prepared by Peter Torres, dated December 12, 2003 (Exhibit 19). This report describes the tree species, general condition, diameter at breast height (DBH), and provides an additional section on observations and general problems with the trees on site.

The arborist report identifies a total of 235 trees on site. Due to construction of improvements associated with this project, 133 of the existing trees are proposed to be removed. The Tree Preservation Plan (Exhibit 32c) identifies the location of all trees. The arborist report (Exhibit 19) and applicant's plans (Exhibits 32c - 32h) illustrate which of the trees are proposed to be retained and which are to be removed.

The applicant is proposing to remove most all of the trees on the interior of the project except where they are within proposed landscape areas.

CONCLUSIONARY FINDINGS FOR REQUEST (G):

Section 4.600-4.640.20 (as applicable): Tree Preservation and Protection

Section 4.600 outlines the purpose and declaration of the tree preservation and protection section of the development code. This section speaks to the importance of trees related to the physical, aesthetic, environmental and economic assets to the residents of the City.

Subsection 4.600.50 describes the process for applying for a tree removal permit.

G1. Finding: The applicant has complied with this section by applying for tree removal as part of site plan review.

Subsection 4.610.00 describes the application review procedures for tree removal and subsection 4.610.00(.03) states that the DRB is the reviewing authority and is responsible for approving or denying the request, however that decision may be subject to affirmation, reversal or modification by the City Council.

Subsection 4.610.10(.01)(H) states tree removal necessary for construction is limited to instances where the reviewing authority finds that *"the applicant has shown to the satisfaction of the reviewing authority that removal or transplanting is necessary for the construction of a building, structure or other site improvement, and that there is no feasible and reasonable location alternative or design option on site for a proposed building, structure or other site improvement;"*

While Subsection 4.610.40(.01) states in part that “*the application of the standards of this section [tree preservation and protection] shall not result in a reduction of square footage or loss of density*”, subsection 4.610.10(.01)(B) states “*no development application shall be denied solely because trees grow on the site. Nevertheless, tree preservation and conservation as a design principle shall be equal in concern and importance to other design principles.*”

Subsection 4.610.40(.02) describes the submittal requirements for a tree maintenance and preservation plan that must be completed by an arborist.

G2. Finding: The applicant’s submittal documents adequately address the requirements of this subsection. The following table is a summary of tree removal data for the project:

G3. Finding: Subsection 4.620.00 is the mitigation section and requires trees to be replanted at a ratio of one tree approved to be removed to one tree replanted of a 2” caliper. The applicant’s proposed landscape plan satisfies the mitigation section of the code. There will be more trees replanted at ultimate development of the site than the number of trees removed.

G4. Finding: Subsection 4.620.10 requires tree protection in the form of a protective barrier for trees being preserved. For a project of this size with the amount of construction activity and contractors, the most appropriate protective barrier is the installation of a 6’ chain-link fence with metal posts pounded into the ground at 6’ – 8’ centers. This has been added as Condition Number DRB G2.

SUMMARY FINDING FOR REQUEST (G):

G5. Finding: The applicant has provided documents consistent with the submittal requirements of Subsection 4.610.40. The Staff recommends that the DRB require preservation of the trees as illustrated on the applicant’s Tree Protection Plan (Exhibits 32c - 32h) which the applicant proposes to preserve. Preservation of these mature existing trees will provide aesthetic as well as environmental benefits and will provide more immediate screening and buffering of the proposed dwellings than if removed.

STAFF RECOMMENDATION FOR REQUEST (G):

Staff recommends that the DRB approve the Type ‘C’ Tree Removal Plan (Exhibits 32c - 32h), with conditions necessary for its implementation. Proposed conditions of approval are found on pages 33 through 39 of this report.

REQUEST (H): Waivers to Development Code Requirements

DESCRIPTION OF REQUEST:

The applicant requests review and approval of eight (8) requested waivers to the provisions applicable to the proposed residential planned development.

