

RESOLUTION NO. 1549

A RESOLUTION ADOPTING FINDINGS AND APPROVING AN INTERPRETATION THAT THE PRIMARY OPEN SPACE AND SECONDARY OPEN SPACE BOUNDARIES BE ADJUSTED TO ALLOW SEVERAL SINGLE-FAMILY LOTS FOR THE CANYON CREEK MEADOWS II DEVELOPMENT. THE SITE IS LOCATED NORTH OF CANYON CREEK MEADOWS I AND ABUTS THE EAST SIDE OF CANYON CREEK ROAD ON TAX LOTS 200, 500, AND 590, SECTION 12, T3S-R1W, CLACKAMAS COUNTY, OREGON. TEKTRONIX, INC., 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(4) and 4.440(1) of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared a report on the above-captioned subject, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board at regularly scheduled meetings conducted on March 8, 1999 and April 12, 1999, and by the City Council on a special meeting on April 29, 1999, at which time exhibits, together with findings and testimony were entered into the public record, and

WHEREAS, the Development Review Board has considered the subject and the recommendations contained in the staff reports and has recommended an interpretation as shown on Exhibit I, and

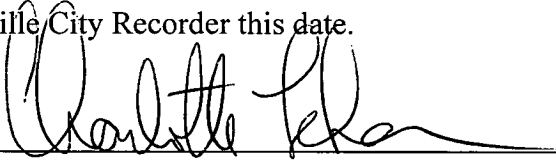
WHEREAS, the City Council has considered the record and testimony at a public hearing held on April 29, 1999, and

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

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Wilsonville does hereby adopt the staff report as revised on April 19, 1999, attached hereto as Exhibit A, with findings and recommendations contained therein and the recommendation of the Development Review Board to interpret the Comprehensive Plan. With this resolution the City Council interprets the Comprehensive Plan and adjusts the Primary and Secondary Open space boundaries as shown on map entitled "Applicant Exhibit #1 – Map of Primary Open Space and Secondary Open Space submitted April 12,

1999, to allow several single-family lots: (The revised map includes rear of lots 38 and 39 as Secondary Open Space and portions of Lots 21 through 28 and rear of lots 37 and 38 as Primary Open Space.)

ADOPTED by the Wilsonville City Council at a special meeting thereof this 29th day of April, 1999, and filed with the Wilsonville City Recorder this date.



CHARLOTTE LEHAN, Mayor

ATTEST:



SANDRA C. KING, CMC City Recorder

SUMMARY OF VOTES:

Mayor Lehan	<u>Excused</u>
Councilor Helser	<u>Yes</u>
Councilor Barton	<u>Yes</u>
Councilor Kirk	<u>Yes</u>
Councilor Holt	<u>Yes</u>

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PLANNING DIVISION MEMORANDUM

Date: April 19, 1999

To: Honorable Mayor and City Council

From: Robert G. Hoffman AICP
Manager of Current Planning

Re: City Council interpretation of Comprehensive Plan Primary Open Space
Boundaries – Canyon Creek Meadows II – Case File No. 98DB48

SUMMARY

On April 12, 1999, the Development Review Board conditionally approved Canyon Creek Meadows II, Case File No. 98DB48, contingent upon City Council interpretation of the Primary Open Space (POS) and Secondary Open Space (SOS) boundaries. City Council action is to decide whether to approve the revised boundaries, deny the new boundaries or further modify the request. Staff and the applicant agree with the proposed interpretation as recommended by the Development Review Board if City Council agrees. The appropriate action would be to approve Resolution No. 1549. Not to revise the boundaries would result in the loss of at least ten of the 80 lots in the subdivision as approved.

The Development Review Board approval was by a three to one vote with Gary Betts voting no primarily out of concern about the possible effect on wildlife habitat. Staff and the three affirmative votes were satisfied that with over 40% of the site in open space, all of the wetlands, buffer areas, most significant trees, and streams preserved, the wildlife habitat would still be available. The applicant's environmentalist had testified that the State and Federal agencies had not expressed concern.

RECOMMENDATION

Approve Resolution No. 1549 interpreting the mapped Primary and Secondary Open space boundaries to allow single-family homes to be built where previously Primary Open Space was proposed on the Comprehensive Plan of Land Use Map as indicated on Exhibit 1.

BACKGROUND

The Comprehensive Plan text and Land Use map were adopted in 1981 after many public hearings and changes. The Primary Open Space and Secondary Open Space boundaries were shown on the Comprehensive Plan Land Use Map as the best application of the definitions and criteria at that time. Often aerial photos were the best information available. Primary Open Space was defined as including areas in flood plains, areas with slopes over 20%, significant stands of trees and major natural drainage channels. Tektronix was being constructed during that period and major stands of trees were being removed and major areas of fill was occurring. The applicant and staff have attempted to interpret where these significant environmental features exist today. The boundary of Primary Open Space is significant in that only minimal development may occur in Primary Open Space areas while development may occur to a greater degree in Secondary Open Space areas.

All trees have been surveyed and an arborist report has been prepared. A geotech report was prepared summarizing many test pits, which had been dug to establish the fill type and location. A number of steep slope areas found on topographical maps turned out to be created by the ten feet of man-made fill that covers much of the site. Some steep slopes were actually the edges of the fill areas. Wetlands and stream surveys were prepared, reviewed by the State and Corps of Engineers. This information is available in the record and is summarized in the attached staff report.

PLANNING DIVISION STAFF REPORT

Date: April 19, 1999

To: Honorable Mayor and City Council

From: Robert G. Hoffman AICP
Manager of Current Planning

Re: Canyon Creek Meadows II – Case File No. 98DB48
(Interpretation of Primary Open Space and Secondary Open Space boundaries)

FINDINGS

Primary Open Space Analysis:

1. The Comprehensive Plan Map designates upper Boeckman Creek on the property as Primary Open Space. Upper Boeckman Creek hinders the applicant's goal to achieve the proposed 80-lot subdivision design without some adjustment to the boundary of the Primary Open Space that comprises upper Boeckman Creek to allow several proposed homes sites. The applicant contends that the Plan Map designation is not in conformance with the Plan Policy regarding Primary Open Space and that a slight adjustment to the Primary Open Space boundary is justified. Policy 4.5.1.b., of the Comprehensive Plan, defines the types of areas that constitute Primary Open Space:

Exhibit 2 shows the current Primary Open Space and Secondary Open Space boundaries.

Policy 4.5.1

- a. *The major natural drainage ways, environmentally sensitive areas and significant stands of trees or other vegetation shall be designated as primary or secondary open space.*
- b. *Primary Open Space is intended to remain undeveloped with the possible exceptions of passive recreation and underground*

public facilities. (emphasis added). These areas include the following:

1. *100-year floodway*
2. *Slopes greater than 20%*
3. *Significant stands of trees, including all trees and vegetation within 150 feet of the banks of the Willamette River, but not including orchards.*
4. *Major natural drainage channels*

The Comprehensive Plan at page 3 under "Procedures" recognizes a procedure to resolve conflicts between Plan Policies and the Plan Map.

"When any ambiguity or conflict appears to exist, Goals shall take precedence over objectives, policies, text and map; Objectives shall take precedence over policies, text and map; Policies shall take precedence over text and map. The land use map is only a visual illustration of the intent of the Plan."

This procedure acknowledges the ability of the City to resolve conflicts through the interpretation of the text and map, and allows adjustments when the policies of the plan are in conflict with the map. As a result, this procedure authorizes resolution through an interpretation and does not require an amendment to the Comprehensive Plan when a conflict exists. The Development Review Board has considered the above allocation and proposed resolution of the conflict at a public hearing. Their recommendation is hereby forwarded to the City Council for action. This needs to occur since the Comprehensive Plan provides that the City Council shall have final authority for the interpretation of the Plan text and map. The above procedure provides an efficient resolution to the apparent conflict that presently exists without the necessary time and delay associated with a full Comprehensive Plan amendment process. The applicant's proposed supplemental findings regarding the Primary Open Space boundary adjustment are found in Exhibit F.

Criterion:

100-year floodway

Response Finding:

2. Upper Boeckman Creek is not identified as a 100-year floodway.

Criterion:

Slopes greater than 20%.

Response Finding:

3. Proposed lots 18 to 29 would encroach the current Primary Open Space (POS) boundary. Those lots are adjacent to the West Side of the upper Boeckman Creek and are on 5% to 20% slopes. 12 to 20% slopes are better defined as Secondary Open Space. While some slopes indicated on the slope map appear to exceed 20% the applicant explains and the 1980 aerial photo of the site appears to confirm that these slopes were created by fill at the time Tektronix Campus was built. Staff recommends that "created" slopes should not be interpreted as Primary Open Space. At the April 14, 1999 hearing, the applicant's geotechnical engineer presented findings of test pits showing that the steep slopes within the current primary open space areas along its western edge were in fact part of the ten feet of fill placed on the site between 1976-1980.

Criterion:

Significant stands of trees, including all trees and vegetation within 150 feet of the banks of the Willamette River, but not including orchards.

Response Finding:

4. The project arborist, Mr. Mike Reichenbach, has provided a tree survey and arborist report that shows species, size and trees location. A tree condition rating system is provided regardless of species. Some dead trees were found on the site. Most of the significant stands of trees are within upper Boeckman Creek. The interior site is generally void of trees. The applicant proposes to adjust the POS boundary to accommodate additional home sites next to the West Side of the upper Boeckman Creek. This project will require the removal of most of those trees greater than 6" caliper proposed for lots 18 to 29 and for the associated storm detention ponds. The South area of proposed Building #2 will also encroach the POS boundary. However, on the basis of the tree survey and arborist report provided by the applicant, the proposed home sites and South Side of Building #2 will impact a marginal group of trees mostly comprised of Alder. The adopted conditions of approval require some additional trees to be preserved.

Criterion:

Major natural drainage channels

Response Findings:

5. Upper Boeckman Creek that traverses the subject property is a major drainage way. The lots proposed within the current POS boundary will not be developed within the watercourse of the drainage way.

On the basis of POS criteria 2, 3 and 4, most of upper Boeckman Creek is appropriately designated in Primary Open Space. However, the applicant has submitted sufficient evidence to demonstrate that a conflict exists between the Comprehensive Plan Map boundary and POS Plan Policy that favor an adjustment to the POS boundary to allow for the proposed lots 18 to 29 and for proposed Building #2. The proposed storm detention ponds shall remain in POS. This is appropriate for POS areas but must minimize conflicts with the natural area.

Secondary Open Space Analysis:

- c. *Secondary open space is intended to serve as a buffer to primary open space areas. They may be developed in accordance with special development standards and shall be evaluated through a conditional use and design review process, except when the proposal is a part of a planned development. These areas include the following:*
1. *Land within the Willamette River Greenway boundary, but beyond the 150-foot line.*
 2. *High voltage power line easements.*
 3. *The 100-year flood plain fringe.*
 4. *Slopes between 12% and 20%.*
 5. *Designated historic sites.*
Small stands of trees and heavily vegetated areas adjacent to primary open space areas.

Criterion:

Land within the Willamette River Greenway Boundary, but beyond the 150 foot line.

Response Finding:

6. The subject property is not within the Willamette River Greenway therefore this criterion is not applicable.

Criterion:

High voltage power line easement.

Response Finding:

7. The subject property is impacted by a 560KV high voltage power line easement that traverses the North side of the subject property. This part of the site is appropriately designated in SOS.

Criterion:

The 100 year flood plain fringe.

Response Finding:

8. The Federal Emergency Management Agency Flood Mapping indicates that the project site is not within a 100-year flood hazard.

Criterion:

Slopes between 12% and 20%.

Response Finding:

9. Generally, the areas designated in SOS do not have slopes between 12% and 20%. Particularly the central part of the subject property and within the BPA easement. There are some man-made slope areas from fill here.

Criterion:

Designated historic sites.

Response Finding:

10. The subject property is not a designated historic site.

Criterion:

Small stands of trees and heavily vegetated areas adjacent to primary open space areas.

Response Finding:

11. Smaller stands of trees and vegetation are found in the SOS areas adjacent to POS areas.

Criterion:

Note: In vegetated areas the visual impact of the trees, etc., is to be preserved. Any clearing of trees for development should be from the interior of the stand.

Response Findings:

12. Again, the subject site comprises areas in Primary and Secondary Open Space. The proposed development will not have a significant adverse effect upon Primary Open Space. However, a contour line should be established to delineate the boundaries of Primary Open Space so that protective conservation restrictions are recorded with the land sale contracts. The boundaries shown on Exhibit I are those recommended by the Development Review Board as the appropriate Primary Open Space and Secondary Open Space boundaries at this time.

13. Summary of Map

At the Development Review Board meeting on April 14, 1999, the board recommended that the Council interpretation of Primary Open Space and Secondary Open Space boundaries be as indicated on Exhibit I including all conservation easements as Primary Open Space. Also they acted on approving a condition that all approved Primary Open Space should be included within Conservation Easements to be recorded with Clackamas County.

Exhibits to City Council Staff Report for 4/29/99 Hearing

Exhibit #1 – Map of Proposed Primary Open Space – Secondary Open Space

Exhibit #3 – Map of Existing Primary Open Space and Secondary Open Space

Exhibit BB. – From Canyon Creek Estates “The Enclave at Canyon Creek” Canyon Creek Village – Applicant’s submittal document re “Revision of Primary Open Space”.

Exhibit CC. - Open Space Exhibit dated 1/15/99

Exhibit DD. – Board discussion and motion to approve project

Exhibit #T - From April 12, 1999 DRB hearing-registering concerns about open space and trees. Letter dated 4-12-99 from Marc & Heather Hage including attached letter from Earth Day Foundation and 24 photographs showing trees to be removed, drainage slopes, creek area.

**THESE EXHIBITS ARE AVAILABLE IN PLANNING
CASE FILE #98DB48**

EXHIBITS

The following Exhibits are hereby entered into the public record by the Development Review Board as confirmation of its consideration of the application as submitted:

- A. Findings and Conditions of Approval
- B. City of Wilsonville Comprehensive Plan
- C. Chapter 4 of the Wilsonville Code
- D. Applicant's submittal documents
Project narrative, Stage I master plan and Stage II final plan, preliminary plat, arborist report and tree survey.
- E. Tektronix campus site plan.
- F. Applicant's supplemental findings relative to POS.
- G. City Engineer's report.
- H. Building Official's report.
- I. Environmental Services erosion control specifications.
- J. DKS traffic report.
- K. Applicant/City agreement to not development until there is water capacity.
- L. Venture Properties addendum design standards.
- M. Updated arborist report loosely inserted in the applicant's project narrative book.
- N. 1980 aerial photo of site.

Exhibits entered into the record at the March

8, 1999 public hearing:

- O. Letter submitted by Marc and Heather Hage dated March 8, 1999 in opposition to the project.
- P. Revised Proposed Conditions of Approval submitted by Blaise Edmonds
- Q. Engineering Department Memo dated March 3, 1999 submitted clarification on Conditions PF21 and PF9
- R. Letter submitted by Venture Properties dated March 5, 1999 regarding Conditions of Approval for Canyon Creek Meadows II

New Exhibits entered into the record at the April 12, 1999 public hearing:

- S. Engineering Dept. memo dated April 5, 1999 re Condition PF 11
- T. Letter dated 4-12-99 from Marc & Heather Hage including attached letter from Earth Day Foundation and 24 photographs showing trees to be removed, drainage slopes, creek area.
- U. Letter dated 4-8-99 from Chuck Bockelman of Tektronix in support of project submitted by applicant.

- V. Petition in support of project signed by 77 neighbors of proposed project submitted by applicant.
- W. Brochure "Where Lifestyle Matters" submitted by applicant.
- X. Postcard "It's time to stop paying rent" submitted by applicant.
- Y. Page from "Oct, 98 Builder" showing "Community Merit Award Single-family community" received for Canyon Creek Meadows I project submitted by applicant.
- Z. Applicant's outline of 4-12-99 presentation indicating speakers and map or drawing referenced by each speaker.

AA. Applicant's Exhibit Listing of Maps and Drawings submitted 4-12-99

Applicant Exhibit #1	Map of Proposed Primary Open Space – Secondary Open Space
Applicant Exhibit #2	Study Map Showing Test Pits
Applicant Exhibit #3	Map of Existing Primary Open Space and Secondary Open Space
Applicant Exhibit #4	Primary Open Space Criteria Chart
Applicant Exhibit #5	Drawing Showing Proposed Conservation Easements and lines of proposed Primary Open Space Boundaries
Applicant Exhibit #6	Enlarged 1980 Aerial Photograph of Tektronix Site showing fill area
Applicant Exhibit #7	Conceptual Storm Drainage Design
Applicant Exhibit #8	Proposed Storm Detention Ponds Showing Trees to be Removed
Applicant Exhibit #9	Proposed Storm Detention Pond next to Commercial Site Showing Trees to be Removed
Applicant Exhibit #10	Slide Presentation – 16 slides – Showing Project Site along Boeckman Drainage Way.

