

RESOLUTION NO. 338

A RESOLUTION DECLARING THE CITY'S INTENTION TO VACATE THE DAY DREAM RANCH TOWNHOUSE PLAT; SETTING A TIME FOR PUBLIC HEARING ON THE MATTER AND DIRECTING THE CITY RECORDER TO GIVE NOTICE OF SAID HEARING IN ACCORDANCE WITH THE PROCEDURES SET FORTH IN ORS 271.110.

WHEREAS, in accordance with the findings set forth in Planning Resolution 83 PC 16, the Commission has recommended vacation of the Day Dream Ranch Townhouse Plat in order to allow for replatting of said property into the Day Dream Ranch River Estates; and

WHEREAS, based on the findings of the Planning Commission and under the authority granted by ORS 271.130, the City Council finds it reasonable and necessary to initiate a vacation of the Day Dream Ranch Townhouse Plat; and

WHEREAS, Edwards Industries agrees to pay a three hundred dollar (\$300.00) deposit plus actual costs incurred by the City to the vacation process.


NOW, THEREFORE, BE IT HEREBY RESOLVED, that the City of Wilsonville intends to vacate the Day Dream Ranch Townhouse Plat and sets a public hearing to consider remonstrances against said vacation on August 15, 1983, and further directs the City Recorder to give notice of said hearing in accordance with the procedures set forth in ORS 271.110 and further directs the Planning Director in coordination with the City Attorney to draft an ordinance to enact said vacation with a

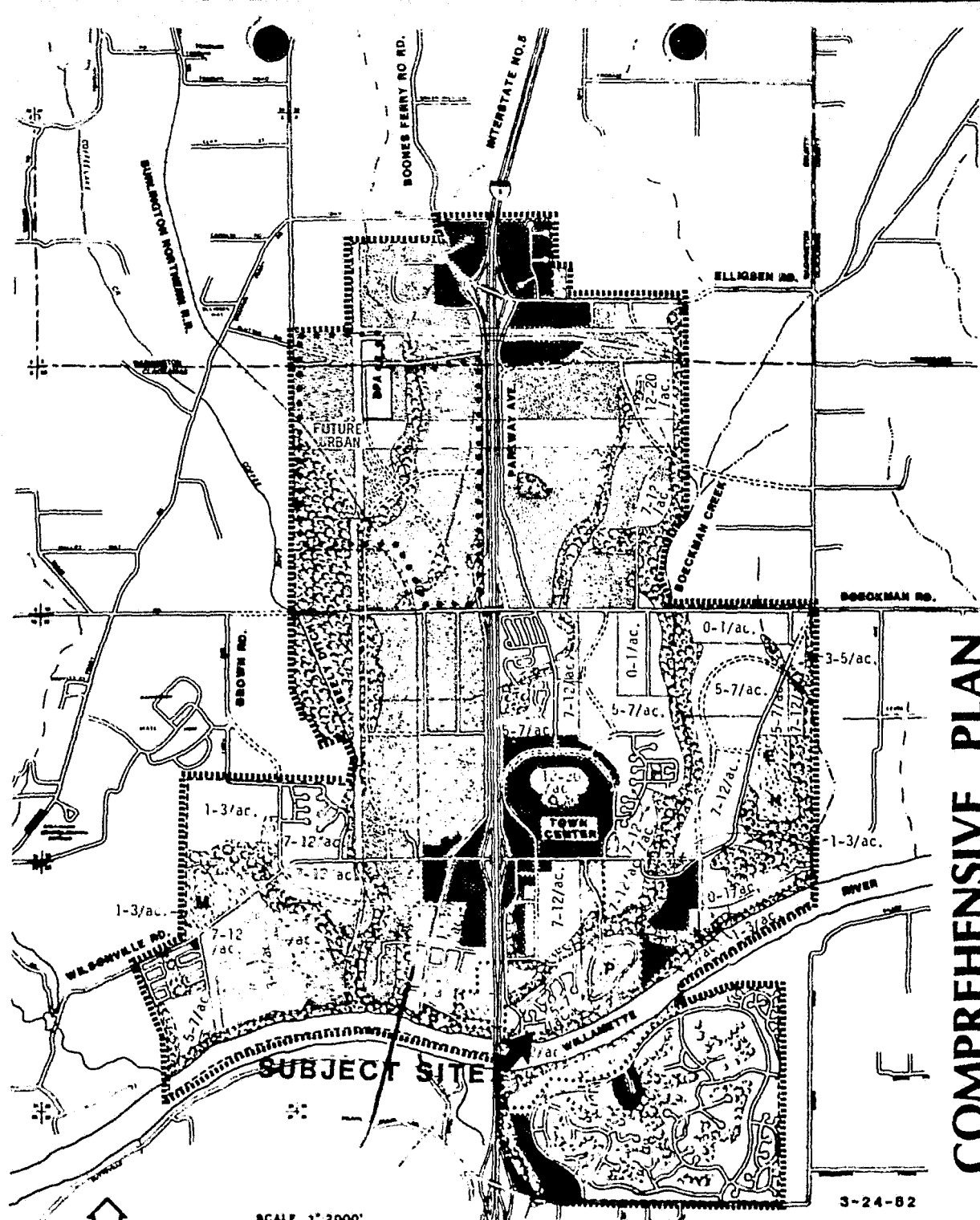
first reading of the ordinance to be scheduled at a regularly scheduled Council meeting on August 1, 1983, with a second and final reading subsequent to the hearing on August 15, 1983.

