

RESOLUTION NO. 542

A RESOLUTION ADOPTING FINDINGS AND DENYING A ZONE CHANGE FROM RA-1 TO PDR FOR WAGNER FARM MOBILE HOME PARK, TAX LOT 300, T3S-R1W, SECTION 13, ROBERT RANDALL COMPANY, APPLICANT.

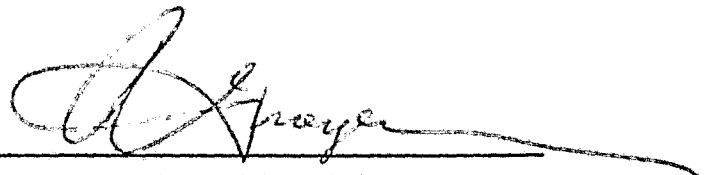
WHEREAS, the City staff has prepared a report on the above-captioned subject which is attached hereto as Exhibit "A"; and

WHEREAS, the City Council has duly considered the subject and the Findings and recommendations of the Planning Commission and those contained in the Staff Report; and

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

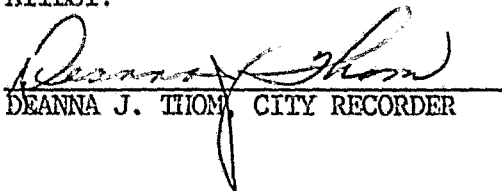
NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Wilsonville does hereby adopt the Staff Report attached hereto as Exhibit "A", with the recommendations contained therein and further instructs that action appropriate to the recommendations be taken.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 3rd day of March, 1986, and filed with the Wilsonville City Recorder this same date.



A. G. MEYER, MAYOR

ATTEST:



DEANNA J. THOM, CITY RECORDER

CITY OF



PLANNING DEPARTMENT

SUMMARY STAFF REPORT

Prepared by Ben Altman
and Pete Wall

TO: City Council

DATE: February 25, 1986

SUBJECT: Conclusionary Findings for Wagner Farm Zone Change from RA-1
to PDR (Mobile Home Park) 85PC39.

MEETING DATE: March 3, 1986.

ACTION REQUIRED: Adoption of Findings and Final Action on the Zone Change.

PREVIOUS ACTION TAKEN:

1. Planning Commission hearing held December 9, 1985, Findings adopted by Resolution 85PC39, with recommendation to City Council for adoption of Zone Change.
2. City Council held public hearing February 3, 1986, heard testimony, closed hearing and continued for Conclusionary Findings, with intent of hearing

CONCLUSIONARY FINDINGS: testimony limited to Conclusionary Findings as prepared by Staff.

The following Findings and Conclusions are based on the Minutes, testimony, staff presentation, staff materials and exhibits presented at the public hearing of the Wilsonville City Planning Commission on December 9, 1985; the Wilsonville City Council public hearing of February 3, 1986, supplemental Findings submitted by Mark O'Donnell, dated February 12, 1986, letter from Marvin Wagner, dated February 4, 1986.

1. The subject request is for rezoning 21 acres of land from RA-1 to PDR with a Stage I Master Plan for a Mobile Home Park. Section 4.187(b) and (c) of the Wilsonville Code specify the criteria for Findings to support a Zone Change.

The Planning Commission's Resolution sets forth affirmative Findings under Supplemental Findings 1, 2 and 3.

However, the City Council heard considerable testimony opposing the Commission's Findings and recommendation to approve. The predominant objections focused on criteria no. 2 relative to compliance with all applicable policies of the Comprehensive Plan. A major emphasis has been placed on Objective 4.4.3 relative to balance of housing type.

The Commission's other four Findings addressing the Zone Change criteria have not been challenged and stand as written.

2. The applicants have argued that the Zone Change process is routine with a simple test that is almost automatic. This is true provided that affirmative Findings are made for all five Zone Change criteria.

Based on the testimony received, the Planning Commission's Supplemental Finding 1.A (The proposed use is in conformance with the Comprehensive Plan as stated in Finding No. 2 below.") is at question. Therefore, the Council must draw its own conclusion from the testimony whether Zone Change criteria 2 has been met.

In drawing their conclusion of compliance, the Planning Commission made the following Findings:

- "2. The Comprehensive Plan designates the subject property as follows:
- A. The westerly 300 feet along Wilsonville Road is designated Residential 5-7 dwelling units per acre.
 - B. The remaining easterly portion is designated as Residential 7-12 units per acre except
 - C. The portion that is along the bank of Boeckman Creek is designated as primary and secondary open space.

It appears the Commission focused primarily on the Comprehensive Plan Map and not specific plan policies and objectives from the text, to determine compliance.

Mark O'Donnell, representing the applicants, has submitted supplemental findings addressing various text segments and housing policies and objectives from the Comprehensive Plan. These are set forth in Exhibit 4 attached hereto. The findings as drafted focus on the primary issue in the case which is, the Plan's intent to provide a balance of housing by types of alternative units. As outlined on page 5, the Comprehensive Plan does not specifically define what is meant by a balance of housing types. Based on the inventoried housing stock, it does, however, acknowledge that approximately 75% of the housing, at that time, was mobile homes.

There is no further language in the Plan that drew any subjective conclusion whether the 25% ratio was acceptable or alarming and unacceptable. The Plan does, however, recognize the transitional nature of two parks [Wilsonville (32) and Walnut Park (56)] through Policy 4.4.2.a. and b. The City's intent is further qualified by the accompanying note which states:

NOTE: This policy is primarily oriented toward protecting existing mobile home parks, but is not intended to guarantee relocation sites to existing mobile home dwellers should existing parks be redeveloped. Providing for future development of mobile home parks or subdivisions is intended to allow for development of replacement parks as well as to respond to market demands for lower cost housing.

There is a clear intent to provide, at a minimum, an opportunity for replacement of transitional units. The replacement factor

has been defined as 88 units which we anticipate will be lost to redevelopment.

There is further a clear intent to provide an opportunity to respond to market demands for some additional level of mobile homes. This level is undefined due to lack of adequate market data. The underlying assumption is that the "market balance" is a time relative factor that is expected to change from time to time. The Plan specifically seeks a diversity and balance in housing types with a starting point of 24% mobile homes.

The Comprehensive Plan further, however, emphasizes protection and enhancement of the pleasant, comfortable living environment presently enjoyed by local residents. It specifically designates this area as an Area of Special Concern and sets forth design criteria to protect the existing suburban low-density development in this area. Therefore, in interpreting compliance and balance, it is necessary for the Council to consider both subjective and objective factors.

In this regard, the Council has heard considerable testimony raising concerns over balance and the character of the neighborhood and City as a whole. While units' balance can be calculated by pure mathematical analysis, the human element or sensitivity must also be weighed.

The testimony received overwhelmingly establishes a sense of imbalance to the extent of negatively affecting the City's character.

3. The Wilsonville Comprehensive Plan refers to providing a balance of housing, but does not define what an accepted balance is. According to the Comprehensive Plan, the City Council shall have the final authority to interpret the text of the Plan. Therefore, the Council concludes as follows:
 - a. Information contained in the record indicates that the City of Wilsonville has a considerably higher percentage of mobile homes than the cities of Portland (00.0026%), Oregon City (00.1%), Beaverton (1.7%), Hillsboro (3.5%), Tualatin (0.04%), and Sandy (10%). The City of Wilsonville's current mobile home share of its housing stock is 22%.
 - b. Housing balance and the supply of affordable housing, mobile homes, etc. is a regional issue.
 - c. Wilsonville has assumed a disproportionate share of mobile homes compared to other communities in the region.
 - d. There is substantial evidence in the record in the form of testimony received on this application both orally at hearings and in writing in the form of several letters and a petition signed by 113 Wilsonville residents which indicates that the City of Wilsonville is out of balance in the number of mobile homes placed within the City limits.

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.
2. Chapter 4 of the Wilsonville Code.
3. Applicant's submittal documents (see attached list).
 - a. Summary Staff REport dated February 14, 1986.
 - b. Legal description of subject site.
4. Preliminary and Supplemental Findings submitted by Mark O'Donnell, dated February 13, 1986.
5. Planning Commission Resolution 85PC39 and Minutes for January 13, 1986 hearing.
6. Letter from Marvin Wagner received February 4, 1986.
7. Metropolitan Area Housing Statistics, submitted by Michael Timm.
8. Housing Stock Analysis - November 1980 to February 1986, prepared by Planning Department.
9. Letter from Robert Spring and Donald Carlton, received February 3, 1986 (not attached).
10. Petition opposing Zone Change received February 3, 1986 (not attached).
11. Minutes and Testimony from City Council hearing February 3, 1986.

