

RESOLUTION NO. 472

A RESOLUTION ADOPTING THE REVISED PRELIMINARY ENGINEER'S REPORT FOR LID NO. 5, DATED FEBRUARY 28, 1985; DECLARING FORMATION OF LOCAL IMPROVEMENT DISTRICT NO. 5 AS MODIFIED IN SAID REPORT; AND DIRECTING THE CITY'S ENGINEER TO PREPARE DETAILED PLANS, SPECIFICATIONS AND COST ESTIMATES FOR THE PROPOSED IMPROVEMENTS.

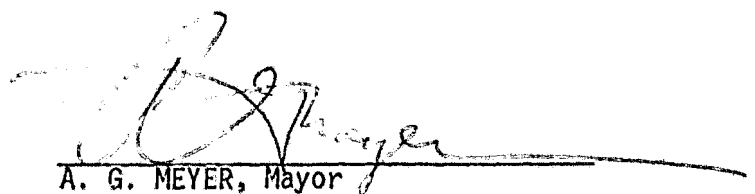
WHEREAS, the City staff has prepared a report on the above-captioned subject which is attached hereto as Exhibits A and B; and

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

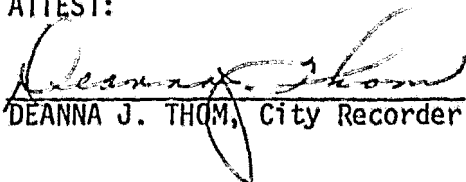
WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Wilsonville does hereby adopt the staff report attached hereto as Exhibit B, with the recommendation(s) contained therein and further instructs that action appropriate to the recommendation(s) be taken.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 15th day of April, 1985, and filed with the Wilsonville City Recorder this same day.

  
A. G. MEYER, Mayor

ATTEST:

  
DEANNA J. THOM, City Recorder

CITY OF



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

**TO:** City Council

**DATE:** April 12, 1985

**SUBJECT:** LID No. 5

**MEETING DATE:** April 15, 1985

**ACTION REQUIRED:** Adopt Engineer's Report by attached Resolution

**PREVIOUS ACTION TAKEN:** Hearing held on Engineer's Report April 1, 1985; testimony taken and hearing closed, but action continued to April 15, 1985.

**CONCLUSIONARY FINDINGS:**

1. As of this writing the appraisal was not received.
2. A study session has been called by the Mayor for 3:00 p.m. Monday, April 14, 1985, at City Hall.
3. See attached Findings, Exhibit B.

**RECOMMENDATION:** Adopt draft motion.

### Recommended Motion

Based on the findings set forth in Exhibit B, the City Council finds it prudent to move forward with LID No. 5 by adopting the Preliminary Engineer's Report subject to the following conditions:

1. Authorization for preparation of the final plans, specifications and cost estimates, shall be withheld until adequate funds are secured to cover the engineering costs, or other satisfactory arrangements are made to cover such costs until the Bonds are sold.
2. The Bid plans and specifications shall be prepared in such a manner so as to allow three alternative scopes of improvement as outlined in the Engineer's Reports dated August 10, 1984 and February 28, 1985.
  - A. The narrowest scope shall be a half-street section in both the northwest and northeast quadrants of the Town Center. The northwest quadrant shall include a gravel footpath.
  - B. The second scope shall be a half-street section in the northwest quadrant and a full-street section in the northwest quadrant. The northwest quadrant shall include a gravel footpath.
  - C. The third scope shall be a full street section in both the northwest and northeast quadrants.

The ultimate scope of improvement shall be determined at the time of Bid acceptance based on the actual Bid amounts and upon actual available revenue in the City's Systems Development Fund to participate in alternatives B and C.



# PLANNING DEPARTMENT

## SUMMARY STAFF REPORT

**TO:** City Council

**DATE:** March 27, 1985

**SUBJECT:** LID No. 5 Modified Engineer's Report

**MEETING DATE:** April 1, 1985

- ACTION REQUIRED:**
1. Hold public hearing to hear remonstrances against Engineer's Report.
  2. Adopt, or modify Report and adopt, and direct preparation of Bid Plans and Specifications.

**PREVIOUS ACTION TAKEN:**

1. February 4, 1985 - City Council directed modified Report to reduce boundary and scope of work.
2. March 18, 1985 - City Council approved Preliminary Engineer's Report and set public hearing for April 1, 1985, and directed appropriate notice be provided.

**CONCLUSIONARY FINDINGS:**

1. Notice of the public hearing was provided in accordance with the provisions of Section 3.210(6) WC.
2. Staff met with the Engineer and petitioners on March 27, 1985, to review the Preliminary Report and clarify several questions raised by the petitioners. The majority of the issues will be addressed by final design plans and the assessment formula recommended by the Board of Viewers. Minor Report revisions will be addressed at the April 1st hearing.
3. The Engineer's Report as modified is consistent with the Town Center and Public Facilities Master Plans and will provide needed improvements to promote development of the Town Center.
4. Costs estimates are provided with a proportional cost distribution to benefited properties. The allocations to each property are generally based on area served. These costs and allocations are to be used by the Board of Viewers to make recommendations to the Council for a preassessment formula.
5. The petitioners, together with staff, are in concurrence that the most appropriate improvement to the West Loop at this time is Interim Section 1B (one 24-foot lane with curbs). Future widening is to be scheduled through the City's Capital Improvements Plan and funded by Systems Development revenue. Such scheduling will be based on traffic volumes, available revenue and relative priority within the CIP.
6. Attached hereto as Exhibit 1 is a letter dated March 26, 1985. The letter outlines the questions and concerns raised by the petitioners. The following are staff's responses discussed with the petitioners:
  - A. Town Center Loop West and "T" Intersection - page 1
    1. Private development will be required to provide all on-site improvements, pay all normal connection fees and depending on location, will need to provide access paving from the

property to the half-street section (across future lane and median area). Sidewalks will also be required and the southwest portion of Lots 101 and 200 may require a sanitary sewer pump station and force main.

The City will pick up the future widening through the CIP and Systems Development.

2. The legals for the dedicated rights-of-way have been provided to CRS for incorporation into the final survey and construction plan documents. The current maps are preliminary only without legal descriptions except for the LID Boundary.
3. Six-foot additional right-of-way on each side of Parkway is required from Lots 3000 and the southeast corner of 100 (Thunderbird).  
All survey costs, deed, title insurance costs, etc. required to complete dedication are included in the LID.
4. This question is related to the Parkway vacation issue. The access location and land transfer area was purposely separated from the LID boundary so that the transfer area would not carry any assessments. The area to be dedicated will be clarified in the Vacation Agreement.
5. Addressed in Finding No. 5 above.
6. This issue will ultimately be resolved in the Vacation Agreement. However, the City should initiate the formal vacation process under O.R.S. requirements as soon as possible.
7. The Engineer misread the tax maps. The references to dedication should be to Tax Lot 201 and not 100.
8. This issue, including any compensation is to be determined by the Vacation Agreement. The LID as written does not include any improvements to the Parkway extension. The current Vacation Agreement only calls for right of access across Lot 201 to Lot 200.

Drainage Improvements - page 2

1. Because of the Vacation Agreement, improvements in this area were deleted. Initial drainage would be within the street. Future catch basins would be part of street widening or site development.
2. These are not oversized except for properties within the LID. The final design may allow a smaller pipe size, or the 21" may function as a retention system feeding the undersized 18" Freeway crossing. This will not be known until final design work and grades have been completed.
3. These issues will also be addressed in the final design work.

4. The diversion of storm water to the east is an engineering alternative that is not feasible with the current LID boundary. The area affected by the diversion is outside of the LID.

Final design work will be coordinated with ODOT.

#### Water Improvements - page 3

1. All water lines are designed to provide looping. They are, however, not oversized for areas outside of the Town Center. In the future, Tax Lot 200 will be required to extend the existing 12" line through the site to allow looping to the West Loop line.
2. The 10" line in the West Loop is not intended to be connected to LID No. 2. The connection for looping is the 12" addressed above. The length of the 10" deadend will be evaluated in the final design. It is needed only to serve fire hydrants and domestic supplies for Lots 100 and 101.

#### Sanitary Sewer

1. CRS will provide this information to the property owners. Generally, only a small southwest portion of Lot 101 and the very western portion of Lot 200 would need the force main. However, actual site planning will determine the extent of the service area. It is possible that no pumping would be required.
2. CRS will provide this information to the owners.
3. CRS will provide this information to the owners.

#### Telephone

1. The existing underground system is on the east side of Parkway. The easement width will be confirmed by GTE, typically 15 feet is adequate for access and service. GTE has indicated they will coordinate removal of the overhead with the LID improvements.
2. Adjacent properties will be serviced from the existing underground system. Service costs will be the same that GTE charges anywhere in the City.

#### Power

1. This information will be provided as part of the final design. The alternatives also depend on the City's ability to acquire the needed right-of-way on the East Loop.
2. The credit for the line extension charges will be clarified by PGE. This information can be dealt with at the Board of Viewers.

Drainage - page 4

Staff will work with the petitioners and Board of Viewers to develop a formula and procedure for pay back or credit towards assessments.

Water System

Except for the West Loop deadend 10", the water lines in the Loop Road connect to Parkway Avenue and Wilsonville Road lines. Other connections will provide loops to Courtside Estates and Ash Meadows. As development occurs, internal loops will also be provided. However, lines are sized to accommodate the fire flows and service demands of the assessed properties. There is no oversizing.

Sanitary Sewer

1. The City is picking up the full cost of the 15" main line through the Center. The City will recover oversizing costs from each property when they connect. No oversizing is being charged to the LID.
2. Sewer lines along the West Loop will be individual laterals for development. They will connect to the existing 8" and pump station. The east portions of Lot 201 may connect to new 15" main.

Other Utilities and Miscellaneous Items

Other utility costs are identified in the Report (Table 14). They include lighting, signs, etc.

Benefit Costs Within LID No. 5

Town Center Area

1. This is a matter of semantics. The West Loop area is actually part of the so-called "northerly drainage system" that drains west under the Freeway. It is one-half of the area served, thus it is to pay 50% of the improvements.
- 2 and 3. To be evaluated by the Board of Viewers.

Parkway Area - page 5

1. Prorated costs of Parkway are shown on Table 16.
2. Address in (1) above.
3. Yes, they drain west and south.

Final Analysis

1. The Bid specs will include unit pricing for the various elements.

The particular costs can better be defined in the final design, but can be addressed by the Board of Viewers.

2. Yes, preliminary engineering costs are reimbursable after or credit towards assessments.
  3. This information will be clarified by CRS. Generally, however, the entire area within the LID will be serviced, except that that may require the pump station (southwest area of Lot 101).
  4. We have discussed a possible Systems Development fee credit. However, no official action or formula has been set. This would be an appropriate issue for the Board of Viewers to consider.
7. The City Council discussed the need for some sort of sidewalk or pathway along the West Loop to connect to the abandoned portion of Parkway to Wilsonville Road.

The engineer will present cost estimates at the hearing, for an interim gravel path adjacent to the curb.

Adopt the modified Engineer's Report, by attached Resolution, and direct the Engineer to prepare detailed plans, specifications and cost estimates for Council approval for Bid advertisement.