EXHIBIT T
4-12-99
980B48

April 12, 1999

City of Wilsonville in Oregon
30000 SW Town Center Loop E
Wilsonville, Oregon 97070

Dear City of Wilsonville:

Our city logo is a tree, our new nickname is "Tree City USA." How can we justify killing over 600 beautiful firs, oaks, cedars, fruit and many other varieties of trees? Is it fair to the wildlife and surrounding residents to destroy natural habitats in order to add more cramped housing and commercial buildings. Does Wilsonville really need housing that bad that we would allow this to happen? Wouldn't it be a better idea to build somewhere else where there are less trees, no wetlands and no hi voltage power wires running through it?

In the last couple of weeks we have made several calls to Don Morissette to talk about preserving open space between Phase I & II. This would save some of the mature trees and help with the drainage & height problems. Phase II is higher and will dump more water run off into Phase I and will cause additional soil erosion. This would also give a little breathing room for the Phase I homes facing Phase II. We have noticed some of these home owners are moving already and we are considering moving also if the project is approved as summitted. Don Morissette has not returned any of our calls.

We have learned that the city requires tree replacement equal to the caliber of trees removed. There are many trees around two feet in diameter or larger. It would take a hundred years or longer for the two inch diameter replacement trees to grow to that size.

If you do approve Phase II, please consider saving more of the mature trees by allowing more open space between the Phases and along the Wetlands.

Enclosed please find pictures of the mature trees to be removed, the drainage slope behind our homes and the creek "Wetland" areas. Also enclosed is a letter from the Earth Day Foundation.

Please help us preserve natural Wilsonville.

Sincerely,

MARC AND HEATHER HASE

MH
Enclosures: 2

The earth is our children's.
The choice is ours.

Deforestation is a global disaster. With 1,000 acres of old-growth trees cut daily in the United States, we are losing biodiversity—and gaining excess carbon dioxide.

What is biodiversity? Basically, it's the countless varieties of plants, animals and other living things that inhabit a particular region. Within our remaining forests are undiscovered cures, new sources of energy, food and valuable resources. The forests themselves act as a natural shield that reduces CO² fumes because plants and trees inhale carbon dioxide to grow—and exhale oxygen for us to survive.

From
Canyon Creek Estates
The Enclave at Canyon Creek
Canyon Creek Village

Application for a Re-Master Plan of the Tektronix Campus
Application for a Residential Subdivision
Application for a Mixed-Use Commercial Center
Application for a Stage I and II Master Plan

Applicant:

Venture Properties, Inc.
5000 SW Meadows Road, Suite #151
Lake Oswego, OR 97035

Resubmitted
January 19, 1999

FILE COPY

98DB48

(c) A registered engineer or a registered engineer and land surveyor licensed by the State of Oregon.

Response: The application has been prepared and submitted under the direction of Mr. Mike Van Loo, a registered engineer in the State of Oregon, license number #13280.

4.137 Planned Development Regulations – Sun Exposure Planes

The purpose of this section of the Code is to provide improved solar access for new home subdivisions. Siting homes within the confines of established riparian corridors and significant trees may restrict the ability of the neighborhood to substantially with the sun exposure plane guidelines. A request for a waiver to this standard is presented in the waiver section.

4.150 Off-Street Parking

All of the homes will meet or exceed the requirements for two (2) off-street parking spaces.

4.161 Protection of Natural Resources

Revision of Primary Open Space:

Henderson Land Services has worked with Venture Properties and the City of Wilsonville staff in reconciling the primary open space (POS) location on this site as mapped by the City of Wilsonville from aerial photography in the mid-1980's. While aerial mapping of canopy coverage and terrain provides guidance in mapping likely areas of the City which met the POS criteria, it should only be considered as an *indication* of such sites only. In recognizing this limitation, Venture Properties has conducted site-specific field verification of areas mapped initially by the City as POS through the limited aerial interpretation. Our findings are as follows.

POS mapping criteria established by the City are areas including: a) wetlands, with a minimum 25-foot wetland buffer; b) topography in excess of 20% slope, and c) stands of significant trees. As originally mapped, the POS on this site broadly encompassed Boeckman Creek and the associated forested habitat and slopes, but did not include significant areas of wetlands which were as yet unmapped but hydrologically connected to Boeckman Creek.

For purposes of this submittal, having worked with a certified arborist in conducting a site-specific tree inventory and our project engineer in mapping areas of slopes greater than 20%, we have redrawn the POS boundaries to more accurately reflect locations of delineated wetlands, surveyed slopes, and stands of 'significant' trees. Our arborist inventoried and assessed trees onsite individually for vigor, but more significant environmentally, their relationship to and within context of the stand. The attached 'SLOPE EXHIBIT' shows the actual areas of 12-20% slopes (light gray shading) and greater than 20% slopes (dark gray shading) against the City of Wilsonville's POS and SOS digitized lines. Grading operations within areas greater than 20% are limited to activities required for water quality and detention. The total acreage of the entire site designated with slopes between 12 and 20% is 3.10 acres including the area in Tract O which consists almost entirely of slopes greater than 20%. Sections 4.161 (3) (b) and (c) that at least

70% of slopes greater than 12% remain free of structures or impervious surfaces and that grading and stripping are limited to 30%. The actual amount of grading and stripping for lot preparation shown (by light gray shading) is less than $\frac{3}{4}$ of an acre. Thus the 70 and 30% rules are observed.

Where the originally mapped POS on this site was limited only to approximately 2.4-acres adjacent to the Boeckman Creek corridor, *our redrawn boundaries have nearly doubled the extent of the POS to approximately 4.6 acres.*

Further 4.161 (6) (A) 3.) requires that any development with one hundred feet of a natural wetlands shall maintain the runoff coefficient and erosion equilibrium as if no development occurred. This requirement is addressed in the storm water section of the application.

VIII. Continued Business Public Hearing:

- B. 98DB48 – Venture Properties – Proposed Canyon Creek Meadows II. Applicant requests approval to modify the Stage I Tektronix, Inc., Master Plan to allow residential and commercial development within the Planned Development Industrial (PDI) Zone and review of a proposed preliminary subdivision plat for an 80-lot single-family subdivision and two mixed-use commercial buildings, including 21 apartment units and review of Stage II Final Plans for the proposed mixed-use commercial center. This application also involves an interpretation to adjust the Primary Open Space boundary to allow single-family building lots. The site is located north of Canyon Creek Meadows I and abuts the east side of Canyon Creek Road on Tax Lots 200, 500 and 590, Section 12, T3S-R1W, Clackamas County, Oregon. This item was continued from the March 8, 1999 meeting with the record remaining open to this date and time certain.

Don Morissette confirmed proposed conservation easements – using displayed map – (identified as Applicant Exhibit #1 – Map of Proposed Primary Open Space – Secondary Open Space) as follows:

Rear of Lot 53 to save a grove of trees, rear of Lots 38 and 39, and rear of Lots on the open space portions of 21 through 28 to save additional trees. (Condition of Approval #20)

The applicant's exhibits as well as a sheet tying the exhibit numbers to the speakers was entered into the record.

The public hearing closed; Chair Lake called for a motion or discussion.

Chair Lake: This hearing provided additional opportunity to read in greater length the many pages of documents submitted, at the prior hearing, as well as for this hearing. He stated that after having read the information and after seeing this evening's presentation, his primary concerns have been addressed. He stated he is inclined to approve the proposal and send it on to City Council for their consideration. His initial concerns were a more firm definition of the Primary and Secondary Open Spaces and that has been accomplished. His concerns about roadway that crosses the open space have been adequately addressed.

Michael Cooke: He thanked Mr. Morissette for his patience and for providing the testimony from so many people, that it helped him in making his decision. He stated he thinks positively about the project with the exception of the eight houses on the one area. Their importance is overwhelming the project; it is a major concern. His concerns about the road and the culvert have been addressed. He stated that a lot of effort has been put into the open space issue and into saving as many trees as possible. There has not been a lot of outpouring from anyone against the project. He stated he would vote positively for the project.

Mike Elder: He was not enthusiastic about the project at the beginning; he had concerns. For the most part they have all been addressed. He stated he has been impressed with the applicant's energy and willingness to cover as many angles and issues as possible. The application was well prepared.

He stated he has concerns remaining, which involve around remaining open spaces, not just in Wilsonville but up and down the valley. He is disappointed to see development in areas that are basically unspoiled. His concern about the fill evidence have been addressed and he is convinced what is on the site is a man-made fill. He feels that the traffic will be impacted much more negatively than DKS indicates. However, it would be unfair to single out this applicant for the traffic issue. He stated he would vote to approve the project.

Gary Betts: He stated he agrees with Mr. Morissette, he just can't keep giving it away. When he looks at the amount of Primary Open Space the project began with and the amount of Secondary Open Space that was either so indicated or which we would have anyway, there is a net loss, not a net gain. He stated what concerns him most is that; "Proposed development within the 100-foot transition zone should preserve ground water recharge, water storage turbidity, nutrient filtration, biologic or botanical production and preserve protective habitat cover." If we approve this, we move that 100-foot buffer down to 25 feet; it is still a fenced-in ditch. A wildlife inventory has not been presented. From the pictures of the terrain presented this has to be rich in wildlife. There is probably a lot of deer in this area; it is unconscionable to affect that wildlife corridor. He stated he would vote against the project at this time; he would like the applicant to work on the wildlife corridor. The conservation easements are another concern; he would like to see a map showing exactly what they are. He would be in favor of using the conservation easements as a means to preserve some of the wildlife habitat corridor. He does not see that the applicant has made any effort to preserve habitat for the butterfly. There is need to be concerned about other animals besides the mammal. This is one of the last large patches of butterfly habitat in the city. If this were properly done, the habitat could be maintained for them. He stated there are many things about the project that he likes; he just cannot approve breaking up a wildlife corridor when it could be preserved. He would prefer to continue; if not, he will vote against.

Chair Lake called for a motion. He expressed his appreciation to the board for their diversity and the dedication they show on the difficult issues. He stated he does not doubt the sincerity of any member of the board.

David Lake moved to approve 98DB48 – Venture Properties – for consideration by the City Council with the following amendments to the proposed Conditions of Approval:

- Condition #3:** Delete word "that" and change to "which plat".....
- Condition #5:** Change word "is" to "are"
- Condition #7:** In reference to Lot 3 – Tree #314 – add wording, "Applicant has stated that he will preserve this tree".

- Condition #14:** Add wording, in second sentence, "submitted for approval by the City Engineer" and in at the end of the third sentence, add the wording "and shall legally describe the wetlands area and boundary."
- Condition #16:** Add to end of condition, "CCR's and By-laws shall be reviewed by the City Attorney for approval prior to filing of the final plat.
- Condition #20:** Add to condition,entitled "Applicant Exhibit #1 - Map of Proposed Primary Open Space-Secondary Open Space" and "submitted April 12, 1999. Map Boundaries shall be included in a conservation easement."

City Engineering Conditions:

Condition PF11: Delete condition as submitted and substitute new wording proposed by City Engineer,
PF11: The applicant shall connect to the city water system at two locations on Canyon Creek North as follows:

- a) The existing 8-inch waterline stub located at the project driveway (Canyon Creek North Sta. 42+00+/-).
- b). The existing 8-inch waterline stub located on the eastside of the intersection with Weidemann Road.

The construction of (b) outlined above can be delayed until the construction of the commercial portion of the project or as necessary for adequate fire and life safety measures as determined by Staff.

- Condition PF14: b)** Amend to read, (5) foot concrete sidewalks on one side of all public streets and between lots 5/6, 12/13, 50/51, 29/30 and the areas designated as Tract 'N' and 'G'.
- Condition PF17:** Correct spelling on word to "Enclave".

Building Division Conditions:

- Condition #2:** Delete 220 through 225 and change to 1 through 8 and add at the end, "or unless as otherwise determined by the Building Official."
- Condition #3:** Delete 220 through 225 and change to 1 through 8.
- Condition #4:** Delete 220 through 225 and change to 1 through 8.

Mike Elder seconded the motion. Chair Lake called for the vote:

Michael Cooke:	Aye
Mike Elder:	Aye
David Lake:	Aye
Gary Betts:	Nay

Motion passed 3 to 1.

The appeal process was read into the record.

City of

WILSONVILLE
in OREGON



30000 SW Town Center Loop E
Wilsonville, Oregon 97070
(503) 682-1011
(503) 682-1015 Fax
(503) 682-0843 TDD

Date: April 14, 1999

To: Mr. Chuck Bockelman
Tektronix, Inc.
PO Box 500 M/S 22-511
Beaverton OR 97077-0001

Ms. Christy Wiegel, Vice-president
Venture Properties, Inc.
5000 SW Meadows Road, Suite #151
Lake Oswego OR 97035

Re: Application #98DB48
Venture Properties – Canyon Creek II Development

Two copies of the Development Review Board's Notice of Decision, Resolution and adopted Staff Report including adopted Conditions of Approval rendered on your application are attached. Please note that a signature acknowledging receipt and acceptance of the Conditions of Approval is required to be returned to the planning division **before the decision is effective**. One copy is provided for this purpose. Please sign and return to the undersigned. Thank you.

Sally Hartill
Planning Division
30000 SW Town Center Loop E
Wilsonville OR 97070

cc: Mr. Don Morrisette, Venture Properties, Inc. 5000 SW Meadows Road, Suite #151, Lake Oswego OR 97035
Mr. Mike Van Loo, P.E. Alpha Engineering, 9300 SW Oak, Suite #230, Portland OR 97224
Mr. William Kreager, Mithun Partners, 414 Olive Way, Suite #500, Seattle WA 98101
Mr. Jack Kriz, Mildren Design Group, 11830 SW Kerr Parkway, Suite 325, Lake Oswego OR 97035
Mr. Mike Reichenback, C.A. Arboreal Enterprises, 4422 Norfolk Street, West Linn OR 97068
Mr. Bruce Henderson, Henderson Land Services, 4212 South Shore Blvd, Lake Oswego OR 97035
Mr. Matt Sprague, 9600 SW Oak #230, Portland OR 97223
Marc and Heather Hage, 7609 SW Thornton, Wilsonville OR 97070
Blake Marchand, 7589 SW Thornton, Wilsonville OR 97070
Keith Aden, PO Box 1501, Lake Oswego OR 97035
Dave Cummins, 7575 SW Thornton, Wilsonville OR 97070



"Serving The Community With Pride"

City of

WILSONVILLE
in OREGON



30000 SW Town Center Loop E
Wilsonville, Oregon 97070
(503) 682-1011
(503) 682-1015 Fax
(503) 682-0843 TDD

NOTICE OF DECISION

DEVELOPMENT REVIEW BOARD

PANEL A

Project Name: Canyon Creek Meadows II Case File No: 98DB48
Applicant/Owner: Tektronix, Inc.
Proposed action: Modification of the Tektronix, Inc., Stage I Master Plan to allow residential and commercial development within the PDI Zone and review of a preliminary subdivision plat and approval of an 80-lot single-family subdivision and two mixed-use commercial buildings including 21 apartment units and approval of Stage II final plans for a mixed-use commercial center and a recommendation to City Council to adopt the proposed Primary Open Space and Secondary Open Space revised boundaries to allow single-family lots.
Property description: Tax Lots 200, 500, 590, Section 12, T3S-R1W, Clackamas County, Oregon
Location: North of Canyon Creek Meadows I, abutting the east side of Canyon Creek Road

On April 12, 1999, at the meeting of the Development Review Board the following decision was made on the above referenced proposed development action:

XX Approved with Conditions

This approval is contingent upon City Council interpretation of the Primary Open Space and Secondary Open Space boundaries.

This decision has been finalized in written form and placed on file in the city records at the Wilsonville City Annex this 14th day of April, 1999, and is available for public inspection. The date of filing is the date of the decision. Any appeal(s) must be filed with the City Recorder by 5:00 p.m. on April 27, 1999.

Written decision is attached.

This action will expire on April 12, 2001 unless development commences prior to the expiration date.

For further information, please contact the Wilsonville Planning Division at the Community Development Building, 8445 SW Elligsen Road, Wilsonville, Oregon, 97070, or phone 682-4960.

