

**RESOLUTION NO. 1237**

**A RESOLUTION AMENDING THE OFFICIAL ZONING MAP TO APPLY PLANNED DEVELOPMENT INDUSTRIAL ZONING AND ADOPTING CONDITIONS APPROVING STAGE I AND STAGE II SITE DEVELOPMENT PLANS FOR A GARDEN CENTER TO SELL AND DISPLAY NURSERY STOCK AND OPERATE A RETAIL FLORAL SHOP. THE SITE IS IDENTIFIED AS BEING TAX LOT 700, TM3-1W, 11D, WILSONVILLE, CLACKAMAS COUNTY, OREGON. EBY INVESTMENTS, LTD., APPLICANT.**

**WHEREAS**, Robert Jones, Owner, has submitted a full and complete application requesting a Zoning Map amendment for Tax Lot 700, TM3-1W-11D, 3.24 acres, on the west side of Parkway Avenue just north of Boeckman Road; and

**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(5) and 4.139(1)&(2) &(3) of the Wilsonville code; and

**WHEREAS**, the property was sold by Robert Jones to Eby Investments, Ltd.; and

**WHEREAS**, the Planning Staff has prepared a report on the above-captioned subject which is attached hereto; and

**WHEREAS**, the Wilsonville Planning Commission held hearings on November 13, 1995, and recommended approval with conditions; and

**WHEREAS**, the Wilsonville City Council at a Public Hearing held on December 18, 1995, considered the Planning Commission's record, the Planning Department, Engineering Department and Building Department reports and recommendations and considered public testimony; and

**WHEREAS**, the City Council, after providing public notice of the hearing in accordance with State law and Chapter 4 of the Wilsonville Code, having duly considered all evidence and testimony;

**THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:**

**ZONING:**

1. Zoning Map Amendment requested is hereby approved as described below. The City council adopts the findings contained in (Exhibit A), and the following Conditions of Approval included in such report and adopts the proposed Zoning Map amendment as follows: Revise the Zoning Map to show TL700 as Planned Development Industrial Zone (PDI) District.

2. Stage I and II Site Development Plans are approved and the City Council adopts the Planning Commission's report attached hereto as Exhibit "A", with the findings, recommendation and conditions of approval contained therein.

3. Sections 1 and 2 are to be implemented as follows:

A. The Planning Director is hereby authorized to issue a Site Development Permit consistent with approval of Stage I and II plans after separate Site and Design Review approval by the Design Review Board,

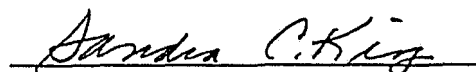
B. The Planning Director is authorized to amend the official Zoning Map in keeping with the decision herein;

C. The property owner(s) of the parcel (and any future owners) shall accept the City Council's Conditions of Approval and such acceptance shall be placed and kept with the City Recorder. Any proposed amendments or modifications of any Condition shall be brought back to the Council for their approval and shall be subject to the public hearing notice and process as set forth in the Wilsonville Code.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 18th day of December, 1995, and filed with the Wilsonville City Recorder this date.

  
GERALD A. KRUMMEL, Mayor

ATTEST:

  
Sandy King, City Recorder

SUMMARY of votes:

Mayor Krummel	<u>Yes</u>
Councilor Lehan	<u>Yes</u>
Councilor Hawkins	<u>Yes</u>
Councilor Leo	<u>Yes</u>
Councilor Leahy	<u>Absent</u>

**BEFORE THE CITY COUNCIL OF THE  
CITY OF WILSONVILLE, OREGON**

**In the Matter of the Application of            )**  
**EBY INVESTMENTS, LTD., for a            )**  
**rezoning of land and amendment of        )        **ZONING ORDER 95PC29****  
**the Wilsonville Zoning Map as set        )        **(Wilsonville Garden Center)****  
**forth in Section 4.102 of the Code        )**  
**and Sections 4.187 to 4.189                )**

The above entitled matter came before the Wilsonville City Council on December 18, 1995, for consideration of the application and request for a zone change and order amending the official Zoning Map from **RESIDENTIAL AGRICULTURE-One Acre Minimum (RA-1)** to **PLANNED DEVELOPMENT INDUSTRIAL (PDI)** for 3.24 acres of land identified as Tax Lot 700; Section 11D; T3S-R1W; Clackamas County, Oregon. The property is generally located on the west side of Parkway Avenue, north of Boeckman Road, and east of the Mentor Graphics Campus. This application also includes a request for the City Council to approve a Stage I Master Plan and a Stage II Final Plan for a Garden Center to sell nursery stock, display nursery stock and operate a retail floral shop.

The Wilsonville Planning Commission held public hearings on this application on November 13, 1995, and, after closing the hearing, adopted Resolution No. 95PC29, which recommends that the Council **APPROVE** the Zone Map Amendment, Stage I Master Plan and Stage II final plans subject to Conditions of Approval for the development along with findings as proposed by Planning Staff and modified by the Commission.

It appears to the City Council that the Planning Commission's record of proceedings, along with the Commission's recommendations which have been forwarded to the Council, is complete and factual and having taken public testimony and received exhibits, the City Council hereby adopts the following Findings, the amended Conditions of Approval and, in doing so, finds that this application should be **APPROVED**.