SUMMARY FINDINGS  
HISTORY OF TOWN CENTER LOOP ROAD,  
PARKWAY AVENUE VACATION  
AND THE PRELIMINARY  
ENGINEER'S REPORT FOR LID NO. 5

The following findings are hereby adopted by the City Council and entered into the public record in consideration of the above-referenced matter in conformance with the City's Comprehensive Plan, the Town Center Master Plan and Section 3.210 to 3.219 of the Wilsonville Code.

1. The original General Land Use Plan was adopted by the City in 1971. The Plan envisioned a town center area which was located north of Wilsonville Road, west of I-5 and bounded by Boones Ferry Road, Barber Street and the railroad tracks (see Exhibit 3).
2. The General Plan was amended in 1972 to move the commercial "Town Center" from the west side of I-5 to the east side (see Exhibit 4). The amendment was initiated by the Planning Commission, based on a report from a commercial study committee.
3. Property owners in the new designated "Town Center" area applied for rezoning of the area to Planned Commercial in May, 1973 (see Exhibit 5). Subsequently, the Meyer & Kroker Master Plan was adopted by the Planning Commission in June, 1973.

This Master Plan created the Loop Road design and implied that Parkway Avenue would be vacated, with the West Loop alignment.

While not listed as original property owners in Exhibit 5, Fred Anderson was a partner with Don Grossman, Hardy Young, Jack Wright and Harold Laswell. They bought the Montague property on July 15, 1973. Everyone bought out Jack Wright. Jean Young inherited the Hardy interest when he died. Young began purchasing the Grossman interest in 1979.

The Council further finds that as set forth in Exhibit 6, attached hereto, the property owners, including Mr. Fred Anderson, have previously signed an agreement to faithfully execute the provisions of the Town Center Master Plan, including provision of rights-of-way and street and utility improvements.

4. Following the zoning of the new "Town Center" area, the City adopted Ordinance No. 55 which amended the Zoning Ordinance in effect at that time (Ordinance No. 23) and established a special "City Center District." The Ordinance was adopted January 17, 1976 (Exhibit 7).

5. LID No. 2 was formed to construct the first phase of the Town Center Loop West in the southwest quadrant of the Town Center. It was formed by Resolution No. 100 in February, 1978, with final assessment by Ordinance No. 189 in August, 1981.

In LID No. 2 the abutting property owners paid 100% of the road and utility improvement costs, including curbs and widening on Wilsonville Road. The records further indicate that the City apparently allowed the assessment for LID No. 2 to be spread across the entirety of Tax Lot 200 to accommodate the owners' desire to leave the property in farm deferral.

6. LID No. 5 was initiated by petitions in October, 1979. In May, 1980, the City Council referred the issue of alignment of the West Loop versus Parkway Avenue to the Planning Commission. On May 11, 1981, the Commission held a public hearing on the matter. On June 15, 1981, the City Council confirmed the Commission's recommendation to maintain the West Loop alignment in accordance with the Town Center Master Plan.

Subsequently, the Council adopted Resolution No. 290 (corrected by 362) accepting dedication of the right-of-way for the West Loop from Don Mala, and indicating the City's intent to vacate Parkway Avenue.

7. On February 4, 1985, Council directed staff to initiate negotiations with abutting property owners affected by the vacation of Parkway Avenue. A tentative agreement was drafted on February 8, 1985, for consideration by the property owners.

Subsequently, the City commissioned an appraisal based on the terms in the draft agreement. To date, the various owners have agreed, in general, to the terms as drafted, but not in total.

There remains an unresolved question as to whether the access to the northeast corner of Tax Lot 200

would be by easement or dedicated roadway and further whether it would be improved or unimproved.

8. With regard to the Parkway Avenue vacation issue, the Council has heard testimony about improper notice and challenges of potential legal action to stop the vacation.

In review of the record as set forth in the attached exhibits, the vacation issue has arisen from the implementation of the Town Center Master Plan. Said Plan was submitted to the City in 1973 by the property owners. The Plan was adopted as requested by said owners. It was not a Plan imposed on the owners by the City.

Subsequently, the alignment of the Loop Road versus Parkway Avenue has been the subject of public workshops and hearings before the Planning Commission and City Council. Said hearings were held during development of the City's current Comprehensive Plan and subsequently during consideration of LID No. 5. In all cases, appropriate notice and opportunity for testimony was afforded to affected parties. Said parties save and except Don Mala failed to exercise their rights to testify and have subsequently allowed expiration of the relative appeal periods without action.

9. Under the provisions of O.R.S. 271.080 to 271.230, the abutting property owners are afforded the right to just compensation for loss of property value caused by any street vacation. Given Finding no. 8 above, it is the conclusion of the Council that the only issue at hand is the value of such compensation and in what form the compensation might occur. In granting such compensation, the Council must also consider what offsets shall be considered against actual cash compensation. Such offsets would reasonably include replacement of street frontage and access, additional land, and exclusion from assessments under LID No. 5. These are all benefits that would reduce any loss incurred by the vacation.
10. The City is clearly interested in and supportive of LID No. 5 as defined in the Engineer's Report, dated February 28, 1985. The Council is desirous of expediting processing this LID, but clearly must do so with full knowledge of the potential costs to the City as to participation in the LID

and for compensation for the Parkway Avenue vacation. The current Engineer's Report includes certain costs to be incurred by the City, which due to certain unavoidable external circumstances the City may not be financially capable of meeting.

Therefore, as prudent business managers, the Council must move forward on this matter with certain conditions set forth to protect the City by limiting its financial obligations within reasonably established revenue limits.

11. Table 14 of the Engineer's Report allocates the following costs to the City:

<u>Improvements</u>		<u>Funding Source</u>
A. Street & storm drainage (Town Center area)	\$ 247,886	Systems Development fees
B. Sanitary sewer (Interceptor)	\$ 242,630	Sewer Connection fees

The City currently has adequate unencumbered funds on hand, in the sewer construction fund, to cover the costs of the 15" sanitary sewer interceptor.

However, the City's Systems Development Fund for street and storm drainage improvements is insufficient to cover the costs allocated to the City. Any future revenues received in this fund must be allocated to cover the City's current liabilities in LID No. 6, as well as any liability towards LID No. 5. The City must also provide funds to complete the widening of Wilsonville Road east and west of the I-5 interchange. These three projects could total in excess of \$700,000.

Throughout the current fiscal year receipt of Systems Development revenue has been relatively steady, but not in the amounts projected for the annual budget.

In order for the City to accept financial liability in LID No. 5, the Council must be reasonably assured that adequate Systems Development Fees will be received within the appropriate time period to cover the costs of both LIDs 5 and 6, and the Wilsonville Road project.

12. Because of the current short fall in Systems Development revenue, the City must also insure that funds are available to cover the costs of final

design engineering and preparation of the Bid plans and specifications. Typically, these costs are paid by Systems Development monies and reimbursed to the City upon sale of the Bancroft Bonds. At this point in time the City does not have adequate funds to advance.

13. The City Attorney has advised the Council that they cannot, under the current Systems Development Ordinance, grant a credit towards future fees, for Building Permits.

However, if individuals were to pay such fees in advance of application for Building Permits, the City could accept them and allocate them at the best discretion. In such a circumstance, however, any party paying in advance would do so without establishing any preemptive rights or priorities over any other applicant for permits. All permits would be issued as normal on a first-come, first-serve basis and within the limits of the City's Growth Management Ordinance No. 211.

14. The City's costs within the LID for Parkway Avenue improvements are adequately covered by Federal Aid Secondary (FAS) funds allocated by agreement with Clackamas County.
15. The Council has not yet appointed a Board of Viewers as recommended in Exhibit 8. This action can be taken without obligating any funding that is not currently available.

The Board of Viewers can initiate their review and meet with the LID petitioners prior to completion of the final design plans and specifications.

16. The Council acknowledges the letter from G. A. Crispe, dated April 9, 1985.

## EXHIBITS

The following Exhibits are hereby entered into the public record by the City Council as confirmation of its consideration of the application as submitted.

1. City of Wilsonville Comprehensive Plan adopted May 3, 1982.
2. Chapter 4 of the Wilsonville Code.
3. 1971 General Plan, map and excerpt pages 23 and 24 "The Town Center".
4. Planning Commission Minutes, May 25, 1972, August 31, 1972 and City Council Minutes dated September 25, 1972.
5. Notice the Minutes from zoning hearings Town Center area.
6. Agreement of property owners to conform to Master Plan and Zoning Standards, dated March 22, 1974.
7. Cover page of Ordinance 55 creating "City Center District".
8. Letter from G. A. Crispe dated April 9, 1985.
9. Planning Department Summary Staff Report dated March 27, 1985.
10. Appraisal Report from Robert Newell, M.A.I.
  - A. Planning Department Summary Staff Report dated March 27, 1985.
  - B. Planning Department Summary Staff Report dated April 12, 1985.

CITY OF WILSONVILLE, OREGON



GENERAL

# PLAN

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October 1971

To Members of:  
The Planning Commission, ..  
City Council and  
Citizen Committees, and to  
The People of Wilsonville, Oregon


We are pleased to submit herewith the General Plan for the City of Wilsonville. We believe the long-range objectives of this Plan will materially assist the people of Wilsonville in charting their future.

The City stands in a unique position to govern its destiny. Most of what the community will be in the future has not yet occurred so that the character and quality of the City will depend upon what is done from this day forward. The City has a beautiful natural setting which the Plan recognizes and respects. May the future reflect that here on this site the people of Wilsonville built a City that is an outstanding place to live.

It has been a privilege to have served you. We wish you success.

Respectfully submitted,

PATTERSON / LANGFORD & STEWART

  
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Lyle A. Stewart, A.I.P.

  
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Ned M. Langford

NML:jjh



conditions as they exist in part of the central planning area. The "study" area is located on site 5. It is bounded by Boeckman Road on the north, Park Creek on the east, a proposed collector street, and Parkway Avenue on the west. Note the wide lots in the eastern portion of this study

plan delineates approximately the eastern two-thirds of the area into the 5.1 to 7.0 residential density range and the remainder into the 7.1 to 12.0 density range. The plan also shows a north-south collector street bisecting the area and an additional collector street near the south end. Parkway Avenue is recommended as a class "A" arterial and Boeckman Road as a class "B" arterial. See

an example of how the same area may be divided into parcels with an ultimate lot pattern shown on Plate 7. Plate 7 shows a final subdivision at a density consistent with the General Plan utilizing a variety of techniques that are available to more efficiently use the land. It will be noted that over the eastern portion of the study area the density is the same even though different housing types are shown--single family detached, townhouse condominium, and an apartment building which could house 37 families in one structure. The land of this study area has been subdivided into large lots to accommodate garden apartments in the 7.0 density range.

The intent of the plan consists of a program to improve the quality of the planning area with decent, safe and sanitary housing. During February of 1971, the City's Planning Department, as part of their research work leading to the General Plan, conducted a housing inventory, including a housing survey. The results are summarized in

the survey, there were 380 dwelling units in residential structures within the City of Wilsonville, of a total dwelling units, 222 or 58.4 percent of the total. At the same time, the remainder of the population outside the city had 389 dwelling units located in residential structures. These figures for the city and the remainder of the planning area indicate that only three dwelling units in the entire area occurred as other than single detached units. A summary of these conditions is discussed in the Residential Characteristics and Housing Element.