FILED 4-14-99 *pk*



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**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 98DB48
CANYON CREEK MEADOWS II**

A RESOLUTION ADOPTING FINDINGS AND CONDITIONS OF APPROVAL APPROVING A MODIFICATION TO THE STAGE I TEKTRONIX, INC., MASTER PLAN TO ALLOW RESIDENTIAL AND COMMERCIAL DEVELOPMENT WITHIN THE PLANNED DEVELOPMENT INDUSTRIAL (PDI) ZONE AND APPROVAL OF A PRELIMINARY SUBDIVISION PLAT FOR AN 80-LOT SINGLE-FAMILY SUBDIVISION AND TWO MIXED-USE COMMERCIAL BUILDINGS INCLUDING 21 APARTMENT UNITS AND APPROVAL OF STAGE II FINAL PLANS FOR THE MIXED-USE COMMERCIAL CENTER. THIS RESOLUTION ALSO RECOMMENDS TO THE CITY COUNCIL THAT THE PRIMARY OPEN SPACE BOUNDARY BE ADJUSTED TO ALLOW SEVERAL SINGLE-FAMILY LOTS. THE SITE IS LOCATED NORTH OF CANYON CREEK MEADOWS I AND ABUTS THE EAST SIDE OF CANYON CREEK ROAD ON TAX LOTS 200, 500, AND 590, SECTION 12, T3S-R1W, CLACKAMAS COUNTY, OREGON. TEKTRONIX, INC., 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 (4) and 4.440 (1) of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared a report on the above-captioned subject, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board at a regularly scheduled meeting conducted on March 8, 1999 at which time exhibits, together with findings and testimony were entered into the public record, and

WHEREAS, the Development Review Board, after reviewing the record and the public testimony, and with the hearing remaining open, continued the hearing to the April 12, 1999 public hearing, and

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

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

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report as revised on April 12, 1999 attached hereto as Exhibit A, with findings and recommendations contained therein, and

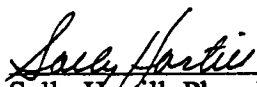
authorizes the Planning Director to issue a SITE DEVELOPMENT PERMIT, consistent with said recommendations. This approval is also a recommendation to City Council to adjust the Primary and Secondary Open Space boundaries as shown on map entitled _____ Applicant Exhibit #1 ~~Map of Primary Open Space and dated~~ submitted April 12, 1999, to allow ~~and Secondary Open Space~~ several single-family lots, and this approval is CONTINGENT upon City Council interpretation to allow single-family lots within the Primary Open Space as currently shown on the Comprehensive Plan Land Use map.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof 12th day of April, 1999, and filed with the Planning Secretary on April 14, 1999.



David Lake, Chair Panel A
Wilsonville Development Review Board

Attest:



Sally Hartill, Planning Secretary

Amended and Adopted on April 12, 1999

New Language: Bold

~~Old Language: Strike Through~~

Canyon Creek Meadows II
Stage I Master Plan,
Stage II Final Plan and Preliminary Subdivision Plat
ADOPTED Conditions of Approval

1. Construction and site development shall be carried out in substantial accord with the Preliminary Plat dated October, 1998, and the project narrative and fold-out plans and drawings dated January 19, 1999, approved by the Development Review Board unless altered with Board approval or as amended by conditions or with minor revisions approved by the Planning Director.
2. This action approves the modification to the Stage I Tektronix Master Plan to allow the proposed commercial and residential project within the PDI zone.
3. The subdivision lots shall not be sold or conveyed until such time as the final plat is recorded with Clackamas County ~~that~~ **which plat** shall not be recorded until the Community Development Director has determined water is available for this project.
3. Future tenants in the proposed commercial buildings shall be similar to the commercial uses listed in the applicant's project narrative on page 26 of the January 19, 1999, project narrative.
5. The following waivers are hereby approved:

Waiver to allow smaller lots. 4,419 SF lots and larger. East (8-lots) 5,000+ SF lots.

Approve minimum front yard setback: twelve (12) feet to the house. Approve minimum front yard setback to covered porch nine (9) feet (lots 1-72). In the case of a corner lot, the side yard on the roadside may be reduced to ten (10) feet. Minimum side yard on street: 10' is proposed. At least 18' setback to garage measured between garage front and sidewalk should be maintained. If the model is designed to be flush with the garage (such as in the Model 17C) both the garage and dwelling unit will be set back at least 18 feet from the property line.

Staff Report Amended and Adopted by The Development Review Board on April 12, 1999

Minimum Rear Yard Setback: Fifteen (15) feet. 15' set back is proposed, however, proposed lot # 8 shows +/- 5 rear yard setback that is approved.

Proposed decks > 30" or < 30" high on pier footings within 0' of the property line (including the conservation easement or the Primary Open Space line) is are approved. Decks shall not encroach or project into Primary Open Space.

Minimum Side Yard Setback: Five (5) feet.

Maximum lot coverage: 60% waiver is approved for Traditional Homes (Lots 1-72).

Maximum lot coverage 50% for The Enclave (Lots 1-8)

Allow accessory units with kitchens for a maximum 20-units in the subdivision.

Maximum Height: Two and one-half (2 1/2) stories or thirty-five (35) feet. A four-(4) story building mixed use building is proposed. Height waiver is approved.

Approve a waiver to allow 158 parking spaces for the proposed mixed-use commercial buildings.

6. Approve the waiver to allow 32 foot paved area within a 38 foot ROW. Public easements inside the ROW are (2) 5' public utility easements and 5' sidewalk on one side of the street. A 20' wide private road is proposed and hereby approved on Tract M to serve the proposed 8 lots on the East Side of upper Boeckman Creek. Approved is 20' wide private road to serve the commercial center. Parking is not allowed on the 20' wide streets. (The private road to the proposed 8-lots east of Upper Boeckman Creek and the commercial drive.)
7. The applicant shall follow the Tree and Plant Preservation / Protection specifications identified in the arborist report. As determined by the Development Review Board, as part of the Site Design Review process, the applicant shall make every reasonable and feasible attempt to save conifers and deciduous trees, especially Oregon White Oaks. During planning and construction of the project, the applicant shall retain a certified arborist to assure that the designated trees will be protected.

Sheet 3 of 6 dated 10/98 is the approved tree removal and tree retention plan. The following trees shall be added to the plan for retention.:

Lot 20	Tree 24 22" Alder
Lot 52	Tree 646 8" Alder
Lot 53	Trees 586, 585 -6" and 8" Doug Firs, 647 and 648 - 7" and 9" Alders.
Lot 54	Trees 569, 572, 575, 583, 584-10", 13", 11 and 15", 17" and 14" Doug Firs.
Lot 55	Tree 587 6" Alder

Northeast corner of property.

Lot 2	Tree 165 20" Oregon White Oak
Lot 3	Tree 314 is not inspected. Applicant has stated that he will preserve this tree.
Tract I	Trees 664 and 357 8" and 20" Douglas Firs

The revised tree removal plan sheet 3 of 6 is reasonable attempt to save as many significant trees as possible. Staff proposes additional trees to be retained from that plan as identified above.

Ordinance No. 464: A separate application for Type 'C' tree removal permit is required prior to site development.

8. The applicant shall coordinate the location and design of bus shelter/bus stop with Southern Metro Rapid Area Transport "SMART" and obtain a building permit prior to construction, unless otherwise determined by SMART and the Community Development Director.
9. The applicant shall construct the proposed pathway through the open space, as shown on the approved preliminary plat. The proposed pathway through natural areas shall be natural surface using mulch on gravel. All other pathways shall be constructed in concrete.
10. A 25' wide buffer shall be maintained between the wetland boundary and proposed buildings, parking and drives. The 25' buffer is recognized as the minimum separation between wetlands and development.
11. This action approves a waiver to allow approximately 158 parking spaces for proposed Buildings #1 and #2 that includes the proposed under building parking for Building #2.

12. The applicant shall construct 8' x 8' shade tree/parking lot islands for every 10 parking spaces in the parking lots. Plant 2" deciduous trees in the parking islands or where feasible. The applicant shall work with staff on those instances where an aggregate amount of parking islands are proposed based on the number of proposed parking spaces as opposed to strict interpretation of the number of spaces.
13. The applicant shall submit a separate application to the Development Review Board for review of the commercial buildings, attached residential buildings, street trees, neighborhood park development plans, bicycle and pedestrian ways, landscaping for outdoor living areas, proposed signs, and fence/wall details.
14. Lots proposed within Primary Open Space shall be identified in a conservation easement, **submitted for approval by the City Attorney**. The applicants shall record the conservation easement in the final plat with the Clackamas County Clerk's office, and indicate the easement on the land sale deed for each affected lot. The conservation easement shall include language prohibiting any disturbance of natural vegetation without first obtaining approval from the City Planning Division **and shall legally describe the wetlands area and boundary**. Furthermore, the conservation easement shall be clearly delineated on all sales information for public/buyers inspection.
15. During construction, (i.e. streets, installing utilities, excavation) in creating the lots for sale, the developer shall install temporary fencing along the boundaries of the Primary Open Space and wetlands so that the POS and wetlands areas are not disturbed.
15. Construct a five (5) foot wide concrete sidewalk for those home sites requiring sidewalks as each respective house permit is issued.
16. A Homeowners' Association shall be formed as specified in the CC&Rs for the single family residential development. The Association shall have responsibility for maintenance of all shared private drives, parks and open spaces within the development. **CCR's and By-laws shall be reviewed by the City Attorney for approval prior to filing of the final plat.**
17. The Preliminary Plat and Stage II Final Plan will expire two (2) years after final approval, however, upon good cause shown the Development Review Board shall extend such plat approval and Stage II Final Plan for one additional year.

Staff Report Amended and Adopted by The Development Review Board on April 12, 1999

18. The applicant has acknowledged as part of their application that connection to the City's water system and building permits requiring water service, will only be finally approved upon a determination by the Community Development Director that a long term water source for the City has been planned and funded and an adequate interim water supply is available. In accordance with Ordinance 504 this project approval is hereby conditioned as follows: The final plat shall only be approved for recordation upon a determination by the City's Community Development Director that a long term water source for the city has been planned and funded and an adequate interim water supply is available. Building permits shall not be issued until a similar determination by the Community Development Director. Furthermore, in the event an approved development forfeits its water rights to water capacity the first priority to such rights shall be given to the properties involved in LID #12 (including the subject application property) and to those projects listed in Exhibit C-2 of Ordinance 493 by order of their completed development application on file with the City.

20. The boundaries of Primary Open Space and Secondary Open Space are recommended by the DRB to City Council to be interpreted as indicated on applicants drawing entitled Applicant Exhibit #1-Map of Proposed Primary Open Space-Secondary Open Space and dated, submitted April 12, 1999. Map boundaries shall be included in a conservation easement.

RE: Engineering Division Public Facilities (PF) Conditions of Approval for Canyon Creek Meadows No. 2

Based on a review of the materials submitted to the Community Development Department, the following Conditions of Approval are presented. These conditions are applicable to the subject application. Any modifications or revisions to the subject application may require amendments and/or additions to the conditions as set forth and outlined below:

At the request of Staff DKS Associates has previously completed a Traffic Impact Analysis dated February 22, 1999.

PF 1. From the materials submitted, it appears that the storm drain, domestic water and sanitary sewer facilities will be obtained from existing and newly constructed public utilities. Separate Engineering Drawings reflecting the installation of these public utilities will be required.

Staff Report Amended and Adopted by The Development Review Board on April 12, 1999

No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by the Engineering Division, all fees have been paid, all necessary permits, right-of-way and easements obtained and the applicant notifies the Engineering Division a minimum of 24 hours in advance.

- PF 2. The Engineering Division reserves the right to revise/modify the public improvement construction plans and completed street improvements to see if additional modifications or expansion of the site distance onto adjacent streets is required.
- PF 3. All public utility/improvement plans submitted for review shall be based upon a 24"x36" format and shall be prepared in accordance with the City of Wilsonville Public Work's Standards.
- PF 4. Record drawings are to be furnished by the applicant for all public utility improvements (on 3 mil. mylar) before the final Punch List Inspection will be performed.
- PF 5. 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 applicant shall, at his 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 the Engineering Division.
- PF 6. Plans submitted for review shall meet the following general format:
 - A. Composite Utility Plan
 - B. Detailed Utility Plan and Grading Plan.
 - C. Public utilities/improvements that are not contained within any public street shall be provided a maintenance access acceptable to the City centered in a 15 ft. wide public utility easement and shall be conveyed to the City on its dedication forms.
 - D. Design of any public utility/improvement shall be approved at the time of the issuance of a Public Works Permit.
 - E. All proposed on and off-site utility/improvement shall comply with the State of Oregon and the City of Wilsonville requirements and any other applicable codes.

Staff Report Amended and Adopted by The Development Review Board on April 12, 1999

- 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. All new public utility/improvements and/or utilities shall be installed underground.
- H. Any final site landscaping and signing shall not impede any proposed or existing driveway or interior maneuvering site distance.
- I. All plans, specifications, calculations, etc., prepared in association with the proposed project shall be prepared by a registered professional Engineer of the State of Oregon.
- J. Erosion Control Plan that conforms to the current edition of the "Prevention and Sediment Control Plans Technical Guidance Handbook."

PF 7. 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 utilities and building improvements until such time as approved permanent vegetative materials have been installed.

PF 8. If required, the applicant shall install a manhole at each connection point to the public storm system (with City approved energy dissipaters and pollution control devices) and the sanitary sewer system.

PF 9. To lessen the impact of the proposed project on the downstream storm drain system, and adjacent properties, the 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 facilities shall be designed and constructed in conformance with the standards of the Unified Sewerage Agency of Washington County.

PF10. The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Any existing wells that are not proposed for continued use shall be properly abandoned in conformance with State standards. Should the applicant utilize any existing wells for irrigation purposes, proper separation in conformance with all State standards shall be maintained between the irrigation on public water systems.

PF11. ~~The applicant shall connect to the city water system at two locations on Canyon Creek North as follows:~~

~~a) The existing 8 inch waterline stub located at the project driveway (Canyon Creek North Sta. 42+00 +/-).~~

~~b) The existing 8-inch waterline stub located on the east side of the intersection with Weideman Road.~~

PF 11. The applicant shall connect to the city water system at two locations on Canyon Creek North as follows:

- a) **The existing 8-inch waterline stub located at the project driveway (Canyon Creek North Sta. 42+00+/-).**
- b) **The existing 8-inch waterline stub located on the eastside of the intersection with Weidemann Road.**

The construction of (b) outlined above can be delayed until the construction of the commercial portion of the project or as necessary for adequate fire and life safety measures as determined by Staff.

PF12. All access to Canyon Creek North shall be made via the existing driveways located at Sta. 39+00 +/-, 42+00 +/- and 47+00 +/- . No subdivision lots shall have direct vehicular access to Canyon Creek North.

PF13. 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.

PF14. The applicant shall construct the public streets as follows:

- a) A 32 foot wide street section within a 38 foot wide right-of-way. Engineering Staff supports the reduction from the standard residential right-of-way width of 50-feet given the nature and character of the proposed development and the relative success of a similar approval in the Canyon Creek Meadows Subdivision.
- b) (5) foot concrete sidewalks on ~~both~~ **one** sides of all public streets, **and** between lots 5/6, 12/13, 50/51, 29/30 and the areas designated as Tract 'N' and 'G'.

PF15. The applicant shall contact SMART regarding making the site as transit friendly as possible. This project has potential for transit ridership and measures shall be taken to enhance transit access to the site and pedestrian connections to transit.

PF16. The applicant shall provide a (5)-foot Public Utility Easement adjacent to both sides of all public streets.

Staff Report Amended and Adopted by The Development Review Board on April 12, 1999

- PF17. With the areas designated as 'The ~~Enclave~~ **Enclave** at Canyon Creek' and commercial based businesses, the applicant shall provide pedestrian linkages from the front doors of each building to the public sidewalks. Key pedestrian crossings, within these areas, shall be raised to clearly identify pedestrian crossings of vehicle circulation aisles.
- PF18. The applicant shall install street lights adjacent to all public streets in accordance with City and PGE Street Light Standards.
- PF19. The applicant has proposed land uses which will generate sanitary sewer flows in excess of those assumed during the design and construction of the Canyon Creek North Sanitary Sewer Lift Station. The applicants engineer shall submit an engineering report addressing the increase in sanitary sewer flows. This report shall address the increase in sanitary sewer flow and the improvements necessary to restore capacity for future development. There shall be no net loss in station capacity. Any required improvements shall be borne by the applicant and shall be undertaken while the lift station remains in operation.
- PF20. At the request of Staff, DKS completed a traffic impact analysis dated February 22, 1999. The recommended improvements of this analysis were then compared to the previous Canyon Creek North LID analysis, which included the proposed development, due to significant changes in land use.