BEFORE THE CITY COUNCIL OF THE
CITY OF WILSONVILLE, OREGON

In the Matter of the Application of)
THE ROBERT RANDALL COMPANY - WAGNER FARM)
for a rezoning of land and amendment of)
the City of Wilsonville Zoning Map as)
incorporated in Section 4.002 of the)
Wilsonville Code)

ZONING ORDER NO. 86-1

The above-entitled matter is before the Council to consider the application of The Robert Randall Company for a zone change and an order amending the official Zoning Map as incorporated in Section 4.002 of the Wilsonville Code, and

It appearing to the Council that the property which is the subject of this application is described as follows: See attached as Exhibit B, and such property has heretofore appeared on the official Zoning Map zoned as follows: RA-1, and the Council having heard and considered all matters relevant to the application, finds as set forth in Exhibit A that the application should be approved, and it is therefore,

ORDERED that the property described above is hereby rezoned as follows: From RA-1 to PDR for a mobile home park, subject to the conditions set forth in Exhibit A, and such rezoning be and the same is hereby declared an amendment to the Wilsonville Zoning Map (Section 4.002 WC) and shall appear as such from and after entry of this Order.

The property subject to this Zoning Order is also subject to the Order of the City Council in respect thereto made.

DATED this 18th day of February, 1986.

Mayor

Approved as to form:
ATTEST:
City Recorder
City of Wilsonville, Oregon

By _____
City Recorder

Order No.: 1-609039-C

EXHIBIT A

Part of the Northeast one-quarter of Section 13, Township 3 South, Range 1 West, of the Willamette Meridian, Clackamas County, Oregon, described as follows:

BEGINNING at an iron pipe driven at the one-quarter section corner on the East boundary of said Section 13; thence North along said East boundary 856.5 feet, more or less, to the Southeast corner of that tract of land conveyed to Bert Thompson, et ux, in Book 330, page 279, recorded August 17, 1944, Deed Records; thence North $62^{\circ}40'$ West along the Southerly boundary of said Thompson Tract 539 feet to a post located at the Southwest corner thereof; thence West 181.5 feet to the center of the E. A. Moses Road; thence South $23^{\circ}53'$ West along the centerline of said County Road, 1222.35 feet to a post in the East-West centerline of said Section 13; thence North $89^{\circ}56'$ East along said East-West centerline 1154.35 feet to the point of beginning.

EXCEPTING THEREFROM that portion in public roads.

EXHIBIT B

CITY OF



PLANNING DEPARTMENT

SUMMARY STAFF REPORT

Prepared by Ben Altman

TO: City Council

DATE: February 13, 1986

SUBJECT: Conclusionary Findings for Wagner Farm Zone Change from RA-1 to PDR (Mobile Home Park) 85PC39.

MEETING DATE: February 18, 1986.

ACTION REQUIRED: Adoption of Findings and Final Action on the Zone Change.

PREVIOUS ACTION TAKEN:

1. Planning Commission hearing held December 9, 1985, Findings adopted by Resolution 85PC39, with recommendation to City Council for adoption of Zone Change.
2. City Council held public hearing February 3, 1986, heard testimony, closed hearing and continued for Conclusionary Findings, with intent of hearing

CONCLUSIONARY FINDINGS: testimony limited to Conclusionary Findings as prepared by Staff.

The following Findings and Conclusions are based on the Minutes, testimony, staff presentation, staff materials and exhibits presented at the public hearing of the Wilsonville City Planning Commission on December 9, 1985; the Wilsonville City Council public hearing of February 3, 1986, supplemental Findings submitted by Mark O'Donnell, dated February 12, 1986, letter from Marvin Wagner, dated February 4, 1986, and Exhibit 8 prepared by the Planning Staff summarizing housing balance by type.

1. The subject request is for rezoning 21 acres of land from RA-1 to PDR with a Stage I Master Plan for a Mobile Home Park. Section 4.187(b) and (c) of the Wilsonville Code specify the criteria for Findings to support a Zone Change.

The Planning Commission's Resolution sets forth affirmative Findings under Supplemental Findings 1, 2 and 3.

However, the City Council heard considerable testimony opposing the Commission's Findings and recommendation to approve. The predominant objections focused on criteria no. 2 relative to compliance with all applicable policies of the Comprehensive Plan. A major emphasis has been placed on Objective 4.4.3 relative to balance of housing type.

The Commission's other four Findings addressing the Zone Change criteria have not been challenged and stand as written.

2. The applicants have argued that the Zone Change process is routine with a simple test that is almost automatic. This is true provided that affirmative Findings are made for all five Zone Change criteria.

Based on the testimony received, the Planning Commission's Supplemental Finding 1.A. ("The proposed use is in conformance with the Comprehensive Plan as stated in Finding no. 2 below.") is at question. Therefore, the Council must draw its own conclusion from the testimony whether Zone Change criteria 2 has been met.

In drawing their conclusion of compliance, the Planning Commission made the following Findings:

- "2. The Comprehensive Plan designates the subject property as follows:
 - A. The westerly 300 feet along Wilsonville Road is designated Residential 5-7 dwelling units per acre.
 - B. The remaining easterly portion is designated as Residential 7-12 units per acre except
 - C. The portion that is along the bank of Boeckman Creek is designated as primary and secondary open space."

It appears the Commission focused primarily on the Comprehensive Plan Map and not specific plan policies and objectives from the text, to determine compliance.

Mark O'Donnell, representing the applicants, has submitted supplemental findings addressing various text segments and housing policies and objectives from the Comprehensive Plan. These are set forth in Exhibit 4 attached hereto. The findings as drafted focus on the primary issue in the case which is, the Plan's intent to provide a balance of housing by types of alternative units. As outlined on page 5, the Comprehensive Plan does not specifically define what is meant by a balance of housing types. Based on the inventoried housing stock, it does, however, acknowledge that approximately 75% of the housing, at that time, was mobile homes.

There is no further language in the Plan that drew any subjective conclusion whether the 25% ratio was acceptable or alarming and unacceptable. The Plan does, however, extend the issue by recognizing the transitional nature of two parks [Wilsonville (32) and Walnut Park (56)] through Policy 4.4.2.a and b. The City's intent is further qualified by the accompanying note which states:

NOTE: This policy is primarily oriented toward protecting existing mobile home parks, but is not intended to guarantee relocation sites to existing mobile home dwellers should existing parks be redeveloped. Providing for future development of mobile home parks or subdivisions is intended to allow for development of replacement parks as well as to respond to market demands for lower cost housing.

There is a clear intent to provide, at a minimum, an opportunity for replacement of transitional units. The replacement factor

*

has been defined as 88 units which we anticipate will be lost to redevelopment.

There is further a clear intent to provide an opportunity to respond to market demands for some additional level of mobile homes. This level is undefined due to lack of adequate market data. The underlying assumption is that the "market balance" is a time relative factor that is expected to change from time to time. The Plan specifically seeks a diversity and balance in housing types with a starting point of 24% mobile homes. Without further definition, it is assumed this share is not out of balance.

Therefore, it is necessary to consider the balance definition relative to time and development activity for all types of units, not just mobile homes.

The exhibits, presented by opponents, reflect a drastic increase in the percent of housing related to mobile homes. However, this data is distorted because it only considers the effect of adding the units proposed in the Wagner Farm park, while holding other types of units constant. In contrast, the data compiled by the Planning Department Exhibit 8, compares the net effect of all housing developments and plans from 1980 to the present. This format also accounts for the effect the 88 transitional units have on the overall balance.

It is concluded from the data in Exhibit 8 that there has been a slight decrease in the mobile home share of today's housing stock from 24% to 22%. Further, the current trend of Stage II and Preliminary Plat approvals result in a continuing decline of the percent of mobile homes to total housing stock. Considering all final plan approvals, mobile homes account for only 14% of the potential housing stock. If the Wagner Farm Park project is approved, the mobile home ratio would be between 14% and 16% depending on whether the 88 transitional units are included or excluded.

The evidence does not support the allegations by opponents that there is a current imbalance nor that the subject proposal would accelerate such an imbalance. Therefore, compliance with the applicable housing policies and objectives have been demonstrated.

3. The applicants' Findings set forth in Exhibit 4 are hereby adopted and incorporated herein as written, beginning on line 7, page 2, and continuing through line 4, page 6. Lines 5 through 18, page 6, are deleted and replaced as follows:

The conclusions made herein are based on the evidence that reflects a trend towards a declining role of mobile homes as a percentage of total housing stock. It is further based on conformance to the general guideline that mobile homes shall constitute not more than 25% of the housing stock over time. In addition, it is acknowledged that the applicant has agreed to a self-imposed condition that not more than 50 mobile home spaces will be rented per calendar year, assuming initial construction in 1986.

4. A letter was received from Marvin Wagner after the February 3, 1986 hearing date. It is set forth as Exhibit 6. Mr Wagner asks for clarification of future sewer service to his property north of the subject site.

Staff has investigated the future sewer service. Exhibit 7 illustrates how services are planned to serve the two sites.

Further, previous testimony raised a question relative to assessments under LID #3. The records reflect the assessment boundary for LID #3 were based on the petitioners' request and was limited to properties owned by the petitioners to expedite the LID process. No payback provision was discussed or requested. Therefore, it is found the opponents in this case created the situation by constructing a public sewer line and not protecting the limits of their financial obligations as they might benefit other properties.