PLANNING DEPARTMENT  
STAFF REPORT

DATE: November 13, 1995

TO: Planning Commission PREPARED BY: Blaise Edmonds

REQUEST: 95PC29 Wilsonville Garden Center. The applicant seeks APPROVAL OF a zone map amendment to convert Residential Agriculture - 1 acre minimum (RA-1) to Planned Development Industrial (PDI), approve a Stage I preliminary plan. Stage II, final site development plans for a retail garden center. Being that the proposed zoning is Planned Development Industrial (PDI), the applicant seeks to utilize provisions of the code allowing outdoor storage of inventory as industrial storage. In this case, outdoor inventory comprising of plant materials and garden supplies. Retail commercial would then be conducted in the new building.

(Revised: November 13, 1995)

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SUMMARY

On October 23, 1995, the site design review of this project was scheduled for the Design Review Board prior to the review of the Stage I preliminary plan. Stage II site development plan and Zone Map Amendment review of the Planning Commission. The DRB felt that with those major land use issues before the PC, that the PC must first hold a hearing before the site design application is considered.

The applicant seeks to utilize provisions of the Planned Development Industrial (PDI) code allowing outside storage of plant materials and garden supplies. Thus, the applicant's burden is to prove to the Planning Commission that the proposed garden center use is compatible with and supportive of industrial uses.

This project is an anomaly as most of the site landscaping is the plant material inventory. Nevertheless, the applicant has provided a landscape plan showing permanent installation of landscaping next to the retail building and within the parking lot. The plant legend provides quantitative information for plant species, quantity and size.

The applicant has provided a tree survey identifying trees to be preserved and trees to be removed. In spite of staff's request to save trees until the DRB public hearing, several significant pines were recently removed along the northerly property line for anticipated storm drainage and site improvements. At least twelve (12) trees shown on the site plan could have been preserved and integrated into the parking lot design.

This application was submitted after the adoption of Ordinance 431 of which amended the Traffic Level of Service Criteria applied to the review of planned developments set forth in Chapter 4, Section 4.139(4)(b) of the Wilsonville Code.

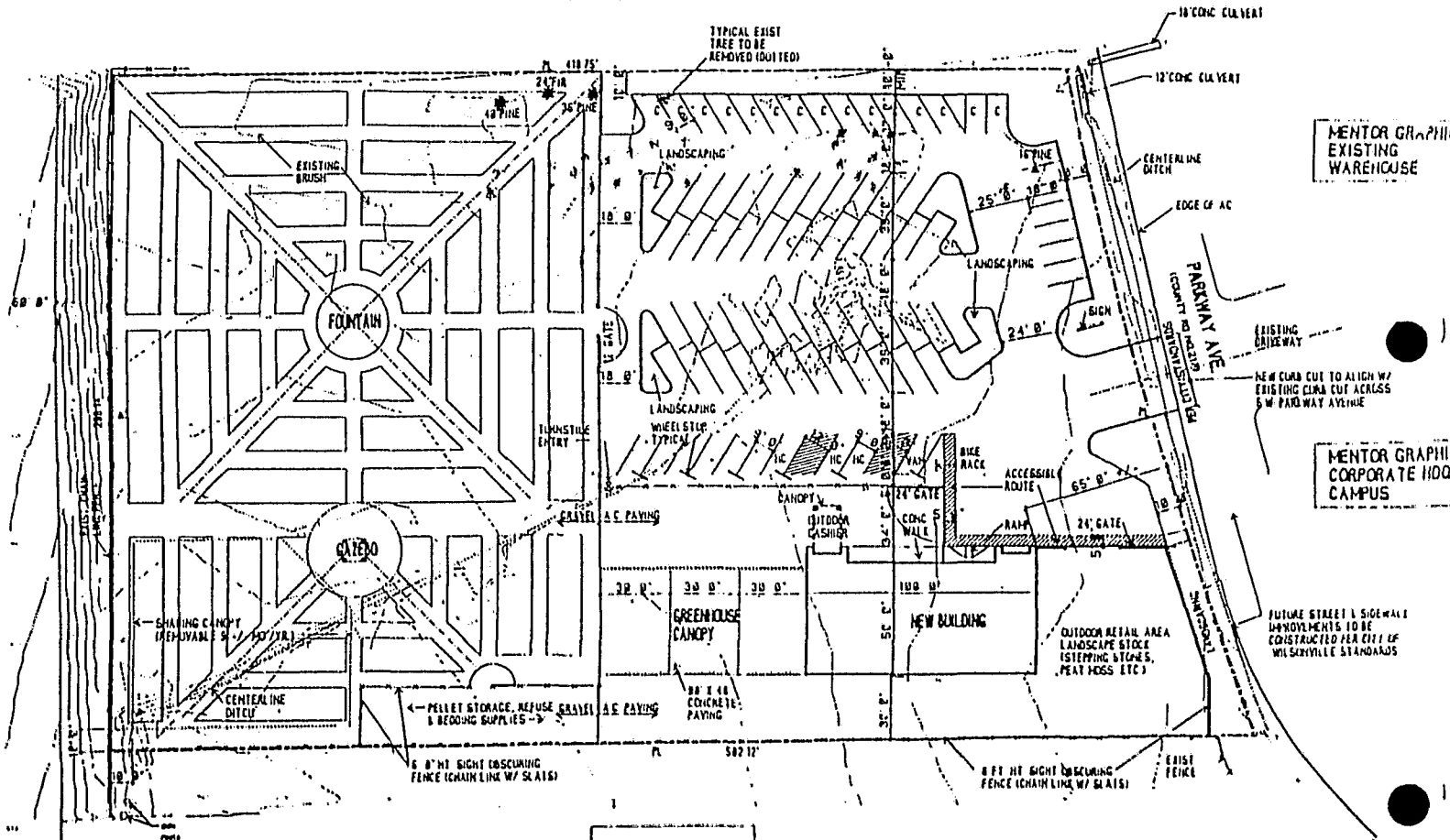
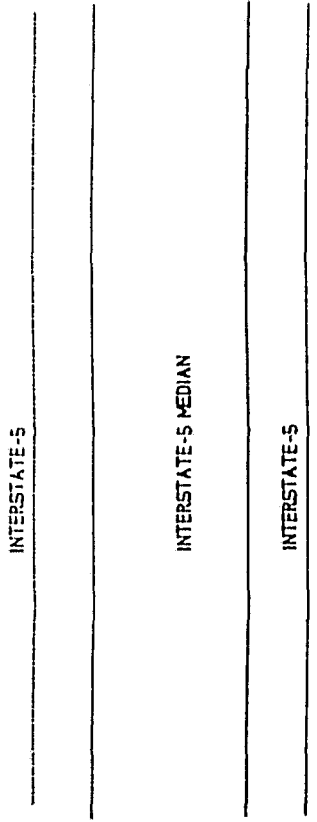
EXHIBIT A