In summary Staff has determined that no additional offsite improvements are required of the applicant separate from the LID. Since this project is located north of Boeckman Road impacts to the Wilsonville Road Interchange are considered insignificant according to the provision of the Ordinance No. 431, the Traffic Management Ordinance.

Building Division. The following is a list of concerns and/or conditions related to the mentioned projects. Further conditions of approval may be noted during the actual plan review of the project plans.

Canyon Creek Meadows II 98DB48

1. Proposed streets 25 feet in width shall have "No Parking" signs placed on one side. Proposed streets which are only 20 feet in width shall have "No Parking" signs placed on both sides of the street. This is in compliance with the adopted Uniform Fire Code.
2. 20-foot wide proposed streets serving lots ~~220 through 225~~ **1 through 8** shall be provided with a turnaround at its end in compliance with the Fire Code, **or unless as otherwise determined by the Building Official.**

Staff Report Amended and Adopted by The Development Review Board on April 12, 1999

3. A fire hydrant shall be placed within 500 feet hose-lay fashion of all single-family dwellings. An additional hydrant shall be placed at all intersections. Lots ~~220 through 225~~ **1 through 8** appear to be lacking in this requirement.
4. A public water meter shall be placed in front of each lot. Again, lots ~~220 through 225~~ **1 through 8** are not provided with proper water service.
5. Fire hydrants shall not be placed within forty feet of the commercial buildings. In addition, the fire hydrants shall be placed 250' hose-lay fashion from all exterior walls.
6. The commercial parcels shall be provided with both a domestic and irrigation water meter.
7. Each lot shall be provided with adequate drainage to a public street or to an approved drainage basin.
8. Approved street names shall be submitted for review.
9. Prior to site grading, the applicant shall provide the Building Division a geo-technical study for the areas of the site having fill material. (This condition was prepared by planning staff)

EXHIBITS

The following Exhibits are hereby entered into the public record by the Development Review Board as confirmation of its consideration of the application as submitted:

- A. Findings and Conditions of Approval
- B. City of Wilsonville Comprehensive Plan
- C. Chapter 4 of the Wilsonville Code
- D. Applicant's submittal documents
Project narrative, Stage I master plan and Stage II final plan, preliminary plat, arborist report and tree survey.
- E. Tektronix campus site plan.
- F. Applicant's supplemental findings relative to POS.
- G. City Engineer's report.
- H. Building Official's report.
- I. Environmental Services erosion control specifications.
- J. DKS traffic report.

Staff Report Amended and Adopted by The Development Review Board on April 12, 1999

- K. Applicant/City agreement to not development until there is water capacity.
- L. Venture Properties addendum design standards.
- M. Updated arborist report loosely inserted in the applicant's project narrative book.
- N. 1980 aerial photo of site.

Exhibits entered into the record at the March

8, 1999 public hearing:

- O. Letter submitted by Marc and Heather Hage dated March 8, 1999 in opposition to the project.
- P. Revised Proposed Conditions of Approval submitted by Blaise Edmonds
- Q. Engineering Department Memo dated March 3, 1999 submitted clarification on Conditions PF21 and PF9
- R. Letter submitted by Venture Properties dated March 5, 1999 regarding Conditions of Approval for Canyon Creek Meadows II

New Exhibits entered into the record at the April 12, 1999 public hearing:

- S. Engineering Dept. memo dated April 5, 1999 re Condition PF 11
- T. Letter dated 4-12-99 from Marc & Heather Hage including attached letter from Earth Day Foundation and 24 photographs showing trees to be removed, drainage slopes, creek area.
- U. Letter dated 4-8-99 from Chuck Bockelman of Tektronix in support of project submitted by applicant.
- V. Petition in support of project signed by 77 neighbors of proposed project submitted by applicant.
- W. Brochure "Where Lifestyle Matters" submitted by applicant.
- X. Postcard "It's time to stop paying rent" submitted by applicant.
- Y. Page from "Oct, 98 Builder" showing "Community Merit Award Single-family community" received for Canyon Creek Meadows I project submitted by applicant.
- Z. Applicant's outline of 4-12-99 presentation indicating speakers and map or drawing referenced by each speaker.
- AA. Applicant's Exhibit Listing of Maps and Drawings submitted 4-12-99

Staff Report Amended and Adopted by The Development Review Board on April 12, 1999

Applicant Exhibit #1	Map of Proposed Primary Open Space – Secondary Open Space
Applicant Exhibit #2	Study Map Showing Test Pits
Applicant Exhibit #3	Map of Existing Primary Open Space and Secondary Open Space
Applicant Exhibit #4	Primary Open Space Criteria Chart
Applicant Exhibit #5	Drawing Showing Proposed Conservation Easements and lines of proposed Primary Open Space Boundaries
Applicant Exhibit #6	Enlarged 1980 Aerial Photograph of Tektronix Site showing fill area
Applicant Exhibit #7	Conceptual Storm Drainage Design
Applicant Exhibit #8	Proposed Storm Detention Ponds Showing Trees to be Removed
Applicant Exhibit #9	Proposed Storm Detention Pond next to Commercial Site Showing Trees to be Removed
Applicant Exhibit #10	Slide Presentation – 16 slides – Showing Project Site along Boeckman Drainage Way.

Staff Report Amended and Adopted by The Development Review Board on April 12, 1999

Amended and Adopted on April 12, 1999

New Language: Bold

~~Old Language: Strike Through~~

PLANNING DIVISION
STAFF REPORT

DATE: March 8, 1999
(First public hearing)
Revised April 12, 1999
(Second public hearing)

TO: Development Review Board
PREPARED BY: Blaise Edmonds, Associate Planner

REQUEST: 98DB48: Proposed Canyon Creek Meadows II (Canyon Creek Estates, The Enclave at Canyon Creek and Canyon Creek Village). Modify the Stage I Tektronix Inc., Master Plan to allow residential and commercial development within the PDI zone. Review a proposed preliminary subdivision plat for 80-lot single family subdivision. Review 2-building retail/office center that will also include 21 apartment units. Allow accessory units with kitchens for a maximum 20-units in the subdivision. Review Stage II Final Plans for the proposed mixed-use center. This application also involves an interpretation to adjust the POS boundary to allow several proposed single-family lots. A separate application is required for Site and Design Review.

SUMMARY

The DRB may approve this application as the applicant has signed the "Required Authorization" agreement with the City. It stipulates that under Ordinance No. 497 the proposed application is allowed to be processed by the DRB with the applicant's expressed understanding and approval that the final approval will be withheld until such times as connection to the City's water system, and building permits requiring water service, are approved upon the City's Community Development Director that a long term water source for the City has been planned and funded, and that an adequate interim water supply is available. A 24" trunk line in Canyon Creek Road can service the subject property once water is available.

Staff Report Amended and Adopted by The Development Review Board on April 12, 1999

The proposed preliminary plat is a redesign of the original proposal. The original proposal showed a small lot subdivision that was very similar to Canyon Creek Meadows Phase I that included neo-traditional single family housing with alleys. The applicant now proposes a traditional residential subdivision that is comprised of 80-larger lots with garage forward homes. However, the garages will be setback from the front of the house at least 6'. The applicant is seeking waivers from several development standards that are listed in the applicant's project narrative.

The Comprehensive Plan Map designates upper Boeckman Creek that traverses the subject property in Secondary Open Space (SOS) and in Primary Open Space (POS). The Primary Open Space area is heavily wooded with some slopes greater than 20%. The applicant is seeking an interpretation from the Development Review Board and the final interpretation from City Council to modify the extents of the Primary Open Space which involves several proposed home sites along the West Side of upper Boeckman Creek. Otherwise, upper Boeckman Creek that includes Primary Open Space and the designated wetlands will remain relatively undisturbed. Two exceptions is the proposed private road that is designed to cross upper Boeckman Creek to access 8-proposed home sites at the northeast corner of the project site, and the proposed storm water detention ponds. The proposed twenty-five foot wetland buffer along both sides of upper Boeckman Creek will be enhanced with native/wetland plant materials. In this interpretation, the Comprehensive Plan Text governs over the Comprehensive Plan Map. The Comprehensive Plan at page 3 under "Procedures" recognizes a procedure to resolve conflicts between Plan Policy 4.5.1 and the Plan Map. There is a reasonable argument that is made that the proposed home sites are not in Primary Open Space but is better described as Secondary Open Space. The applicant has provided adequate findings to support the interpretation.

The project with proposed staff modifications satisfies Subsection 4.421(1)(a) that requires preservation of landscape insofar as practical, by minimizing tree removal. The proposed residential and commercial buildings meet Subsection 4.421(1)(b) as they are designed to ensure harmony with the natural environment and other naturally sensitive areas for wildlife habitat. 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. The proposal with staff modifications (setback restrictions for decks) further satisfies Subsection 4.400(2)(d) that requires that structures be properly related to their sites with due regard to the aesthetic qualities of the natural terrain and landscaping. Subsection 4.161(2)(c)(3) requires that all developments be planned so as to minimize removal of trees" "and preserve the natural scenic character which is the case here. Furthermore, Subsection 4.161(4)(a)(2) requires that all developments shall be planned....so that....existing wooded areas, significant clumps/groves of trees and all conifers and oaks with a diameter of 6" or greater

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shall be incorporated into the development wherever feasible. Finally, the proposed project with proposed staff changes would save more significant conifers and deciduous trees.

The project arborist Mr. Mike Reichenbach, has provided a tree survey and an arborist report that shows species, size and trees location. A tree condition rating system is provided. Douglas Firs and Oregon White Oaks are rated high in terms of species (75% Species Factor Rating). Sheet 3 of 6 of the submittal plans is the proposed tree removal and tree preservation plan. The proposed tree plan show 58% trees saved. 75% of Oregon White Oaks to be saved. Staff recommends that more trees be retained within the current Primary Open Space area than what is being proposed. Those trees would be integrated within the lots or along lot lines where there are no apparent conflicts.

Proposed outdoor living represents 10.10 acres or 40.8%. This exceeds the 25% outdoor living area requirement. A park is proposed on an area within the BPA easement adjacent and North of the proposed commercial center. The proposed four-(4) pocket parks are well integrated within the proposed subdivision.

The proposed mixed-use commercial/residential center does not show a sidewalk connection to the public sidewalk on Canyon Creek Road to comply with the American's with Disability Act.

The traffic report prepared by DKS Associates demonstrates that traffic generated by the proposed development with mitigation at the most probable used intersection(s) can be accommodated safely and without congestion in excess of level service "D" on existing or immediately planned arterial or collector streets and at the Stafford Interchange.

The preliminary plat shows good pedestrian and bicycle connections with Canyon Creek Meadows Phase I with the proposed commercial/residential center and with future residential development to the North. This is consistent with the Transportation Planning Rule.

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.

RECOMMENDATION

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Approve the application with conditions of approval attached herein. The DRB's action is contingent upon the City Council interpretation of the Primary Open Space boundary to allow single family building lots next to the upper Boeckman Creek. The DRB's interpretation of the Primary Open Space boundary is a recommendation to the City Council.

Canyon Creek Estates, The Enclave at Canyon Creek and Canyon Creek Village

Modify the Stage I Tektronix Inc., Master Plan to allow residential and commercial development within the PDI zone. Review a proposed preliminary subdivision plat for 80-lot single family subdivision. Review 2-building retail/office center that will also include 21 apartment units. Allow accessory units with kitchens for a maximum 20-units in the subdivision. Review Stage II Final Plans for the proposed mixed-use center. This application also involves an interpretation to adjust the POS boundary to allow several proposed single-family lots.

Review Criteria:

The applicable review criteria are:

Zoning

Section 4.012: Hearing procedures.
Section 4.008: Application procedures-general.
Section 4.122: Residential (R) zone.
Subsection 4.122(7)(c): Lot standards for lots between 5,000 and 7,000 SF
Section 4.123: Planned Development Residential (PDR) zone.
Section 4.124: Planned Development Commercial (PDC) zone.
Section 4.125: Planned Development Industrial (PDI) zone.
Section 4.130(3)(i): PDI zone 50-acre mixed-use provision.
Section 4.130(2)(c): Planned Development, purpose.
Subsection 4.136(e)(1) and (2): Outdoor living area.
Subsection 4.136(4)(b): Outdoor Living Area.
Section 4.139: Planned Development Regulations
Section 4.139(2): Stage I Preliminary Plan
Section 4.139(3): Stage II Final Plan
Section 4.139(4)(a): Location, design, size and uses.
Section 4.139(4)(b): Traffic "D" LOS.
Section 4.139(4)(c): Public facilities.
Section 4.150: Off-street parking

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Subsection 4.168: Sidewalks and bikeways.
Subsection 4.161(1)(b): Preservation of trees.
Subsection 4.161(4)(a and b): Preservation of trees.
Section 4.200 to 4.260: Subdivisions
Subsection 4.421(1)(a): Requiring preservation of landscape insofar as practical, by minimizing tree removal.
Subsection 4.421(1)(b): Proposed structures shall be located and designed to ensure harmony with the natural environment.
Subsection 4.161(2)(c)(3): Requires that all developments be planned so as to minimize removal of trees” “and preserve the natural scenic character.

Comprehensive Plan:

Policy 4.5.1: Primary and Secondary Open Space

Objective 2.1.2: Allow urbanization to occur to provide adequate housing for employment within the City.

Plan Objective 4.3.4: Balanced Housing

Other Planning Documents:

Transportation Master Plan, July 12, 1991

Bicycle and Pedestrian Master Plan, Dec. 20, 1993

Parks and Recreation Master Plan

Statewide Transportation Master Plan

Metropolitan Planning Rule

Ordinance No. 318: Balanced Housing

Ordinance No. 464 - Tree Preservation and Removal

Ordinance No's 493, 497 and 504. City moratorium on planning approvals due to lack of water capacity.

Submittal date: October 23, 1998

120-day review limit: The application was deemed incomplete by the Planning Division on October 27, 1999 and January 20, 1999.

Traffic Report Submitted Approximately 2-22-99

Plus 4 months – 120 Days Approximately 6-22-99

Design Team:

Property Owner: Tektronix, Inc.

Applicant: Venture Properties. Ms. Christy Wiegel, Vice President

Civil Engineer: Mr. Mike Van Loo, P.E.

Site Planner: Mr. Brian Ziegler / Mithun Partners, Seattle, WA.

Residential Architect: Mr. William Kreager, A.I.A., M.I.R.M. / Mithun Partners

Commercial Architect: Mr. Jack Kriz, A.I.A. Mildren Design Group

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Arborist: Mr. Mike Reichenbach, Arboreal Enterprises
Wetlands Scientist: Mr. Bruce Henderson

Vicinity Information:

The project site is located along the East Side of Canyon Creek Road that is North and adjacent to Canyon Creek Meadows Phase I. It is located midway along Canyon Creek Road between Boeckman Road and SW Elligsen Road. The project site is within easy walking distance to the Tektronix campus. Abutting the North property line is the unimproved Weideman Road. Farther North is Canyon Creek Apartments (372 apartment units) under construction. The Urban Growth Boundary and City Limits abuts the East Side of the subject property. Agricultural land in Clackamas County's Exclusive Farm Use (EFU) zone is adjacent to the East. The subject property is more particularly identified as being the NE corner of Tax Lots 200, 500 and 590 in Section 12, T3S, R1W, Clackamas County, Wilsonville, Oregon.

ADOPTED FINDINGS

Project/Property Description:

1. The diverse landscape of the subject property presents a difficult site design challenge. The central/southerly part of the subject property is generally void of significant trees. Most of the housing density is proposed on that area. Upper Boeckman Creek bisects the subject property that sets aside approximately 2.53 acres for the proposed commercial center/residential center. This is 1.57% of the Tektronix master planned area. A high tension 560 KV BPA power lines traverses the very Northerly Side of the subject property. Cracking electrical sounds from the power lines are easily perceived from this part of the property. The area within the power line easement is designated Secondary Open Space that includes the proposed site for a park. Most of the East Side of the subject property is Primary Open Space except for the area proposed for 8-homesites. The project site generally has gentle slopes with steeper slopes along the banks of upper Boeckman Creek.

Project data:

2. The proposed preliminary plat is a redesign of the original proposal. The original proposal showed a small lot subdivision that was very similar to Canyon Creek Meadows Phase I that included neo-traditional single family housing with alleys. The applicant now proposes a traditional

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residential subdivision that is comprised of 80-larger lots with garage forward homes. However, the garages will be setback from the front of the house at least 6'. The applicant is seeking several waivers from the development standards that are listed in the applicant's project narrative.