The existing village of Wilsonville contains a high percentage of "C" and "D" structures. Many of the families living in "C" and "D" structures are elderly and have limited income. The plan strongly recommends that the city develop urban renewal programs to solve the problem by securing federal financial assistance to help families now living in these substandard structures. The Department of Housing and Urban Development has provided provisions of the Housing Act of 1949, as amended, as the only practical method to use to assist in the urban renewal program. Oregon Revised Statutes (ORS) Chapter 457 is the law that permits such local government

action. It appears at this time that the HUD Neighborhood Development Program (NDP) is the most appropriate federally assisted program available to aid the city in its goal of providing decent, safe and sanitary housing, and housing which is within their abilities to finance.

#### Commercial Areas -

Commercial areas designated on the plan recognize and reinforce existing development patterns in the planning area and indicate that the commercial center of Wilsonville will continue to be along either side of Wilsonville Road near the south interchange. It also recognizes the development potential of both the north and south interchanges. All commercial districts on the general plan occur in the form of centers rather than as strips along major streets.

One of the most difficult problems in the planning process is the allocation and regulation of commercial land uses. Most areas are reluctant to limit locations for business use for fear of discouraging competition and growth. This attitude is also based on a desire to allow each individual the opportunity to realize maximum gains from their property. However, time and experience have proven that this concept yields uncertainty, mixed land uses and development patterns which are so unstable as to threaten all investments. In fact, zoning as it exists today has resulted from abuses of complete freedom of land use which have ultimately endangered life, health and property values in many areas.

It is not the intent of the general plan to limit commercial activity, but rather to direct it into areas where it can develop harmoniously with the rest of the community. The plan proposes relationships between commercial uses and other elements of the community which can be achieved with minimum conflicts among uses. The responsibility for land use decisions rests with the city council and the county commissioners and careful use of this authority will make the entire community more attractive and economically sound.

The General Plan recommends five types of commercial centers to serve the needs of the community. These are a town center, and service, office, recreational, and neighborhood commercial centers. The largest concentration of commercial land shown on the plan is the town center.

The Town Center, occupying about 67 acres, lies in the population and transportation center of the planning area. Its location along the I-5 Freeway at its interchange with Wilsonville Road, provides it with easy vehicular and rail access. This location presents a number of advantages:

1. Easy access from most all points in the planning area.
2. Contact with the Burlington Northern rail line that extends north and south throughout the Willamette Valley. This rail facility has outstanding locational advantages when considered as the main north-south route for a rapid transit system extending the length of the Willamette Valley. A Wilsonville station would be in the heart of the city--in the town center.
3. Direct access to Interstate 5 Freeway.

4. Present land area is substantially vacant and undeveloped.
5. Located within 25 minutes driving time of a population in excess of 500,000 by 1985.
6. An extension of Wilsonville's present center of retail trade.

The Town Center must be more than just another shopping center along the Freeway. It can and should contain handsome buildings clustered about squares, plazas and comfortable pedestrian ways. It must have adequate, free off-street parking in an amount not less than four parking spaces for each 1,000 square feet of gross leasable space. It should be anchored by not less than two major department stores and interspersed with smaller shops offering a great variety of merchandise for comparative shopping. In addition to retail shops, it should contain space for offices, theaters, restaurants and civic activities.

Wilsonville has the golden opportunity to create a downtown that works. One that is functionally efficient as well as aesthetically pleasing. It can be an important contrast to the chaotic and out-of-date town centers of other competing town centers throughout the Portland metropolitan area.

The principal concern in respect to the future town center is one of timing. Today there is not sufficient purchasing power within the ultimate trade area to support a center of this scale. The question is what should happen to this land between now and the time the center could be supported?

Considerable discussion has been held in the community concerning this question. The answer which appears most reasonable is to permit an interim use of the property that would not commit the land to another long-term use while still allowing the owners a reasonable return on their investments. Several such interim uses seem feasible:

- Cash crops or nursery stock raising
- Par three golf course
- Mobile home park
- Drive-in theater

These interim uses could, by private deed restriction and by city imposed conditional use, be granted for a 12 to 15 year period with renewal rights if the Town Center does not then appear to be economically viable at that time. If, on the other hand the center appears to be "real", the interim uses could be terminated and the center constructed on a phased termination and development basis. The interim uses listed above should be capable of being amortized within a 12 to 15 year period without difficulty.

Careful preplanning could permit major water lines, sewer mains, trees and other facilities to be useable in the ultimate Town Center without wasting all of the initial investment.

Service centers are primarily related to the motoring public. Five such centers are proposed and all are located at the three interchanges between local arterials and Interstate 5. A total of approximately 56 acres has been designated for such centers. The Service centers would be the site for

motels, restaurants, automobile and truck service and other large-site users dependent on easy access for way travelers.

The Service centers will be "on-view" to a maximum of visitors to the city and, accordingly, their architectural physical and visual relationship to abutting areas is critical. Service centers can be introduced into Wilsonville's landscape without the haphazard, cluttered appearance of strip commercial areas in most older towns. Commercial areas should be developed as centers and should not be extended outward as strips along the freeway in the area.

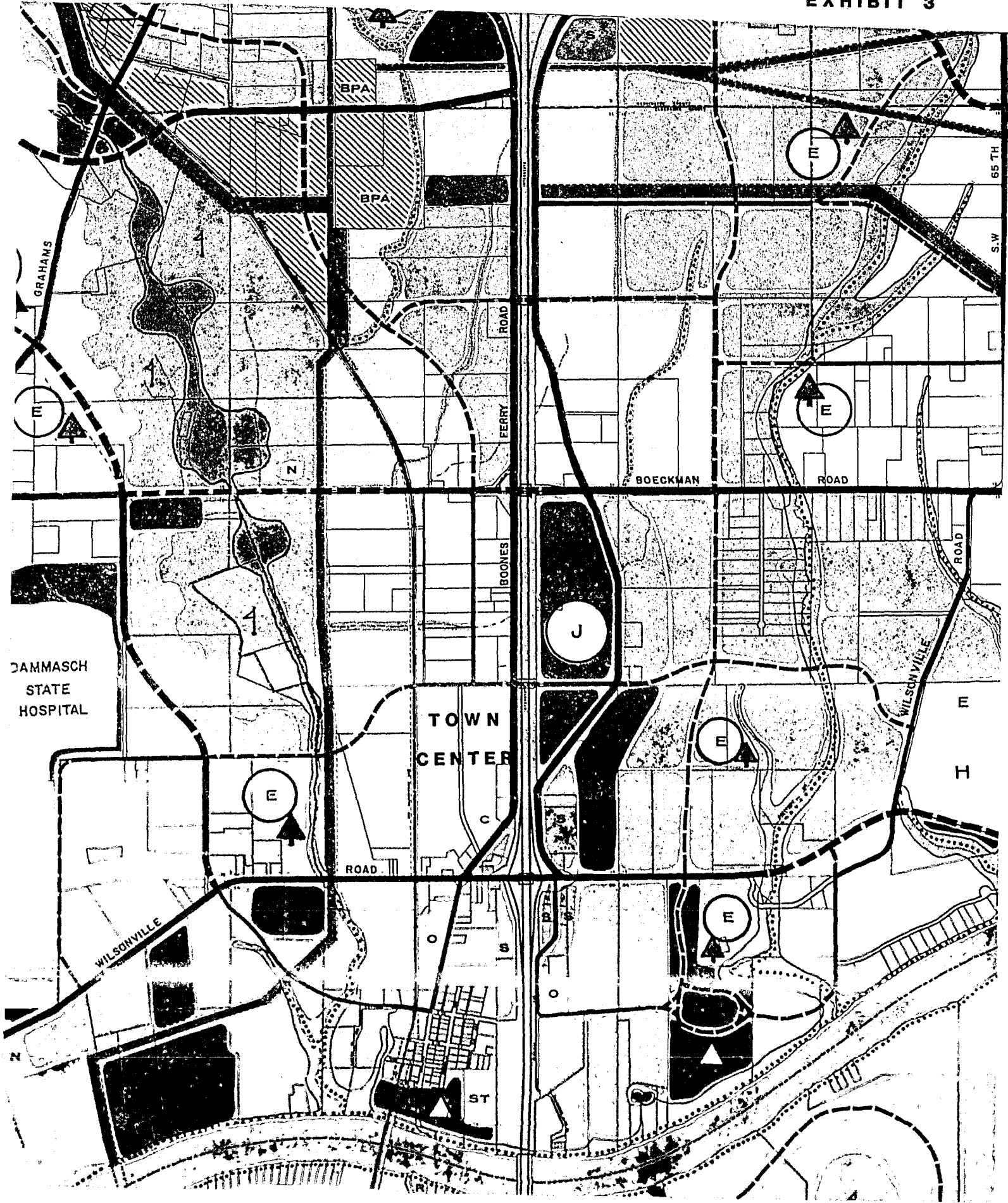
Office Complex centers are recommended in three locations and include approximately 17 acres of land. One will be developed south of Wilsonville Road, on the east side of the Freeway. Another will be developed in the Charbonneau neighborhood. The third, long-range recommendation would occur at the present Wilsonville Elementary School site that is the established village center of Wilsonville.

Structures that will be located in these three locations should be relatively small in scale to form a transition between existing residential areas and more intensive uses. They should be set back from streets a distance not less than 100 feet from abutting residential areas. Parking areas and landscaping should be landscaped and signing should be subtle and with a quality environment. Large-scale office buildings should be encouraged to locate in the Town Center and Industrial Park.

Commercial recreation uses are shown on the plan at several different locations, two in Charbonneau and one on the west side of the Willamette River west of Interstate 5. One area is related to the three small commercial centers contained within the development and the other is a facility located on the river. The commercial recreation facility west of Interstate 5 represents an existing recreation center at that location.

There are two other potential commercial recreation facilities which could be combined with sites shown on the plan. One is a neighborhood shopping complexes in conjunction with a golf course and aquatic park in the northwest section of the town center area. These two centers could be expanded to provide needed commercial recreation space as well as to meet the convenience shopping needs of nearby residential areas. Careful planning and design, such uses as golf courses, restaurants, boat and aquatic related sales, recreation facilities could be included in these two centers.

Commercial recreation developments should be introduced into the natural or man-made landscape and they are a part. In the General Plan all are related to the river or other water-oriented park sites. For example, existing boat launching facilities at the old ferry landing on the north side of the river has some natural potential for a commercial recreation facility. However, here as with such facilities, the architecture, siting and the theme around which facilities are developed should be such that they appear as an extension of their surroundings.



MINUTES OF THE MEETING  
of the  
WILSONVILLE CITY COUNCIL  
September 25, 1972

The meeting of the Wilsonville City Council was regularly held in said City at the hour of 7:30 p.m. on Monday, the 25th day of September, 1972. At said meeting the following members of the Council were present.

