

RESOLUTION NO. 1091

A WILSONVILLE CITY COUNCIL RESOLUTION THAT AMENDS THE PLANNING COMMISSION'S CONDITION OF APPROVAL NO. 17 FOR THEIR APPROVAL OF WILSONVILLE AUTOPARTS WHOLESALE (CASE FILE NO. 93 PC 35); REBCO PROPERTIES, APPLICANT.

WHEREAS, REBCO Properties is the developer of a Planned Development Industrial (PDI) project that is commonly known as "Wilsonville Autoparts Wholesale" which is to be located on a 14.8 acre property that is generally east of 95th Avenue, north of Camping World and west of Boones Ferry Road and Interstate 5; and,

WHEREAS, the Wilsonville Planning Commission, after providing the appropriate public notice, approved REBCO Properties' application for a 200,000 sq. ft. warehouse; a storage lot for new automobiles and light trucks; and for three automobile sales buildings; and,

WHEREAS, the Commission's approval included thirty-seven (37) Conditions of Approval that were suggested by City Staff and were subsequently amended and adopted; and,

WHEREAS; Mr. Jeffery H. Keeney, attorney for REBCO Properties, filed an appeal of Condition of Approval No. 17 in accordance with Section 4.017 Appeal Procedures of the Wilsonville Code (WC) and requested that the City Council limit the appeal hearing to Condition No. 17 and requested that the Condition be eliminated; and,

WHEREAS, the City Council held a *de novo* hearing on February 7, 1994, and, after reviewing Commission's record of proceedings and receiving new evidence and testimony from the applicant and all other interested parties, the Council upheld the Planning Commission's decision to approve this project; however, the Council modified Condition No. 17.

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

1. The City Council finds that the applicant, REBCO Properties agreed to accept a modified Condition of Approval No. 17 that was suggested by City Staff. The Council finds that the rewritten Condition is necessary in order to mitigate the traffic impacts resulting from this development and the City's reconstruction of

Commerce Circle and the State's (ODOT's) construction of 95th Avenue and Interchange 286 (the Stafford Interchange).

2. Condition No. 17 is modified to read as follows:

17. The applicant shall delay construction of this project until ODOT, or any other developer or agency, completes 95th Avenue to the intersection of Commerce Circle/Boones Ferry/95th intersection. In the alternative, the applicant may construct the facility provided that this project is coordinated with the City improvements scheduled for Commerce Circle and that the applicant file a traffic management plan with the City that is designed to mitigate impacts to Commerce Circle, 95th Avenue and Boones Ferry during periods of construction.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 7th day of March, 1994, 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 Benson	<u>AYE</u>
Councilor Hawkins	<u>AYE</u>
Councilor Lehan	<u>AYE</u>
Councilor Semptert	<u>AYE</u>