The City requires a traffic study for new development to appraise trip generation, capacity and level of service. The City's traffic consultant, DKS Associates, has prepared a detailed traffic report investigating traffic conditions during PM hours from the entire project site up through the most probable intersections. In this case, Parkway Avenue with Boeckman Road.

### RECOMMENDATION

On the basis of the applicant's findings and of findings and conclusions in this report, the Planning Commission recommends approval of this project to the City Council for the Zone Map amendment, Stage I preliminary plan, and Stage II final site development plans.

**MENTOR GRAPHICS  
VACANT PROPERTY  
ZONE - PDI**



**VACANT PROPERTY  
ZONE - PDI**

**NOTE:**  
LIGHTING PLAN BY OTHERS. ALL EXTERIOR LIGHT FIXTURES TO HAVE CUT OFF GLASS SHIELDING



**SITE INFORMATION**

	LOT COVERAGE IN SQ FT	LOT COVERAGE %
NEW BUILDING & GREENHOUSE CANOPY	8,370 SF	8.6%
PAVED AREAS	57,822 SF	58.0%
LANDSCAPED AREAS	73,832 SF	74.6%
<b>TOTAL SITE</b>	<b>324,024 SF</b>	<b>328.2%</b>



EXHIBIT  
C-4

95PC29

WILSONVILLE GARDEN CENTER

Applicant: Mr. JB Bishop  
Property Owner: Mr. Robert Jones  
Landscape Designer: Not identified  
Project Architect: Architects Associative

Development Review Criteria:

Zoning

Section 4.012: Hearings procedures.  
Section 4.120: Residential Agriculture 1 - acre (RA-1) zone  
Section 4.125: Planned Development Industrial zone (PDI)  
Section 4.138 to 4.168: Planned Development Standards  
Section 4.139 (2): Stage I, Preliminary Plan  
Section 4.139 (3): Stage II, Final Plan  
Section 4.150: Off-street parking  
Subsection 4.139(4)(a): Compliance with Comprehensive Plan  
Subsection 4.139(4)(b): Traffic  
Subsection 4.139(4)(c): Public facilities  
Section 4.163: Buffering and screening  
Subsections 4.187(c)( 1 to 7): Zone amendments  
Subsection 4.168: Sidewalks and bikeways  
Subsection 4.161(1)(b): Preservation of trees

Goals:

1.1: Citizen Involvement  
3.1: Adequate Public Services

Objectives:

1.2 to 1.9: Citizen Involvement  
2.1.6: Available Public Services

Policies:

3.3.2(a): Public Streets  
4.5.4: Site Planning

TRANSPORTATION MASTER PLAN July 12, 1991  
Traffic Management Ordinance No. 431  
BICYCLE AND PEDESTRIAN MASTER PLAN Dec. 20, 1993  
STATEWIDE TRANSPORTATION PLANNING RULE

Complete application: September 18, 1995  
120 day expiration date: January 6, 1996



## PROPOSED FINDINGS

1. On October 23, 1995, the proposed site design application was scheduled for the Design Review Board prior to the review of the Stage I preliminary plan, Stage II site development plan and Zone Map Amendment review of the Planning Commission and City Council. The DRB continued the matter to the November 27, 1995, meeting.

### Site Identification:

2. The subject property comprises Tax Lot 700, Section 11D, T3S, R1W. The subject property is situated between Parkway Avenue and Interstate-5. Mentor Graphics campus is immediately to the west. Mentor Graphic also owns the vacant industrial parcel to the north. The Portland Tractor facility is to the south. This relatively level site was formally a storage yard for dismantled, heavy equipment associated with Portland Tractor.

### Project Data:

3. Site Area: 3.24 acres

#### Building Area:

New Building & Greenhouse Canopy 9,320 SF

#### Accessory Features:

Gazebo  
Water fountain

Landscaping: 73,892 SF @ 52.4%

Parking and drives: 57,922 SF @ 41%

Commercial Site Area (20% max.) 8,400 SF @ 6%

### Comprehensive Plan and Zone Designations:

4. The subject property is designated Industrial on the Comprehensive Plan Map. The entire parcel is currently zoned Residential Agriculture 1-acre zone (RA-1). The applicant is applying to the Planning Commission for a zone map amendment to change the RA-1 zone to Planned Development Industrial (PDI), together with a review for Stage I preliminary plan and Stage II final plans approval.

