

RESOLUTION NO. 929

A RESOLUTION ACCEPTING AND UPHOLDING THE PLANNING COMMISSION'S DECISION, FINDINGS AND CONDITIONS OF APPROVAL FOR THE FAMILY FUN CENTER AND ADOPTING ADDITIONAL CONDITIONS OF APPROVAL; TAX LOT 100, T3S-R1W, SECTION 14, CLACKAMAS COUNTY, OREGON

WHEREAS, the Wilsonville Planning Commission held a public hearing on April 13, 1992 to consider Stage I and II Site Development Plans to develop a family recreation center which would consist of a 36-hole miniature golf course, batting cage, bumper boat pond, a go-kart course and a restaurant/video arcade; and

WHEREAS, the Planning Commission duly considered the testimony and exhibits entered into the public record, including the Staff Report and the applicant's submittal, of persons in support of and against this proposal; and

WHEREAS, the Planning Commission, after closing the hearing to further testimony, voted to adopt Resolution No. 92PC5 which adopts findings approving the Family Fun Center and imposed Conditions of Approval which were intended to mitigate the perceived adverse impacts on the neighboring properties; and

WHEREAS, the Thunderbird Mobile Home Club Association, Ash Meadows Condominium Association and the Oak View Condominium Association filed a timely appeal of the Planning Commission's decision to the Wilsonville City Council on April 29, 1992; and

WHEREAS, the City Council accepted the appeal and held a de novo hearing on June 1, 1992 to consider the public record compiled by the Planning Commission and to gather additional testimony and evidence from all affected and concerned parties; and

WHEREAS, the City Council, after closing the hearing to public testimony, voted to continue this matter to June 15, 1992 at which time they passed a motion to uphold the Planning Commission's decision and, based on new and additional evidence, adopted additional Conditions of Approval to balance the interests of all parties and to further mitigate any adverse impacts to the neighboring properties.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

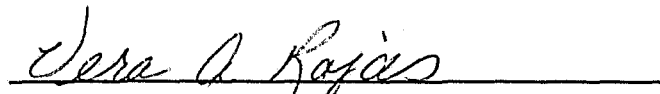
(1) The decision, findings and Conditions of Approval of the Planning Commission are hereby upheld and adopted as the Council's own, including the memorandum of the City Attorney, Michael Kohlhoff, dated May 27, 1992;

(2) The City Council adopts and imposes seven (7) additional Conditions of Approval numbers 24 - 30, attached hereto and incorporated herein.

ADOPTED by the City Council of the City of Wilsonville at a special meeting thereof this 29th day of June, 1992 and filed with the Wilsonville City Recorder this date.


GERALD A. KRUMMEL, Mayor

ATTEST:


VERA A. ROJAS, CMC/AAE, City Recorder

SUMMARY of Votes:

Mayor Krummel	<u>AYE</u>
Councilor Chandler	<u>ABSTAIN</u>
Councilor Carter	<u>AYE</u>
Councilor Lehan	<u>ABSENT</u>
Councilor Van Eck	<u>ABSENT</u>