ADOPTED by the Wilsonville City Council at a regular meeting thereof on the 5th day of July, 1983 and filed with the City Recorder this same date.

  
\_\_\_\_\_  
WILLIAM G. LOWRIE, Mayor

ATTEST:

  
\_\_\_\_\_  
DEANNA J. THOM, City Recorder



COMPREHENSIVE PLAN

CITY OF WILSONVILLE

<b>RESIDENTIAL</b> (dwelling units per acre)	<b>PUBLIC LANDS</b>	<b>POWER LINE EASEMENTS</b>
<b>COMMERCIAL</b>	<b>CITY LIMITS</b>	<b>WILLAMETTE RIVER GREENWAY BOUNDARY</b>
<b>INDUSTRIAL PARK</b>	<b>P - PARKS</b>	<b>PROPOSED STREETS</b>
<b>OPEN SPACE</b> All open space in this plan is shown in stipple - see plan text	<b>E - ELEMENTARY SCHOOL</b>	<b>URBAN GROWTH BOUNDARY</b>
<b>CONTINUING AGRICULTURE</b> (future conversion date)	<b>M - MIDDLE SCHOOL</b>	<b>FUTURE URBAN GROWTH BOUNDARY</b>
	<b>H - HIGH SCHOOL</b>	

CITY OF WILSONVILLE  
SUBMITTAL REQUIREMENTS CHECKLIST  
PRELIMINARY SUBDIVISION PLAT

The purpose of the Preliminary Plat is to present an early study of the proposed subdivision to the Planning Commission and to receive its approval or recommendations for revisions before preparation of a final plat. The design and layout of this Plan shall meet the guidelines and requirements set forth in Sections 4.240 to 4.244 of the Wilsonville Code. The Preliminary Plan shall be submitted to the Planning Department as follows:

Application Procedure:

1. Pre-application conference. Prior to submission of a preliminary plat, a person proposing to subdivide land in the City shall contact the Planning Department to arrange a pre-application conference as set forth in Section 4.008(3).

The Planning staff shall provide information regarding procedures and general information having a direct influence on the proposed development, such as elements of the Master Plan, existing and proposed streets, roads and public utilities. On reaching conclusions informally as recommended regarding the general program and objectives, the subdivider shall cause to be prepared a preliminary plat, together with improvement plans and other supplementary material as specified in the preliminary plat.

2. The preliminary plat shall be prepared by an Oregon licensed, professional land surveyor or engineer. An affidavit of the services of such surveyor or engineer shall be furnished as part of the submittal, which shall include:

- ✓ A. Application form completed and signed by the owner of the land or a letter of authorization signed by the owner.
- ✓ B. Preliminary subdivision fees.
- ✓ C. Ten (10) copies and one (1) sepia or suitable reproducible tracing of the preliminary plat shall be submitted with the application. Preferred paper size is 18" x 24".
- ✓ D. Name of the subdivision. This name must not duplicate or resemble the name of any other subdivision in Clackamas or Washington County. Name may be checked through the county offices.
- ✓ E. Names, address and telephone numbers of the owners or subdividers, and engineer or surveyor.