SUMMARY OF ISSUES/BACKGROUND:

The applicant's submittal documents itemizes, and include an analysis of, the requested waivers, as follows:

1. Waiver to reduce the minimum *side yard setback* for two-story structures from seven (7) feet to five (5) feet for all lots; and,
2. Waiver to eliminate the public *street frontage* requirement for Lots 1 – 3 (north), 9 – 12 (north), 17 – 20 (north), 28 – 35 (south), 14 – 16 (south) and 20 (south); and,
3. Waiver to eliminate the requirement for *sidewalks* on both sides of streets, for private streets in Tracts B (north), E (north) and C (south); and,
4. ~~Waiver to reduce the required *lot depth* of 100 feet to for through lots, for Lots 4 – 11 (south); and~~⁶, **(Amended by the DRB on 8/23/2004)**
5. Waiver to increase the required 330 foot *spacing* for pedestrian connections to 420 feet adjacent to Tracts B (south) and H (south); and,
6. ~~Waiver to reduce the 24 foot minimum pavement *width* for half streets for the proposed, unnamed half street improvement to 19.5 feet of pavement along the southerly property lines of Lots 6 – 9 and 16~~⁷; and, **(Amended by the DRB on 8/23/2004)**
7. ~~Waiver to reduce the front yard *setback* from 15 feet to zero (0) feet for Lots 7 and 8, to accommodate an existing structure, proposed to temporarily remain~~⁸; and, **(Amended by the DRB on 8/23/2004)**
8. ~~Waiver to reduce the side yard *setback* (north) from seven (7) to four (4) feet for Lot 21, to accommodate an existing accessory structure~~⁹ ¹⁰. **(Amended by the DRB on 8/23/2004)**

The applicant describes the need for the requested waivers in several narrative components (Exhibits 10, 11 and 37). While three waivers have been added to the five waivers originally requested, due to the project's redesign, some are no longer necessary, and the applicant has formally withdrawn one of the recent additions (Exhibit 40).

⁶ This waiver was orally withdrawn by the applicant at the hearing on 8/23/2004.

⁷ This waiver was orally withdrawn by the applicant at the hearing on 8/23/2004, and as represented in Exhibit 45.

⁸ This waiver was orally withdrawn by the applicant in writing (Exhibit 40).

⁹ The applicant actually requested a waiver from the 10 foot side yard setback, but which is not applicable to this interior lot.

¹⁰ This waiver was orally withdrawn by the applicant at the hearing on 8/23/2004.

Taken in the order listed above, staff offers the following brief analysis of the requested waivers:

1. Because most lots are proposed to be 50- to 60-feet wide, the applicant's proposed reduction of *side yard setbacks* to five (5) feet is reasonable in order to achieve the minimum density required for this project at build-out.
2. Due to the presence of nine existing dwellings and assorted structures on the site, design of lots has been delicately approached in an effort to enable them to remain, yet achieve the minimum density of 81 lots required by the proposed (and recommended) PDR-3 zone. As a result, lots fronting on proposed private drives, instead of streets, will need relief from the Code's *street frontage* requirements.
3. For the same reasons cited above, those three private drives will not accommodate *sidewalks* on both sides of the travel surface.
4. Although the applicant initially believed that a waiver was necessary for the lot depth of Lots 4 – 11, such is not the case, because while these lots may have a character similar to that of a "through-lot", these lots do not propose to have frontage on to streets, and are therefore exempt from the minimum 100 foot *lot depth* required for through lots. This waiver is therefore unnecessary. The applicant ~~may withdraw~~ **has withdrawn** the request without consequence. **(Amended by the DRB on 8/23/2004)**
5. The *spacing* of streets and pedestrian pathways is also a function of the location of existing dwellings and other structures. The applicant has placed private drives where necessary to enable a lot to be designed, and has limited these to a total of three. Two are located to serve the northerly preliminary plat, one similar enabling future development by the abutting property to the south. A third is located at the southwest corner of the site in the southerly preliminary plat. These private drives are provided as an alternative to inefficient wedge-shaped lots in this location. Rather than interrupt the rhythm of each block with a pedestrian connection at 330 feet, the applicant has proposed to connect the existing easterly properties along Canyon Creek Road South through two pedestrian paths linked to the loop composed of Streets A, D and E. The resulting spacing is approximately 480 feet, a reasonable compromise between efficient lot configurations and a sensible neighborhood design.
6. The applicant proposes to dedicate a 25-foot-wide half-street right-of-way (i.e., Street F, although its label is misplaced on Exhibits 35a and 35b), to be paved only to a width of 19.5 feet. The Code requires that such minimum pavement be 24 feet. The City Engineer is requiring 24 feet of pavement (Condition PF24; Exhibit 31).
7. The waiver for front yard setbacks for Lots 7 and 8 (north) has been withdrawn (Exhibit 40).
8. The City Engineer has encouraged consideration of this waiver, in order to accommodate a proposed pedestrian pathway and existing accessory structure (Condition PF27; Exhibit 31).