5. Based on the findings of the Planning Commission as set forth in 85PC39, and those set forth herein, the City Council concludes that affirmative findings are made in compliance with the zone change criteria set forth in Section 4.187(b) of the Wilsonville Code.

Adopt the Zone Change Order No. 86-1, supported by the Findings set forth in Exhibit A and subject to the following Conditions:

CONDITIONS OF APPROVAL

The following Conditions of Approval are hereby adopted to assure completion of the project in compliance with the Comprehensive Plan, Zoning and Site Development Regulations.

1. The Stage I Master Plan approval is subject to final approval of the Zone Change by the City Council. It authorizes a maximum of 101 units, if all applicable standards are met.
2. The Zone Change approval will expire two years after final City Council approval if substantial development has not occurred.
3. The applicant shall submit an application for Stage II approval within one year in full conformance with Section 4.139(3) WC.
4. The mobile home park shall be in conformance with all PDR and State Standards, including the design criteria set forth for Area of Special Concern No. 2 in the Comprehensive Plan.
5. Conformance with Section 4.136(1)(b) WC (Manufactured homes, mobile homes) shall be demonstrated in full prior to Stage II approval.

6. The applicant shall conform with all requirements of Tualatin Rural Fire Protection District.
7. That applicant comply with the requirements as set forth by the Public Works Director.
8. That applicant provide a sewer easement across Tax Lot 1801.
9. That applicant waive the right of remonstrance for public improvements to Boeckman Road.
10. The applicant shall not lease nor rent more than fifty (50) mobile home park rental spaces during calendar year 1986; and not more than fifty (50) spaces the subsequent year.
11. The applicant shall report to the Planning Director the number of mobile home park rental spaces leased or rented during calendar year 1986, or or before January 31, 1987, for the calendar year 1986, and shall make the same report on or before January 31, 1988, for the calendar year 1987.

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.
2. Chapter 4 of the Wilsonville Code.
3. Applicant's submittal documents (see attached list).
 - A. Summary Staff Report dated February 14, 1986.
 - B. Legal description of subject site.
4. Preliminary and Supplemental Findings submitted by Mark O'Donnell, dated February 13, 1986.
5. Planning Commission Resolution 85PC39 and Minutes for January 13, 1986 hearing.
6. Letter from Marvin Wagner, received February 4, 1986.
7. Sewer service diagram prepared by Planning Department.
8. Housing Stock Analysis - November 1980 to February 1986, prepared by Planning Department.
9. Letter from Robert Spring and Donald Carlton, received February 3, 1986 (not attached).
10. Petition opposing Zone Change received February 3, 1986 (not attached).
11. Minutes and Testimony from City Council hearing February 3, 1986.

- 1 Exhibit No. 10 - Clackamas County Commercial Development Background
2 Report "A Tool For Economic Development" Market Forces,
3 Land Analysis & Opportunities - Table of Contents and
4 pp. 46-48 and pp. 67 and 68
- 4 Exhibit No. 11 - Report of the Committee on Long Term Local Government
5 Solutions to the Mobile Home Housing Crisis in
6 Washington County, pp. 1-16; pp. 23-24
- 6 Exhibit No. 12 - City of Wilsonville Comprehensive Plan Text (No copy)
- 7 Exhibit No. 13 - City of Wilsonville Zoning Ordinance (No copy)
- 8 Exhibit No. 14 - Letter dated January 31, 1986 from Evan Whitaker of
9 Bonanza Homes to Mayor and City Council
- 10 Exhibit No. 15 - Site Plan (Previously submitted)
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RECEIVED
FEB 13 1986
CITY OF WILSONVILLE

1 BEFORE THE CITY COUNCIL OF THE
2 CITY OF WILSONVILLE, OREGON

3 In the Matter of the)
4 Application of the Robert) PRELIMINARY AND SUPPLEMENTAL
5 Randall Company for a Zone) FINDINGS
6 Change and Stage I Approval)
7 for 101 Mobile Home Spaces)

7 WAGNER FARM MOBILE HOME PARK DEVELOPMENT

8 The Robert Randall Company requests a zone change from RA-1 to PDR
9 (Planned Development Residential) and approval of Stage I Master Plan
for the proposed Wagner Farm Mobile Home Park.

10 The following Findings and Conclusions are based on the Minutes,
11 testimony, staff presentation, staff materials and exhibits presented
12 at the public hearing of the Wilsonville City Planning Commission on
13 January 13, 1986 and the Wilsonville City Council public hearing of
14 February 3, 1986.

13 CONCLUSION:

14 The zone change request from RA-1 to PDR and approval of Stage I
15 Master Plan for the proposed Wagner Farm Mobile Home Park development
is granted, subject to the following conditions:

- 16 1. The applicant shall not lease nor rent more than fifty (50) mobile
17 home park rental spaces during calendar year 1986;
- 18 2. The applicant shall report to the Planning Director the number of
19 mobile home park rental spaces leased or rented during calendar year
20 1986 on or before January 31, 1987 for the calendar year 1986 and shall
21 make the same report on or before January 31, 1988 for the calendar year
22 1987;
- 23 3. Zone change approval will expire two years after final City Council
24 approval if substantial development has not occurred;
- 25 4. The applicant shall submit an application for Stage II approval
26 within one year in conformance with Section 4.139(3) WC;
5. The mobile home park shall be in conformance with all State
Standards;
6. Conformance with Section 4.136(1)(b) WC (Manufactured homes, mobile
homes) shall be demonstrated in full prior to Stage II approval;

- 1 7. The applicant shall conform with all requirements of Tualatin Rural
2 Fire Protection District;
- 3 8. That applicant comply with the requirements as set forth by the
4 Public Works Director;
- 5 9. That applicant provide a sewer easement across Tax Lot 1801;
- 6 10. That applicant waive the right of remonstrance for public improvement
7 to Boeckman Road.

7 FINDINGS:

8 The above conclusion is based upon the following findings:

9 The City of Wilsonville Comprehensive Plan, Goal for Housing Develop-
10 ment provides:

11 GOAL 4.3: Plan for and permit a variety of housing types
12 consistent with this Plan and a balance between
13 the economics of building and the cost of supplying
14 public services. This goal recognizes the need for
15 a variety of housing types to meet various personal
16 preferences and income levels. It also, however,
17 recognizes the fact that in order to maintain a decent
18 living environment, adequate public facilities must be
19 available.

20 The requested zone change to develop a mobile home park involves the
21 interpretation and application of three OBJECTIVES of the Comprehensive
22 Plan. The text of the Comprehensive Plan and three OBJECTIVES are:

23 To further define the framework for evaluating residential
24 development, the objectives of the 1971 General Plan have been
25 reaffirmed along with the establishment of some new objectives
26 addressing issues identified in the housing report.

27 The housing report indicates that existing housing, in terms
28 of single family, condominiums, multi-family and mobile homes
29 are distributed at about 25% per housing type as of May 1979.
30 The future demand for mobile homes versus other alternative
31 housing types is unknown at this time. However, considerable
32 interest in this form of housing was expressed during the
33 development of the Plan.

34 OBJECTIVE 4.4.3: Encourage the development of diverse housing
35 types, but maintain a balance in the types and
36 location of housing available, both currently
and during future development. Such housing
types shall include, but not be limited to,

1 apartments, single family detached, common
2 wall single family, manufactured homes,
3 mobile homes, and condominiums in various
4 structural forms.

5 OBJECTIVE 4.3.5: Accommodate the housing needs of the existing
6 residents of the City of Wilsonville. The
7 future status of existing mobile home dwellers,
8 within the City, is a particular concern in
9 establishing this objective.

10 OBJECTIVE 4.3.6: Make available housing for a reasonable proportion
11 of the employees and their families who work in
12 the City.

13 The requested zone change also involves the interpretation and appli-
14 cation of two of the Comprehensive Plan's RESIDENTIAL DEVELOPMENT
15 POLICIES. The text of the Comprehensive Plan "RESIDENTIAL DEVELOPMENT
16 POLICIES" provides:

17 "As stated, housing is a basic human need. Therefore, residential
18 development is considered a primary element of this Plan. As
19 such, a priority is given to satisfying the housing goal. In
20 so doing, however, it is not the intent of this element to ignore
21 other elements of the Plan. Rather, the intent is to balance
22 conformance to other elements of the Plan so as to best satisfy
23 housing needs within the City. To complete the framework for
24 evaluating residential development, the following policies have
25 been established:

26 POLICY 4.4.1 provides:

- 27 a. The City will encourage the development of housing
28 of various types and densities. Guided by the
29 urbanization, public facilities, and economic
30 elements, the City will, however, manage residential
31 growth to ensure adequate provision of public
32 facilities and that proposed housing satisfies
33 local need and desires, i.e., type, price and rent
34 levels.
- 35 b. In an effort to balance residential growth with the
36 City's employment base, the City shall encourage the
37 development of housing to meet the needs of at least
38 20 percent of the employees working in the City by
39 1990. The City shall further encourage an increase
40 in the local residential/employment ratio to at least
41 30% by the year 2000. "

1 The Comprehensive Plan text also states with respect to mobile homes:

2 "As indicated by Objective 5, a major concern
3 has been raised over satisfying the needs of
4 present and future mobile home dwellers. The
5 most immediate concern over mobile homes is that
6 to date they have been a conditional use and
7 generally considered to be a temporary transitional
8 use, eventually to be phased out by other types of
9 developments."