### Description of Proposal

5. The applicant seeks approval for a Zone map amendment to convert Residential Agriculture - 1 acre minimum (RA-1) to Planned Development Industrial (PDI), Stage I master plan and Stage II site development plans for a retail garden center. The applicant seeks to utilize provisions of the

Planned Development Industrial (PDI) code allowing outside storage, such as plant materials and garden supplies, as being industrial storage. Retail commercial would then be conducted in the new building. Agriculture, horticulture, greenhouses and nurseries are outright permitted uses under the current RA-1 zone. The commercial portion is questionable as currently zoned. Hence staff requested the applicant to apply for the rezone to PDI as the commercial use of the property within the RA-1 zone is ambiguous.

#### Planned Development:

6. Subsection 4.133(3)(j) WC states:

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

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

Regarding the above, the applicant's burden is to prove to the Planning Commission that the proposed garden center use is compatible with and supportive of industrial uses. As previously stated, the applicant seeks approval to construct a retail garden center. Hence, the commercial use of the property is subject to the 20% limitation listed in criterion 1. This code provision was recently applied to the REBCO warehouse and auto dealership facility on the west side of I-5. The inventory of 900 vehicles was determined by the Planning Commission as being industrial storage. In this case file, outdoor storage comprises plant materials and garden supplies. Storing this material is a permitted industrial use provided that the inventory is screened from off-site public view.

#### ZONE MAP AMENDMENT

7. Site development proposals are reviewed for conformity with the Comprehensive Plan and specific standards set forth in the zoning ordinance. As set forth in Section 4.187 of the Wilsonville Code, in recommending approval or denial of a proposed zone map amendment, the Planning Commission shall at a minimum, adopt the finding addressing Criteria 1 - 7. Findings addressing Stage II criteria are relevant to the Zone Map Amendment.
8. All land development proposals are reviewed for conformity with the Comprehensive Plan and specific standards set forth in zoning ordinance. As set forth in Section 4.187 of the Wilsonville Code, in recommending approval or denial of a proposed zone map amendment, the Planning Commission shall at a minimum, adopt findings addressing Criteria 1 - 7.

Criterion 1:

*"The application is submitted in accordance with the procedures set forth in Section 4.008 or, in the case of a Planned Development, Section 4.138."*

9. Response Finding:

The submittal documents are consistent with the Stage I preliminary planning, Stage II site development, and zone map amendment criteria. Staff has reviewed the application against the requirements of such applications.

Criterion 2:

*"The proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with the applicable goals, policies and objectives of the Comprehensive Plan."*

Response Finding:

10. The proposed zone map amendment is consistent with the Comprehensive Plan map designation 'Industrial' and substantially complies with the applicable goals, policies and objectives of the Comprehensive Plan. The Industrial goal is to encourage light industry compatible with the residential and urban nature of the City. Policy 4.3.1 states that *"non industrial uses may be allowed provided the predominant use remains industrial."*

Criterion 3:

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

Response Finding:

11. Regarding the above, the subject property is not designated "Residential" on the City's Comprehensive Plan Map.

Criterion 4:

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

Response Finding:

12. Regarding the above, refer to the Stage II findings 24 to 29 relative to public facilities.

Criterion 5:

*That the proposed development does not have a significant adverse effect upon Primary Open Space or natural hazard, and/or geologic hazard. When Primary Open Space or natural hazard, and/or geologic hazard are located on or abut the proposed development, the Planning Commission shall use appropriate measure to mitigate and significantly reduce conflicts between the development and identified hazard or Primary Open Space.*

Response Finding:

13. The subject site does not comprise areas in Primary and Secondary Open Space.

Criterion 6:

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

Response Finding:

14. The developer intends to develop the garden center within 2 years of the initial approval of this application.

Criterion 7:

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

Response Findings:

15. The proposed development concept is in compliance with the applicable development standards.
16. An approval of the Zone Map Amendment is in the best public interest as it will provide a needed retail garden center in the community.

**STAGE II,  
SITE DEVELOPMENT REVIEW**

**Stage II, Site Development Standards:**

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

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

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

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

**Response findings to criterion "a":**

18. The applicant is seeking the Zone Map amendment to bring the Stage II site development plans consistent with Criterion 'a'.

**Building Height:**

19. The PDI zone does not set a maximum height limit for buildings and structures. Nevertheless, the proposed retail building is approximately 2 stories.

**Lot Coverage:**

20. The PDI zone does set forth maximum lot coverage standard save and except as shall be consistent with landscaping, parking, and other provisions.

**Building Setbacks:**

21. Within the PDI zone, a 30 foot minimum side, front or rear yard setback is established. Proposed buildings except for shaded canopies will observe the minimum 30 foot front, rear and side yard setbacks. The applicant is seeking a 20' waiver from the Planning Commission to encroach the rear and side yard setbacks for the canopies. The Azalea's and other plant materials requiring partial shading during hotter summer months. Moving the canopies towards the center of the plant storage area would obstruct the open nature of the nursery operation and cast unwanted shadows on plant materials needing direct sun exposure.

**Required Parking:**

22. Section 4.150WC sets forth minimum parking standards for off-street parking. Key subsections of the parking code that most commonly occur in site development review are as follows:

*Subsection 4.150 (1)(k): All areas used for parking and maneuvering of cars shall be surfaced with screened gravel, asphalt, or concrete, and shall provide for suitable drainage.*

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

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

Definitions 52 and 53 of the Wilsonville Code specifies the dimensions of standard at 9 feet wide by 18 feet long, compact parking space at 8 1/2 feet wide by 17 feet long.