Phillip R. Balsiger, Mayor  
William D. Bruck, Councilman.  
Guy Shough, Councilman  
Weldon R. Sloan, Councilman  
Walter O. Wehler, Councilman

Also present were:

Wade Bettis, City Attorney  
Marjorie A. Hintz, City Recorder

Mayor Balsiger called the meeting to order. It was moved by Councilman Wehler and seconded by Councilman Sloan that the minutes be approved as mailed. Motion carried unanimously.

WRITTEN COMMUNICATIONS

Mayor Balsiger read a letter from David G. Talbot of the Oregon State Highway Division dated September 18, 1972 concerning a meeting to be held on a general plan for the development of a comprehensive state park and recreation system.

Mayor Balsiger read a letter dated September 14, 1972 from the Dept. of Environmental Quality concerning a seminar on water quality control in Oregon.

ORAL COMMUNICATIONS

Frank Lockyear requested the City Council to make application to the Dept. of Housing and Urban Development for funds for a Neighborhood Development Program to redevelop the old part of Wilsonville. He asked that a Design Review Board be established to review all planning and building requests. Councilman Wehler asked Frank Lockyear to appoint a committee to study and write a sample design review ordinance and to submit list of people to serve on the board. Mayor Balsiger suggested the Planning Commission and Design Review Board meet with Lyle Stewart

OLD BUSINESS

General Plan Amendment: Mayor Balsiger declared the public hearing open. Eldon Edwards reviewed the action taken by the Planning Commission and presented the advantages and disadvantages of moving the town center from the west side

to the east side of I-5 as recorded in the minutes of the Planning Commission meeting of May 25, 1972. Councilman Wehler reminded the Council that Lyle Stewart said Wilsonville had too large an industrial area. Councilman Wehler felt there were no natural or existing boundaries in the 60 acres for the town center on the east side of I-5. Councilman Sloan suggested a balance be maintained in the portion of property shown for industrial and residential. William Dady said a buffer zone should be considered around the town center. The public hearing was closed. It was moved by Councilman Bruck and seconded by Councilman Sloan that the General Plan be amended to move the town center from the west side to the east side of I-5, and the 62 acres consisting of the present location be replaced with industrial property as recommended by the Planning Commission. Upon vote, motion carried by majority.

Schnitzer Suit: Wade Bettis reported the Schnitzer Investment Corp. was willing to drop the suit against the City of Wilsonville if the town center was moved to the other side of the freeway and their property was declared industrial. The City Recorder was asked to send a copy of the minutes to Mr. Ken Novack.

K. C. Strand Annexation (NE Quadrant of Stafford and I-5): Attorney Bettis reported the Boundary Review Board had denied the request for annexation. It was moved by Councilman Wehler and seconded by Councilman Sloan that \$225.00 be paid to Wade Bettis for legal fees concerning the annexation. Upon vote, motion carried unanimously.

#### NEW BUSINESS

Zone Change (72-RZ-13) Hazel Shiley: Mayor Balsiger declared the public hearing open. Eldon Edwards reviewed the action taken by the Planning Commission. There being no proponents or opponents the public hearing was closed. It was moved by Councilman Wehler and seconded by Councilman Sloan that the request by Hazel Shiley (72-RZ-13) for a zone change from RA-1 Agricultural to Planned Commercial and Industrial to establish a vocational school be approved as recommended by the Planning Commission and subject to the following restrictions: That the landscaping be completed within twelve months and dedication of a 50 ft. right-of-way from the center of Parkway before issuance of a building permit. Upon vote, motion carried unanimously.

Zone Change (72-RZ-16) Henry Adovnik: Mayor Balsiger declared the public hearing open. Eldon Edwards reviewed the action taken by the Planning Commission. Henry Adovnik showed a plot plan and explained the landscape plan called for

M I N U T E S

Wilsonville Planning Commission  
Regular Meeting - August 31, 1972  
Public Hearing - 8:00 p.m.  
Wilsonville City Hall

I. CALL TO ORDER

A. 8:00 p.m.

II. ROLL CALL

A. Present: Commissioners Aden, Adovnik, Crucchiola, Dady, Klupenger and  
Wiedemann

B. Absent: Chairman Weed

III. APPROVAL OF MINUTES

A. It was moved by Wiedemann and seconded by Crucchiola that the minutes of the July 27, 1972 Planning Commission meeting be amended on Page 4 to read Bob Gardner, instead of Bob Garner, and that the minutes be approved as mailed and corrected. Motion carried unanimously.

IV. GENERAL PLAN AMENDMENT

1. Staff Recommendations

a. Eldon Edwards, Planning Consultant, explained the amendment would move the commercial center from the west side of I-5 to the east side. The new location would be of similar size and directly across the freeway from the former site -- bound by I-5, Wilsonville Road and Barber Street. Eldon Edwards reread the advantages given by the Planning Commission in moving the commercial area and said the only disadvantages would be in preserving the vitality of Wilsonville's existing business section, and reserving mass transit possibilities via Burlington Northern Railroad.

2. Public Hearing

- a. Larry Engleman said he felt the commercial area definitely should be changed to get away from the railroad.
- b. Weldon Sloan asked if Lyle Stewart had been consulted because he had put a lot of thought into the General Plan?
- c. Frank Baldwin was concerned that the property would be the same size on the east side as on the west side.
- d. The public hearing was closed.

3. Commission Action

- a. It was moved by Commissioner Crucchiola and seconded by Commissioner Dady that the Planning Commission recommend to the City Council that the General Plan be amended to move the commercial area from the west side of I-5 to the east side. Upon vote, motion carried unanimously.

V. ZONING ITEMS

A. Zone Change

John R. Grossman, Applicant (72-RZ-15)

A request for a zone change from RA-1 Agricultural to Planned Commercial and Industrial to build a shopping center. The property is located on Parkway and Wilsonville Road.

1. Staff Recommendations

- a. Eldon Edwards showed the location of the property on the map and showed slides.

2. Public Hearing

- a. Architect Ron Shewbridge presented a plot plan for the commercial area. John Grossman asked for a zone change and said the building would be in phases.
- b. The public hearing was closed.

3. Commission Discussion

- a. Commissioner Dady said he felt there would be a circulation problem and it should relate to the other properties in the area.
- b. Advisor Balsiger felt an intermediate circulation plan would be needed.
- c. Mary Crucchiola said the plan consisted of too large an asphalt area.
- d. Commissioner Wiedemann said a definite plan should be presented and not just apply for a zone change.

4. Commission Action

- a. It was moved by Commissioner Dady and seconded by Commissioner Wiedemann that the Planning Commission defer action on the request by John R. Grossman (72-RZ-15) until a coordinated plan can be developed for the immediate area. Upon vote, motion carried unanimously.

M I N U T E S

Wilsonville Planning Commission  
Regular Meeting - May 25, 1972  
Public Hearing - 8:00 p.m.  
Wilsonville City Hall

- I. CALL TO ORDER
  - A. 8:00 p.m.
- II. ROLL CALL
  - A. Present: Vice Chairman Wiedemann, Commissioners Aden, Adovnik, Dady and Klupenger, Planning Consultant Eldon Edwards
  - B. Absent: Chairman Weed and Commissioner Crucchiola
  - C. Vice Chairman Wiedemann presided over the meeting in the absence of Chairman Weed.
- III. APPROVAL OF MINUTES
  - A. It was moved by Dady and seconded by Adovnik that the minutes for the regular meeting of April 27, 1972 be approved as submitted.
- IV. ZONING ITEMS
  - A. Temporary Permit  
Phillip R. Balsiger, Applicant (72-TP-2)  
The landscape plans were presented by the applicant. It was moved by Dady and seconded by Klupenger that the landscape plans on (72-TP-2) be approved. Upon vote, motion carried unanimously.
  - B. Zone Change  
Charles Hoyt, Applicant (72-RZ-9)  
A request to change the zone from RA-1 to P.C.&I. to establish a retail lumber yard.
    1. Staff Recommendations
      - a. Eldon Edwards reviewed recommendation for denial and the action to table by the Planning Commission at a previous meeting.
    2. Public Hearing
      - a. No proponents or opponents spoke.
      - b. The public hearing was closed.
    3. Commission Discussion
      - a. Commissioner Klupenger explained the findings of the study



committee concerning changing the commercial area.

4. Commission Action

- a. It was moved by Klupenger and seconded by Dady that in view of findings of the study group that the application for a zone change from RA-1 to P.C.& I. to establish a retail lumber yard be denied. Upon vote, motion carried by majority.

C. Plan Approval

John R. Grossman, Applicant (71-RZ-15)

Bob Chappel of C&W, developer of John R. Grossman property, presented the site plans of Phase I. Phase I will consist of 32 acres. The average density will be 7.0 units per acre -- including 60 condominiums, 12 town houses, 31 R-10 lots and 120 apartments. Twelve condominiums will be built the first of next year. Mr. Chappel explained that a buffer strip has been provided.

1. Commission Discussion

- a. Dady asked if the density will be within health limitations for the sewer?

2. Commission Action

- a. It was moved by Adovnik and seconded by Klupenger that the first stage of the final plan of the Planned Unit Development for John R. Grossman (72-RZ-15) be approved in its entirety with the presentation of sewer and water plans.

D. Zone Change

Henry Adovnik, Applicant (72-RZ-7)

A request to change the zone from RA-1 to P.C.& I. to establish an office complex with parking spaces for 211 cars.

1. Staff Recommendations

- a. Eldon Edwards reviewed the recommendations from the April 27th Planning Commission meeting.

2. Public Hearing

- a. Adovnik presented the plans for the office complex, and said that no large signs are planned.
- b. There being no other proponents or opponents the public hearing was closed.

3. Commission Action

- a. It was moved by Aden and seconded by Dady that this development

DISADVANTAGES:

1. Does not conform to the integrated plan.
2. Does not relate to existing commercial area and old town.
3. Intrudes into residential area.
4. Expansion on east side has no "natural" boundaries -- such as railroad.
5. Possible conflict with park entrance.

CONCLUSION

The committee felt that with our planned commercial zone requirements adequate buffering could be required for protection of adjacent residential areas. The committee consensus was that the advantages of removing the commercial area to the east side of I-5 appears to outweigh the disadvantages. It is suggested that the Planning Commission proceed with a public hearing to consider this amendment to the General Plan."

Commercial Committee: Crucchiola, Dady, Klupenger, Baldwin and Lockyear. Eldon Edwards reemphasized that the General Plan was a guide and had no legal force. Klupenger said that the entire area would have to be moved and the railroad is a big issue. He also said that now is a good time to change the General Plan, before we get more development. Dady suggested the realtors meet and form an opinion as to their ideas and wishes. Balsiger recommended the committee hold a meeting and bring their recommendations of general limits to the public hearing.

1. Commission Action

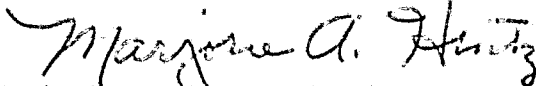
It was moved by Dady and seconded by Klupenger that the matter be placed before the public at the next Planning Commission meeting and it be advertised as a public hearing. Motion carried by majority.

VI. OTHER ITEMS

1. Commissioner Dady thanked Ray Klupenger of Klupenger Nursery and Greenhouse, Inc. for being so generous in donating over \$500.00 worth of shrubs for the City park.
2. Eldon Edwards stated in the future all items, including maps, will be posted a week in advance of the meeting at the City Hall and can be viewed from 9 a.m. to 1 p.m.