**FAMILY RECREATION CENTER
MODIFIED STAGE I MASTER PLAN AND
STAGE II SITE DEVELOPMENT
CONDITIONS OF APPROVAL**

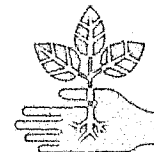
1. The applicant shall waive right of remonstrance against any local improvement district that may be formed to provide public improvements to serve the subject site.
2. The developer shall construct an eight-foot wide concrete bikeway/sidewalk along the entire length of the southerly property line of the subject site fronting Town Center Loop West.
3. All final plans shall be submitted on a 24" x 36" format, a title page will be required with a space left in the lower right-hand corner for an 8-1/2" x 11" information sheet to be provided by the City and shall be affixed to the final as-built plans before acceptance. The applicant shall provide 3 mil mylar as-builts to the City. Said as-builts must be submitted and approved by the City before the final punch list inspection will be performed by the City.
4. Storm sewer shall be designed to pass a 25-year frequency storm and connect to an approved storm drainage system. Engineer shall provide detailed drainage computations. The applicants' engineer shall provide a detailed drainage analysis of the subject property.
5. The developer shall upgrade the sanitary sewer lift station in Town Center Loop prior to occupancy.
6. Where applicable, final utility design shall meet the following general format:
 - A. Sanitary sewer shall be aligned on the north and west side of all street center lines.
 - B. Storm sewer shall be aligned on the south and east side of all street center lines. The Planning Director will coordinate the hookup of the storm sewer with the retention and discharge of the storm sewer in the Town Center, which is now being developed.
 - C. Waterline shall be aligned on the south and east side of all street center lines.
 - D. Minimum center line finish grade shall be no less than 1% and the maximum center line finish grade shall be no more than 12% for local streets. Maximum center line finish grade shall be no more than 8% for any street above local street in classification and shall be constructed of concrete.
 - E. The top of the curb shall equal center line finish grade unless offset crown design or curb return transition.

- F. Composite utility plan shall be part of the final plan set.
 - G. Detailed grading plan shall be part of the final plan set.
 - H. Utilities not in the street area shall provide maintenance access acceptable to the City, and shall be centered in a 15-foot easement to be conveyed to the City of Wilsonville.
 - I. Final design of the public utilities shall be approved at the time of the City's issuance of a Public Works Construction Permit.
 - J. All on and off site utilities shall comply with the State of Oregon and the City of Wilsonville requirements and Codes.
 - K. All cul-de-sacs shall have a minimum 45-foot radius to the face of the curb to allow for adequate turning radius.
 - L. All public streets shall meet design requirements for sight distance - horizontal, vertical and intersectional.
 - M. Final design plans shall identify locations for street lighting, gas service, power lines, telephone lines, cable television, street trees and mailbox clusters.
7. The traffic signal being installed by Capital Realty at the intersection of Town Center Loop West and Wilsonville Road shall be operational prior to occupancy of this project.
 8. Construct the access drives at the locations specified by Local Improvement District no. 5. Construct concrete approaches at the access drives per public works standards.
 9. All survey monuments on the subject site shall be protected. If destroyed by the proposed site construction, the applicants shall retain a professional land surveyor to replace the monuments and file a copy of the record survey with the City.
 10. Install permanently-fixed bicycle rack to be located near the main entrance of the recreation center designed to accommodate at least ten bicycles.
 11. Provide the Design Review Board a buffering and screening plan so that noise and exterior lighting do not disrupt people residing in the Thunderbird Mobile Home Park. Restrict the outdoor PA system to be no closer than 150 feet to the Thunderbird Mobile Home Park. (Modified and supplemented by Conditions 24-30).
 12. All structures, particularly the batting cage, shall observe the minimum ten-foot rear yard setback from the northerly property line. (Modified and supplemented by Conditions 24-30).
 13. The recreation center operator shall obtain all necessary certification demonstrating that the Autotopia race cars will meet the Department of Environmental Quality standards for noise.
 14. Widen the planting strip along the property lines from five feet to seven feet for areas adjacent to head-in parking spaces.

15. All construction workers shall park on-site and not in Town Center Loop West.
16. Submit a separate application for Phase II Stage II Site Development review.
17. The owner/operator represents that security guards will be employed to police the recreation center. This approval is based on that representation.
18. The trash enclosure shall have unobstructed access from the parking lot. Thus the parking space shown in front of it shall be striped "NO PARKING".
19. Clearly stripe one parking space for loading/unloading adjacent to the recreation center building.
20. The applicant has represented that alcoholic beverages will not be dispensed on the premises. This approval is based on that representation.
21. The developer shall comply with the conditions listed in Exhibit E by the City Building Department.
22. That the developer will install a sound-barrier wall at least ten feet high and plant larger shrubs and trees to buffer the sounds from their project. This is subject to Design Review Board final approval of the design plans. (Modified and supplemented by Conditions 24-30).
23. That the developer will participate with other developers in completing the bike path from Parkway Drive through to the Les Schwab property.