Subsection 4.150 (1)(n): *When the parking standards require ten (10) or more parking spaces, up to 30% of these may be compact car spaces as identified in Section 4.005 and shall be appropriately identified.*

**Minimum Parking:**

23. Section 4.150 of the Wilsonville Code, sets forth minimum parking. (Requires Approval by the Planning Commission.) This is a difficult project to determine minimum parking as most of the inventory is outside and not within building and there are no parking standards for outdoor storage. Section 4.150 states that the commission may determine parking requirements in this case.

For example: Storage space within a warehouse requires 1 space/2,000 sq.ft. 73,892 sq.ft. outdoor storage/2,000 sq.ft. = 37 additional spaces. 53 spaces appears to be adequate.

<u>Parking</u>	<u>Minimum</u>
A. Retail Building	1 space/200 SF@ 5,000 SF = 25 spaces
B. Greenhouse	1 space/2,000 SF@ 4,320 SF = 2 spaces
	<u>27 spaces</u>

**Proposed Parking:**

- 62 Standard spaces
- 15 compact spaces
- 3 handicapped spaces
- 80 Spaces (this exceeds code by 53 spaces)

Response findings to Criterion "b"

**Transportation:**

24. Section 4.167WC Street improvement standards requires:

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

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

Parkway Avenue fronting the subject property, is a Minor Arterial with "E" section design. "E" section is 3 to 5 lanes. 50-66' pavement width within a 64-90' right-of-way. This segment of Parkway fronting the property is not improved to the aforementioned standard. The project shows one full access driveway at Parkway Avenue aligned opposite the "Inhama" building driveway of the Mentor Graphics campus.

**Traffic:**

25. The City requires traffic reports for new development to appraise trip generation, capacity and level of service. The City's traffic consultant, DKS Associates, has prepared a detailed traffic report. The project has an acceptable traffic level and can be accommodated safely and without congestion for compliance with Subsection 4.139(4)(b) WC., up through the most probable intersections including the Wilsonville Interchange.
26. At the end of calendar year 1994, the Transportation Management Ordinance capacity tracking system chart showed 61 excess trips available to be carried over to 1995 for a total 348 vehicle trips. On the basis of the above the following table illustrates available vehicle trip capacity:

**TMO Capacity Tracking System**

287 trips available per year for a total 1435 trips for a 5-year period. 1148 trips remain in the TMO for the years 1995 to 1998. The following table tracks remaining vehicle trip capacity.

**Calendar Year 1994: 287 vehicle trips**  
**Total trips used end of 1994: 226 vehicle trips**  
**Excess: 61 vehicle trips**  
**Jan. 1, 1995: 287+61=348 vehicle trips**

**Calendar Year 1995:**

1.	Hummelt's SF Phase II	39	309
2.	Klien building	9	300
3.	Landover Subdivision	48	252
4.	Canyon Creek Meadows	25	227
5.	Wilsonville Corporate Center Phase II	26	201
6.	U.S. Crane	3	198
7.	New Wilsonville Chevron station	24	174
8.	Teufel Village	143	31

9. Fox Center 33 -2

\*Note ! Act III has indicated to bank trips for two years of which 4 vehicle trips would be reduced by removing theater seats to comply with the TMO. There is not be enough vehicle trips banked to meet Act III development for 1995 and 1996.

Total trips used end of 1995: -2  
 Jan. 1, 1996: 287-2 = 285 vehicle trips

Calendar Year 1996 @ 285 trips:

1.	Hummelt's SF Phase III	41	244
2.	Teufel Village	143	101
3.	Act III 172/2=86 trips	86	15
4.	Wilsonville Rental	10	5
5.	Wilsonville Garden Center	5	0

The DKS report states at page. 28 of 46, "Approximately 6 total trips to and from the project would use the I-5 Wilsonville Road Interchange during the weekday P.M. peak hour". There are 5 trips left for 1996. Given the number of 6 trips is an approximation, it shall be treated as 5 trips for 1996 purposes for approval. However, it is not the intent of the Planning Commission to discount the number of 6 trips for any other purpose or calculation.

Response findings to Criterion "c"

27. Water:

Public water service is available in a 14" line for domestic and fire flows in Parkway Avenue.

Sanitary sewer:

A 10" Sanitary sewer line is immediately available in Parkway Avenue.

Storm water:

The Public Works Code requires that the storm drainage system be constructed to meet a 25 year storm frequency. The subject property intercepts a substantial storm water run-off from adjoining properties. Storm sewer service is not immediately available to the property. The applicant is coordinating storm drainage design with the City Engineer.

Sidewalks / Bikeways:



28. Section 4.167 of the Zoning Code requires:

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

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

The State Transportation Planning Rule further recommends that local jurisdictions update or adopt bikeway and pedestrian plans. The TPR recommends that new development include bikeways and pedestrian ways free from hazards, particularly types or levels of automobile traffic that would interfere with or discourage pedestrian or bicycle travel for short trips.

Regarding the above, a 5' wide concrete sidewalk is required to follow along Parkway Avenue. The site plan does not show sidewalk improvements. The Bicycle and Pedestrian Master Plan shows an on-street, 5 to 6' wide bike lanes on both sides of Parkway Avenue.