CONCLUSIONARY FINDINGS FOR REQUEST (H):

Section 4.118(.03) (as applicable): *Selective waivers allowed*

Section 4.118 enables waivers as listed and *highlighted* below:

(.03) *Notwithstanding the provisions of Section 4.140 to the contrary, the Development Review Board, in order to implement the purposes and objectives of Section 4.140, and based on findings of fact supported by the record may:*

A. *Waive the following typical development standards:*

1. *minimum lot area;*
2. *lot width and frontage;*
3. *height and yard requirements;*
4. *lot coverage;*
5. *lot depth;*
6. *street widths;*
7. *sidewalk requirements;*
8. *height of buildings other than signs;*
9. *parking space configuration;*
10. *minimum number of parking or loading spaces;*
11. *shade tree islands in parking lots, provided that alternative shading is provided;*
12. *fence height;*
13. *architectural design standards;*
14. *transit facilities; and*
15. *solar access standards, as provided in Section 4.137.*

B. *The following shall not be waived by the Board, unless there is substantial evidence in the whole record to support a finding that the intent and purpose of the standards will be met in alternative ways:*

1. *open space requirements in residential areas;*
2. *minimum density standards of residential zones;*
3. *minimum landscape, buffering, and screening standards;*

H1. **Finding:** The applicant describes the need for waiver to reduce the minimum side yard setback from seven (7) feet to five (5) feet for all lots on page 34 of the narrative (Exhibit 10). The applicant has demonstrated that this waiver is deserved in order to achieve the project's required minimum density.

- H2. **Finding:** A waiver to eliminate the public street frontage requirement for Lots 1 – 3 (north), 9 – 12 (north), 17 – 20 (north), 28 – 35 (south), 14 – 16 (south) and 20 (south) is necessary to efficiently design lots at the corners of the project.
- H3. **Finding:** Waiver to eliminate the requirement for sidewalks on both sides of streets, for private streets in Tracts B (north), E (north) and C (south) is necessary to facilitate access to lots in the corners of the project.
- H4. **Finding:** Staff notes that because the lots for which the applicant has requested the waiver for “through lots” abuts a proposed open space tract, these lots are not through lots, as defined in Section 4.001. Therefore the lots are not required to comply with the 100-foot minimum lot depth. A waiver from the requirement is therefore not required, and its withdrawal ~~may be~~ **has been** requested by the applicant. **(Amended by the DRB on 8/23/2004)**
- H5. **Finding:** A waiver of the required 220 foot spacing for pedestrian connections, increasing the distance to 420 feet adjacent to Tracts B (south) and H (south) is necessary, as the applicant has integrated pedestrian connections at the south end of the site with the least amount of sideyard disturbance by exceeding the 330 foot maximum spacing.

SUMMARY FINDING FOR REQUEST (H):

- H6. **Finding:** The applicant has demonstrated that ~~six (6)~~ **four (4)** of the requested waivers merit approval. One (1) of the waivers is not required to have been submitted, due to existing Code provisions and the design of affected lots, **and has been withdrawn**. The applicant has withdrawn ~~one (1)~~ **three (3)** waivers. Upon the applicant’s withdrawal of Waivers No. 4, **6, 7 and 8**, and based upon the analysis and findings provided above, staff recommends that the DRB approve the remaining waivers as a part of this development application. **(Amended by the DRB on 8/23/2004)**

STAFF RECOMMENDATION FOR REQUEST (H):

Staff recommends that the Development Review Board approve requested Waivers 1 – 3, ~~5, 6~~ and **8**, with conditions necessary for its implementation. Proposed conditions of approval are found on pages 33 through 39 of this report. **(Amended by the DRB on 8/23/2004)**

03 DB 43 (2)
Urban Solutions for Renaissance Homes

Stage II Final Plan
Tentative Subdivision Plat
Type 'C' Tree Removal Plan
~~Five (5)~~ Four (4) Waivers

RECOMMENDED CONDITIONS OF APPROVAL FOR REQUEST:

REQUEST (D) – Stage II Final Plan

- DRB D1. This action approves the Stage II Final Plan for an 82-lot residential Planned Development (Exhibits 35a, 35b and 35c), and Exhibits 32a through 32l, as necessarily modified by Exhibits 35a, 35b and 35c, as entered into the record on August 23, 2004, for the proposed project. This approval is contingent upon City Council approval of the Comprehensive Plan Amendment, Stage I Preliminary Plan, and Zone Map Amendment [03 DB 43 (1)].
- DRB D2. The project shall constructed in ~~nine (9)~~ **eight (8)** phases, although not in any specified order. In the event the project proceeds in more than ~~nine (9)~~ **eight (8)** phases of construction, the applicant/owner shall supply the anticipated schedule of construction, and shall communicate any significant changes in the anticipated schedule in writing, for review and approval by the Planning Director. **(Amended by the DRB on 8/23/2004)**
- DRB D3. The project shall achieve the required minimum density at build-out (i.e., 82 lots) through subsequent redevelopment of Lots 4, 5, ~~6, 21, 22,~~ 24, 25, 26 and 27, as illustrated on Exhibits 35a, 35b and 35c, and Exhibit 44. This redevelopment shall be considered to be phases 2 through 9 ~~8~~, but such redevelopment may be in any sequence or order. **(Amended by the DRB on 8/23/2004)**