- Modify the 161.01 acre Tektronix Inc., Stage I Preliminary Plan to allow 20% residential and commercial uses within the PDI zone. In this case 15.4% (including open space) or 9% (excluding open space). Approve the Stage II Final Plan (residential/commercial center). Approve the proposed 80-lot preliminary subdivision plat residential subdivision including the Phase II mixed-use residential/commercial center (Building #'s 1 and 2). 21 apartment units are proposed above retail commercial space in Building #2. Allow accessory units with kitchens for a maximum 20-units in the subdivision. See the applicant's project narrative for the list of proposed commercial tenants (Exhibit D-2).
- Interpret and adjust the Primary Open Space boundary to allow lots 20 to 29.
- Approve the proposed tree removal plan. Type "C" tree removal permit is required before site development.
- Review the proposed wetland delineation report.
- A separate application is required for Site and Design Review. (Open Space and park landscaping, attached housing architecture, signs, commercial building architecture, fences/walls, signs, etc.)

Project Data:

Gross site area: 24.71 acres

Proposed residential property: 9.53 net acres (minus Open Space and Streets)

Proposed commercial property: 2.53 acres net acres (minus Open Space and Streets) Two mixed-use commercial/apartment buildings are proposed;

Building #1: 45,600 SF (2-stories)

1-floor retail commercial

1-floor office

Building #2: 40, 800 SF (4-stories)

1-floor under building parking

1-floor retail commercial

2 floors 21-apartment units.

Open space including BPA ROW: 10.10 acres @ 40.8%

Net outdoor open space: 5.55 acres

Streets: 2.55 acres

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Four (4) pocket parks.

Density calculations:

Number of residential units:	101 units
Net area after deduction for streets and ROWs: retail = 9.53 acres.	12.06 acres - 2.53
Net dwelling units:	8.39 per acre

Subsection 4.136(5) of the Wilsonville Code calculates density of planned residential developments at gross site area including streets. In this case it is approximately 80-houses + 21 apartments/24.71 acres = 4.08 dwelling units per acre. Definition No.18 further defines density as "The number of residential units per acre of land". Housing density for the proposed 80-lot subdivision based on net buildable acres excluding open space and streets = 9.53 acres/80 units = 8.39 units per acre. Staff did not include the proposed 20-accessory units in density total. The overall density would be higher if the homeowners of those units utilized the accessory units.

MODIFY STAGE I TEKTRONIX INC., PRELIMINARY PLAN

3. The applicant is seeking to modify the Tektronix Inc., Stage I Preliminary Plan approved by the City Council in May of 1974 (Resolution 74RZ03), to allow the proposed mixed use commercial/office/apartment building center, and approve the proposed 80-lot single family subdivision within PDI zoning.
4. The total area of the Tektronix campus consists of the following Tax Lots:

Tax Lot 500	95.40 acres
Tax Lot 590	24.70 acres (Proposed site for this project)
<u>Tax Lot 200</u>	<u>40.91 acres</u>
	161.01 acres

See Exhibit 'E' for the Tektronix campus site plan.

The provision in Subsection 4.133(3)(i) allows the applicant to propose neighborhood type retail commercial and residential within the PDI zone without securing a Comprehensive Plan Map and Zone Map amendments. Subsection 4.133(3)(i) reads:

"Where the total acreage of the PDI application exceeds fifty (50) acres, there may be allowed any use allowed in a PDR Zone, provided such uses

shall not exceed twenty percent (20%) of the total acreage and is compatible with the surrounding uses and properly buffered."

5. Regarding the above residential and neighborhood type retail commercial are allowed within the PDR zone. On page 58 of the Comprehensive Plan, "Neighborhood Commercial Centers" are defined as:

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

(j) Any use allowed in a PDC Zone or any other light industrial uses provided that any such use is compatible with and supportive of industrial use and planned and developed in a manner consistent with the purposes and objectives of Sections 4.130 to 4.140 and is subject to the following criteria:

- 1) Service Commercial shall not exceed 20% of total acreage.*
- 2) Office Complex shall not exceed 20% of total acreage.*
- 3) Commercial Recreation shall not exceed 20% of total acreage.*
- 4) Neighborhood Commercial shall not exceed 20% of total acreage.*
- 5) Aggregate commercial uses shall not exceed 20% of total acreage.*

k) Aggregate commercial and residential uses shall not exceed 20% of total acreage.

6. The 161.01 acre Tektronix Master Plan does not specify future development or uses on the proposed site. On the basis of the 20% rule mentioned in 4.133(3)(i)(j and K), the applicant is seeking approval to allow 2.53 acres for a commercial center and 12.06 acres proposed for a residential subdivision. Again, in this case, 15.4% (including open space) or 9% (excluding open space) is proposed for the combined commercial and residential development of the total 161.01 acres Tektronix Master Plan. Regarding the proposed residential housing the code does not prescribe minimum or maximum densities within the PDI zone. Therefore

the applicant has the option to propose a density range. As a regional policy metro recommends higher density.

7. The applicant has indicated that small offices, restaurants and a day care are potential tenants. Those types of uses would also provide for the daily convenience needs of nearby residential areas. Design compatibility of the project with surrounding uses is required in a separate Site and Design review. The applicant has provided conceptual building elevations of the proposed commercial center for general review. Upper Boeckman Creek way will provide a solid natural buffer between the neighborhood type commercial center and the proposed subdivision. In the professional opinion of staff, the proposed commercial and residential uses as described are compatible with and supportive of industrial use and will be developed consistent with the purposes and objectives of 4.130-4.140 and is properly buffered.
8. The applicant has not indicated if the proposed mixed-use development will be phased. Depending on the status of the city water moratorium, the applicant is committed to a development schedule demonstrating that development of the property is expected to commence within two (2) years.

**PRELIMINARY SUBDIVISION PLAT and COMMERCIAL DEVELOPMENT
REVIEW
(Stage II)**

The operable review criteria for Stage II final plan that includes the proposed preliminary subdivision plat and commercial development are found in Subsection 4.139(4): *"A Planned development permit may be granted by the Planning Commission only if it is found that the development conforms to all the following criteria, as well as to the Planned Development Regulations in Sections 4.130 to 4.140."*

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

b. 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.

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

Furthermore, Subsections 4.139(2)(b)(4 to 6) of the Stage I master plan criteria requires:

" A stage development schedule demonstrating that the developer intends to commence construction within one (1) year after the approval of the final development plan, and will proceed diligently to completion;

A commitment by the applicant to provide in the Final Approval (Stage II) a performance bond or other acceptable security for the capital improvements required by the project;

If it is proposed that the final development plan will be executed in stages, a schedule thereof shall be provided."

Additionally, Subsection 4.244(5)WC states;

"In subdividing tracts which at some future time are likely to be re-subdivided, the location of lot lines and other details of the layout shall be such that re-subdivision may readily take place without violating the requirements of these regulations and without interfering with the orderly development of streets. Restrictions of buildings within future street locations shall be made a matter of record if the Planning Commission considers it necessary."

Response findings to Criterion "a":

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

Zoning:

9. The entire property is currently zoned Planned Development Industrial (PDI). Again, on the basis of the 20% rule mentioned in 4.133(3)(i), the proposed 2.53 acres for commercial center, and 12.06 net acres proposed for residential development of the total 161.01 acres Tektronix Master Plan. In this case, 15.4% (including open space) or 9% (excluding open space) is proposed for the combined commercial and residential development of the 161.01 acres Tektronix Master Plan.

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Comprehensive Plan Designations:

10. The project site is designated Industrial, Primary Open Space and Secondary Open on the Comprehensive Plan Map. Upper Boeckman Creek that traverses the subject property is designated in Secondary and Primary Open Space. The subject property offers an extraordinary opportunity to integrate residential and commercial site planning with wetlands and forested open space. The East Side of the subject property is designated Secondary Open Space (SOS). That area is comprised of a grove of Oregon White Oak, Douglas Fir, Alder, Cherry, Apple and Big Leaf Maple. The developer intends to construct traditional single family housing in SOS. The North part of the property that is within the BPA easement is also designated Secondary Open Space. With the exception of parking, drives and open space, building development within power line easements is usually restricted.

Area of Special Concern:

11. The Comprehensive Plan does not identify the subject property in an area of special concern.

Objective 4.3.4 (Ordinance No. 318) balances housing types throughout the City:

12. Regarding Objective 4.3.4, the City is divided into 20-traffic zones that are intended to balance housing types. In this case, the subject property is in Traffic Zone #3. Ordinance No. 318 and the Comprehensive Plan sets forth residential balance ratios (targets) are to be set as follows;

40% single-family (including manufactured housing located in subdivisions and modular homes); and 10% for mobile homes and manufactured housing, housing located in mobile home parks. Because of normal building cycles, it would be expected that any single family projection for a specific type of housing might vary by 50% from the units calculated for a specific housing type. Interim targets are to be established for a five-year interval and will be allocated to vary by as much as 30% but shall not exceed the long term goal. Permits exceeding more than 30% of an interim goal or exceeding the long term goal may be specifically excepted by the City Council on a case by case basis. To assure balance in location of housing types, no traffic zone shall have a single housing type exceeding 60% of the long term goal calculated for the sum total of the traffic zone, and all adjacent traffic zones.

Furthermore, Ordinance 318 is intended to promote a balanced mix of housing types. The current housing mix and the long-term goal demonstrates that this project will provide a better balance mix of housing as determined in the tables below:

Table #1
Percent of City Wide Current Housing Build Out
* 1998 % Target %

Units			
Single family	44.6%	40%	
Mobile homes	8.8%	10%	
<u>Multi-family</u>	<u>43.3%</u>	<u>50%</u>	
Total:	100%	100%	11,039 Total Buildout.

6,210 total residential units.

*(Source: Comprehensive Plan and the July, 1998 monthly development summary.)

There are four adjacent traffic zones that have built or ready to build housing; #2, #4, #15 and #18. The subject property is in TZ #3.

Traffic Zone Multi-family unit, Single Family units.

#2	824	0
Traffic Zone #2 is comprised of Canyon Creek Apartments (372 apartments) under construction, White Oak (326 apartments) not yet built, Marcia's Vineyard (126 apartments) not yet built.		
Total = 824 apartment units.		
#3	0	125
#4	349	321 (272 mobile units)
#15	0	62 (60 mobile homes)
#18	<u>0</u>	<u>0</u>
	1173	508 (332 mobile homes)

Table #2
Traffic Zones

Source: Residential housing units by Traffic Zone map from March 1, 1985 Community and Development Land Use Survey.

<u>Traffic Zone:</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>15</u>	<u>18</u>	<u>Total</u>
<u>All Unit Types</u>						

Long Term Goal	1196	385	1161	76	0	2818
Built/Approved	773	125	670	62	0	1630

Multi-Family

Built/Approved	824	0	349	0	0	1173
% MF - Built	31%	0%	30%	0%	0%	
MF Target @ 50%	598	192.5	580.5	38	0	1409

Single-Family

Built/Approved	74	125	49	2	0	250
% SF - Built	0%	30%	.04%	.03%	0	
SF Target @ 40%	478	154	464	30	0	1126

Manufactured Homes in parks:

Built/Approved	0	0	272	60	0	332
% SF - Built	0%	0%	23%	79%	0	
SF Target @ 40%	120	39	116	7	0	282

Note: 60% of single family in all zones = .60 x 2818 = 1601 units
60% of attached housing in all zones = .60 x 2818 = 1601 units

Table #3
Currently

	Comp. Plan	Proposed for Traffic Zones 3 Including Built/Approved	% of Total
SF	154	125-existing + 80 proposed	52%
MF	192.5	21-proposed	5%
MH	38.5	0	0%
Total	385		

On the basis of the City's original planning projection, the above tables demonstrate that under Objective 4.3.4 (Ordinance No. 318) there was a net growth potential in Traffic Zone #3 of 260 units. (385 long-term growth - 125 built units = 260 units). 101 detached and attached residential units are proposed.

On the basis of the above Tables, the goal for multi-family is 50% with a combined total of 1409 units from all of the abutting traffic zones. The goal for single family is 40% with a combined total of 1126 units from all of the abutting traffic zones. Therefore the maximum multi-family allowed in any one of those zones is 60% of the combined goal, or 1601 units. An approval of this request would only account for 21 multi-family units. The maximum single family allowed in any one of those zones is 60% of the combined goal, or 1601 units. An approval of this request would only account for 205 houses. That indicates the proposed project is well in balance with Plan Objective 4.3.4.

Residential Development Standards.

Proposed Waivers:

13. Section 4.122 sets forth the minimum residential development standards: In order to approve the proposed development, a number of waivers to Zoning Code requirements must be approved. The overall design concept shows small lot subdivision including narrow streets, reduced front yards, and pedestrian pathways. The applicant's preference is to design the commercial buildings and subdivision to avoid impacting the designated wetlands and Primary Open Space excepting one proposed road crossing and storm detention ponds. The applicant is proposing an innovative mixed-use development to offset reductions in minimum development standards. Therefore, the requested waivers with proposed staff changes are appropriate for the proposed planned development as provided in Section 4.136. The following lot development standards and waivers that are listed in this application are:

Single family lots between 5,000 and 7,000 SF: Proposed traditional home sites and East Boundary home sites.

Proposed waiver to allow smaller lots.
Proposed 4,419 SF lots and larger.
East boundary (8-lots) 5,000+ SF lots.

Lot sizes are shown on the proposed preliminary plat. Most are slightly over 5,000 SF.

1) *Minimum Width at Building Line:*
Sixty (60) feet. 60' is proposed.

2) *Minimum Street Frontage:*

a) *Fifty (50) feet. However, street frontage may be reduced to 35' when the lot fronts a cul-de-sac. No street frontage is required when the lot fronts on an approved, platted private road. 50' is proposed.*

3) *Minimum Lot Depth. a) Seventy-five (75) feet. 75' is proposed.*

4) *Minimum Front Yard Setback: Fifteen (15) feet. In the case of a corner lot, the side yard on the roadside may be reduced to ten (10) feet. 12' is proposed for house. Minimum side yard on street: 10' is proposed. Minimum front yard setback to covered porch nine (9) feet (Lots 1-72). At least 18' setback to garage measured between garage front and sidewalk should be maintained. If the model is designed to be flush with the garage (such as in the Model 17C) both the garage and dwelling unit will be set back at least 18 feet from the property line.*

5) *Minimum Rear Yard Setback: Fifteen (15) feet. 15' setback is proposed, however proposed lot # 8 shows +/- 5 rear yard setback.*

Proposed decks > 30" or < 30" high on pier footings within 0' of the property line (including the conservation easement that is Primary Open Space).

6) *Minimum Side Yard Setback: Five (5) feet (1) story, seven (7) feet (2) story dwellings. Proposed is 5'.*

7) *Maximum Height: Two and one-half (2 1/2) stories or thirty-five (35) feet. Maximum 35' is proposed.*

8) *Maximum lot coverage: Twenty-five percent (25%) for all dwelling units, thirty percent (30%) for all buildings.*

Proposed:

Maximum lot coverage: 60% waiver for Traditional Homes (Lots 1-72).

Maximum lot coverage 50% for The Enclave (Lots 1-8)

9) *Off-Street Parking: There shall be provided at least two (2) spaces per dwelling or rental unit to be provided behind the front setback line. Meets code.*

10) Allow accessory units with kitchens for a maximum 20-units in the subdivision.

Subsection 4.122(7)(h) sets forth the minimum residential development standards for attached dwellings: Proposed "21 apartments". Above the commercial.

Section 4.122(7)(h): For Attached Dwelling Units and Apartments:

(h) *For Attached Dwelling Units and Apartments with a minimum lot size of eight thousand (8,000) square feet, the following standards shall apply:* Exceeds code. The proposed site is 2.53 acres.

1) **Minimum Width at Building Line:**

a) *Sixty (60) feet for (1) story.*

b) *An additional five (5) feet of width at building line be required for each story higher than one (1) story. Exceeds PDR or PDC standards.*

2) **Minimum Street Frontage:**

a) *Eighty (80) feet for one story.*

b) *An additional five (5) feet of frontage shall be required for each story higher than one (1) story. Exceeds PDR or PDC standards.*

3) **Minimum Lot Depth:**

a) *Eighty (80) feet. Exceeds PDR or PDC standards.*

4) **Minimum Front Yard Setback:** *Twenty-five (25) feet. Structures on corner or through lots shall observe the minimum front yard setback on both streets. No structures shall be erected closer than fifty (50) feet from the centerline of any public, county or state road. Proposed 30' adjacent to street with or without sidewalk.*

5) **Minimum Rear Yard Setback:** *Twenty-five (25) feet. Exceeds PDR or PDC zoning minimum setbacks.*

6) **Minimum Side Yard Setback:**

a) *One (1) story: Five (5) feet.*

b) *Two (2) stories: Seven (7) feet.*

c) *Two and one-half stories: Eleven (11) feet.*

7) **Maximum Height:** *Two and one-half (2 1/2) stories or thirty-five (35) feet. Four-(4) story building is proposed. Height waiver is*

requested. PDC zone also sets 35' height restriction. A 4-story building is reasonable given the location that is relatively isolated and surrounded by wetlands and the BPA power line easement.