10 POLICY 4.4.2 provides:

- 11 a. The City will provide for development of mobile
12 home parks and subdivisions by establishing them
13 as outright permitted uses in urban medium density
14 residential areas. Where economically feasible
15 and where adequate compatibility provisions can be
16 made existing mobile home parks shall be protected
17 and allowed to continue.
- 18 b. Recognizing the transitional nature of some of the
19 existing mobile home parks, the City will work
20 closely with mobile home park owners and prospective
21 developers to attempt to provide existing mobile
22 home dwellers with suitable relocation sites prior
23 to the phasing out of existing parks for other uses.

24 NOTE: This policy is primarily oriented toward protecting
25 existing mobile home parks but is not intended to
26 guarantee relocation sites to existing mobile home
dwellers should existing parks be redeveloped.
Providing for future development of mobile home
parks or subdivisions is intended to allow for
development of replacement parks as well as to
respond to market demands for lower cost housing.

27 The Comprehensive Plan text at pages 3-4 provides for procedures for
28 uses of the Comprehensive Plan. It states:

29 "This Plan consists of general background and explanatory text,
30 City of Wilsonville Goals, Objectives and Policies and a Plan Map.
31 When any ambiguity or conflict appears to exist, Goals shall take
32 precedence over Objectives, Policies, text and map; Objectives shall
33 take precedence over Policies, text and map; Policies shall take
34 precedence over text and map...."

35 "The City Council shall have final authority for the interpretation
36 of the text and/or map."

1 The applicant has submitted its Exhibit No. 5 which delineates the
2 need and demand for additional mobile home park space within the
3 City. Coupled with the present low vacancy factor in existing mobile
4 home parks within the City is the temporary nature of the Walnut Park
5 and Wilsonville Park. These two mobile home parks are situated in
6 land designated Industrial and Commercial. The 86 rental spaces in
7 these two mobile home parks are 20% of the existing mobile home stock
8 within the City.

9 During calendar year 1986, the City issued 89 new single family
10 dwelling permits, 14 new mobile home permits and a building permit
11 for a 23-unit apartment building (applicant's Exhibit No. 5, Attachment
12 IV). In interpreting the Comprehensive Plan text's Goals, Objectives
13 and Policies, Objective 4.3.3 directs the City to maintain a balance
14 in the types and location of housing available, both presently and
15 for the future. While it is most difficult to quantify by percentage
16 what is the balance among housing stocks, the Comprehensive Plan text
17 reference to twenty-five percent (25%) provides a general guideline.
18 In arriving at this percentage as a general guideline for interpretation
19 of the "balance among housing stocks" as referred to in Objective 4.3.3,
20 the following criteria were considered:

- 21 (1) The City's growth management policy (Ordinance
22 No. 211) encourages housing construction and
23 attempts to provide opportunities for at least
24 20% of the local employees to live in the City
25 by 1990 and 30% by the year 2000. To promote
26 the work force to live within the City, the limit
27 on building permits for residential construction
28 may be increased to equal 40% of the housing stock,
29 provided that at least 20% of the number of employees
30 working in the City is greater than the housing
31 stock in the City (Applicant's Exhibit No. 8, p.14);
- 32 (2) The City has high average costs of housing and
33 there is evidence of a need for multi-family and
34 affordable single family housing. The large
35 portion of employees working in, but living outside
36 of the City, presents a potential "pent-up" demand
37 for additional residential development (Applicant's
38 Exhibit No. 8, p.15);
- 39 (3) 42% of the homes for sale in the City are \$90,000
40 or less, with an average cost in the range of
41 \$64,296. The other 58% of the homes on the market
42 are \$90,000 and above with an average cost in this
43 category of \$186,445. Overall, the median housing
44 cost in the City is \$97,950. The cost of construction
45 for single family residences and the prices for
46 existing homes in the City are too expensive for
47 the median family income (Applicant's Exhibit No. 8,
48 p.15);

1 (4) 20% of the existing and occupied mobile home
2 park spaces are scheduled for conversion from
3 Residential to Commercial and Industrial uses
4 by the zoning ordinance. The transitory nature
is recognized by the Comprehensive Plan text and
the LCDC acknowledgment process and reports.

5 In implementing this general guideline that mobile homes shall
6 constitute approximately twenty-five percent (25%) of the housing stock
7 within the City, the evidence shows the following inventory of ready-
to-build housing types:

<u>Type of Housing</u>	<u>Units Ready To Build</u>
Residential	823
Multi-family	502
Mobile Homes	0

(Exhibit No. 8, pp. 14-21)

13 The applicant has agreed to the self-imposed condition that not more
14 than 50 mobile home park spaces will be rented during calendar year
15 1986. Assuming that the total 101 spaces are rented by December 31,
16 1987, the requested zone change for 101 units of mobile home park
17 rental space will result in the inventory of ready-to-build housing
to be in conformance to this general guideline that mobile homes shall
18 constitute approximately twenty-five percent (25%) of the housing stock.
19 The applicant is required to report to the Planning Director over the
20 next 24-month period and this will allow the reporting system necessary
21 to maintain the inventory and implementation of this general guideline.
22
23
24
25
26

PROJECT NAME: Wagner Farm Mobile Home Park

CASE FILE NO: 85PC39

APPLICANT: Robert Randall Company
9500 S. W. Barbur Blvd.
Portland, OR. 97219

OWNER: Marvin G. and Bonnie B. Wagner
28400 S. W. Wilsonville Road
Wilsonville, OR. 97070

PROPERTY DESCRIPTION: (see map below)
Assessor Map No: 13
Tax Lot No: 300
Site Size: 21 acres
Address: _____
Location: East of Wilsonville Road and south
of Boeckman Road
Comprehensive Plan Designation: Residential-5-7, 7-12du/ac
Zoning Designation: RA-1 & open space
Existing Use: vacant

CITY OF



Wilsonville

30000 S.W. Town Center Loop E

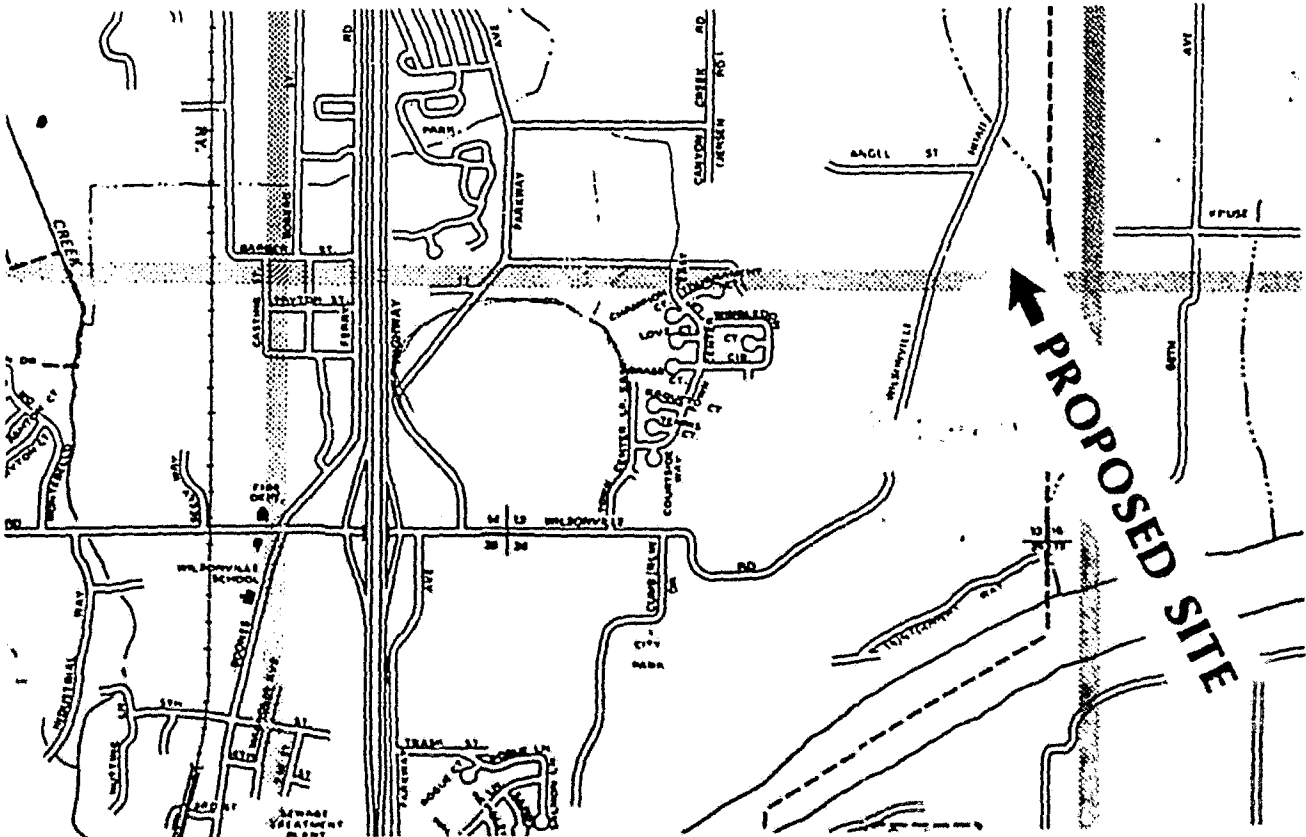
P.O. Box 220 / Wilsonville, Oregon 97070-0220

503 / 682-1011

NOTICE OF PUBLIC HEARING

Proposed Development Action: _____
Zone Change and Stage I approval
for 101 mobile home spaces.