REQUEST (E) – Tentative Subdivision Plat

- DRB E1. This action approves the Tentative Subdivision Plat for ~~72~~ **73** lots (Exhibits 35a, 35b, ~~35c~~ and ~~35e~~ **45**), as entered into the record on August 23, 2004, for the proposed project. This approvals is contingent upon City Council approval of the Comprehensive Plan Amendment, Stage I Preliminary Plan, and Zone Map Amendment [03 DB 43 (1)]. **(Amended by the DRB on 8/23/2004)**
- DRB E2. Prior to approval of the Final Subdivision Plat, the applicant/owner shall:
- a. Assure that the lots shall not be sold or conveyed until such time as the final plat is recorded with Clackamas County.
 - b. Submit final construction plans, to be reviewed and approved by the Planning Director, City Engineer, the Tualatin Valley Fire and Rescue District, Natural

Resources Manager, and the City Building Official, prior to the project's construction.

- c. Submit final drawings and construction plans for the water quality/detention facilities and their outfalls for review and approval of the City Engineer, the Natural Resources Manager and the Environmental Services Division. These plans shall show the SROZ boundary over the development proposal.
- d. Supply the City with a performance bond, or other security acceptable to the Community Development Director, for all capital improvements required by the project.
- e. Prepare the Final Plat in substantial accord with the Tentative Subdivision Plat dated July 27, 2004, as approved by the Development Review Board, and as amended by these conditions, except as may be subsequently altered by Board approval, or by minor revisions by the Planning Director.
- f. Illustrate the bridle trail easements, or other existing easements, on the Final Plat.
- g. Dedicate all right-of-way and easements necessary to construct all private and public improvements required for the project.
- h. Assure the use of a consistent street-naming convention for the arterial and interior streets. Private drives shall not be named, but shall rely upon their access frontage for addressing. See Finding E8, for further requirements.
- i. Submit a waiver of the right of remonstrance against any local improvement district that may be formed to provide public improvements to serve the subject site.
- j. Submit a Significant Resource Impact Report (SRIR), prepared for the proposed off-site development encroachments within the SROZ. The SRIR shall be reviewed by City staff, and if all of the Code criteria are satisfied, may approved by staff prior to approval of the final plat. This report will need to provide construction details for the following: the proposed off-site water quality and detention facilities and their outfalls. For development that encroaches into the SROZ and its Impact Area, the applicant shall either identify how the proposed development is exempt under Subsection 4.139.04 or demonstrate compliance with the SRIR Review Criteria of Subsection 4.139.05 (.03).
- k. Submit a transportation management plan to the City Engineer to minimize PM peak-hour impacts at the two Wilsonville interchanges.

DRB E3. Prior to the Start of Construction, the applicant/owner shall:

- a. Assure that the natural areas with the Significant Resource Overlay Zone (SROZ) shall not be disturbed, except for approved storm water detention and water

quality facilities and outfalls, subject to final approval of the construction drawings by the City Engineer and the Natural Resources Manager. During construction (i.e. streets, installing utilities, excavation), the developer shall install temporary six (6) foot high chain link fencing along the 50 foot SROZ buffer (west and east, off-site) so that it is not disturbed. In addition to Building Division Review, final grading plans for the water quality/detention facilities and outfalls shall be reviewed and approved by the City's Environmental Services Division and Natural Resources Manager, to ensure inclusion of a soil erosion control treatment plan that will minimize impact to the resources in the SROZ.

- b. Assure that construction and site development shall be carried out in substantial conformance with the Tentative Subdivision Plat dated July 27, 2004, as approved by the Development Review Board, and as amended by these conditions, except as may be subsequently altered by Board approval, or with minor revisions by the Planning Director.

DRB E4. The applicant/owner shall install all public streets and utilities.