29. One bicycle rack is proposed near the main building entrance.

#### **Landscaping:**

30. Subsection 4.166(1) of the Wilsonville Code stipulates:

*"All areas not covered by buildings or pavement, but not less than 15% of the total lot area, exclusive of parking lot areas, shall be landscaped with vegetative plant materials. Landscaping shall be located in at least three separate and distinct areas of the lot, one of which must be located in the front yard area. Such areas shall be encouraged adjacent to structures. Landscape planters shall be used to define, soften or screen the appearance of buildings and off-street parking areas. Materials to be installed shall achieve a balance between various plant forms and heights."*

This project is an anomaly as most of the site landscaping is the plant inventory for retail sale. Nevertheless, the applicant has provided a landscape plan showing permanent installation of landscaping next to the retail building and within the parking lot. Proposed landscaping including storage covers 52.4 % of the site. This coverage exceeds minimum code.

#### **Parking Area Landscaping:**

31. Subsection 4.150(2)(a)(3)(a and b)WC requires:

- a. Landscaping of at least 10% of the parking area designed to be screened from view from the public right-of-way and adjacent properties.*

- b. *Tree and/or shade planting areas of a minimum eight feet in width and length and spaced every 7 to 10 parking spaces."*

Shade tree parking islands satisfy minimum code.

**Preservation of Trees:**

32. Subsection 4.161(1)(b) encourages site planning and development practices which protect and enhance natural features such as streams, swales, ridges, rock outcroppings, views, large trees and wooded areas.

Regarding the above, along the north property line are several pines and Douglas firs. The trees range in size from small to 40" diameter. In spite of staff's request to save trees until the DRB public hearing, several significant pines were recently harvested along the northerly property line to make room for anticipated storm drainage and site improvements. At least twelve (12) trees shown on the site plan could have been preserved and integrated into the parking lot design.

**Buffering and Screening:**

33. Subsection 4.163(2) WC stipulates:

*"All outdoor storage and garbage collection areas shall be screened from off-site view with fencing and/or landscaping."*

Subsection 4.136(12)(c) further requires that open storage visible at the property line shall be concealed from view at the abutting property line by a sight obscuring fence or planting not less than six (6) feet in height. At issue is whether or not the plant inventory satisfies Subsection 4.136(2) and 4.163(2) of the Wilsonville Code. In this unusual case, plant materials inventory does not require screening. The applicant proposes to partially screen wood pallets and refuse from off-site public view with landscaping. Fencing is proposed around planting inventory. Screening and buffering is usually accomplished with earth berms, landscaping and/or fencing.

95PC29

**Zone Map Amendment,  
and  
Stage II, Site Development  
Proposed Conditions of Approval**

1. Provide the Planning Department 15 copies of all submittal documents and a legal description of the property being rezoned 20 days prior to the date of the City Council meeting hearing for the Stage I master plan, zone map amendment and comprehensive plan map amendment.
2. The applicant shall develop the site, buildings, parking and drives, in substantial compliance with the approved site development plans. It is understood that minor revisions in the development will occur prior to and during the construction phase. Minor site development revisions may be reviewed by the Planning Director under a Class I administrative review.
3. This approves a 20' setback waiver to encroach the 30' rear and side yard setbacks for canopies.
4. The developer shall waive right of remonstrance against any local improvement district that may be formed to provide public improvements to serve the subject site.
5. Construct a temporary, three (3) -foot wide gravel walk, to follow along the entire length of the property fronting Parkway Avenue to be constructed prior to occupancy.
6. The applicant shall comply with recommendations and conditions represented in the City Engineering and the Building Department labeled Exhibits H and F. Final construction plans shall be reviewed and approved by the Planning Director, City Engineer, the Tualatin Valley Fire and Rescue District, and the City Building Official prior to the project's construction.
7. The applicant shall install one bicycle rack to accommodate four (4) bicycles. Locate the bicycle racks within close proximity to the garden store entrance, and if possible, under covering. The bicycle rack shall be of the design that bicyclists can provide their own locking device to secure the frame and both wheels.
8. All construction workers and job shacks associated with this project shall be parked and located on site.
9. The applicant shall coordinate with the 'Environmental Services' section of the Public Works Department and get approval of prevention measures from potential environmental impacts into the ground from herbicide and pesticide spraying on plant materials within the inventory area.
10. The display of banners, pennants, balloons, or any other type of advertising device is prohibited unless all necessary permits from the Planning

Department are obtained. At least one month prior to grand opening, the applicant shall obtain a Temporary Use Permit for display of temporary outdoor advertising devices.

11. The applicant shall provide the Design Review Board a tree replacement plan for trees removed along the north property line.

The Planning Commission recommends that the Design Review Board review the plastic covering over the trellis for visual aesthetics.

#### ADOPTED ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL:

- PF1. From the materials submitted, it appears that the storm drain, domestic water and sanitary sewer facilities will be obtained from main line connections. The materials, as proposed, show main line extensions that are to be used in conjunction with the construction of the proposed development. Separate Engineering Drawings reflecting the installation of these public utilities will be required.
- No construction of, or connection to, any existing or proposed public utility/improvement will be permitted until all plans are approved by the Engineering Division, all fees have been paid, all necessary permits, right-of-way and easements obtained and the applicant notifies the Engineering Division a minimum of 24 hours in advance.
- PF2. The Engineering Division reserves the right to inspect the completed street improvements to see if additional modifications or expansion of the site distance onto adjacent streets is required.
- PF3. All public utility/improvement plans submitted for review shall be based upon a 24" x 36" format and shall be prepared in accordance with the city of Wilsonville Public Work's Standards.
- PF4. Record drawings are to be furnished by the applicant for all public utility/improvements (on 3 mil. mylar) before the final Punch List Inspection will be performed.
- PF5. All survey monuments on the subject site, or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated or destroyed as a result of any construction, the applicant shall, at his cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to the Engineering Division.
- PF6. Plans submitted for review shall meet the following general format:
- A. Composite Utility Plan
  - B. Detailed Utility Plan and Grading Plan
  - C. Public utilities/improvements that are not contained within any public street shall be provided a maintenance access acceptable to the City centered

in a 15 ft. wide public utility easement and shall be conveyed to the City on its dedication forms.