Notice is hereby given that the Wilsonville Planning Commission will hold a public hearing on Monday, December 9, 1985 at 7:00 p.m. at Wilsonville City Hall, 30000 Town Center Loop East, Wilsonville, Oregon. Inquiries pertaining to this application may be made by contacting the Wilsonville Planning Department at 682-1011 prior to the hearing. Written statements may be submitted prior to the date of the hearing and will be entered into the public record. Public testimony in favor of or in opposition to the proposal will be taken at the public hearing.



Jan 29, 1986

Wilsonville City Counsel
Wilsonville, OR.

RECEIVED

FEB 4 1986

Dear Mayor Meyer and City Council Members;

CITY OF WILSONVILLE

Allow me to introduce myself, I am Marvin Wagner. My wife Bonnie and I own and live on the 24 A. parcel of land adjoining the 21 A. parcel being proposed by The Randall Co. for development as a 101 space mobile home park.

I am writing in regard to the Feb 3rd City Council meeting at which time I understand an appeal of the City Planning Commissions decision to approve the Randall project will be on the agenda. Since we will be out of town on that date I want to relate a couple concerns I have with regard to the City's action on this proposal.

I did attend the Planning Commission meeting at which time the Randall proposal was made. At that time I became aware that the future plans for sewer service to our property, Randall's property and the School property was intended to be located in the ravine to the east of these properties. My concern, which I discussed with Larry Elanhard prior to the planning meeting is this; if the Randall project does get approval including sewer line access to the Boechman Creek sewer line, will this have adverse effects on future sewer service to my property? Per the comprehensive plan our property is designated residential 3-5 units per acre. If there is any remote possibility that the Randall project will isolate our property with regard to sewer line access in the future, then we are most adamantly opposed to the cities approval of that project.

Secondly, we do not necessarily disapprove of the Randall project, except as described above, as long as the project is constructed and maintained in a class A manner as was proposed to the Planning Commission. I served on the Wilsonville Planning Commission in the mid 70's so I have had first hand experience in the area of what parties proposing development say they will do to get approval and then what they actually do once they start construction. I do not believe a first class mobile home park professionally designed and managed need be a detriment to the character of the city. Anything less than first class I would definitely disapprove of.

Mr Mayor and members of the Council, your jobs are at times thankless to say the least, at the same time your responsibilities of managing the many aspects of city government must be carried out.

We have lived on and farmed our property for the past 15 years. We trust that the Council will take into serious consideration our concerns about this matter. Thanks much for your attention.

Yours truly,

Marvin Wagner

MARVIN WAGNER

SAN. SEWER

SUBJECT SITE

SAN. SEWER

CITY LIMITS

- 804-13
IE N 127.89
IE E 127.80
IE S 127.48
- 12"
- 803-13
IE N 126.44
IE S 126.34
- 12"
- 802-13
IE N 128.38
IE S 128.38
- 12"
- 801-13
IE N 124.28
IE S 124.08
- 12"
- 800-13
IE N 118.10
IE S 114.00
- 8"
- 12"
- 89-13
IE N 112.10
IE E 112.10
IE S 111.90
- 12"
- 88-13
IE N 111.30
IE S 111.10
- 12"
- 87-13
IE N 108.88
IE S 108.88
- 12"
- 86-13
IE N 103.84
IE S 103.84
- 12"
- 85-13
IE N 102.98
IE S 102.88
- 12"
- 84-13
IE N 100.88
IE S 100.78
- 12"
- 83-13
IE N 100.88
IE S 100.88
- 12"
- 82-13
IE N 99.38
IE S 99.38
- 12"
- 81-13
IE N 99.00
IE S 99.00
- 12"
- 80-13
IE N 99.00
IE S 99.00

EXHIBIT 7
2086-1

HOUSING STOCK ANALYSIS

November 1980 to February 1986

Prepared by Wilsonville Planning Department

	<u>November 1980 Existing Housing Stock</u>		<u>February 1985 Updated Housing Stock from 1980</u>			<u>Additional Units Authorized by Stage II and Preliminary Plat</u>		<u>Total Existing and Potential Units by Plan approval</u>		
	<u># Units</u>	<u>% Total</u>	<u># Units Added</u>	<u>Existing # Units</u>	<u>% of Total</u>	<u># Units Approved</u>	<u>% Total</u>	<u># Units</u>	<u>% Total</u>	
Single-Family	835	53%						SF	1671	50%
Multi-Family	349	22%	SF 217	1052	53%	SF 619	47%	MF	1198	36%
Mobile Home	382	24%	MF 141	490	25%	MF 708	53%	MH	445	14%
			MH 63*	445	22%	MH 0	--			
Total	1566	100%				Total 1327	100%	Total	3314	100%

*Reflects 75 new units and
12 displaced units.

NET EFFECT OF 88 TRANSITIONAL UNITS AND WAGNER PARK PROPOSAL

	<u>Total Existing and Potential Units as of February 1986</u>		<u>Wagner Park - 101 Units Effect on Ratio</u>		<u>Transitional 88 Units Effect on Ratio</u>	
	<u># Units</u>	<u>% Total</u>	<u># Units</u>	<u>% Total</u>	<u># Units</u>	<u>% Total</u>
SF	1671	50%	1671	49%	1671	50%
MF	1198	36%	1198	35%	1198	36%
MH	445	14%	546	16%	458	14%
	3314	100%	3415	100%	3327	100%

1. Single-family units approved include: Fox Chase II, Wheatland, Parkwood Estates and buildable lots in Fox Chase I, Day Dream Ranch, Charbonneau, Edgewater and Courtside Estates.
2. Multi-family units approved include: French Prairie, Boones Ferry Village, Ash Meadows, Wilsonville Elderly, DeMoss Tri-Plex.

FACTS - from Wilsonville Land Survey - March 1, 1985
and Center for Population Research and Census,
Portland State

<u>City</u>	<u>Approx. Population</u>	<u>Housing Units Available</u>	<u>Mobile Homes</u>	<u>Percentage</u>
Wilsonville	4,000	1,905	457	25%
Portland	A lot	177,089	461	00.0026%
Oregon City	15,000	15,000	191	00.1%
Beaverton	30,582	13,533	250	1.7%
Hillsboro	27,664	10,104	356	3.50%
Tualatin	9,300	3,042	132	00.4%
Johnson City	unknown	203	168	83%
Sandy	2,900	1,100	117	10%

4% of homes in Multnomah and Washington Counties are mobile homes.

25% of homes in Wilsonville are mobile homes.

Quote from an un-named staff member at the Center for Population Research and Census: "Ya, I don't know why, but some towns get to be designated mobile home centers and stay there."

Wilsonville Comprehensive Plan Policy 4.4.2.a: The City will provide for development of mobile home parks and subdivisions by establishing them as outright permitted uses in urban medium density residential areas.

Submitted by Michael Timm at Planning Commission meeting of December 9, 1985.

Exhibit 9

RECEIVED
FEB 3 1986
CITY OF WILSONVILLE

February 3, 1986

City of Wilsonville
Wilsonville City Council

Dear Council Members:

Attached are three Exhibits prepared from City of Wilsonville Community Development and Land Use Survey dated March 1, 1985.

The data on Exhibit I shows "Total Residential Housing Units By Housing Types" in the City of Wilsonville.

Exhibit II data shows "Residential Housing Units By Housing Types in City of Wilsonville, North of Willamette River". This data excludes Charbonneau area.