DRB E5. Prior to Final Plat approval, the applicant/owner shall:

- a. The applicant shall an application for Final Plat review and approval on the Planning Department Site Development Application and Permit form. The applicant shall also provide materials for review by the City's Planning Division in accordance with Section 4.220 of City's Development Code. The applicant shall further note that Final Plat review requires public notice, the result of a recent LUBA decision..
- b. Provide the City with a recordable instrument guaranteeing the City the right to enter the site and plant, remove, or maintain approved street trees that are located on private property. Maintenance of off-site water quality treatment and detention facilities?
- c. Submit the final version of Conditions, Covenants, and Restrictions for a Homeowners' Association that shall be formed as specified in the draft CC&Rs (Exhibit 23) for the development. The Association shall have responsibility for maintenance of all shared private drives, recreation facilities, treatment facilities, open spaces, and fences within the development. The CC&Rs shall be reviewed and approved by the City Attorney, prior to recording the final plat.
- d. The Conditions, Covenants, and Restrictions shall incorporate provisions required by Condition D2, above, assuring that subsequent redevelopment of Lots 4, 5, 6, ~~21~~, 24, 25, 26 and ~~26~~ 27, shall achieve the design and density of the approved Stage II Final Plan (Exhibits 35a, 35b and 35c). These provisions shall require the City's written approval to amend that portion of CC&Rs. **(Amended by the DRB on 8/23/2004)**

DRB E6. The applicant/owner shall secure signatures of approval of the Final Plat from the Planning Director and Community Development Director. Following such authorization, the Final Plat may be recorded, according to the procedures employed by the City Engineer.

REQUEST (F) – Site Design Review Plans

DRB F1. Except for the proposed recreation facility identified in Condition DRB F2, below, this action approves the Site Design Review Plans (Exhibits 32a through 32l), as necessarily modified by Exhibits 35a, 35b and 35c and Exhibits 39a, 39b, 39c, and 39d, as entered into the record on August 23, 2004, for the proposed project. This approval is contingent upon City Council approval of the Comprehensive Plan Amendment, Stage I Preliminary Plan, and Zone Map Amendment [03 DB 43 (1)].

DRB F2. The applicant/owner shall submit an application for review and approval for Site Design Review for the proposed recreation structure (i.e., clubhouse/pool) to the Planning Division staff within six (months) of this approval.

DRB F3. Prior to installation of required landscape materials, the applicant/owner shall:

- a. Assure that construction and site development shall be carried out in substantial accord with the Site Design Review plans identified in Condition DRB F1, above, as approved by the Development Review Board, and as amended by these conditions, except as may be subsequently altered by Board approval, or by minor revisions approved by the Planning Director.
- b. Submit a final landscape plan which includes two (2) gallon containers instead of lesser sizes of shrubs or ground cover.
- c. Submit final plant specifications for shrubs and trees in the project's planter strips to Planning Division staff for review and approval. Prior to and during construction, Planning Division staff shall consider revisions to these specifications as a Class I development application. The applicant shall note that such approval does not require public notice. Following construction, Planning Division staff shall consider revisions to these specifications as a Class II development application. The applicant shall note that such approval requires public notice.
- d. Assure that all shrubs shall be well branched and typical of their type as described in current AAN Standards and shall be equal to or better than 2-gallon cans when available. The landscaping plan shall be planted at such a density so as to provide a minimum of 95% coverage of landscape areas with vegetation, within a 3 year time period.
- e. Install water-wise or drip-type irrigation to ensure the longevity of all landscaped common areas. Such irrigation plan shall be submitted with the Building Permit drawings and shall be reviewed and approved by the Planning

Division for consistency with this approval and landscape plan. Further, landscaping shall be professionally maintained by weeding, pruning and replacing dead plant material as necessary.

- f. Improve open space and recreation areas prior to occupancy of any dwelling or structure within the subdivision, in accordance with approved plans submitted for the August 23, 2004, public hearing.
- g. Assure that street light standards shall be positioned to illuminate the entrances to intersecting pedestrian paths. Exterior lights shall be positioned in such a way to prevent glare on adjacent streets. Repositioning of light standards and/or installation of hoods or baffles may subsequently be required by Planning Division staff to achieve this requirement.
- h. Coordinate with the U.S. Postal Service regarding the locations of mailbox stations. The U.S. Postmaster has specific standards for locating mail stations so as to provide convenient mail delivery and pickup and not obstruct handicapped accessibility. Furthermore, the mail stations shall be located so as to not diminish required sidewalk or pathway widths, nor obstruct pedestrian movement, nor interfere with fire hydrants or public and private utilities.

