

**RESOLUTION NO. 1101**

**A RESOLUTION OF THE WILSONVILLE CITY COUNCIL THAT REQUIRES THE DEVELOPER TO CONSTRUCT A BIKE PATH/PEDESTRIAN PATHWAY BETWEEN HAZELWOOD SUBDIVISION AND WOOD MIDDLE SCHOOL AND REMANDING THIS MATTER BACK TO THE DESIGN REVIEW BOARD FOR THE SPECIFIC LOCATION AND DESIGN OF THE PATHWAY.**

WHEREAS, the applicant, Bristol Homes, submitted an application to the Design Review Board to construct certain recreational facilities (consisting of a proposed swimming pool and tennis courts) on the Hazelwood Subdivision common area which is identified as Tax Lot 5400, Section 22AB, T3S-R1W, Clackamas County, Oregon; and

WHEREAS, the Planning Staff had recommended in their Staff Report, that the Board approve the applicant's plans subject to several Conditions of Approval, one of which would have required that the applicant construct a bike/pedestrian pathway that would connect the subdivision to Wood Middle School which is located west of and adjacent to the Hazelwood Common Area; and

WHEREAS, the Board, after providing notice, holding a public hearing and considering all the evidence and testimony, moved to approve Jack Bristol's application (94 DR 02) subject to eliminating certain Conditions of Approval, including Condition No. 6, which would have required the pathway connection; and

WHEREAS, the Wilsonville City Council, in accordance with the procedures set forth in Section 4.018 of the Wilsonville Code (WC), called-up the Board's decision to review whether or not the pathway connection to Wood Middle School should be required; and

WHEREAS, the City Council held a public hearing on March 7, 1994, to review the Board's entire record of proceedings and to consider additional oral and written testimony offered by interested citizens; and

WHEREAS, the Council has duly considered all of the available evidence and testimony and, after providing the appropriate public notice, has afforded all interested parties an opportunity to appear before them, has announced its decision and continued this matter to April 4, 1994, for staff to reduce the decision to resolution form.

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

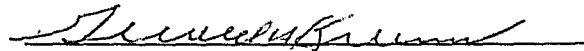
1. The City Council finds that the pathway connection between Hazelwood Subdivision and Wood Middle School is an integral part of the City's Bicycle and Pedestrian Master Plan, provides an alternative mode of transportation lessening the need for automobile trips and is the minimum size necessary to provide a safe and functional pathway.

2. The pathway connection between Hazelwood Subdivision and Wood Middle School shall be installed and constructed in substantial accordance with the adopted Bicycle and Pedestrian Master Plan.

3. This item is remanded back to the Design Review Board for consideration of the final location of the pathway and other specifics such as the separation from the pool and fencing.

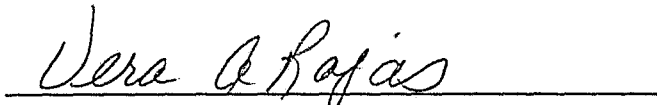
4. The Council directs City Staff and the Design Review Board to monitor the impacts resulting from construction of the pathway and, if substantial negative impacts are observed, the pathway could be eliminated. The Council suggests that the Design Review Board's review occur approximately one year after construction of the pathway.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 4th day of April, 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 Lehan	<u>AYE</u>
Councilor Benson	<u>AYE</u>
Councilor Hawkins	<u>AYE</u>
Councilor Sempert	<u>AYE</u>