- 8) *Maximum lot coverage: Twenty-five percent (25%) for all dwelling units, thirty percent (30%) for all buildings.* Not applicable as the proposed apartments will be on land master planned for commercial.

The Transportation Master Plan requires that local residential streets be designed for 1,200 vehicles per day, consist of 32 feet of pavement within a 52 foot right-of-way. The applicant is requesting a waiver to allow 32' foot paved area within 38' ROW. Additional easements are proposed inside the ROW are (2) 5' public utility easements and 5' sidewalk on one side of the street. A 20' wide private is proposed on Tract M to serve the 8-proposed lots East of upper Boeckman Creek. Proposed is 20' wide private street to serve the commercial center.

Parking:

- 14. Proposed residential parking shows driveway, street side and garage spaces. Subsection 4.150(2)(b)(1) requires 2 on-site parking spaces for each single family and attached unit(s) of less than 10 units. Each residential unit will provide 2-parking spaces behind the front building line.

- 19. Subsection 4.150(g) Parking:

Subsection 4.150(g) parking for office use requires 1 parking pace per 200 SF, and 1 parking space for 250 SF of commercial space. Two commercial/office building are proposed.

Building #1: 22,800 SF (2-stories)

1-floor retail commercial @ 11,400 SF /1 space per 200 SF = 57 spaces

1-floor office @ 11,400 SF / 1 space per 250 SF = 46 spaces

Building #2: 40, 800 SF (4-stories)

1-floor under building parking

1-floor retail commercial @ 10,200 SF /1 space per 200 SF = 51 spaces

2 floors 21-apartment units. @ 1 ½ spaces per unit = 32 spaces

Minimum parking required..... 186 spaces

Parking proposed at the mixed-use office/retail commercial/apartments center:

Approximately 158 parking spaces are proposed for both proposed Buildings #1 and #2 including under building parking for Building #2 This is 28 parking spaces below the code minimum. The DKS traffic report estimates the "demand parking" at 129 spaces which is below the proposed parking. Though a waiver has not been proposed to allow fewer parking spaces (below code) the proposed 158 parking spaces appears to be the right amount of parking.

Subsection 4.150 (2)(a)(3)(b): *Tree and/or shade planting areas of a minimum eight feet in width and length and spaced 7 to 10 parking spaces or an aggregate amount.*

16. The Stage II Final Plan for the proposed commercial center does not meet this standard as long continuous rows of parking spaces are proposed without the required shade tree planting islands.

Subsection 4.150 (2)(4): *Be designed for safe and convenient handicapped access.*

17. The Stage II Final Plan for the commercial buildings does not show parking provisions for the disabled. The Building Official regulates handicapped accessibility in accordance with the American with Disabilities Act.

Primary Open Space and Secondary Open Space:
Primary Open Space Analysis:

18. The Comprehensive Plan Map designates upper Boeckman Creek on the property as Primary Open Space. Upper Boeckman Creek hinders the applicant's goal to achieve the proposed 8-lot subdivision design without some adjustment to the boundary of the Primary Open Space that comprises upper Boeckman Creek to allow several proposed home sites. The applicant contends that the Plan Map designation is not in conformance with the Plan policy regarding Primary Open Space and that a slight adjustment to the POS boundary is justified. Policy 4.5.1: b., of the Comprehensive Plan, defines the types of areas that constitute POS:

Policy 4.5.1

- a. *The major natural drainage ways, environmentally sensitive areas and significant stands of trees or other vegetation shall be designated as primary or secondary open space.*

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b. *Primary open space is intended to remain undeveloped with the possible exceptions of passive recreation and underground public facilities. These areas include the following:*

1. *100-year floodway*
2. *Slopes greater than 20%.*
3. *Significant stands of trees, including all trees and vegetation within 150 feet of the banks of the Willamette River, but not including orchards.*
4. *Major natural drainage channels.*

The Comprehensive Plan at page 3 under "Procedures" recognizes a procedure to resolve conflicts between Plan Policies and the Plan Map.

"When any ambiguity or conflict appears to exist, Goals shall take precedence over objectives, policies, text and map; Objectives shall take precedence over policies, text and map; Policies shall take precedence over text and map. The land use map is only a visual illustration of the intent of the Plan."

This procedure acknowledges the ability of the City to resolve conflicts through the interpretation of the text and map, and allows adjustments when the policies of the plan are in conflict with the map. As a result, this procedure authorizes resolution through an interpretation and does not require an amendment to the Comprehensive Plan when a conflict exists. The Development Review Board would consider the above application and resolve the conflict at a public hearing. If the DRB approved the proposed development and resolved the conflict through an interpretation, their recommendation would be forwarded to the City Council for action. This needs to occur since the Comprehensive Plan provides that the City Council shall have final authority for the interpretation of the Plan text and map. The above procedure provides an efficient resolution to the apparent conflict that presently exists without the necessary time and delay associated with the Comprehensive Plan amendment process. The applicant's proposed supplemental findings regarding the POS adjustment are found in Exhibit F.

Criterion:

100-year floodway:

Response Finding:

19. Upper Boeckman Creek is not identified in a 100-year floodway.

Criterion:

Slopes greater than 20%.

Response Finding:

20. Proposed lots 18 to 29 would encroach the current POS boundary. Those lots are adjacent to West Side of the upper Boeckman Creek are on 5% to 20% slopes. 12 to 20% slopes are better defined as Secondary Open Space. While some slopes indicate it on the slope map appear to exceed 20% the applicant explains and the 1980 aerial photo of the site appears to confirm that these slopes were created by fill at the time Tecktronics Campus was built. Staff recommends that "created" slopes should not be interpreted as Primary Open Space.

Criterion:

Significant stands of trees, including all trees and vegetation within 150 feet of the banks of the Willamette River, but not including orchards.

Response Finding:

21. The project arborist, Mr. Mike Reichenbach, has provided a tree survey and arborist report that shows species, size and trees location. A tree condition rating system is provided regardless of species. Some dead trees were found on the site. Most of the significant stands of trees are within upper Boeckman Creek. The interior site is generally void of trees. The applicant proposes to adjust the POS boundary to accommodate additional home sites next to the West Side of the upper Boeckman Creek. This project will require the removal of most of those trees greater than 6" caliper proposed for lots 18 to 29 and for the associated storm detention ponds. The South area of proposed Building #2 will also encroach the POS boundary. However, on the basis of the tree survey and arborist provided by the applicant, the proposed home sites and South Side of Building #2 will impact a marginal group of trees mostly comprised of Alder.

Criterion:

Major natural drainage channels

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Response Findings:

22. Upper Boeckman Creek that traverses the subject property is a major drainage way. The lots proposed within the current POS boundary will not be developed within the watercourse of the drainage way.

On the basis of POS criteria 2, 3 and 4, most of upper Boeckman Creek is appropriately designated in Primary Open Space. However, the applicant has submitted sufficient evidence to demonstrate that a conflict exists between the Comprehensive Plan Map boundary and POS Plan Policy that favor an adjustment to the POS boundary to allow for the proposed lots 18 to 29 and for proposed Building #2. The proposed storm detention ponds shall remain in POS. This is appropriate for POS areas but must minimize conflicts with the natural area.

Secondary Open Space Analysis:

- c. *Secondary open space is intended to serve as a buffer to primary open space areas. They may be developed in accordance with special development standards and shall be evaluated through a conditional use and design review process, except when the proposal is a part of a planned development. These areas include the following:*
1. *Land within the Willamette River Greenway boundary, but beyond the 150-foot line.*
 2. *High voltage power line easements.*
 3. *The 100-year flood plain fringe.*
 4. *Slopes between 12% and 20%.*
 5. *Designated historic sites.*
Small stands of trees and heavily vegetated areas adjacent to primary open space areas.

Criterion:

Land within the Willamette River Greenway Boundary, but beyond the 150 foot line.

Response Finding:

23. The subject property is not within the Willamette River Greenway therefore this criterion is not applicable.

Criterion:

High voltage power line easement.

Response Finding:

24. The subject property is not impacted by a 560KV high voltage power line easement that traverses the North side of the subject property. This part of the site is appropriately designated in SOS.

Criterion:

The 100 year flood plain fringe.

Response Finding:

25. The Federal Emergency Management Agency Flood Mapping indicates that the project site is not within a 100-year flood hazard.

Criterion:

Slopes between 12% and 20%.

Response Finding:

26. Generally, the areas designated in SOS do not have slopes between 12% and 20%. Particularly the central part of the subject property and within the BPA easement.

Criterion:

Designated historic sites.

Response Finding:

27. The subject property is not a designated historic site.

Criterion:

Small stands of trees and heavily vegetated areas adjacent to primary open space areas.

Response Finding:

28. Smaller stands of trees and vegetation is found in the SOS areas adjacent to POS areas.

Criterion:

Note: In vegetated areas the visual impact of the trees, etc., is to be preserved. Any clearing of trees for development should be from the interior of the stand.

Response Findings:

28. Again, the subject site comprises areas in Primary and Secondary Open Space. The proposed development will not have a significant adverse effect upon Primary Open Space. However, a contour line should be established to delineate the boundaries of Primary Open Space so that protective conservation restrictions are recorded with the land sale contracts.

Ordinance No. 464: Protection of Natural Features and Tree Removal and Preservation:

Within the Comprehensive Plan a number of goal and policy statements address Open Space and apply to the subject property. The major ones are:

Goal 3.2 Conserve and create open space throughout the City for specified problems.

Goal 3.3 Identify and encourage conservation of natural, scenic and historic areas within the City.

Goal 4.5 Conserve and create open spaces throughout the City for specified objectives.

Furthermore, Subsection 4.161(1)(b) Protection of natural features:

- (b) *To encourage site planning and development practices which protect and enhance natural features such as streams, swales, ridges, rock outcroppings, views, large trees and wooded areas.*

Subsection 4.161(4)(a and b): Preservation of trees.

(4) Trees and Wooded Areas:

(a) All developments shall be planned, designed, constructed and maintained so that:

1. Existing vegetation is not disturbed, injured, or removed prior to site development and prior to an approved plan for circulation, parking and structure location.

2. Existing wooded areas, significant clumps/groves of trees and vegetation, and all conifers and oaks with a diameter of six inches or greater and all deciduous trees with a diameter of eight inches or greater shall be incorporated into the development plan wherever feasible.

3. Existing trees are preserved within any right-of-way when such trees are suitably located, healthy, and when approved grading allows.

(b) Trees and woodland areas to be retained shall be protected during site preparation and construction according to county design specifications by:

1. Avoiding disturbance of the roots by grading and/or compacting activity.

2. Providing for water and air filtration to the roots of trees which will be covered with impermeable surfaces.

3. Requiring, if necessary, the advisory expertise of a registered arborist/horticulturist both during and after site preparation.

4. Requiring, if necessary, a special maintenance, management program to insure survival of specific woodland areas of specimen trees.

31. The project arborist Mr. Mike Reichenbach, has provided a tree survey and an arborist report that shows species, size and trees location. A tree condition rating system is provided. Douglas Firs and Oregon White Oaks are rated high in terms of species (75% Species Factor Rating). Sheet 3 of 6 of the submittal plans is the proposed tree removal and tree preservation plan. Preliminary findings are:

- Most of the significant stands of trees are found within the upper Boeckman Creek drainage way along the East Side, and a grove of trees found on West Side of the subject property. From an overall tree count, 673 trees have been inventoried.
- The interior site is generally void of trees. Again, the applicant proposes to adjust the POS boundary to accommodate additional home sites along the West Side of upper Boeckman Creek.

- Proposed lots 18 to 29 will impact a marginal group of trees (fair condition) mostly comprised of Alder, Willow, Douglas Fir, Black Cottonwood, and Cascara Buckthorn. In the opinion of staff these trees are not a significant stand.
- Approximately 283 trees are proposed to be removed. 58% trees saved.
- There are 68 Oregon White Oak. 51 Oaks is proposed to be retained and 17 proposed to be removed by the applicant.

Staff recommends that the following trees be retained based on their location and fair to good condition trees. Oregon White Oak, Douglas Fir, Big Leaf Maple and Alders were considered:

The revised tree removal plan sheet 3 of 6 is reasonable attempt to save as many significant trees as possible. Staff proposes additional trees to be retained from that plan:

Lot 20	Tree 24 22" Alder
Lot 52	Tree 646 8" Alder
Lot 53	Trees 647, 648, 85 and 586 7" and 9" Alders, 8" and 6" Doug Firs.
Lot 54	Trees 569, 572, 575, 583, 584-10", 13", 11 and 15", 17" and 14" Doug Firs.
Lot 55	Tree 587 6" Alder

Northeast corner of property.

Lot 2	Tree 165 20" Oregon White Oak
Lot 3	Tree 314 is not inspected.
Tract I	Trees 664 and 357 8" and 20" Douglas Firs

- Ordinance No. 464: A separate application for Type 'C' tree removal permit is required prior to site development.

32. **Since industry is the land use for the property, density rules do not apply.** Specifically, it clearly states in the City of Wilsonville Tree Ordinance No. 464 that "application of the standards of this section shall not result in a reduction of square footage or loss of density" (Section 4.610.40. In addition, "no development application shall be denied solely because trees grow on the site...tree preservation and conservation as a development principle shall be equal in concern and importance to other design principles" (Section 4.610.10). Oaks are becoming increasingly scarce and deserve special treatment. Oregon White Oak is the primary significant specie to be considered for retention. Of the Oregon Oaks on site, the applicant proposes to save approximately sixty-eight (68) Oregon

Oaks on the project site. Sixty-one (61) Oaks are "fair to good" condition. Seventeen (17) fair to good Oaks are proposed to be removed.

32. The project with proposed staff modifications satisfies Subsection 4.421(1)(a) that requires preservation of landscape insofar as practical, by minimizing tree removal. The proposed residential and commercial buildings meet Subsection 4.421(1)(b) as they are designed to ensure harmony with the natural environment and other naturally sensitive areas for wildlife habitat. 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. The proposal with staff modifications (setback restrictions for decks) further satisfies Subsection 4.400(2)(d) that requires that structures be properly related to their sites with due regard to the aesthetic qualities of the natural terrain and landscaping. Subsection 4.161(2)(c)(3) requires that all developments be planned so as to minimize removal of trees "and preserve the natural scenic character which is the case here. Furthermore, Subsection 4.161(4)(a)(2) requires that all developments shall be planned....so that....existing wooded areas, significant clumps/groves of trees and all conifers and oaks with a diameter of 6" or greater shall be incorporated into the development wherever feasible. Finally, the project with proposed staff changes could save more significant trees. The applicant is making every reasonable and feasible attempt to save conifers, and the majority of Oregon White Oaks. The applicant has not provided sufficient justification for removal of trees that are on the above described staff list and trees within POS not on the above described staff list.

Outdoor Living Area

The Wilsonville Code requires the creation of outdoor living area as stated in Subsection 4.136(e)(1 and 2):

"1) In all residential developments or a in combination residential commercial developments, twenty-five percent (25%) of the area shall be devoted to outdoor living area, excluding streets."

"2) Outdoor living area required by Sections 4.130 to 4.140 may, at the discretion of the Commission, be dedicated to the City, either rights in fee or easement, without jeopardizing the density or development standards of the proposed development, provided the size and amount of the proposed dedication meets the criteria of the City parks standards. The square footage of any land, whether dedicated or not, which is used for outdoor living shall be deemed a part of the development site for the

purpose of computing coverage density. The purpose of this Section is to provide adequate light, air, open space and recreational facilities to occupants of a such development."

34. Regarding the above, outdoor living areas are identified in tracts. This open space represents 10.10 acres or 40 % of the gross site area. Four (4) pocket parks are proposed. A home-owners association must be formed to maintain the open space and parks. A potential recreational site "Tract P" is proposed within the BPA easement.
35. Though public park dedication is not a requirement, the provision of accessible park land and playgrounds for the use of the residents of the proposed project is required. The applicant has not submitted park development plans for open space areas, tot lots, etc. Under a separate application, detailed Site and Design plans must be submitted to the DRB prior to the issuance of building permits.

Additionally, Wilsonville Code requires the creation of outdoor living area(s) as stated in Subsection 4.136(e)(1 and 2):

"1) In all residential developments or a in combination residential commercial developments, twenty-five percent (25%) of the area shall be devoted to outdoor living area, excluding streets."