DRB F4. Planning Division staff shall have authority to approve all retaining walls reviewed by the City's Building Division relative to materials and encroachment to the SROZ and its associated Impact Area.

DRB F5. The applicant shall submit a request to the Planning Division staff for review and approval of the final landscaping installation, prior to occupancy of any dwellings or model homes.

REQUEST (G) – Type 'C' Tree Removal Plan

DRB G1. This action approves the Type 'C' Tree Removal Plans (Exhibits 32c - 32h) as modified by Exhibits 35a, 35b and 35c, as entered into the record on August 23, 2004, for the proposed project. This approval is contingent upon City Council approval of the Comprehensive Plan Amendment, Stage I Preliminary Plan, and Zone Map Amendment [03 DB 43 (1)].

DRB G2. The applicant shall submit an application for a Type 'C' Tree Removal Permit on the Planning Department Site Development Application and Permit form, and secure its approval prior to tree removal or site grading. As a part of that application, the applicant shall submit a Final Type "C" Tree Removal, Mitigation and Tree Protection Plan. The applicant shall also provide a final arborist report and a final grading impact analysis regarding the effects of proposed grade changes on trees being retained. Prior to issuance of the Type 'C' Tree Removal Permit, the applicant shall install 6 foot high chain link fencing, with metal posts securely installed into the ground, at eight (8) foot intervals along the drip line of the trees

shown for preservation, facing the construction areas. The fencing shall remain in place during the entire construction period.

- DRB G3. The applicant shall work with staff and the applicant's consulting arborist in the development of the final plat, construction and grading plans, in order to preserve trees to the greatest extent. For each 6" diameter tree being removed, the applicant shall mitigate by replanting a 2" caliper tree deciduous tree or replanting an 8' tall conifer tree. Prior to, and during construction, Planning Division staff shall consider removal of diseased, hazardous trees, or trees in wrong locations relative to site development as a Type 'B' Tree Removal Application. The applicant shall note that such approval requires public notice as a Class II development.
- DRB G4. Upon receipt of an approved Type "C" Tree Removal Permit, the applicant/owner shall assure the removal of only those trees approved for removal by implementing any additional conditions of permit approval.

REQUEST (H) – Eight (8) Requested Waivers

- ~~DRB H1. This action denies one (1) waiver, for the proposed reduction of the half street pavement width for Street F. (Amended by the DRB on 8/23/2004)~~
- DRB H2. This action approves ~~five (5)~~ **four (4)** waivers, as entered into the record on August 23, 2004, for the proposed project, and described by Condition DRB H3, below. This approval is contingent upon City Council approval of the Comprehensive Plan Amendment, Stage I Preliminary Plan, and Zone Map Amendment [03 DB 43 (1)]. **(Amended by the DRB on 8/23/2004)**
- DRB H3. The Development Review Board grants the following waivers from lot development standards otherwise required by the Code:
- a. Side yard setback for all lots shall be five (5) feet.
 - b. No minimum street frontage shall be required for Lots 1 – 3 (north), 9 – 12 (north), 17 – 20 (north), 28 – 35 (south), 14 – 16 (south) and 20 (south).
 - c. Five (5) foot wide concrete sidewalks shall be required on only one side of Private Drives B (north), E (north) and C (south).
 - d. Spacing of pedestrian connections shall be 420 feet for Tracts B (south), and H (south).
 - e. ~~Sideyard setback (north) for Lot 21 (south) shall be four (4) feet, to accommodate an existing accessory structure. (Amended by the DRB on 8/23/2004)~~

Miscellaneous Conditions

- DRB M1. The recommended conditions of the Tualatin Valley Fire and Rescue District, City Engineer, Building Official, the Natural Resources Manager and the Environmental Services Division are hereby incorporated as conditions of approval (Exhibits 28b, 31, ~~30~~ **29** and ~~29~~ **30**, respectively; no response was received from Environmental Services). **(Amended by the DRB on 8/23/2004)**
- DRB M2. The Stage II Final Plan, Tentative Subdivision Plat, Site Design Review plans, and Type 'C' Tree Removal Plan will expire two years after final approval if substantial development has not occurred on the property within that time, unless extended by the DRB for just cause.
- DRB M3. All construction workers' vehicles and job shacks associated with this project shall be parked and located on site.
- DRB M4. The applicant/owner shall be required to provide the proportionate share of all system development charges that apply to this project. Such amount and proportion of these charges shall be determined by the Community Development Director.
- DRB M5. The City Engineer shall have the authority to grant final approval of the driveway alignments for all lots.
- DRB M6. The applicant/owner shall work with staff to create a pedestrian/bicycle link between Preliminary Plats 1 and 2. (Amended by the DRB on 8/23/2004)**