**ADDITIONAL CONDITIONS OF APPROVAL ADOPTED BY THE
WILSONVILLE CITY COUNCIL FOR 92 PC 05**

24. The proposed batting cage shall be located in the northwest portion of the subject property. Provided, however, it may be relocated on the property subject to Design Review Board approval and provided any such relocation does not increase the noise level to the adjacent Thunderbird Mobile Club properties from that of the location in the northwest portion of the subject property. The pitching machine shed roof and the shed front overhang shall be underlaid with a one (1) inch thick resilient foam or fiberglass and covered with fiberglass shingles.
25. Outdoor music reproduction and paging, including outdoor telephone ringing devices, shall be prohibited.
26. A four (4) foot high Go-Cart barrier shall be constructed from the northwest corner of the track to the south edge of the Go-Cart driver loading zone. This noise barrier shall be approximately six (6) feet from the edge of the track and shall have a minimum thickness of eight (8) inches of solid wood or equivalent noise barrier material.
27. The Go-Cart Honda engines shall be of a type and kind as represented by the Environmental Noise Analysis and shall be fitted with the better exhaust muffler available from Honda. Nothing in this condition shall prevent replacement of the Honda engines by a quieter engine.
28. The applicant, at the City's request and direction, shall conduct noise measurements by an acoustical expert approved by the City at least two (2) times a year for the first three years of operation to demonstrate compliance with state standards regulating noise. Any change in operation during the first three years or any time thereafter which may increase noise may be subject to a noise measurement at the City's request. The applicant shall bear the expense of all noise measurements and, if not in compliance with state standards, shall take immediate measures to comply with state standards. Any portion of this facility found to violate a state noise standard shall not be operated until corrective measures are taken. The applicant shall notify the City immediately in writing of any complaints and/or violations and of what, if any, corrective measures taken.
29. The applicant shall construct a ten (10) foot high concrete block or masonry sound protection wall along the north property line. This wall shall be located inside of the property line and a landscape (planting) area shall be provided north of the wall. The actual location and design of the wall and planting area shall be subject to final approval of the Design Review Board. The Design Review Board may approve a reduction to at least 6 feet for a portion of the wall that extends 274 feet east of the northwest property corner if there is a written request and agreement to do so between the applicant and the Thunderbird Mobile Home Club Association. Said agreement, if any, shall be presented to the Design Review Board prior to, or during, a public hearing regarding this issue.
30. Operation of the batting cage shall be prohibited between the hours of 10 p.m. and the regular opening time.



City of
WILSONVILLE
in OREGON

3000 SW Town Center Loop E
Wilsonville, Oregon 97070
FAX (503) 682-1015
(503) 682-1011

NOTICE OF DECISION

Project Name: Family Recreation Center

Applicant / Owner: Wilsonville Park Ltd.

Proposed Action: Appeal of Planning Commission Decision

PROPERTY DESCRIPTION:

Map No: 14D Tax Lot No: 100

Address: _____

Location: Northwest quadrant of Town Center - Thunderbird Mobile Home Park to the north

On June 29, 1992, at the meeting of the City Council, the following decision was made on the above-referenced Proposed Development Action:

 Approval XX Approval with Conditions Denied

This decision has been finalized in written form and placed on file in the City records at the Wilsonville City Hall this 6th day of July, 1992 and is available for public inspection. The date of filing is the date of the decision. Any appeal(s) must be filed with the Land Use Board of Appeals (LUBA) in accordance with ORS Chapter 197.

XX Written decision is attached

 Written decision is on file and available for inspection and/or copying.

For further information, please contact the City Recorder at City Hall or phone 682-1011.

Attachments: Applicable Conditions, if any.