"2) Outdoor living area required by Sections 4.130 to 4.140 may, at the discretion of the Commission, be dedicated to the City, either rights in fee or easement, without jeopardizing the density or development standards of the proposed development , provided the size and amount of the proposed dedication meets the criteria of the City parks standards. The square footage of any land, whether dedicated or not, which is used for outdoor living shall be deemed a part of the development site for the purpose of computing coverage density. The purpose of this Section is to provide adequate light, air, open space and recreational facilities to occupants of a such development."

36. Regarding Subsection 4.136(e)(1 and 2): 9.84 acres or 40% of the subject property is in Primary and Secondary Open Space (including open space in the BPA easement) is applied towards meeting the Code required 25% outdoor living requirement.

Subsection 4.161(6)(a)(1 to 3): Protection of wetlands.

(6) Wildlife Habitats and Distinctive Resource Areas: In order to minimize the adverse impacts on wildlife and sensitive areas, riparian areas and wetlands, no development shall occur in an area designated as

primary open space on the Comprehensive Plan and shall further be planned, designed and constructed as follows:

- (a) All developments proposed in or near [within one hundred (100) feet], natural wetlands shall be designed to:*
 - 1. Preserve functions of groundwater recharge, water storage, turbidity reduction, nutrient filtration, biologic or botanical production, and protective habitat cover.*
 - 2. Limit uses to those compatible with the continued performance of wetland functions, such as:*
 - a. Conservation of soil, vegetation, water, fish, and wildlife.*
 - b. Low intensity, "dispersed" outdoor recreation (hiking, nature study).*
 - c. Utility easements, but only on peripheral areas and where alternative alignments are impractical.*
 - 4. Maintain the runoff coefficient and erosion equilibrium for lands bordering the wetland substantially the same as if such lands were undeveloped. Pier construction, elevated pedestrian boardwalks, semi-impervious surfacing, bridging of natural drainage ways, and retention of vegetation in areas not intended for buildings or roads are recommended design methods.*

Response findings:

- 37. Subsection 4.161(6)(a)(1 to 3)WC. The wetland shown on the center of the property proposed for the Canyon Creek Estates is man-made, less than one acre. The Division of State Lands has determined that it is not a jurisdictional wetland. Upper Boeckman Creek that traverses the subject property is a jurisdictional wetland. Thus the proposed road crossing to access the proposed eight traditional lots at the East Side of the project site will require on-site mitigation that is proposed by the applicant.
- 38. Upper Boeckman Creek serves as a major drainage way for several industrial properties at the North. Portions of the proposed subdivision and the proposed commercial center are shown to be developed within 100 feet of the wetland boundary but no closer than 25 feet. Subsection 4.161(6)(a)(1 to 3) regulates new development within 100 feet of a wetland. This standard is intended to minimize the adverse impacts on wildlife and sensitive areas, riparian areas and wetlands. Proposed development within the 100' transition zone should preserve ground water recharge, water storage, turbidity, nutrient filtration, biologic or botanical production, and preserve productive habitat cover. The applicant proposes

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to create a 25-foot buffer and enhance the buffer and wetland native plant materials. The project engineer has provided additional findings and conclusions relative to storm water runoff coefficient and erosion equilibrium for lands bordering the wetland. The proposed site plan shows three storm water detention ponds which would allow (in low-flow conditions) drainage to slowly drain back to the soil and drainage way rather than being carried by solid wall pipe all the way to the drainage outlet. Construction of the detention ponds will require the removal of significant trees within the POS area.

39. The applicant has demonstrated that the proposed project would have minimal or no impact on an affected wetland consistent with Subsection 4.161(6)(a)(1 to 3). The proposed engineering proposal would maintain the runoff coefficient and erosion equilibrium for lands bordering the wetland to be substantially the same as if such lands were undeveloped. One of the primary functions of the proposed detention ponds is to filter storm water runoff recharging the wetland.
40. Issues relative to the impact of the project on wildlife habitat were not fully examined by the applicant.

Response findings to Criteria "b" Traffic:

Subsection 4.139 (4)(b) of the Wilsonville Code sets forth traffic criteria for planned development. Subsection 4.139 (4)(b) states:

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

41. The City requires traffic analysis of all new development to appraise trip generation, capacity and level of service. The City's traffic consultant, DKS Associates, has prepared a detailed traffic report. Since this project is located North of Boeckman Road it is exempt from the traffic restriction at the Wilsonville Road/I-5 intersections. The project with mitigation has an acceptable traffic level and can be accommodated safely and without congestion for compliance with Subsection 4.139(4)(b) WC., up through the most probable intersections including the Stafford Interchange. The estimated net new weekday PM peak hour trips is 257. The estimated PM peak hour project trips through the Wilsonville Road/I-5 Interchange area

is 12 trips. The proposed project would generate about 260 net new trips in the PM peak hour. The DKS report indicates that as part of the Canyon Creek Local Improvement District Transportation Impact Study, it was assumed that 98 PM peak hour trips would be generated by this site. Therefore, mitigation would be required in order to meet the City's minimum level of service standard of "D", **provided, however, that further engineering analysis has occurred.** See PF 20.

Furthermore, Section 4.167WC Street improvement standards requires:

"(1) Except as specifically approved by the Planning Commission, all street and access improvements shall conform to the Street System Master Plan, together with the following standards:

(a) All street improvement shall conform to the Public Works Standards and shall provide for the continuation of principal streets through specific developments to adjoining properties or subdivisions.

(b) All streets shall be developed with curbs, utility strips and sidewalks on both sides; or a sidewalk on one side and a bike path on the other side."

1. *"Within a Planned Development the Planning Commission may approve a sidewalk on only one side. If the sidewalk is permitted on just one side of the street, the owners will be required to sign an agreement to an assessment in the future to construct the other sidewalk if the City Council decides it is necessary."*

Finally, as set forth in Subsection 4.240(2)(a)WC:

"A subdivision shall provide for the continuation of the principal streets existing in the adjoining subdivisions, or of their proper projection when adjoining property is not subdivided, 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 Commission, topographic conditions make such continuation or conformity impractical exception may be made. In the cases where the Planning Commission itself adopts a plan or plat of a neighborhood or area of which the subdivision is a part, the subdivision shall conform to such adopted neighborhood or area plan."

Response Findings:

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42. Regarding Policy 4.4.4, proposed streets will be public except for proposed tract M (private road) to serve the proposed 8-lots at the NE corner of the property.
43. The Transportation Master Plan (Figure 20) identifies Canyon Creek Road that is adjacent to the property as a commercial-industrial, "CL-1" design classification. Canyon Creek is constructed to meet the full public works standards.
44. The Transportation Master Plan requires that local residential streets be designed for 1,200 vehicles per day, consist of 32 feet of pavement within a 52 foot right-of-way. The developer is requesting a waiver to allow 32 foot paved area within a 38 foot ROW.

Driveways:

45. The project site has three driveways at Canyon Creek Road. Those driveways were predetermined in LID #12 and are spaced to meet the Public Works Code.

Bus Shelter/Stop:

46. The proposal does not show a bus shelter/stop at Canyon Creek Road. Requirements for bus shelter/stop is reviewed by Southern Metro Rapid Area Transport "SMART".

Sidewalks / Bikeways:

47. Section 4.167 of the Zoning Code requires:

"All streets shall be developed with curbs, utility strips and sidewalks on both sides; or a sidewalk on one side and a bike path on the other side.

1. *"Within a Planned Development the Planning Commission may approve a sidewalk on only one side. If the sidewalk is permitted on just one side of the street, the owners will be required to sign an agreement to an assessment in the future to construct the other sidewalk if the City Council decides it is necessary."*

48. Regarding the above, each lot owner or builder is responsible to construct their respective sidewalk segment. In this request, sidewalks are proposed

on one side of the street(s). A five-(5) foot wide sidewalk was constructed in the LID along Canyon Creek Road.

49. The State Transportation Planning Rule recommends that new development include bikeways and pedestrian ways free from hazards, particularly types or levels of automobile traffic that would interfere with or discourage pedestrian or bicycle travel for short trips. Finally, the TPR encourages subdivision streets to connect with other subdivision streets as opposed to dead end streets. A grid street system is proposed. Proposed Tracts A and B are designed to provide pathway connections with Canyon Creek Meadows adjacent to the South.

Bicycle and Pedestrian Master Plan: Additional policies from the master plan that apply to this request:

Policy:

"It shall be the policy of the City to discourage the excessive use of cul-de-sac street designs when feasible alternatives exist for establishing a system of connecting local streets."

Policy:

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

50. Section 4.167 of the Zoning Code: Five (5) foot wide curb-side/off-set sidewalks were constructed in LID #12 along both sides of Canyon Creek Road fronting the subject property. The applicant proposes to construct sidewalk connections to public sidewalks. A waiver is being requested to allow sidewalk on one side of the proposed residential streets. Proposed also is a nature path/sidewalk system to connect the project with Canyon Creek Meadows I adjacent to the South and Weideman Road adjacent to the North. The proposed pathway alignment is such that it will match up with the Canyon Creek Apartments and the White Oaks Apartments pathways at the North Side of the project. This will provide a continuous sidewalk and nature pathway route through three major housing projects at the North Side of the City. In order to minimize impacts on existing trees, the nature path should be constructed by hand labor with 4 - 6" bark mulch on 4 - 6" gravel.

51. The Bicycle and Pedestrian Master Plan recommends bicycle racks. At least one bicycle rack per commercial building. Bicycle racks should be installed near main building entrances.

Response findings to Criterion 'c' Public Facilities:

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

52. The applicant has retained civil engineering and planning consultants to coordinate public facilities and services to the property with the City Engineering Department. Existing public utilities are:

Storm water:

53. The Public Works Code requires storm drainage systems be constructed to meet a 25 year storm frequency. Storm water run off from streets and roofs is proposed to be conveyed to the Boeckman Creek drainage way. The Stage II, Final Plan also shows several storm detention ponds designed to meet a 25 year storm frequency.

Water:

54. ORDINANCE No's. 493 and 497: City moratorium on planning approvals due to lack of water capacity.

The DRB may approve this application as the applicant has signed the "Required Authorization" agreement with the City. It stipulates that under Ordinance No. 497 the proposed application is allowed to be processed by the DRB with the applicant's expressed understanding and approval that the final approval will be withheld until such times as connection to the City's water system, and building permits requiring water service, are approved upon the City's Community Development Director that a long term water source for the City has been planned and funded, and that an adequate interim water supply is available. A 24" trunk line in Canyon Creek Road can service the subject property once water is available. The applicant has signed a formal agreement and understanding regarding water availability. See Exhibit K.

Sanitary sewer:

55. The subject site is served by 10" sanitary sewer line that traverses the subject property. The applicant is proposing to abandon the existing

sanitary sewer line in upper Boeckman Creek and replace it with a new line in the proposed subdivision street.

Landscaping:

56. A separate Site and Design application is required for review of street trees, park/open space landscaping, fences and signs.

Conclusion

The DRB may approve this application as the applicant has signed the "Required Authorization" agreement with the City. It stipulates that under Ordinance No. 497 the proposed application is allowed to be processed by the DRB with the applicant's express understanding and approval that the final approval will be withheld until such times as connection to the City's water system, and building permits requiring water service, are approved upon the City's Community Development Director that a long term water source for the City has been planned and funded, and that an adequate interim water supply is available. A 24" trunk line in Canyon Creek Road can service the subject property once water is available.

The project with proposed staff modifications satisfies Subsection 4.421(1)(a) that requires preservation of landscape insofar as practical, by minimizing tree removal. The proposed residential and commercial buildings meet Subsection 4.421(1)(b) as they are designed to ensure harmony with the natural environment and other naturally sensitive areas for wildlife habitat. 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. The proposal with staff modifications (setback restrictions for decks) further satisfies Subsection 4.400(2)(d) that requires that structures be properly related to their sites with due regard to the aesthetic qualities of the natural terrain and landscaping. Subsection 4.161(2)(c)(3) requires that all developments be planned so as to minimize removal of trees" "and preserve the natural scenic character which is the case here. Furthermore, Subsection 4.161(4)(a)(2) requires that all developments shall be planned....so that....existing wooded areas, significant clumps/groves of trees and all conifers and oaks with a diameter of 6" or greater shall be incorporated into the development wherever feasible. Finally, the project with proposed staff changes would save more significant conifers and deciduous trees. The applicant is making every reasonable and feasible attempt to save conifers, and the majority of Oregon White Oaks.

There is a reasonable argument that is made that proposed lots 18 to 29 are not in Primary Open Space but is better described as Secondary Open Space. The applicant has provided adequate findings to support this finding.

Subsection 4.139(4)(a)WC. 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.

Subsection 4.139(4)(b)WC. The proposed building alternations will generate PM Peak hour trips through the Stafford intersection. Thus, the proposed project with mitigation has an acceptable traffic level that can be accommodated safely and without congestion.

Section 4.139(4)(c) WC: Adequate public facilities; The proposed location, design, size and uses are such that the buildings to be accommodated will be adequately served by existing sanitary sewer and storm water facilities and services. The City Engineer has proposed PF conditions of approval to ensure this will be the case. Exhibit G.

VIII. Continued Business Public Hearing:

- A. 98DB48 – Venture Properties – Proposed Canyon Creek Meadows II. Applicant requests approval to modify the Stage I Tektronix, Inc., Master Plan to allow residential and commercial development within the Planned Development Industrial (PDI) Zone and review of a proposed preliminary subdivision plat for an 80-lot single-family subdivision and two mixed-use commercial buildings, including 21 apartment units and review of Stage II Final Plans for the proposed mixed-use commercial center. This application also involves an interpretation to adjust the Primary Open Space boundary to allow single-family building lots. The site is located north of Canyon Creek Meadows I and abuts the east side of Canyon Creek Road on Tax Lots 200, 500 and 590, Section 12, T3S-R1W, Clackamas County, Oregon. This item was continued from the March 8, 1999 meeting with the record remaining open to this date and time certain.

Don Morissette confirmed proposed conservation easements – using displayed map – (identified as Applicant Exhibit #1 – Map of Proposed Primary Open Space – Secondary Open Space) as follows:

Rear of Lot 53 to save a grove of trees, rear of Lots 38 and 39, and rear of Lots on the open space portions of 21 through 28 to save additional trees. (Condition of Approval #20)

-The applicant's exhibits as well as a sheet tying the exhibit numbers to the speakers was entered into the record.

The public hearing closed; Chair Lake called for a motion or discussion.

Chair Lake: This hearing provided additional opportunity to read in greater length the many pages of documents submitted, at the prior hearing, as well as for this hearing. He stated that after having read the information and after seeing this evening's presentation, his primary concerns have been addressed. He stated he is inclined to approve the proposal and send it on to City Council for their consideration. His initial concerns were a more firm definition of the Primary and Secondary Open Spaces and that has been accomplished. His concerns about roadway that crosses the open space have been adequately addressed.

Michael Cooke: He thanked Mr. Morissette for his patience and for providing the testimony from so many people, that it helped him in making his decision. He stated he thinks positively about the project with the exception of the eight houses on the one area. Their importance is overwhelming the project; it is a major concern. His concerns about the road and the culvert have been addressed. He stated that a lot of effort has been put into the open space issue and into saving as many trees as possible. There has not been a lot of outpouring from anyone against the project. He stated he would vote positively for the project.

Mike Elder: He was not enthusiastic about the project at the beginning; he had concerns. For the most part they have all been addressed. He stated he has been impressed with the applicant's energy and willingness to cover as many angles and issues as possible. The application was well prepared.

He stated he has concerns remaining, which involve around remaining open spaces, not just in Wilsonville but up and down the valley. He is disappointed to see development in areas that are basically unspoiled. His concern about the fill evidence have been addressed and he is convinced what is on the site is a man-made fill. He feels that the traffic will be impacted much more negatively than DKS indicates. However, it would be unfair to single out this applicant for the traffic issue. He stated he would vote to approve the project.