VII. ADJOURNMENT: 10:10 p.m. It was moved by Adovnik and seconded by Klupenger.

Respectfully submitted,

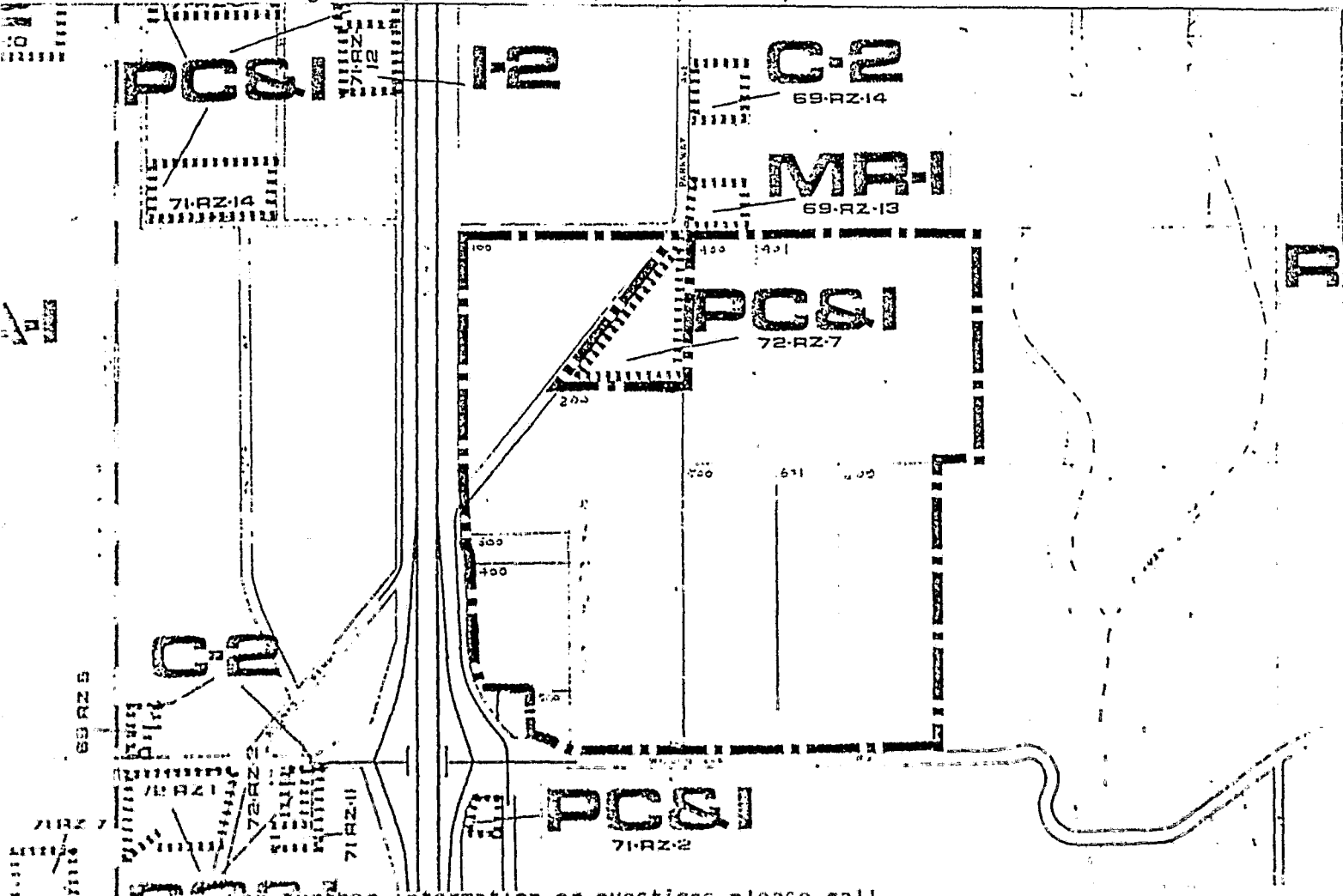
  
Marjorie A. Hintz, City Recorder

NOTICE OF PUBLIC HEARING

The Planning Commission of the City of Wilsonville will hold a public hearing at a meeting commencing at 8:00 P.M. on June 28, 1973 at the Wilsonville City hall to consider a request for a zone change by Myers & Kroker, representatives of a group of property owners. The property to be considered is Tax Lots 100, 200, 300, 400, 500, Sec 14D; Tax Lots 400, 401, 500, 600, 601, Sec. 13 T3S, R1W, W.M. The property is located adjacent to I-5 and Parkway and 2500 feet east between Parkway on the west and Wilsonville Road on the south. The purpose of the requested zone change is to establish a new town center.

All interested persons may write or appear and be heard regarding this matter.

Display materials concerning this application will be at the City Hall one week prior to the meeting and will be available for viewing from 9:00 A.M. to 1:00 PM, weekdays.



For further information or questions please call  
Wilsonville City Hall  
Eldon E. Edwards, Planning Consultants

638-8565 or  
636-3306

Wilsonville

# TIMES

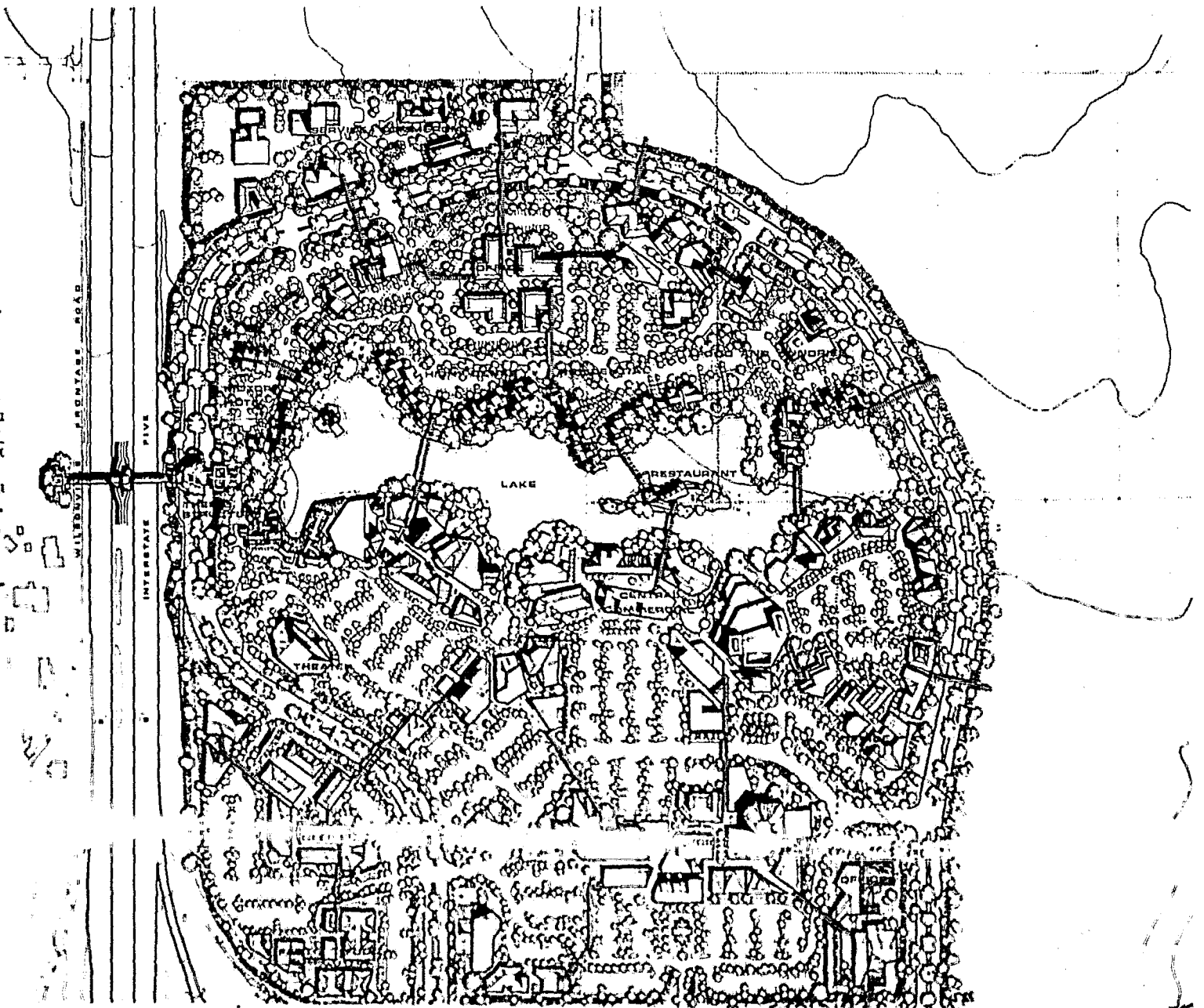
Third Class U.S. Postage Paid  
Valley Publishing, Inc.  
Wilsonville, Ore.

Vol. 2, No. 11

Wilsonville, Oregon, Wednesday, June 6, 1973

638-4240 — 639-2118

## *Lake, landscaping set theme for Wilsonville city center proposal*



a watchman's living quarters contingent upon a septic tank approval by Clackamas County. Upon vote, motion carried unanimously.

B. Wilsonville City Center (73-RZ-8)

A request for a zone change from RA-1 to P.C. & I. for the purpose of establishing a new city center, adjacent to I-5 Freeway and Parkway Ave.

1. Staff Recommendations

Eldon Edwards recommended approval of the zone change.

2. Public Hearing

a. Myers and Kroker, Architects and Planners, presented the plans for the city center. It involves 10 parcels of land consisting of 122 acres. The property owners involved are Paul M. Brown, W.L. Campbell, Mel Stangel, A.D. Wert, George Vlahos, John Grossman, John Latourette, Jack Wright, Henry Adovnik and Archdiocese of Portland. They recommend that Parkway Avenue be vacated and a lake be built in the city center.

3. Commission Discussion

a. Commissioner Dady said the plan was fantastic.

b. Commissioner Adovnik suggested deed restrictions on the property.

4. Commission Action

a. It was moved by Commissioner Dady and seconded by Commissioner Maves that the Planning Commission recommend to the City Council that the request by property owners for a zone change from RA-1 to P.C. & I. (73-RZ-8) for the purpose of establishing a new city center based on the documents dated June 28, 1973 and signed by Planning Commission Chairman Ray Klupenger be approved based on the presentation given at the June 28, 1973 Planning Commission meeting, prior to the issuance of building permits and arrangement must be made to provide and improve within the subject area

- 1) public streets
- 2) berm and landscaping
- 3) the lake area
- 4) appropriate walkways;

and subject to Design Review Board approval. Upon vote, motion carried unanimously.