- ✓ F. Date, northpoint and scale of drawing.
- ✓ G. Location of the subdivision by section, township and range.
- ✓ H. Legal road access to subdivision shall be indicated as City, County or Public Roads.
- ✓ I. Vicinity map showing the relationship to the nearest major highway or street.
- ✓ J. Lots: Approximate dimensions of all lots, minimum lot size, and proposed lot and block numbers.
- ✓ K. Gross acreage in proposed plat.
- ✓ L. Proposed uses of the property, including sites, if any, for multi-family dwellings, shopping centers, churches, industries, parks and playgrounds or other public or semi-public uses.
- ✓ M. Existing uses of the property, including location and use of all existing structures and their disposition.
- ✓ N. Existing zoning of the property.
- ✓ O. Water: State the source of the domestic water supply.
- ✓ P. Method of sewage disposal proposed.
- ✓ Q. Drainage statement: Water courses on and abutting the property. Approximate location of areas subject to inundation by storm water overflow, or all areas covered by water, and the appropriate location, width, and direction of flow of all water courses. Direction of drainage on proposed streets shall be indicated.
- ✓ R. Ground elevations as specified in 4.008(4)WC.
- ✓ S. Streets: Location, name, width, surface conditions, alleys, gradient and corner curb radii shall be indicated on an abutting tract.
- ✓ T. Improvements: Statement of the subdivision improvements to be made or installed including streets, sidewalks, lighting, tree planting, and times such improvements are to be made or completed.
- ✓ U. Utilities such as electrical, gas, telephone, on and abutting the tract.
- ✓ V. Easement: Approximate width, location and purpose of all existing easements on, and known easements abutting the tract.

- W. Deed Restrictions: Outline and proposed Deed restrictions, if any.
- ✓ X. Written Statement: Information which is not practical to be shown on the maps may be shown in separate statements accompanying the preliminary plat.
- NA Y. If the subdivision is to be a "Planned Development" a copy of the homeowners association by-laws must be submitted at the time of preliminary submission. The plat shall be considered as the Stage I Preliminary Plan.
- ✓ Z. Any plat bordering a stream or river shall indicate areas subject to flooding and shall comply with the provisions of Section 4.162.

3. Approval of Preliminary Plat:

- A. Consideration of Preliminary Plat. The Planning Commission shall consider the preliminary plat and the reports of the Health Department and the City Engineer at a regular Planning Commission meeting no more than sixty (60) days after preliminary plat application has been accepted by the City. The preliminary plat shall be approved by a majority of a quorum of the Planning Commission if the Planning Commission determines that the preliminary plat conforms in all respects to the requirements of Sections 4.200 to 4.280.
- B. The Commission shall, by Resolution, adopt its decision, together with findings and a list of all Conditions of Approval or required changes to be reflected on the Final Plat.
- C. Effect of Approval. After such approval of the preliminary plat, the subdivider may proceed with final surveying, subdivision construction and preparation of the final plat. Approval shall be effective for a period of two (2) years, and if the final plat is not submitted to the Commission within such time, the preliminary plat shall be submitted again and the entire procedure shall be repeated for consideration of any changed conditions which may exist.

4. Final platting shall be administratively reviewed in accordance with Section 4.220 WC.

Application Complete  yes    no, if not complete, all items marked by a (RED) circle in the column, must be submitted prior to further processing of this application.

Ben J. Altman  
Planning Director

4/15/83  
Date

Submittal deadline for \_\_\_\_\_ meeting is \_\_\_\_\_.

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 and Subdivision Regulations.

General Subdivision Requirements (4.240 WC) - Findings

NA = Not Applicable

Code Compliance

Yes No, see Finding no.

A. The proposed subdivision conforms to the following:

- 1. Comprehensive Plan (Land Use)
- 2. Zoning (Density)
- 3. Special area or Neighborhood Plan
- 4. Public Facilities Master Plans

- A. Storm drainage
- B. Sanitary sewer
- C. Water
- D. Streets

- 1. Provides for continuation of existing or proposed principal streets.
- 2. Consistent with minimum street width standards.
- 3. The Commission finds that topographic conditions make strict conformity or continuation of streets impractical.
- 4. Conforms to street design standards set forth in Section 4.167 WC.
- 5. Street names are provided consistent with City and Fire District Standards.

5. Sidewalk and Pathway Standards

- A. Sidewalks - both sides
- B. Pathways are provided consistent with Pathway Master Plan and Design Standards (4.168 WC).