Gary Betts: He stated he agrees with Mr. Morissette, he just can't keep giving it away. When he looks at the amount of Primary Open Space the project began with and the amount of Secondary Open Space that was either so indicated or which we would have anyway, there is a net loss, not a net gain. He stated what concerns him most is that; "Proposed development within the 100-foot transition zone should preserve ground water recharge, water storage turbidity, nutrient filtration, biologic or botanical production and preserve protective habitat cover." If we approve this, we move that 100-foot buffer down to 25 feet; it is still a fenced-in ditch. A wildlife inventory has not been presented. From the pictures of the terrain presented this has to be rich in wildlife. There is probably a lot of deer in this area; it is unconscionable to affect that wildlife corridor. He stated he would vote against the project at this time; he would like the applicant to work on the wildlife corridor. The conservation easements are another concern; he would like to see a map showing exactly what they are. He would be in favor of using the conservation easements as a means to preserve some of the wildlife habitat corridor. He does not see that the applicant has made any effort to preserve habitat for the butterfly. There is need to be concerned about other animals besides the mammal. This is one of the last large patches of butterfly habitat in the city. If this were properly done, the habitat could be maintained for them. He stated there are many things about the project that he likes; he just cannot approve breaking up a wildlife corridor when it could be preserved. He would prefer to continue; if not, he will vote against.

Chair Lake called for a motion. He expressed his appreciation to the board for their diversity and the dedication they show on the difficult issues. He stated he does not doubt the sincerity of any member of the board.

David Lake moved to approve 98DB48 – Venture Properties – for consideration by the City Council with the following amendments to the proposed Conditions of Approval:

- Condition #3: Delete word "that" and change to "which plat".....
- Condition #5: Change word "is" to "are"
- Condition #7: In reference to Lot 3 – Tree #314 – add wording, "Applicant has stated that he will preserve this tree".
- Condition #14: Add wording, in second sentence, "submitted for approval by the City Engineer" and in at the end of the third sentence, add the wording "and shall legally describe the wetlands area and boundary."
- Condition #16: Add to end of condition, "CCR's and By-laws shall be reviewed by the City Attorney for approval prior to filing of the final plat.
- Condition #20: Add to condition,entitled "Applicant Exhibit #1 – Map of Proposed Primary Open Space-Secondary Open Space" and "submitted April 12, 1999. Map Boundaries shall be included in a conservation easement."

City Engineering Conditions:

- Condition PF11: Delete condition as submitted and substitute new wording proposed by City Engineer,
PF11: The applicant shall connect to the city water system at two locations on Canyon Creek North as follows:

- a) The existing 8-inch waterline stub located at the project driveway
(Canyon Creek North Sta. 42+00+/-).
- b). The existing 8-inch waterline stub located on the eastside of the intersection with Weidemann Road.

The construction of (b) outlined above can be delayed until the construction of the commercial portion of the project or as necessary for adequate fire and life safety measures as determined by Staff.

Condition PF14: b) Amend to read, (5) foot concrete sidewalks on one side of all public streets and between lots 5/6, 12/13, 50/51, 29/30 and the areas designated as Tract 'N' and 'G'.

Condition PF17: Correct spelling on word to "Enclave".

Building Division Conditions:

Condition #2: Delete 220 through 225 and change to 1 through 8 and add at the end, "or unless as otherwise determined by the Building Official."

Condition #3: Delete 220 through 225 and change to 1 through 8.

Condition #4: Delete 220 through 225 and change to 1 through 8.

Mike Elder seconded the motion. Chair Lake called for the vote:

Michael Cooke:	Aye
Mike Elder:	Aye
David Lake:	Aye
Gary Betts:	Nay

Motion passed 3 to 1.

The appeal process was read into the record.

Bob Hoffman clarified that the portion of the application dealing with the interpretation of the Primary and Secondary Open Space boundaries will be forwarded to City Council for their interpretation and approval.

The Development Review Board's decision and Conditions of Approval have been received and accepted by:

Signature

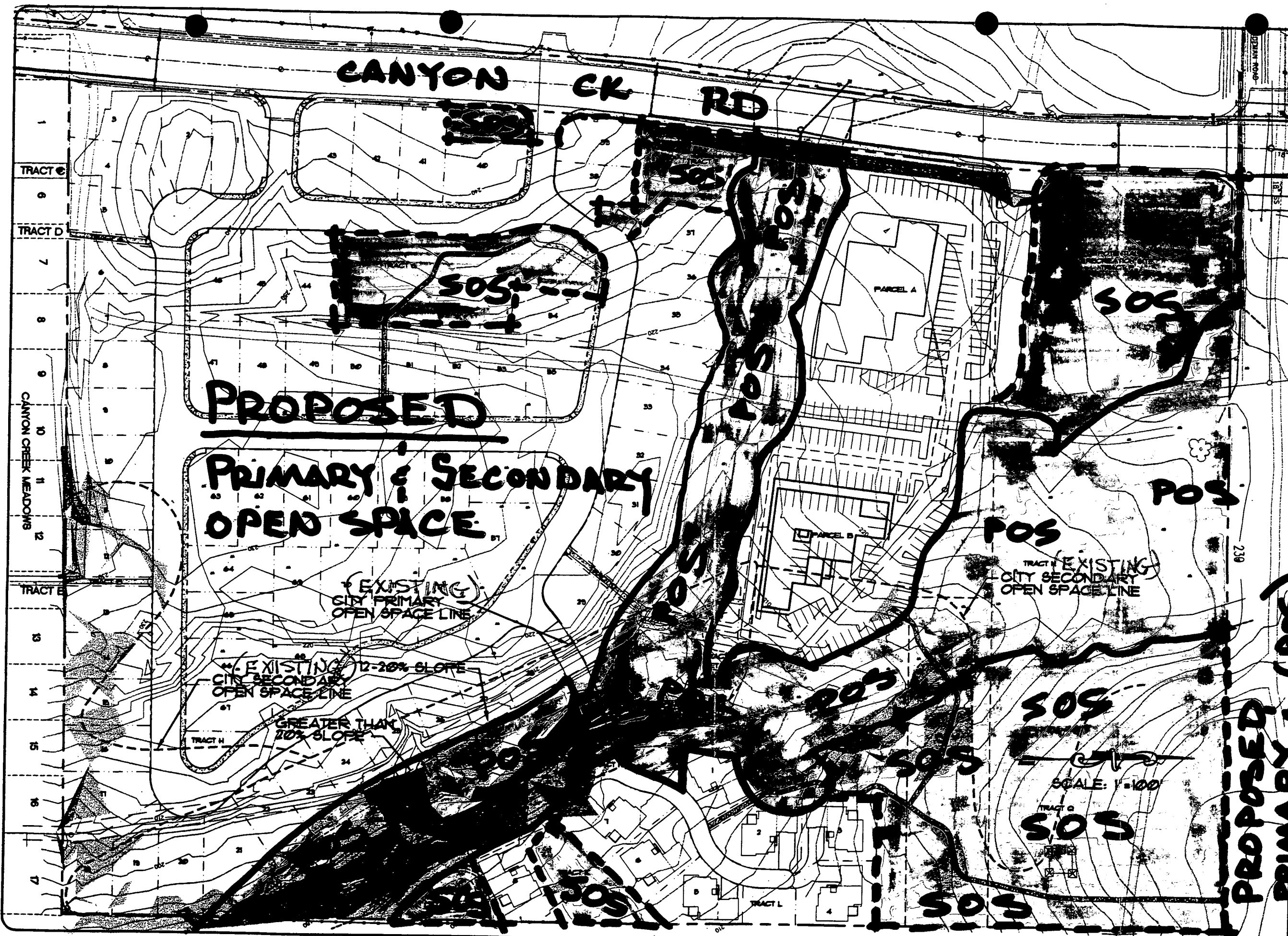
Title

Date

This decision is not effective unless this form is signed and returned to the planning office as required by Section 4.139(7) of the Wilsonville Code.

In the event of sale, transfer or lease of the property, a copy of these conditions will be forwarded to the successor(s) in interest.

Please sign and return to:
Sally Hartill, Planning Secretary
City of Wilsonville
30000 SW Town Center Loop E
Wilsonville OR 97070



FROM EXHIBIT "1" APRIL 12 1999



ALPHA ENGINEERING INC.
PLANNING • DEVELOPMENT SERVICES • SURVEYING

OFFICE 503-468-8003 • FAX 503-462-8043
PLAZA WEST • SUITE 230 • 9600 SW OAK • PORTLAND, OR 97223

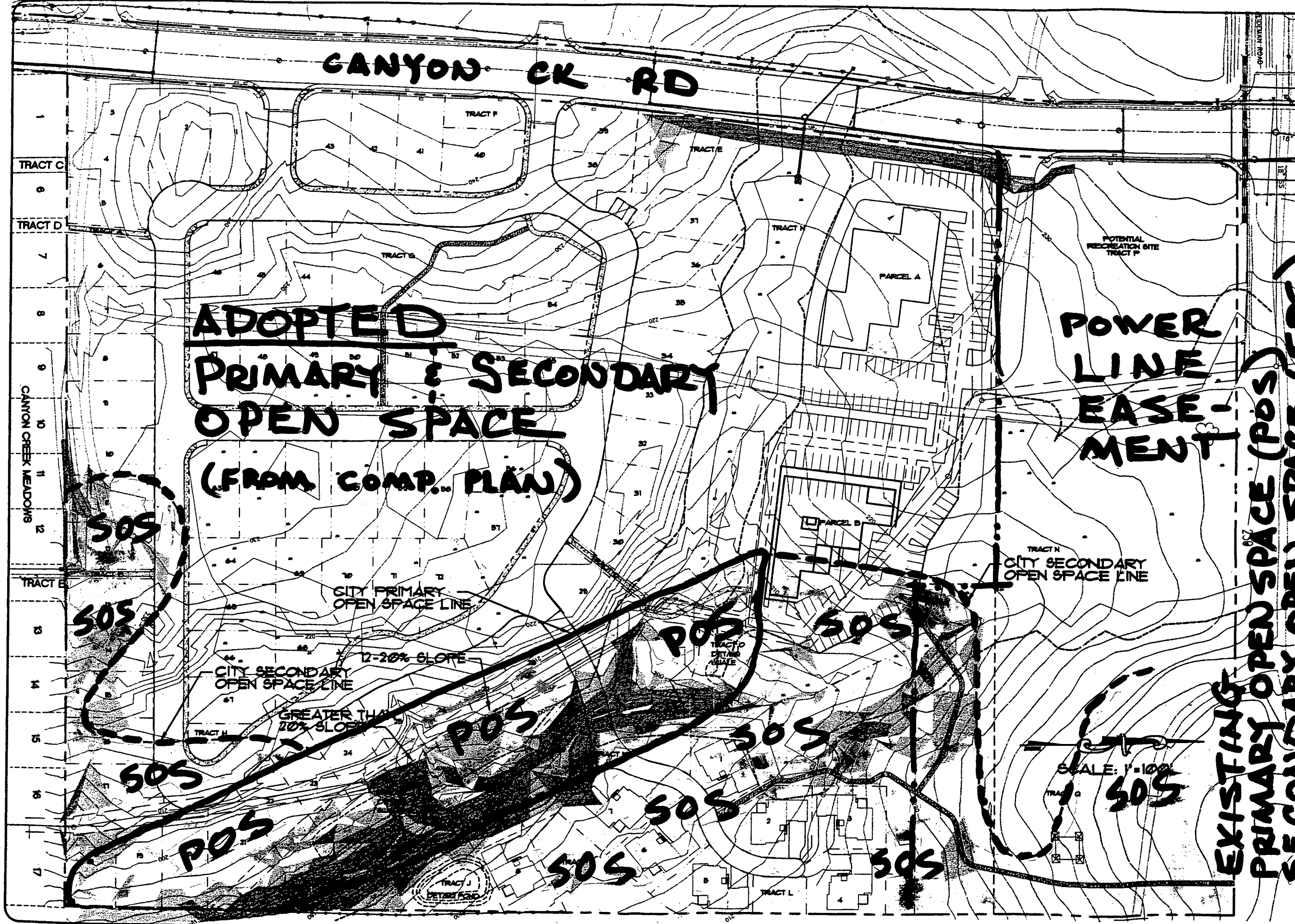
SIGNED BY WKH
DRAWN BY WKH
REVIEWED BY MYL
DATE 1/15/99

SCALE 1"=100'

PROJECT NO. 402-004

**PROPOSED
PRIMARY & (POS)
SECONDARY (SOS)
SLOPE EXHIBIT
OPEN SPACE**

CANYON CREEK MEADOWS II

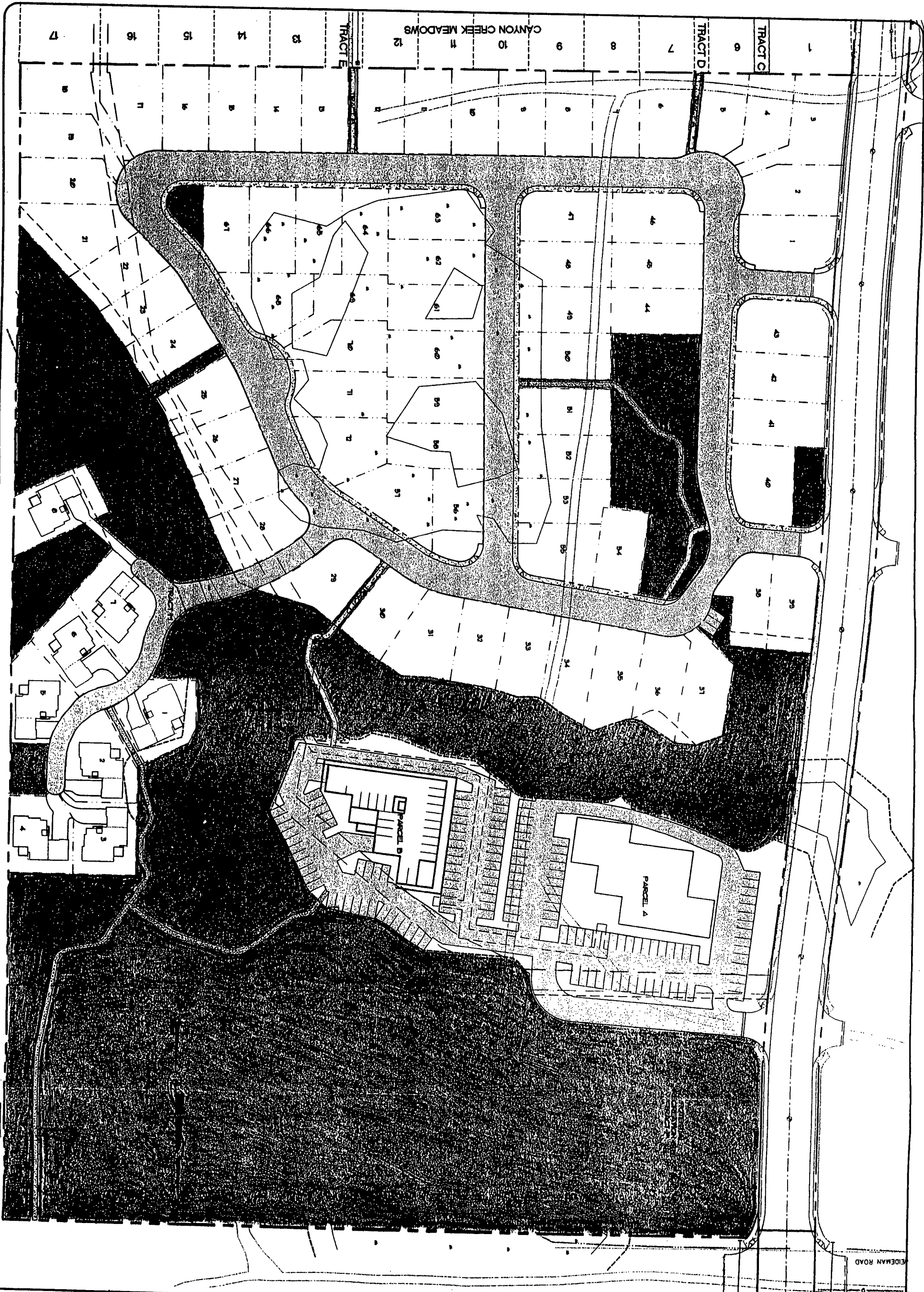


SLOPE EXHIBIT
CANYON CREEK MEADOWS II

DESIGNED BY WJH
DRAWN BY WKH
REVIEWED BY MYL
DATE 1/15/99
SCALE 1"=100'
PROJECT NO. 402-004

FROM EXHIBIT "3"
EXHIBIT "3"
ALPHA ENGINEERING INC.
PLANNING & DEVELOPMENT SERVICES • SURVEYING

APRIL 12 1999
OFFICE 503-452-8003 • FAX 503-452-8043
PLAZA WEST • SUITE 230 • 9800 SW OAK • PORTLAND, OR 97223



OPEN SPACE EXHIBIT

CANYON CREEK MEADOWS II

DESIGNED BY WKH
 DRAWN BY WKH
 REVIEWED BY MVL
 DATE 1/15/99
 SCALE 1"=100'
 PROJECT NO. 402-004



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EXHIBIT CC 980848
 4-29-99