V. GENERAL PLANNING

A. Burns Bros. Land Use

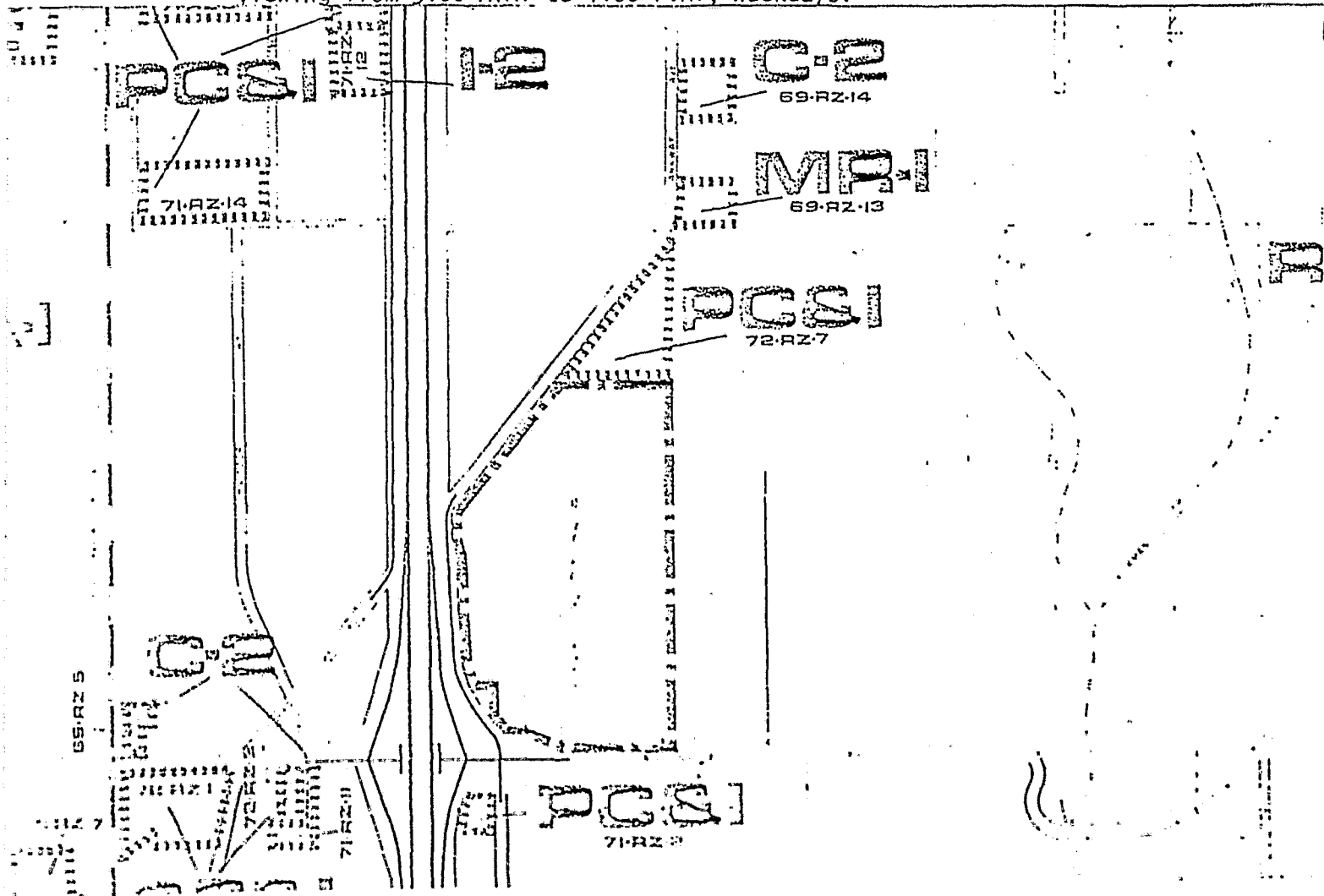
A request for land use approval on property already zoned P.C.&I.

NOTICE OF PUBLIC HEARING

The Planning Commission of the City of Wilsonville will hold a public hearing at a meeting commencing at 8:00 P.M. on May 24, 1973 at the Wilsonville City Hall to consider a request for a zone change by Myers & Kroger representing Paul L. Brown, M.D., W. L. Campbell, and John R. Grossman in RA-1 zone to P. C. & I. The property is Tax Lots 200, 300, 400, 500, 600, Sec. 14D, T3S, R1W, W.M., and is located adjacent to I-5 and Parkway and 1200 feet east between Parkway on the northwest and Wilsonville Road on the south. The purpose of the requested zone change is to establish a new town center.

All interested persons may write or appear and be heard regarding this matter.

Display materials concerning this application will be at the City Hall one week prior to the meeting and will be available for viewing from 9:00 A.M. to 1:00 P.M., weekdays.



For further information or questions please call  
Wilsonville City Hall  
Eldon E. Edwards, Planning Consultants

638-8565 or  
636-3306

May 22, 1973



Wilsonville City Center  
Property Owners

ARCHITECTS & PLANNERS AIA  
30 NORTHWEST 23rd PLACE  
PORTLAND, ORE. 97210 222-1771

Brown, Paul M. 222-5311 residence  
Route 2, Box 268A 639-5759 business  
Aurora, Oregon

Campbell, W. L. (Lee) 636-5572 residence  
1837 SW Cedar Court  
Lake Oswego, Oregon

Stangel, Mel 336-3088 residence  
393 North Alder  
Toledo, Oregon

Dr. A. D. Wert 646-5003 residence  
Trew Corporation 297-3371 business  
11075 SW Muirwood Drive  
Portland, Oregon

Vlahos, George C. 638-4881 residence  
29000 SW Parkway  
Wilsonville, Oregon

Grossman, John 281-1193 residence  
c/o Jack Wright

Latourette, John  
c/o Jack Wright

Wright, Jack 638-7591 business  
P. O. Box 3  
Wilsonville, Oregon

Adovnik, Henry 638-4515 business  
10600 SW Evergreen Drive  
Wilsonville, Oregon

Archdiocese of Portland  
Mr. McQuarry

by Adovnik (72-RZ-7) be looked on favorably for an office complex with a revised plan -- subject to two driveways and appropriate road dedications. Upon vote, motion carried unanimously with Advisor Balsiger sitting in for Commissioner Adovnik.

V. GENERAL PLANNING

A. Annexation

K. C. Strand (NE Quadrant of Stafford and I-5)

Proponent K. C. Strand presented a map showing where the property is located.

1. Commission Discussion

- a. Dady reminded the annexation proponents that there is a problem providing water to parts of this area -- 300 ft. is the maximum height our water will serve.
- b. Advisor Balsiger stated that it was up to the developer to provide pressure for water on higher elevations.

2. Commission Action

- a. It was moved by Klupenger and seconded by Dady to recommend that the City Council proceed with the annexation and take care of all details. Motion carried unanimously.

B. Commercial Committee Report

Commissioner Dady reported the Commercial Committee had met two times and presented the following report for the Planning Commission.

"After carefully reviewing the possibility of transferring the main commercial area from the west side of I-5 to the east side, the Commercial Committee has found the following.

ADVANTAGES:

1. Moves the commercial area away from the present and future traffic conflict with the industrial area.
2. Moves it closer to the residential area (the west side of I-5 is largely industrial, peat bog and state hospital).
3. Will provide better potential pedestrian and automobile circulation.
4. Will remove traffic, circulation and access problems caused by railroad, which will increase in future.
5. Provides more logical expansion areas and scale for future community needs.

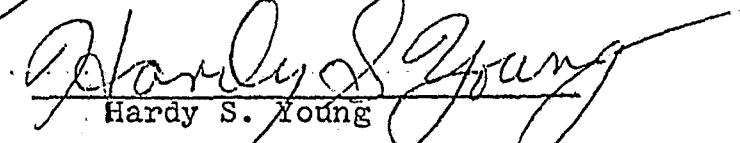


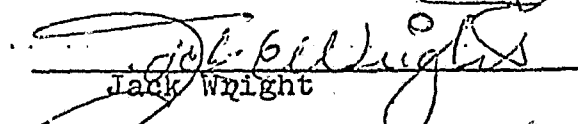
March 22, 1974

City of Wilsonville  
Wilsonville, Oregon 97070

The undersigned, as purchasers in possession of certain lands within the City Center Zone of the City of Wilsonville, hereinafter termed the "Montague Tract", do hereby reiterate and reaffirm their willingness to conform to the City Center Plan with respect to the developing of such lands, including the installation of public ways, development of public areas, berms and other landscaping features, and we agree to contractually impose in connection with all sales, conveyances, leases and other alienations of title or use of any portion of said Montague Tract the requirements set forth on the attached Exhibit "B" or equal requirements which the City of Wilsonville prescribes with the intent and purpose that at such time as the said Montague Tract is fully developed, individually or as a part of the total City Center Plan, same will conform to the requirements of the City of Wilsonville, including the park area as thereon depicted.

  
John R. Grossman

  
Hardy S. Young

  
Jack Wright

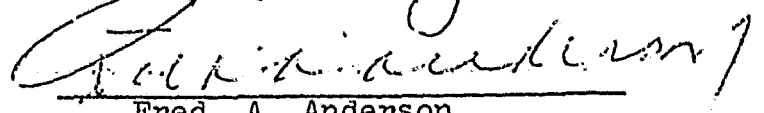
  
Fred. A. Anderson

EXHIBIT "B"

"ADDITIONAL PROVISIONS" forming a part of land sale contract pursuant to which Buyers and Sellers further agree as follows:

(1) Buyers acknowledge that the premises described on the attached Exhibit "A" are part of a total area within the City of Wilsonville now classified and specially zoned by said City as a Planned Development District denoted "City Center" and that the said lands may be used only for purposes authorized by the City of Wilsonville under said zoning classification, and that the development of said lands for any use desired by Buyers must be approved by and conform to the requirements of the City of Wilsonville pursuant to said planned development unit plan.

(2) That Buyers agree to conform to all requirements of the City of Wilsonville with respect to said lands including but not limited to construction of all landscaping features, streets, roads and access ways, and that Buyers will construct at Buyers' sole expense all elements of public improvements required by said City Center Plan occurring within the boundaries of the described premises at the time and as a part of the development of said lands for Buyers' purposes.

(3) Buyers further acknowledge that Buyers are aware that said City Center Plan requires the setting aside and dedication of areas for public use including streets, roads and parkways together with easements for sewer, water and other underground public utility lines, and that Buyers have fully informed themselves as to the location, extent and nature of such public-use areas and easements, and Buyers agree that the lands described on Exhibit "A" are subject to each, all and every requirement for such public use and dedications, and Buyers agree upon request to execute all dedication deeds, easement deeds and other documents required by the City of Wilsonville pursuant to the Planned Unit Development of which the lands herein described as a part.

(4) Buyers agree to fully cooperate with Sellers and the owners of other tracts of lands within the City Center Planned Unit Development District for the purpose of assuring the orderly progress and development of said total district. Buyers further acknowledge that construction within said District is subject to architectural design and site plan review and approval by the City of Wilsonville.

(5) It is further agreed that failure on the part of Buyers to conform to or comply with any of the foregoing requirements, or other requirements which may be applicable with respect to the City Center Planned Unit Development of the City of Wilsonville, within ten (10) days after written notice of any default or failure on the part of Buyers to so comply, shall constitute a default under the terms of this contract, and Sellers shall have all rights and remedies as herein otherwise provided together with the right to bring such legal proceedings as may be necessary to require Buyers to conform to the provisions hereof or to cease and desist from any violation of the requirements of this contract or requirements of the City of Wilsonville with respect to the City Center Planned Unit Development.