6. Easements

- A. Public utility easements are provided consistent with the Public Works Standards.
- B. Access easements are provided consistent with Section 4.240(4), or a street is required.

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<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
<input type="checkbox"/>	<input type="checkbox"/>	<u>NA</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>(see EXHIBIT 6)</u>
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<input type="checkbox"/>	<input type="checkbox"/>	<u>NA</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>13</u>
<input type="checkbox"/>	<input type="checkbox"/>	<u>NA</u>
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Code Compliance

Yes No, see Finding no.

7. Reserve strips required (4.240(6))
- A. To prevent access to abutting land at the end of a street in order to assure the proper extension of the street pattern and the orderly subdivision of land lying beyond the street; or   NA
  - B. To prevent access to the side of a street on the side where additional width is required to meet the right-of-way standards provided in the Comprehensive Plan; or   NA
  - C. To prevent access to land abutting a street of the subdivision, but not within the tract or parcel of land being subdivided; or   NA
  - D. To prevent access to land unsuitable for building improvement.   NA
8. Block sizes, length and width are consistent with Section 4.242 WC.   \_\_\_\_\_
9. The lotting pattern is consistent with the criteria set forth in Section 4.244 WC.   \_\_\_\_\_
- A. Large lot pre-platting provided consistent with potential future densities as designated on the Comprehensive Plan.   NA
  - B. Special setbacks (building envelopes) set forth on the preliminary plat.   NA
10. Public land dedication required   \_\_\_\_\_
11. Street Tree Plan approved by Design Review   15



## ADDITIONAL FINDINGS

12. The subject property is currently platted as the Day Dream Ranch Townhouses. However, under the provisions of ORS 92.225 (Exhibit 5) the Commission finds the existing plat to be undeveloped. No roads or facilities have been or are being constructed within the plat, no buildings have been or are being constructed and no lots within the plat have been sold or otherwise transferred prior to the date of application for replatting.

The Commission further finds that the existing townhouse plat conforms to the Comprehensive Plan and Zoning regulations. It further finds, however, that the proposed replat also is in conformance with the Comprehensive Plan, and further, that the replat is being proposed to increase the marketability of the property. Replatting will, however, necessitate vacation of the townhouse plat by Ordinance.

13. The applicant are proposing access to the subdivision via a private street. The proposal is discussed on pages 6 through 10 of the applicants' narrative.

The Commission finds the proposed street standards to be acceptable and justified under the Variance criteria addressed by the applicant. While substandard, the private streets will provide safe and convenient access to each lot.

14. The preliminary plat does not specify a name for the proposed private street. This will be required prior to final platting.
15. A Street Tree Plan has not been approved by the Design Review Board. However, the applicants are preparing plans for review by the Board following approval of the preliminary plat.
16. The southern portion of the property lies within the Willamette River Greenway. Any development within 150 feet of the river bank will be subject to Design Review in accordance with Section 4.500 to 4.514 WC.

Portions of the project also lie within the 100-year flood plain, which is at 90.1 feet M.S.L. All habitable structures must be designed and constructed with the floor elevation at or above 91.5 feet M.S.L.

The Commission finds, however, that under the existing Townhouse plat the property has been filled to an elevation above the 100-year flood level. The fill line is designated on the preliminary plat and provides for adequate building sites for lots 6 through 13.

### 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 Sub-division regulations.

1. The preliminary plat approval for Day Dream River Estates is subject to the City Council's adoption of an Ordinance vacating the Day Dream Ranch Townhouse Plat.

Subsequent to said vacation, the applicants may submit for Final Plat approval in accordance with Section 4.220 WC.

The preliminary plat shall remain valid for a period of two years from the date of enactment of the Ordinance vacating the Townhouse plat.

2. Prior to or in conjunction with submittal for final platting, the applicants shall select street names, coordinated with the Tualatin Fire District, for the access drive and cul-de-sacs. Said names shall be specified on the plat.
3. All construction plans shall be for Lots 6 - 13 and shall be reviewed for compliance with the Flood Plain Regulations (4.162 WC) and the Willamette River Greenway Regulations (4.500 - 4.514 WC).
4. The applicants shall waive right of remonstrance against the formation of any local improvement district which may be formed to provide public facilities to serve the subject site.

## 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. Applicants' submittal documents.
4. Day Dream Ranch Townhouse Plat.
5. ORS 92.225 - 92.245.
6. Preliminary review by Public Works Director.
7. Final Plat review forms.