Applicable Review Criteria:

Zoning Review Criteria:	
Sections 4.008-4.035	Application Procedure
Section 4.100	Zoning Purpose
Section 4.113 (as applicable)	Standards Applying to Residential Developments in Any Zone
Section 4.118 (as applicable)	Standards Applying to All Planned Development Zones
Section 4.118(03)	Waivers
Subsection 4.118.02	Utilities
Section 4.124.3 (as applicable)	Planned Development Residential (PDR-3) Zone
Section 4.140	Planned Development Regulations
Section 4.140(.07)	Stage I Preliminary Plan
Section 4.140(.07)(A)(1)	Owner's Authorization of Affected Property for Development
Subsection 4.140(.09)	Stage II Final Plan
Subsection 4.140(.09)(J)(1),(2), and (3) [and as otherwise applicable]	Design, Traffic, and Services Accommodated
Section 4.155	General Regulations - Parking, Loading and Bicycle Parking
Section 4.167	General Regulations - Access, Ingress and Egress
Section 4.171	General Regulations - Protection of Natural Features and Other Resources
Section 4.176 (as applicable)	Landscaping, Screening and Buffering
Section 4.177 (as applicable)	Street Improvement Standards
Section 4.178	Sidewalk and Pathway Standards
Sections 4.300-4.320	Underground Utilities
Sections 4.400 through 4.450	Site Design Review
Section 4.600 (as applicable)	Tree Preservation and Protection
Other Planning Documents:	
Metro's Urban Growth Management Functional Plan	
Storm Water Master Plan	
Transportation Systems Plan	

EXHIBITS

The following exhibits are hereby entered into the public record by the Development Review Board in consideration of the application as submitted:

Exhibit No.	Description
A	Staff Report (this document)
1.	Vicinity Map (Public Notice Map)
2.	Tax Map (T3S, R1W, Section 23A; portion)
3.	Application form; dated 12/16/2004
4.	Authorization letter (12 signatories); dated 12/12/2003
5.	Authorization letter, C. Zimmerman; dated 3/26/2004
6.	Authorization letter, Mentor Graphics; dated 4/5/2004
7.	Calculation summary; date 1/23/2004
8.	Legal Description, Parcel 1; dated 12/9/2003
9.	Legal Description, Parcel 2; dated 12/9/2003
10.	Applicant's narrative; dated 2/12/2004
11.	Applicant's narrative addendum; dated 2/11/2004
12.	Transportation Impact Study; dated 4/16/2003
13.	Memo from DKS Associates; dated 3/26/2004
14.	Comprehensive Plan Map
15.	Zone Map
16.	Drawings (as previously reviewed regarded CPA/ZC/Stage I):
a.	Title Sheet [Applicant's Sheet 1]; dated 2/17/2004
b.	Zone Change/Stage I Master Plan [Applicant's Sheet 2]; dated 2/17/2004
c.	Site Overview: Pre[liminary]-Plat 1 + 2 – Stage II Master Plan [Applicant's Sheet 3]; dated 2/17/2004
17.	Authorization letter (one signature); dated 6/23/2004
18.	Authorization by City Engineer
19.	Tree maintenance and protection plan, by Peter Torres; dated 12/15/2003
20.	Wetland delineation, by Fishman Environmental Services, Inc.; dated 12/2003
21.	Drainage Report, by SFA Design Group, LLC; dated 12/16/2003
22.	Title report, by LandAmerica Lawyers Title; dated 1/22/2003
23.	Declaration of Conditions, Covenants and Restrictions (Draft); not dated
24.	Letter from United Disposal Service, Inc.; dated 3/3/2004
25.	Letter from United Disposal Service, Inc.; dated 6/29/2004
26.	E-mail to J. Everitt, Tualatin Valley Fire & Rescue (TVF&R); dated 6/16/2004
27.	E-mail from J. Everitt, Tualatin Valley Fire & Rescue (TVF&R); dated 7/17/2004
28.	E-mail from J. Everitt, Tualatin Valley Fire & Rescue (TVF&R), with