(6) In the event litigation arises between the parties with respect to compliance with the requirements of the City of Wilsonville, either Buyers or Sellers, as prevailing party, shall be entitled in addition to all other rights and remedies, to recover from the losing party, such sum as the court shall deem reasonable as the prevailing party's attorney's fees in such proceeding.

EXHIBIT "A"  
WILSONVILLE TOWN CENTER DISTRICT  
Description

All those certain lands lying in the Southwest Quarter of Section 13 and in the Southeast Quarter of Section 14, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, bounded and described as follows:

Bounded on the West by the East line of Highway I-5;

Bounded on the South by the South lines of Sections 13 and 14, Township 3 South, Range 1 West, Willamette Meridian;

Bounded on the East by the East line of that certain tract contracted to be conveyed by Melvin F. Stangel to Jack E. Wright et al by instrument dated July 18, 1974 and recorded as Document No. 74-\_\_\_\_\_, Deed Records of Clackamas County, Oregon, and the said East line extended North 1200 feet from the northeast corner of said Stangel tract to a point of intersection with the North line of the Southwest Quarter of Section 13, Township 3 South, Range 1 West, Willamette Meridian;

Bounded on the North by the North line of the Southeast Quarter of Section 14 and the North line of the Southwest Quarter of Section 13, Township 3 South, Range 1 West, Willamette Meridian, said line extending from the East boundary of Highway I-5 easterly 2400 feet, more or less, to the point of intersection with the East line of the lands hereby described.

*adopted  
Jan 19, 1976*

ORDINANCE NO. 55

AN ORDINANCE AMENDING AND SUPPLEMENTING ARTICLE V OF ORDINANCE NO. 23, "WILSONVILLE, OREGON, ZONING ORDINANCE", TO ADD THERETO SECTION 5.035 ESTABLISHING THE "CITY CENTER DISTRICT" TO ENABLE RECLASSIFICATION OF LANDS IN CONFORMANCE WITH THE WILSONVILLE GENERAL COMPREHENSIVE PLAN: DEFINING PERMITTED, ACCESSORY AND CONDITIONAL USES: RECLASSIFYING LANDS WITHIN THE SAID DISTRICT TO CONFORM TO THE GENERAL COMPREHENSIVE PLAN: FIXING AN EFFECTIVE DATE: AND DECLARING AN EMERGENCY.

THE CITY OF WILSONVILLE ORDAINS AS FOLLOWS:

Section 1: The City Council finds that the General Comprehensive Plan of the City, as amended at a meeting of the City Council on September 25, 1972, designates certain areas for City Center purposes, and the Council further finds that after public hearing on June 28, 1973, the Planning Commission unanimously recommended to the Council City Center Commercial Zoning designation for ten (10) parcels of land in the Northeast quadrant of the intersection of I-5 and Wilsonville Road, and the Council further finds that after public hearing on July 23, 1973, the Council by Resolution approved and adopted the recommendation of the Planning Commission.

Section 2: The Council further finds that an Ordinance conforming the zone and use designation of said lands to the Comprehensive Plan has not heretofore been adopted and that pursuant to ORS 197.175(2) (b) and decisions of the Court of Appeals and Supreme Court of Oregon, it is required that the City enact zoning ordinances to implement the Comprehensive Plan and to bring the authorized land uses into conformity with the Comprehensive Plan.

Section 3: The City Council finds that the City of Wilsonville Zoning Ordinance No. 23 does not now include provisions for a "City Center" Zone District, and it is necessary, therefore, that the text and map of the City of Wilsonville Zoning Ordinance be amended and supplemented to give effect to the Comprehensive Plan.

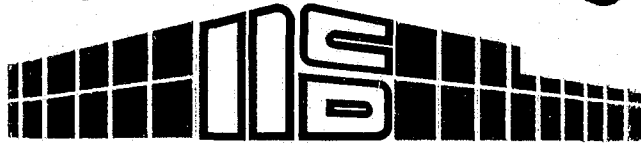
Section 4: The Zoning Ordinance No. 23, commonly referred to as the City of Wilsonville Zoning Ordinance, adopted by the Council on the 1st day of June, 1971, as heretofore amended, be and the same is hereby amended and supplemented to add to Article V thereof a new Section reading as follows:

"Section 5.035. CC CITY CENTER DISTRICT:

1. PURPOSE:

- A. The purpose of this zone is to permit and encourage a City Center District, adhering to planned commercial and planned development concepts, including provision for commercial services, sales of goods and wares, business and professional offices, department stores, shopping centers and other customer oriented uses to meet the needs of the Wilsonville community as well as to meet the general shopping and service needs on an area wide basis, together with such multiple family residential

Northwest



Company

## Commercial Development

April 9, 1985

City of Wilsonville  
P.O. Box 220  
Wilsonville, Oregon 97070

RECEIVED  
APR 11 1985  
CITY OF WILSONVILLE

Attention: Ben Altman ✓  
Dan Potter  
City Council Members

Gentlemen:

Regarding the public hearing scheduled for April 15, 1985 on the modified LID #5 proposal, we as participating landowners of TL 401, 408 and portions of TL 400 and TL 404, request the following issues to be addressed specifically and in addition to the basic approval of the LID:

1. Establish a time certain for completion of engineering documents that allows for start of construction no later than July. Can CRS meet this schedule?
2. Will affected property owners have input to the selection of the members of the Board of Viewers?
3. How will the Board of Viewers interface with the property owners in determining an equitable formula?
4. Because private development is ready to start at the North end of Towne Center, can the LID construction be coordinated to start at that end? Our concern is access to our sites.

10300 SW Greenberg Road • Portland, Oregon 97223 • 503/244-3400

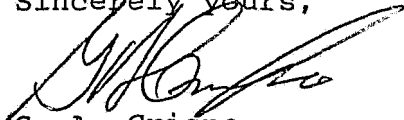
STRUCTURES FOR BUSINESS AND INDUSTRY IN A NORTHWEST TRADITION

EXHIBIT 8

Page 2

The postponement of the public hearing to April 15 has made it impossible for me to attend, but I want to stress our support for approval of the Modified LID #5. We will work towards any solution that will produce streets and utilities for the East Loop and Parkway, North. We'd prefer full streets throughout, but will assist in any portion thereof!

Sincerely yours,



G. A. Crispe

**PLANNING DEPARTMENT****SUMMARY STAFF REPORT****TO:** City Council**DATE:** March 27, 1985**SUBJECT:** Board of Viewers - LID No. 5**MEETING DATE:** April 1, 1985**ACTION REQUIRED:** Appoint three residents as Board of Viewers**PREVIOUS ACTION TAKEN:** Preparation and approval of Preliminary Engineer's Report (Modified boundary and scope of improvements).**CONCLUSIONARY FINDINGS:**

1. Following adoption of the Preliminary Engineer's Report, the Mayor is to appoint three (3) residents of the City to act as the Board of Viewers. The purpose of the Board is to view such proposed public improvement to determine a method or methods of assessing all property receiving benefits, and to review the application of the recommended method of assessment.  
At the discretion of the Council, a time shall be set for said Viewers to file with the Council a written report of method or methods of assessing all property receiving the benefits of said improvement.
2. The LID petitioners have requested that they be granted ample opportunity to work with the Board of Viewers in developing a "Preliminary Preassessment Role". The Preliminary Preassessment Role should be adopted prior to advertising for Bids on the improvements.

**RECOMMENDATION:**

Appoint the Board of Viewers and set May 6, 1985, as the date to report their findings to the City Council. This date provides enough time for careful consideration of the various elements of assessments. It also provides opportunities for several meetings of the Board and petitioners, as may be necessary to build consensus.



**PACIFIC HORIZONS REAL ESTATE, INC.**  
**REAL ESTATE SECURITIES & BROKERAGE**

30150 S.W. PARKWAY AVENUE

WILSONVILLE, OREGON 97070

503/682-3771

March 26, 1985

City of Wilsonville  
P.O. Box 220  
Wilsonville, OR 97070

Attn: Ben J. Altman, City Planning Director

Re: Engineer's Report LID #5  
Modified August 10, 1984 and  
Revised February 28, 1985

RECEIVED  
MAR 27 1985  
CITY OF WILSONVILLE

Dear Ben:

The owners of the tax lots located in Township 3 South, Range 1 West, Section 13 and 14, Clackamas County and City of Wilsonville, request that the referenced engineer's report be clarified or additional information be provided for each of the proposed improvements specified below for the following tax lots:

Section 13B - Tax Lots 2900, 3000

Section 14D - Tax Lots 100, 101, 102, 201

Town Center Loop West and 'T' Intersection Roadway Improvements

1. If the City of Wilsonville elects to build only one half of the proposed Town Center Loop West arterial, what future improvement costs will be the responsibility of a private development project adjacent to the incomplete Town Center Loop West?
2. Are the Town Center Loop West and Parkway 'T' roadway section legal descriptions noted in the referenced engineer's report the same as the dedicated roadway sections?
3. How much additional land must be dedicated to meet the Parkway Avenue 'T' intersection roadway requirements? Will LID #5 pay for the survey and other costs of dedication?
4. On the engineer's report, Map #2, it is noted that the proposed access to the Town Center Loop West through the Plaza Royal property (Tax Lot #101) was not divided equally between the properties after the proposed purchase by the City of Wilsonville takes place. Also, the proposed access must be dedicated to the



center of the vacated section of Parkway Avenue at the time of purchase.

5. The Town Center Loop West LID #5 participants are only interested in the roadway improvement designated 1B on Map 2 of the engineer's report. The Town Center Loop West improvement interim alternative designated 1C on Map 2 would only be acceptable if the City of Wilsonville agreed to pay all costs exceeding cost of roadway section 1B.
6. On Page 2 of the engineer's report, it seems to indicate that Parkway Avenue will continue to function as a street after LID #5 improvements have been completed. It is our position that the section of Parkway Avenue designated for vacation under Resolution #290 must be vacated and the surface and sub-base must be removed by the City of Wilsonville within a reasonable length of time after the Town Center Loop West Street section is completed.
7. The information regarding the Parkway Avenue dedication is confusing, i.e., Tax Lot #100 is not involved in dedication of Parkway Avenue (See paragraph D, page 3).
8. It is not the intent of the property owners to dedicate the property belonging to Tax Lot #201 south of the 'T' interchange for a roadway without just compensation. However, a roadway easement will be provided the adjacent properties for a private street.

#### Drainage Improvements

1. No storm sewer catch basins are noted at the most southerly access to Town Center Loop West. Catch basins should be installed at this access point.
2. It is noted that the storm drainage pipes in the Town Center Loop West area are larger than the freeway storm drainage pipes. Is the city oversizing the drainage pipes in this area? If the city is oversizing the pipes, the city should pay for any additional cost.
3. A retention basin in a location adjacent to I-5 right-of-way probably would not be approved by the State Highway Department and, furthermore, on site retention of each development must be part of the storm drainage plan. Future requirements for drainage facilities must be determined near term so that future development of the properties affected can be planned.
4. We concur with the proposal that the northerly LID #5 properties of the Parkway Avenue drainage basin be diverted to the Town Center East drainage basin because of possible problems with the State Highway Department and retention basin requirements. (See paragraph C, page 5).