D. Design of any public utility/improvement shall be approved at the time of the issuance of a Public Works Permit.

E. All proposed on and off-site utility/improvement shall comply with the State of Oregon and the City of Wilsonville requirements and any other applicable codes.

F. Design plans shall identify locations for street lighting, gas service, power lines, telephone poles, cable television, mailboxes and any other public or private utility within the general construction area.

G. All new public utility/improvements and/or utilities shall be installed underground.

H. Any final site landscaping and signing shall not impede any proposed or existing driveway or interior maneuvering site distance.

I. All plans, specifications, calculations, etc., prepared in association with the proposed project shall be prepared by a registered professional Engineer of the State of Oregon.

- PF7. The applicant shall install, operate and maintain adequate erosion control measures during the construction of any public utilities and building improvements until such time as approved permanent vegetative materials have been installed.
- PF8. The applicant shall install City approved energy dissipaters and pollution control devices at each storm drain outlet point.
- PF9. The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Said wells shall be properly abandoned in conformance with their standards.
- PF10. The applicant shall dedicate a 6-ft. public utility easement along the west right-of-way of Parkway Avenue.
- PF11. The applicant shall be responsible for the coordination of local utility companies for the purpose of moving any and all utilities from over head to underground on the west side of Parkway Avenue along the entire property frontage.
- PF12. Entrance signs shall not restrict sight distances onto adjacent streets.
- PF13. The applicant shall widen tapers at the driveway for trucks and schedule deliveries during off-peak times.
- PF14. The applicant shall obtain required storm water discharge permit from the Oregon Department of Transportation before public improvement plans are approved by the city of Wilsonville.
- PF15. The applicant shall construct a concrete driveway approach that aligns directly opposite of Mentor Graphic's driveway on the east side of Parkway Avenue.
- PF16. The applicant shall meet City standards regarding parking.

- PF17. The applicant shall provide ADA access to the front door of the main building.
- PF18. The applicant shall provide sufficient right-of-way along Parkway in conformance with the Transportation Master Plan and shall deposit with the City an amount equal to the cost of a 24-foot street improvement with curbs, bikelanes and off-set sidewalks adjacent to the project frontage.

ADOPTED BUILDING DEPARTMENT CONDITIONS OF APPROVAL:

1. If this building is proposed to have a 2nd floor, an accessible elevator for disabled access shall be provided.
2. Hydrants shall be provided within 250' of all exterior walls in hose-lay fashion.
3. The building code and fire code limit the amount of fertilizers within buildings. A detailed list of the type and amounts of all chemicals shall be provided at the time of building permit application.

## 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:

- C-1. Findings and Conditions of Approval
- C-2. City of Wilsonville Comprehensive Plan, separate document.
- C-3. Chapter 4 of the Wilsonville Code, separate document.
- C-4. Applicant's submittal documents
  - Site Plan
  - Building Elevations, large scale drawings in file.
- C-5. Building Official memorandum.
- C-6. Engineering Department memorandum
- C-7. DKS Traffic Study
- C-8. TAC recommendation.
- D-9. Tualatin Valley and Rescue comments.
- C-10. Engineer's memo on storm drainage design.
- C-11. Affidavit of Mailing, Posting, Publication/Hearing Notice.
- C-12. Photo of site showing north property line and trees.
- C-13. Memorandum from Eldon Johansen dated November 8, 1995, regarding the Growth Management Ordinance.