Exhibit No.	Description
	attachment; dated 6/18/2004
a.	Untitled attachment from J. Everitt, Tualatin Valley Fire & Rescue (TVF&R); not dated
b.	Access Plan Review [Memo from J. Everitt, Tualatin Valley Fire & Rescue (TVF&R) to Urban Solutions]; dated 6/18/2004
29.	Memo from D. Walters, Building Division; dated 2/26/2004
30.	Memo from K. Rappold, Natural Resources Manager; dated 3/8/2004
31.	Memo from L. Byer, Assistant City Engineer; dated 6/21/2004
32.	Drawings (as originally submitted):
a.	Pre[liminary]-Plat 1 – Stage II Master Plan [North; Applicant's Sheet 4]; dated 2/17/2004
b.	Pre[liminary]-Plat 2 – Stage II Master Plan [South; Applicant's Sheet 5]; dated 2/17/2004
c.	Tree Preservation/Resource Plan [Applicant's Sheet 6]; dated 2/17/2004
d.	Site Overview: Grading, Erosion Control and Storm Drain Plan [Applicant's Sheet 7]; dated 2/17/2004
e.	Grading, Erosion Control and Storm Drain Plan [North; Applicant's Sheet 8]; dated 2/17/2004
f.	Grading, Erosion Control and Storm Drain Plan [South; Applicant's Sheet 9]; dated 2/17/2004
g.	Grading, Erosion Control and Storm Drain Plan [West; Applicant's Sheet 10]; dated 2/17/2004
h.	Grading, Erosion Control and Storm Drain Plan [East; Applicant's Sheet 11]; dated 2/17/2004
i.	Site Overview: Street and Utility Plan [Applicant's Sheet 12]; dated 2/17/2004
j.	Street and Utility Plan [North; Applicant's Sheet 13]; dated 2/17/2004
k.	Street and Utility Plan [South; Applicant's Sheet 14]; dated 2/17/2004
l.	Site Plan (rendered; Landscape Plan; dated 2/17/2004
m.	Water Quality Planting/Water Quality Plan [Applicant's Sheet L1]; dated 2/17/2004
n.	Water Quality Planting/Water Quality Plan [Applicant's Sheet L2]; dated 2/17/2004
o.	Water Quality Planting/Water Quality Plan [Applicant's Sheet L3]; dated 2/17/2004
33.	Applicant's Narrative Addendum; dated 7/27/2004
34.	Letter from R. Sebastian, Renaissance Development Corporation; dated 7/12/2004
35.	Revised Drawings (replacing original versions, above)
a.	Revised Site Overview: Pre[liminary]-Plat 1 + 2 – Stage II Master Plan [Applicant's Sheet 3; Revision 2]; dated 7/27/2004
b.	Revised Pre[liminary]-Plat 1 – Stage II Master Plan [North; Applicant's

Exhibit No.	Description
	Sheet 4; Revision 2]; dated 7/27/2004
c.	Revised Pre[liminary]-Plat 2 – Stage II Master Plan [South; Applicant's Sheet 5; Revision 2]; dated 7/27/2004
36.	E-mail from M. Sprague, with attachment; dated 8/4/2004
a.	Replacement table, Section II, Page 4, Applicant's Narrative, based upon Revised Plat; not dated
37.	Applicant's Narrative Addendum; dated 8/4/2004
38.	Plant schedule, by Huntington & Kiest; dated 8/5/2004
39.	Drawings, by Huntington & Kiest; dated 8/5/2004
a.	Plan View (typ), enlarged portion; by Huntington & Kiest; dated 8/5/2004
b.	Plan View (typ); by Huntington & Kiest; dated 8/5/2004
c.	Bermed Elevation; by Huntington & Kiest; dated 8/5/2004
d.	Built-up Elevation; by Huntington & Kiest; dated 8/5/2004
40.	Applicant's Narrative Addendum; dated 8/10/2004
41.	Letter from M. and K. Lewallen; dated 8/13/2004
42.	Drawings (previous subdivisions):
a.	Bridle Trail Acres; dated 7/1964 (Note: Exhibit is too large to reproduce)
b.	Bridle Trail Ranchetts; dated 7/1965 (Note: Exhibit is too large to reproduce)
43.	Drawings (previous partitions)
a.	Partition Plat No. 1997-45 (Note: Exhibit is too large to reproduce)
b.	Partition Plats No. 1997-45 and 1999-77 (Tax Map, portion); not dated (Note: Exhibit is too large to reproduce)
c.	Partition Plats No. 1991-84 and 1993-176 (Tax Map, portion); not dated (Note: Exhibit is too large to reproduce)
44.	Drawing: Lot areas at build-out; not dated
45.	Drawing: Revised lot configuration, Lots 6 – 16, and 21 (all north); dated 8/23/2004

Note: Exhibits 1-45 are available in Case File 03DB43 in the Planning Office.