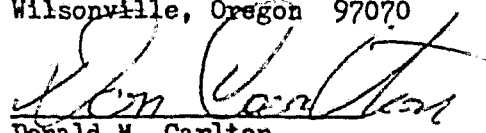
Exhibit III plainly shows the issue we are seriously concerned about in your deliberations tonight. This exhibit points out clearly the existing percentage relationship of single-family residences to mobile home units in the area of the City of Wilsonville north of the Willamette River. The last section of Exhibit III shows the dramatic effect any additional mobile home sites, and specifically tonight's proposal of 101 units, will have on this area of our city.

Therefore, we respectfully request that this council deny the proposed zone change and Stage I approval for 101 mobile home spaces.

Sincerely,



Robert L. Spring
28700 S.W. Canyon Creek Rd.
Wilsonville, Oregon 97070



Donald M. Carlton
28650 S.W. Canyon Creek Rd.
Wilsonville, Oregon 97070

EXHIBIT 1

TOTAL RESIDENTIAL HOUSING UNITS BY HOUSING TYPES

CITY OF WILSONVILLE MARCH 1, 1985

Total Housing Units in City	=	<u>1905</u>	<u>Percent of Total</u>
Total Apartment Units	=	341	18 %
Total Condos, Townhouses	=	125	7 %
Total Mobile Home Units	=	457	24 %
Total Single-Family Residences	=	<u>982</u>	<u>51 %</u>
Totals		1905	100 %

EXHIBIT II

RESIDENTIAL HOUSING UNITS BY HOUSING TYPES
CITY OF WILSONVILLE NORTH OF WILLAMETTE RIVER

March 1, 1985

Total Housing Units North of Willamette River (excludes Charbonneau Area)	=	<u>1326</u>	Percent of <u>Total</u>
Total Apartment Units (excludes Mariner Village, Charbonneau 341-60)	=	281	21 %
Total Condos, Townhouses (excludes Fairway Village, Charbonneau 125-20)	=	105	8 %
Total Mobile Home Units	=	457	35 %
Total Single-Family Residences (excludes Charbonneau 982-499)	=	<u>483</u>	<u>36 %</u>
		1326	100 %
Total Charbonneau Units Excluded = 579	=	<u>+ 579</u>	
Total		1905	

EXHIBIT III

PERCENT OF SINGLE-FAMILY RESIDENCES (483) COMPARED
TO MOBILE HOME UNITS (457) CITY OF WILSONVILLE MARCH 1, 1985

<u>NORTH OF WILLAMETTE RIVER</u>	=	<u>940</u>	Percent of <u>Total</u>
Single-Family Residences	=	483	51 %
Mobile Home Units	=	<u>457</u>	<u>49 %</u>
Totals		940	100 %

EFFECT OF ADDITIONAL 101 MOBILE HOME UNITS PROPOSED

(940 + 101)	=	<u>1041</u>	
Single-Family Residences	=	483	46 %
Mobile Home Units	=	<u>558</u>	<u>54 %</u>
Totals		1041	100 %



PLANNING DEPARTMENT
SUMMARY STAFF REPORT

TO: Planning Commission

DATE: December 6, 1985

SUBJECT: Wagner Farm Mobile Home Park Zone Change and Stage I Approval.

MEETING DATE: December 9, 1985

ACTION REQUIRED: Approval or denial of a Resolution recommending approval of a Zone Change from RA-1 to PDR and approving the Stage I Master Plan for the proposed Wagner Farm Mobile Home Park.

PREVIOUS ACTION TAKEN: None

CONCLUSIONARY FINDINGS:

1. The proposed Zone Change from RA-1 to PDR is consistent with the Comprehensive Plan.
2. The size, use and location are consistent with the Comprehensive Plan and Wilsonville Code.
3. The size, use and location are such that traffic generated by the development can be accommodated safely and without congestion in excess of level of service D as defined in the Highway Capacity Manual.
4. The size, use and location are such that the residents to be accommodated will be adequately served by existing or planned services.

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

PLANNING COMMISSION
RESOLUTION NO. 85PC39

A RESOLUTION ADOPTING FINDINGS AND RECOMMENDING APPROVAL TO THE CITY COUNCIL OF THE REQUESTED ZONE CHANGE FROM RA-1 TO PDR, AND ADOPTING FINDINGS AND APPROVING, WITH CONDITIONS, THE STAGE I MASTER PLAN FOR THE PROPOSED MOBILE HOME PARK, THE ROBERT RANDALL CO., APPLICANT (TAX LOT 300, T3S-R1W, SECTION 13)

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

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

WHEREAS, said planning exhibits and staff report were duly considered by the Planning Commission at a regularly scheduled meeting conducted on December 9, 1985, at which time said exhibits, together with findings and public testimony, were entered into the public record, and

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

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

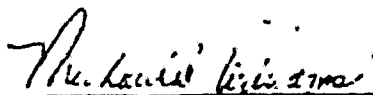
NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Wilsonville does hereby adopt the staff report attached hereto as Exhibit "A", with the findings, recommendation(s) and Conditions of Approval contained therein and further authorizes the Planning Director to issue a:

Site Development Permit

~~Subdivision Permit~~

consistent with said recommendation(s).

ADOPTED by the Planning Commission of the City of Wilsonville at a regular meeting thereof this 9th day of December, 1985, and filed with the Wilsonville City Recorder this same day.



Chairman, Planning Commission

Attest:



FINDINGS

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

RESIDENTIAL DEVELOPMENTS

(RA1) R, (PDR)

				Code Compliance		
		Required	Proposed	Yes	No, see additional	Finding no.
A. Land Use						
Zoning		<u>PDR</u>	<u>PDR</u>	<input checked="" type="radio"/>	<input type="radio"/>	<u>1</u>
Comprehensive Plan Designation		<u>R-5-7 & 7-12</u>	<u>R-5-7 & 7-12</u>	<input checked="" type="radio"/>	<input type="radio"/>	<u>2.2</u>
B. Land and Building Improvements						
1. Lot size						
A. Total site area (acreage)		<u>—</u>	<u>2.1 AC</u>	<input checked="" type="radio"/>	<input type="radio"/>	<u>—</u>
B. Lot sizes		<u>N/A</u>	<u>—</u>	<input checked="" type="radio"/>	<input type="radio"/>	<u>—</u>
Average lot size		<u>N/A</u>	<u>—</u>	<input checked="" type="radio"/>	<input type="radio"/>	<u>—</u>
C. Density (units/acre)		<u>5 & 12 1/4 MAX.</u>	<u>101 UNITS PER 2.1 ACRES = 4.8</u>	<input checked="" type="radio"/>	<input type="radio"/>	<u>3</u>
2. Lot coverage						
A. Dwellings		<u>47 %</u>	<u>%</u> sf.	<input type="radio"/>	<input type="radio"/>	<u>STAGE II</u> <u>* DRB</u>
B. All buildings		<u>— %</u>	<u>%</u> sf.	<input type="radio"/>	<input type="radio"/>	<u>DRB</u>
C. Parking/paved UNDEVELOPED OPEN SPACE		<u>— %</u>	<u>%</u> sf.	<input type="radio"/>	<input type="radio"/>	<u>DRB</u>
D. Landscaping		<u>—</u>	<u>+ 65% AC</u>	<input type="radio"/>	<input type="radio"/>	<u>—</u>
1. Total site area		<u>— %</u>	<u>%</u> sf.	<input type="radio"/>	<input type="radio"/>	<u>DRB</u>
2. Parking area		<u>— %</u>	<u>%</u> sf.	<input type="radio"/>	<input type="radio"/>	<u>DRB</u>
3. Outdoor living area		<u>100% PER SPACE %</u>	<u>%</u> sf.	<input type="radio"/>	<input type="radio"/>	<u>DRB</u>
4. Screening/buffering		<u>REQ'D</u>	<u>NOT SPECIFIED</u>	<input type="radio"/>	<input type="radio"/>	<u>DRB</u>
5. Irrigation system		<u>REQ'D</u>	<u>NOT SPECIFIED</u>	<input type="radio"/>	<input type="radio"/>	<u>DRB</u>
3. Building setbacks						
Front		<u>—</u> ft.	<u>—</u> ft.	<input type="radio"/>	<input type="radio"/>	<u>DRB</u>
R side		<u>—</u> ft.	<u>—</u> ft.	<input type="radio"/>	<input type="radio"/>	<u>DRB</u>
L side		<u>—</u> ft.	<u>—</u> ft.	<input type="radio"/>	<input type="radio"/>	<u>DRB</u>
Rear		<u>—</u> ft.	<u>—</u> ft.	<input type="radio"/>	<input type="radio"/>	<u>DRB</u>
4. Building height						
		<u>35 ft 2 str.</u>	<u>— ft 1 str.</u>	<input type="radio"/>	<input type="radio"/>	<u>DRB</u>
5. Off-street parking						
A. Standard (9'x18')		<u>2 PER M.H. SIDE</u>	<u>2 PER M.H. SIDE</u>	<input checked="" type="radio"/>	<input type="radio"/>	<u>—</u>
Compact (8 1/2'x17') (30% over 10 allowed)		<u>N/A</u>	<u>—</u>	<input type="radio"/>	<input type="radio"/>	<u>—</u>
Handicapped (12'x18') (1 to 50 required) publicly funded		<u>1/10</u>	<u>—</u>	<input type="radio"/>	<input type="radio"/>	<u>—</u>