GRAND HOUSE ERECTION

RECEIVED  
CITY OF  
WILSONVILLE  
SEP 11 1995

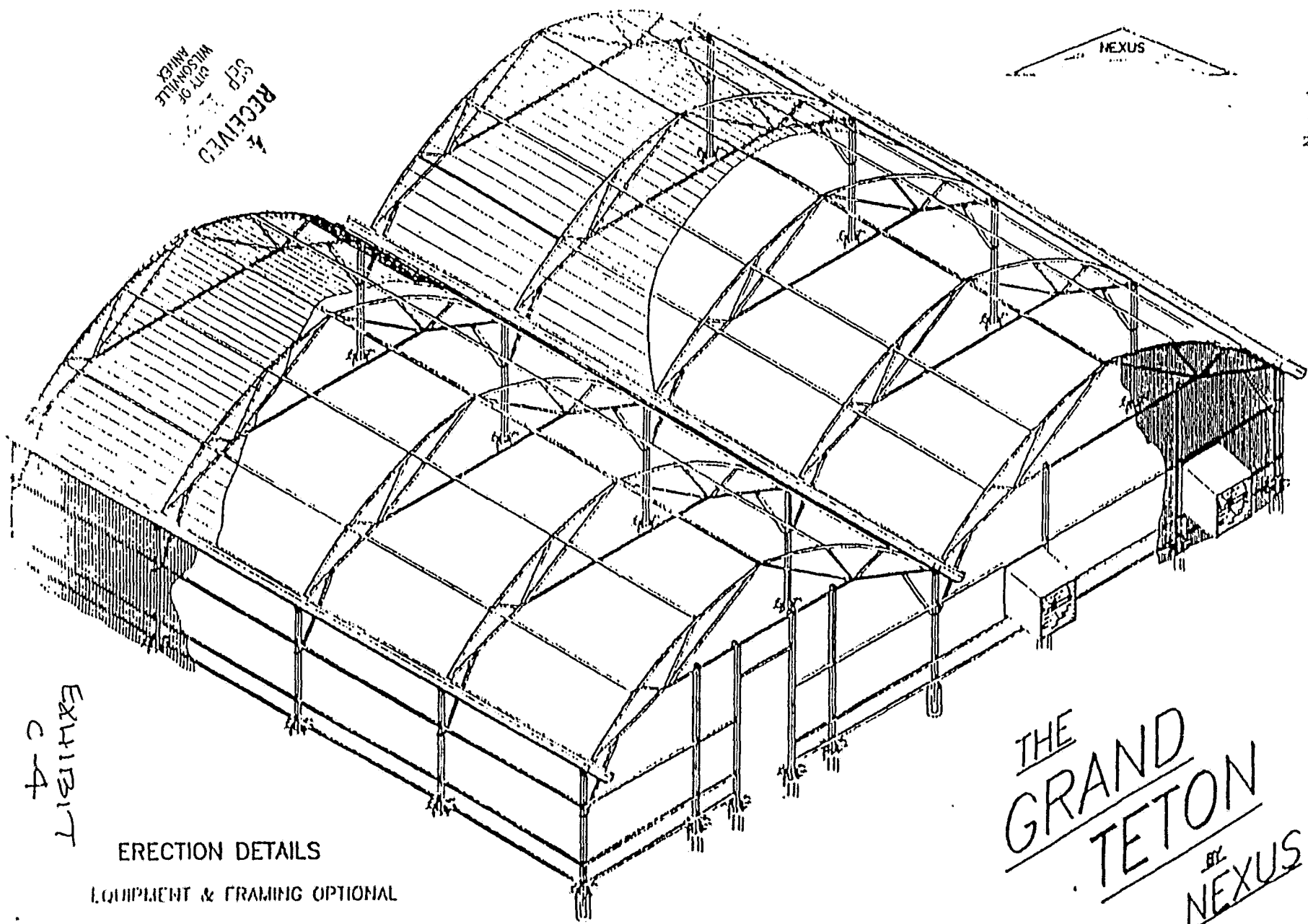


EXHIBIT  
C-4

ERECTION DETAILS

EQUIPMENT & FRAMING OPTIONAL

THE  
GRAND  
TETON  
BY  
NEXUS

November 13, 1995  
Page 5 of 46



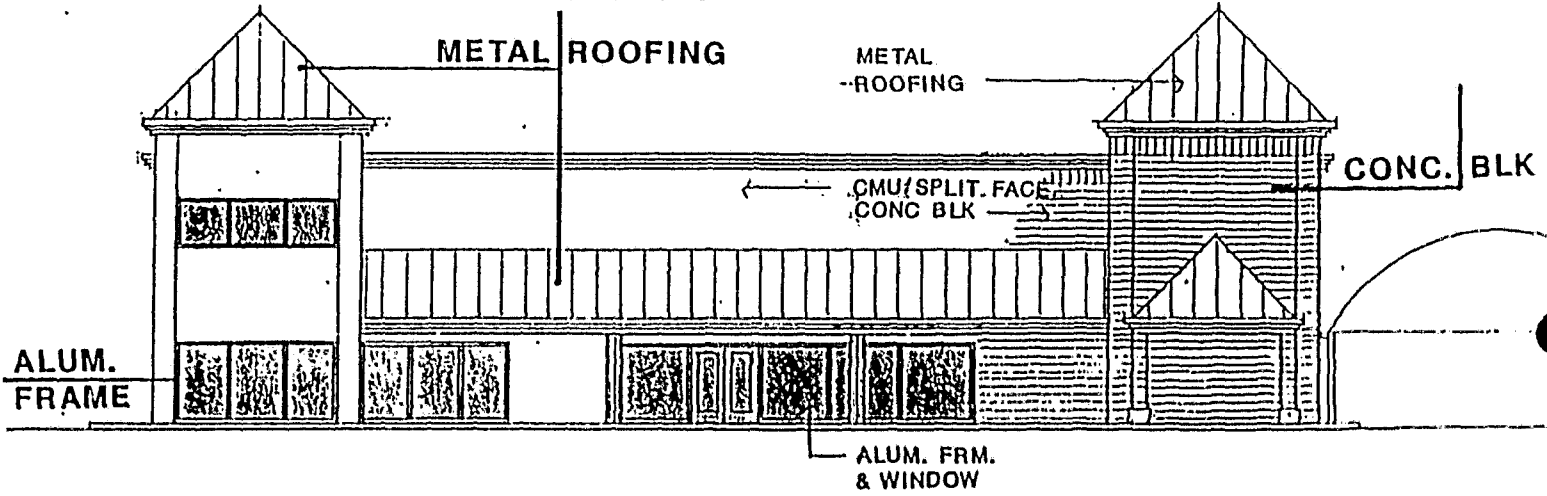
PLANNING COMMISSION  
Wilsonville Garden Center 95PC29 BOARD



# architects associative

8515-b n.e. hazel dell ave.  
vancouver, washington 98665-8016

EXHIBIT C-4



NORTH ELEVATION.  
1/16" = 1'-0"

Wilso  
Ga