Water System Improvements

1. Does the City plan to oversize water lines for a future looping system?
2. The 10 inch distribution line will exceed the 1000 foot maximum length if extended south to interconnect with the Town Center West Loop (LID #2) section completed to the south.

Sanitary Sewer System Improvements

1. Exactly what area would be required to be served by a new lift station?
2. How much capacity does the present lift section have and how large an area can it serve?
3. How far to the west will the proposed City of Wilsonville main sewer trunk line service?

Telephones

1. Where are the underground telephone lines located on Parkway Avenue? If the lines are to stay in place, how large an easement is required? Also, at what point in time will the overhead telephone lines be moved underground?
2. How will the properties adjacent to Town Center Loop West be serviced by the telephone company and at whose cost?

Power

1. A review of the PGE report is necessary before the best solution can be determined as to the cost of removing existing overhead power lines and the requirements of installing underground electrical power. A full briefing on the cost and areas to be service is required.
2. An explanation of the credit system for electrical power line extensions is also needed.

Drainage Improvements

How will the LID #5 participants be compensated for drainage improvements designed to service properties outside of the assessment area? (See page 13).

Water System Improvements

How will the water lines be looped and does this require oversizing? (See page 13).

Sanitary Sewer System Improvements

1. What are the oversizing requirements of sewer lines being paid for under LID #5 assessment? (See page 13).
2. Why are no sewer lines being installed in Town Center Loop West area? (See page 13).

Other Utilities and Miscellaneous Items

Identify all other utilities and miscellaneous items. What is the cost of other utilities and miscellaneous items? (See page 14).

BENEFITS AND COSTS TO THE PROPERTY OWNERS WITHIN LID #5

Town Center Area

1. Why is Town Center Loop West paying for 50% of the northerly drainage system? Drainage should be to the east from Parkway Avenue north of Town Center Loop roadway.
2. Are the costs of utilities which benefit all properties equally shared by all LID #5 participants?
3. Are the cost of electrical power improvements prorated on the basis of properties being serviced?

Parkway Area

1. How are the costs of the Parkway Avenue improvements in the Town Center area prorated?
2. Why are 50% of the northerly drainage requirements expensed to the Town Center Loop West area?
3. Are the Town Center Loop West properties all drained to the west through the I-5 freeway drainage system?

Final Analysis

In the final analysis, the following general questions need to be addressed to determine whether the project has a sound economic basis:

1. In the bidding process, will the bids be made in a manner in which the cost of improvements to properties directly benefited by those improvements be determinable?
2. Will preliminary engineering expenses paid by the participating LID #5 property owners be reimbursed?
3. After completion of the proposed LID #5 project, how much of the property in the Town Center West Loop area will be developable without installation of additional utilities?
4. How will the City of Wilsonville reimburse LID #5 property owners for improvements made which benefit non-participating property owners or the city's capital improvement system in general?

For the purpose of answering the aforementioned questions, a meeting with the City of Wilsonville Engineer, planning staff, and the participating LID #5 landowners is requested at the earliest possible date prior to the City Council meeting scheduled for April 1, 1985. If you have any questions regarding this analysis, please contact me at your earliest convenience.

Sincerely,

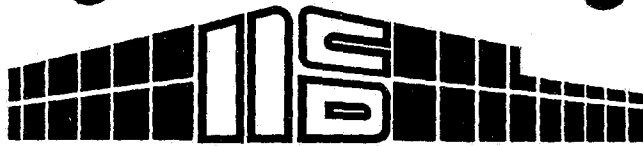


Donald F. Mala  
Property Representative

DFM:mmm

Copy to: Richard Ligon  
Philip Lapp  
Jack E. Kohl, Jr.

Northwest



Company

Commercial Development

April 9, 1985

RECEIVED  
APR 11 1985  
CITY OF WILSONVILLE

City of Wilsonville  
P.O. Box 220  
Wilsonville, Oregon 97070

Attention: Ben Altman  
Dan Potter  
City Council Members

Gentlemen:

Regarding the public hearing scheduled for April 15, 1985 on the modified LID #5 proposal, we as participating landowners of TL 401, 408 and portions of TL 400 and TL 404, request the following issues to be addressed specifically and in addition to the basic approval of the LID:

1. Establish a time certain for completion of engineering documents that allows for start of construction no later than July. Can CRS meet this schedule?
2. Will affected property owners have input to the selection of the members of the Board of Viewers?
3. How will the Board of Viewers interface with the property owners in determining an equitable formula?
4. Because private development is ready to start at the North end of Towne Center, can the LID construction be coordinated to start at that end? Our concern is access to our sites.


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STRUCTURES FOR BUSINESS AND INDUSTRY IN A NORTHWEST TRADITION

Page 2

The postponement of the public hearing to April 15 has made it impossible for me to attend, but I want to stress our support for approval of the Modified LID #5. We will work towards any solution that will produce streets and utilities for the East Loop and Parkway, North. We'd prefer full streets throughout, but will assist in any portion thereof!

Sincerely yours,

A handwritten signature in cursive script, appearing to read "G. A. Crispe".

G. A. Crispe

# Allied Real Estate Appraisers

Directors:  
James A. Thelen, President  
Robert S. Newell, M.A.I.  
Roger J. Neu

Craig Zell, Residential Mgr.  
Jack H. Klein  
Duane E. Williamson  
Frank Ganong  
Jeanne Bryant

April 15, 1985  
850288

City of Wilsonville  
P. O. Box 220  
Wilsonville, OR 97070

Attn: Mr. Ben J. Altman, Planning Director

Re: Town Center L.I.D. #5

Gentlemen:

You have furnished the undersigned certain information relating to a proposal concerning the development of the westerly portion of the Town Center District of Wilsonville. In order to verify the elements of this somewhat complicated proposal, we have reproduced a portion of the current Assessor's Map 3 1W 14D, which identifies the property being discussed. For the sake of brevity, the following discussion involves the properties that are currently identified by Assessor's tax lot numbers.

Due to a shortage of time, we have been unable to make a thorough study of the entire project. Consequently, the following is strictly a preliminary estimate, and is being presented to assist in the initial Council meeting, which we understand is scheduled for April 15, 1985.

As indicated on the Assessor's Map, a diagonal section of an existing street identified as SW Parkway Avenue, is scheduled to be vacated. A replacement arterial to be known as West Loop Road will be substituted, and a portion of the right of way, currently identified as Tax Lot 103, has been conveyed to the City under dedication recorded 83-17888.

As a result of the proposed vacation of SW Parkway, the current frontage facing Tax Lot 200 would be completely eliminated. Since the easterly half of Parkway would accrue to Tax Lot 200, the westerly half would accrue to Tax Lot 101, and there would be no immediate access for the northerly portion of Tax Lot 200.

In order to compensate for lack of access, the following exchange proposal has been furnished. The portion of Parkway to accrue to Tax Lot 200 is arbitrarily identified as Parcel (A), while the westerly half which would accrue to Tax Lot 101, has been identified as Parcel (D). A new point of access for Tax Lot 200 would be formed by the parcels identified as (C) and (E). In

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APR 15 1985  
CITY OF WILSONVILLE

(503)297-5611

6500 SW Beaverton Hwy., Portland, Oregon 97225-1402

order to provide the necessary areas, Parcel (B) would be transferred from Tax Lot 101 to Tax Lot 200. As a result of the transfer of (B) from Tax Lot 101 to Tax Lot 200, the net result of accrual to each of the tax lots by vacation, together with the proposed new dedication, would result in the following changes in land area:

<u>Tax Lot 101</u>		<u>Tax Lot 200</u>
4.930	original area	25.870
+ 0.720 (D)	add by vacation (A)	+ 0.480
- 0.205 (B)	transfer (B)	+ 0.205
- 0.095 (E)	dedication (C)	- 0.125
+ 0.420	net change	+ 0.560
5.35		26.430

You have requested that we now submit a preliminary estimate as to the value changes that could occur, specifically effecting Tax Lot 200, with the understanding that a fully documented analysis and appraisal of the entire project will be forthcoming as quickly as necessary documentation can be obtained.

The first and often foremost decision in evaluation would require a projection of highest and best use. In the case of Tax Lot 200, there appears every evidence that completion of the proposed Town Center would constitute the best use for this area. This would be a combination of retail, financial, professional and service commercial uses which are typically as well as traditionally a part of a city center development. A portion of such development has already commenced on the southerly portion of W Loop Road.

The initial development has been preceded by joint venture agreements between various property owners wherein the cluster development follows an overall plan of internal automotive movement over private easements. The cash flow is derived from free passage of patrons over the easements to the offstreet parking provided for each destination point.



City of Wilsonville  
April 15, 1985  
Page No. 3

This form of activity is somewhat similar to the development pattern of neighborhood or community sized shopping centers.

Regional centers like Washington Square or Tannasbourne must rely upon central parking with the individual shopping activity conducted by foot traffic rather than automotive movement. It would appear the population support for Wilsonville will not support a regional center for a number of years.

Based upon the foregoing, it does not appear that loss of direct road access will result in any material overall change in land value at Tax Lot 200. According to some preliminary information, this particular area would have been granted but two points of access in any event, and the overall result of the proposed development would restore the two points of access, only at different locations.

Based upon the evidence available at this time, we estimate the overall internal value to be in the range of \$3.00 to an upper level of \$3.50 per square foot for the proposed development, and it is highly unlikely that any significant value change can be anticipated in the foreseeable future. This estimate would assume an orderly development pattern. A highly sophisticated analysis would also be subject to a discounting allowance due strictly to the passage of time required for the eventual development of the interior portions of the property.

Summarizing the foregoing, it would appear that value to the property will lie primarily at the above average level, and it is extremely unlikely that the proposed changes in arterial road frontage will have a material effect on the base value of the commercial property involved.

A more complete and documented analysis will be submitted as soon as possible.

Sincerely,



Robert S. Newell, M.A.I.  
Appraiser

RSN/jb

# 3 1W 14D WILSONVILLE

C = 20°  
A = 38° 26'  
T = 100.33'  
L = 193.0'

(OLD BOBERG ST. EXT. 292-696) PUBLIC EASE. 71-19892  
589° 52' W VACATED BY CITY ORDINANCE NO. 174 1036.50'

100  
7.91 Ac.

P.S. 19104

102  
0.24 Ac.

CITY

83-17901

292.89

201  
4.50 Ac.

104  
1.15 Ac.

101  
4.93 Ac.

200  
25.87 Ac.

CITY 103  
83-17888

300  
1.65 Ac.

402  
1.04 Ac.

405  
0.68 Ac.

408  
1.05 Ac.

409  
0.45 AC

410  
0.45 AC



23

300

FRONTAGE CONTROL EAST LINE

SOUTHBOUND CENTERLINE  
INTERSTATE HIGHWAY NO. 5 HWY.  
NORTHBOUND CENTERLINE

CITY 103  
83-17888

C

F

D

B

A

1/4 Cr

JVS 65 2607

422.52

(590:ML)

P.S. 16230