	<u>Required</u>	<u>Proposed</u>	Yes	<u>Code Compliance</u> No, see additional Finding no.
6. Access/Egress				
A. No. curb cuts	<u>2</u>	<u>2</u>	<input type="radio"/>	<input type="radio"/> EXHIBIT 4
B. Width of curb cuts	_____	<u>NOT SPECIFIED</u>	<input type="radio"/>	<input type="radio"/> EXHIBIT 4
C. Distance fm. intersection	_____	_____	<input type="radio"/>	<input type="radio"/> EXHIBIT 4
D. Vision Clearance	<u>20'</u>	_____	<input type="radio"/>	<input type="radio"/> EXHIBIT 4
E. Clear travel lane width	<u>24'</u>	<u>25'</u>	<input type="radio"/>	<input type="radio"/> EXHIBIT 4
F. Pavement width	_____	<u>NOT SPECIFIED</u>	<input type="radio"/>	<input type="radio"/> EXHIBIT 4
G. Pedestrian pathways	_____	<u>NOT SPECIFIED</u>	<input type="radio"/>	<input type="radio"/> EXHIBIT 4
7. Open space/Slope protection				
A. Existing vegetation protected			<input checked="" type="radio"/>	<input type="radio"/> _____
B. Slopes over 20% restricted to 30% impervious coverage			<input checked="" type="radio"/>	<input type="radio"/> _____
C. River and stream corridors protected			<input checked="" type="radio"/>	<input type="radio"/> _____
D. Adequate erosion control provided			<input type="radio"/>	<input type="radio"/> _____

C. Other Planning Considerations

1. Consideration of sun exposure plan		<input checked="" type="radio"/>	<input type="radio"/>	_____
2. Bulk storage area provided		<input type="radio"/>	<input checked="" type="radio"/>	_____
3. Safety/crime prevention				
A. Location of addressing	<u>NOT SPECIFIED</u>	<input type="radio"/>	<input type="radio"/>	<u>DEP</u>
B. Natural surveillance	_____	<input checked="" type="radio"/>	<input type="radio"/>	_____
C. Type of exterior lighting	<u>NOT SPECIFIED</u>	<input type="radio"/>	<input type="radio"/>	<u>DEP</u>

D. Public Facilities

1. Streets	<u>Right-of-Way Width</u>			<u>Pavement Width</u>		
	Existing or New	CIP Std.	Proposed	Existing	CIP Std.	Proposed
A. <u>Public Streets</u>						
<u>Name</u>						
<u>WILSONVILLE RD.</u>			<u>REFER TO EXHIBIT 4</u>			
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

SUPPLEMENTAL FINDINGS

1. The request is a proposal for rezoning approximately 21 acres of land east of Wilsonville Road and south of Boeckman Road from RA-1 to PDR, and for Stage I approval for a 101-space mobile home park on the same property. The rezoning is subject to final approval by the City Council, and the mobile home park is subject to Stage II approval by the Planning Commission and design approval by the Design Review Board.

Section 4.187(b) and (c), Wilsonville Code, states:

- "(b) In recommending approval of a proposed zone change, the Planning Commission shall at a minimum, adopt findings relative to the following:
1. That the application was submitted in compliance with the procedures set forth in Section 4.008 or in the case of a planned development, Section 4.138.
 2. That the proposed use is consistent with the land use designation and all applicable policies of the Comprehensive Plan.
 3. That the existing primary public facilities are available to serve the site or that adequate conditions can be attached to insure provisions of facilities in conjunction with the site development.
 4. That the applicant is committed to a development schedule that demonstrates development of the property can be reasonably expected to commence within two (2) years of approval of the zone change.
 5. That the proposed use can be developed in accordance with the applicable zoning standards or that adequate conditions can be attached to insure said conformance.
- (c) If affirmative findings for all the criteria in Section 4.187(b) cannot be made, the Commission shall recommend denial."

Affirmative findings regarding Section 4.187 can be made as follows:

- A. An application was received by the Planning Department on November 15, 1985, in conformance with the Wilsonville Code and is on file under reference no. 85PC39.
- B. The proposed use is in conformance with the Comprehensive Plan as stated in Finding no. 2 below.
- C. Public facilities are immediately available or will be available to the site for development in conformance

with the requirements of the Wilsonville Code as indicated in Exhibit 4 (Memo from Larry Blanchard, Public Works Director).

- D. The applicant has indicated that they intend to initiate construction next year. However, if they do not begin construction within two years of final approval, the zone change will expire (refer to proposed Condition of Approval no. 2).
 - E. Final development approval must be granted by the Planning Commission and Design Review Board. They will determine compliance with the Wilsonville Code prior to granting approval.
2. The Comprehensive Plan designates the subject property as follows:
- A. The westerly 300 feet along Wilsonville Road is designated Residential 5-7 dwelling units per acre.
 - B. The remaining easterly portion is designated as Residential 7-12 units per acre except
 - C. The portion that is along the bank of Boeckman Creek is designated as primary and secondary open space.

Refer to Exhibit 5 for a map showing the Plan designations. The proposed PDR zone is consistent and compatible with the Comprehensive Plan designations.

3. The subject property is within "Area of Special Concern No. 2" as identified in the Comprehensive Plan which contains the following provisions:

"Area 2

This area is located east of Boeckman Creek and primarily west of Wilsonville Road. The area is currently undeveloped, but borders existing large lot developments to the north and south. The entire area is designated medium density residential. The primary concerns over this area are related to overall density and protection of existing suburban low density development.

Design Objectives

- 1. Maximize the benefits of the natural vegetation and drainage-ways by concentrating higher densities along these areas.
- 2. Provide low density and/or open space buffers adjacent to existing large lot developments.
- 3. Maintain a low density appearance along Wilsonville Road through the use of open space buffers and large lot or cluster development.

The proposed development is consistent with these provisions in the Comprehensive Plan in that it leaves the open space on the east side undeveloped. The proposed density is well within the limits of the Plan and the proposed development contains a buffer along Wilsonville Road.

4. Plans have been submitted to the Tualatin Rural Fire Protection District for review and comments. At the time of this writing, comments from the District have not been received.
5. The Plans as submitted show 35-foot roadway widths and the applicant has indicated that the streets will be private.

CONDITIONS OF APPROVAL

The following Conditions of Approval are hereby adopted to assure completion of the project in compliance with the Comprehensive Plan, Zoning and Site Development Regulations.

1. The Stage I Master Plan approval is subject to final approval of the Zone Change by the City Council and the agreement between the applicant and the participants of LIDs 6 and 3 on an acceptable payback provision, or absent an agreement, a decision by the City Council on the payback provision if one is to be required, and if so, what the formula will be.
2. Zone Change approval will expire two years after final City Council approval if substantial development has not occurred.
3. The applicant shall submit an application for Stage II approval within one year in conformance with Section 4.139(3) WC.
4. The mobile home park shall be in conformance with all State Standards.
5. Conformance with Section 4.136(1)(b) WC (Manufactured homes, mobile homes) shall be demonstrated in full prior to Stage II approval.
6. The applicant shall conform with all requirements of Tualatin Rural Fire Protection District.
7. That applicant comply with the requirements as set forth by the Public Works Director.
8. That applicant provide a sewer easement across Tax Lot 1801.
9. That applicant waive the right of remonstrance for public improvements to Boeckman Road.

EXHIBITS

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

1. City of Wilsonville Comprehensive Plan.
2. Chapter 4 of the Wilsonville Code.
3. Applicant's submittal documents.
4. Others: Memo from Larry Blanchard,
Public Works Director.
5. Comprehensive Plan Map.

CITY OF



Wilsonville

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

PLANNING COMMISSION MINUTES

January 13, 1986
Wilsonville City Hall

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

Chairman Williams called the meeting to order at 7:06 p.m.

PUBLIC HEARINGS

A. Review Public Hearing Procedures

Sharon Kelly-Meyer noted there were public hearing procedures on the back of the Agendas for people unfamiliar with public hearings.

B. Wagner Farm Mobile Home Park - Zone Change and Master Plan Review

Sharon Kelly-Meyer noted the proposed project includes 21 acres which are designated Residential, 5 to 7 and 7 to 12, with some Primary and Secondary Open Space on the east side of the property, on the Comp Plan. The request is for a Zone Change from RA-1 to PDR and approval of a Stage I Master Plan for a 101-unit mobile home park. The park proposes two points of access onto Wilsonville Road. The streets will be private. She also pointed out that this project falls within Area of Special Concern 2 in the Comp Plan.

Marilyn Bishop, representing Robert Randall Co., noted 4.65 acres on the eastern side of the property will be left in its natural state. The density will be 6.2 dwelling units per acre. They propose to provide a 20-foot buffer strip between the mobile home park and Wilsonville Road. A berm will be constructed in the strip. They anticipate that

water and sewer serving the park will be public and they will dedicate easements for that purpose.

Chairman Williams opened the public hearing, asking for proponents.

Stu Lindquist noted for the record he was in favor of this type of development. He stated he and Pete Olsen paid for the sewer line in this area and felt there should be a payback to the people who paid for the sewer. He also questioned LID No. 6 - and felt this project could still help in the payment of the bridge.

Tom Burton, Civil Engineer, noted he met with Larry Blanchard, who determined the sewer was sized adequately for this project.

Pete Olsen, felt Robert Randall Co. should pay into LID No. 3 or put in their own sewer line.

Chairman Williams asked for opponents.

Michael Timm expressed concern over additional traffic on Boeckman Road. He handed out a chart showing that 25% of Wilsonville's homes are mobile homes.

Don Carlton questioned Sharon Kelly-Meyer if the property would be leased. Kelly-Meyer replied she understood the spaces would be leased on a month-to-month basis. He noted he felt a mobile home on a concrete slab was not a permanent home. He felt this project would leave a negative impact on the City in the future.

Bob Spring felt that the project "being buffered with a berm so that you can hardly see it from the road" did not add up.

Les Balsiger, representing Barron Construction, noted he agreed with Stu Lindquist. He felt the City should require Robert Randall Co. to pay a substantial payback when they tap into the line.

Stan Dornblaser asked that all the opponents in the room stand. He suggested the Planning Commission deny the application.

Chairman Williams asked if the applicant wished to make a short rebuttal.

Marilyn Bishop, Robert Randall Co., stated the density for the property had not been changed - 4.8 units per acre. She noted people want to own their homes today and a mobile home is an affordable home. She noted the park would be professionally managed so there would be no problem with maintenance from the individual renters.

Chairman Williams closed the public hearing.

Sharon Kelly-Meyer noted that City Council is the only body with the authority to assess fees. This issue could be raised at City Council level when the zone change is reviewed. The Planning Commission can recommend some payback requirements which the City Council can require.

Helen Burns expressed concern regarding the mobile home housing being next to the High School.

Arland Andersen noted the City does need affordable housing.

Marian Wiedemann stated the area proposed was about as unobtrusive as possible.

Bob Dant noted it was allowed in this zone.

Mike Williams moved to approve the Staff Report with the following changes and additions:

Michael Timm's Memorandum dated December 9, 1985, be added as Exhibit 6.

That Condition of Approval 1 be changed to read as follows:

1. The Stage I Master Plan approval is subject to final approval of the Zone Change by the City Council and the agreement between the applicant and the participants of LIDs 3 and 6 on an acceptable payback provision or a decision by the City Council on the payback provisions if one is to be required, and if so, what the formula will be.

and that Conditions of Approval 7, 8 and 9 be added:

7. That applicant comply with the requirements as set forth by the Public Works Director.
8. That applicant provide a sewer easement across Tax Lot 1801.
9. That applicant waive the right of remonstrance for public improvements to Boeckman Road.

Bob Dant seconded the motion which passed 4-1 with Helen Burns voting against.

- C. Dant Investment Co. - Phase II, Stage II Review of commercial development located east of Town Center Loop West.

Bob Dant declared a conflict of interest.

Sharon Kelly-Meyer presented the Staff Report, noting this is the second and third phases of a development proposal. The first phase contained the Plaid Pantry building.

Sharon Kelly-Meyer noted a change in the Staff Report - the second phase contains 7,200 square feet and it should read 10,200 square feet. She noted also, after discussions of this date with Larry Blanchard, Condition of Approval 5 will allow a temporary access.

Jan 29, 1986

Wilsonville City Counsel
Wilsonville, OR.

RECEIVED

FEB 4 1986

Dear Mayor Meyer and City Council Members;

CITY OF WILSONVILLE

Allow me to introduce myself, I am Marvin Wagner. My wife Bonnie and I own and live on the 24 A. parcel of land adjoining the 21 A. parcel being proposed by The Randall Co. for development as a 101 space mobile home park.

I am writing in regard to the Feb 3rd City Council meeting at which time I understand an appeal of the City Planning Commissions decision to approve the Randall project will be on the agenda. Since we will be out of town on that date I want to relate a couple concerns I have with regard to the City's action on this proposal.

I did attend the Planning Commission meeting at which time the Randall proposal was made. At that time I became aware that the future plans for sewer service to our property, Randall's property and the School property was intended to be located in the ravine to the east of these properties. My concern, which I discussed with Larry Blanchard prior to the planning meeting is this; if the Randall project does get approval including sewer line access to the Boechman Creek sewer line, will this have adverse effects on future sewer service to my property? Per the comprehensive plan our property is designated residential 3-5 units per acre. If there is any remote possibility that the Randall project will isolate our property with regard to sewer line access in the future, then we are most adamantly opposed to the cities approval of that project.

Secondly, we do not necessarily disapprove of the Randall project, except as described above, as long as the project is constructed and maintained in a class A manner as was proposed to the Planning Commission. I served on the Wilsonville Planning Commission in the mid 70's so I have had first hand experience in the area of what parties proposing development say they will do to get approval and then what they actually do once they start construction. I do not believe a first class mobile home park professionally designed and managed need be a detriment to the character of the city. Anything less than first class I would definitely disapprove of.

Mr Mayor and members of the Council, your jobs are at times thankless to say the least, at the same time your responsibilities of managing the many aspects of city government must be carried out.

We have lived on and farmed our property for the past 15 years. We trust that the Council will take into serious consideration our concerns about this matter. Thanks much for your attention.

Yours truly,

Marvin Wagner

MARVIN WAGNER

SAN. SEWER

SUBJECT SITE

SAN. SEWER

CITY LIMITS

604-13
IE N 137.88
IE E 137.80
IE S 137.48

603-13
IE N 136.44
IE S 136.24

602-13
IE N 135.86
IE S 135.36

601-13
IE N 134.26
IE S 134.06

600-13
IE N 116.10
IE S 116.00

60-13
IE N 112.10
IE E 112.10
IE S 111.00

66-13
IE N 111.30
IE S 111.10

67-13
IE N 109.66
IE S 109.66

66-13
IE N 103.84
IE S 103.84

65-13
IE N 102.86
IE S 102.86

64-13
IE N 100.86
IE S 100.86

63-13
IE N 180.28
IE S 108.08

62-13
IE N 88.28
IE S 88.18

61-13
IE N 88.80
IE S 87.84

60-13
IE N 88.84
IE S 88.84

6-13
IE N 88.84
IE S 88.84

EXHIBIT ?
2086-1

EXCERPT FROM PLANNING COMMISSION MINUTES OF FEBRUARY 10, 1986:

Hoosh-Linn Investment Co. - Continued Public Hearing

Chairman Williams stated the public hearing had been closed, but continued for Staff to prepare Findings to reflect the Commission's conclusions at the January meeting. Ben Altman noted when a public hearing is continued, the hearing is opened to consider the Findings because they haven't been open to discussion until this time. Any discussion should be limited to the Findings.

Chairman Williams opened the public hearing for testimony on the proposed Findings approving the proposed project. There being no testimony, the public hearing was closed.

Chairman Williams asked Mr. Resvani if the Conditions of Approval in the Staff Report were acceptable. Mr. Resvani questioned the widening of Trask Street condition.

Ben Altman explained that the applicant would be required to widen the pavement to allow a left-turn lane coming from the north and a right-turn lane into the site at Trask Street only. This will be worked out with the Public Works Department in the final construction plans. Mr. Resvani further questioned the Public Works Standard of a 40-foot wide street. Altman explained that the standard collector street would be 60-foot right-of-way, 40-foot section. Trask Street, as a commercial collector, falls into this category. Ben Altman and Larry Blanchard met with Mr. Resvani regarding this, and informed Mr. Resvani that the street improvements could be phased. The first phase will be 24 feet to their driveways.

Beth Marks questioned the Willamette River Greenway. Ben Altman explained that since the State has sold this property, they have agreed to amend the Willamette River Greenway boundary to eliminate this designation. Altman noted this could be flagged and addressed under Periodic Review as far as legislative action.

Mike Williams moved to accept the Staff Report and the Resolution adopting the Findings regarding the Comprehensive Plan Amendments for the Hoosh-Linn Investment Co. with the added Condition of Approval:

That prior to development, Trask Street be improved to the 40-foot pavement section with a 60-foot right-of-way and that prior to full development, the street may be improved during phase one to a 24-foot pavement section and a 30-foot right-of-way.

and the following Finding be added:

That the Planning Commission finds that the reason the property was in the Willamette River Greenway was because of the location and the ownership by the State, and that the developer will work with the City in processing the necessary applications with the Division of State Lands to have the property excluded in the Willamette River Greenway.

Stan Maves seconded the motion which passed 5-0.