

RESOLUTION NO. 1222

A RESOLUTION OF THE CITY OF WILSONVILLE ACCEPTING THE ENGINEER'S AND FINANCIAL INVESTIGATION REPORTS FOR CANYON CREEK NORTH, LOCAL IMPROVEMENT DISTRICT NO. 12-95-ST, AND CALLING FOR AND SETTING A PUBLIC HEARING FOR THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 20, 1995.

WHEREAS, on June 5, 1995, the Wilsonville City Council adopted Resolution No. 1179 which declared the City's intent to initiate formation of Local Improvement District (LID) No. 12-95-ST, as defined in ORS 223.387, the costs of which are to be paid by special assessment according to the benefits received, for the purpose of constructing water, sanitary sewer, storm drain and street improvements in the area in and around Canyon Creek North; and

WHEREAS, Resolution No. 1179 also directed the preparation of Engineer's and Financial Investigation Reports in conformance with Wilsonville Municipal Code Sections 3.214 and 3.218, which sections outline the information to be contained within the Engineer's Report and the Financial Investigation Report; and

WHEREAS, on June 26, 1995, the Wilsonville City Council adopted Resolution No. 1199, authorizing execution of a Professional Services Agreement with David Evans and Associates, Inc., for an Engineer's Report and Financial Investigation Report for Canyon Creek North, LID No. 12; and

WHEREAS, David Evans and Associates have prepared and City Staff have reviewed the Engineer's and Financial Investigation Reports and have determined that said reports have been prepared in accordance with Wilsonville Municipal Code, Sections 3.214 and 3.218, as well as Resolution No. 1179, and are attached as Exhibit "A"; and

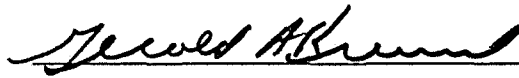
WHEREAS, in conformance with Wilsonville Municipal Code Section 3.230, a Public Hearing shall be scheduled before the Wilsonville City Council for the purpose of taking public testimony on the formation of the proposed LID.

NOW THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. The City Council approves and accepts the Engineer's and Financial Investigation Reports in association with LID No. 12-95-ST attached as Exhibit "A", save and except that City Council by so approving these reports is not selecting the recommended financing option but is continuing this determination until the public hearing hereinafter set forth.

2. A public hearing for the purpose of taking public testimony on the proposed formation of LID No. 12-95-ST and financing option is hereby called for and shall be held on November 20, 1995, 7:00 p.m., at the Wilsonville City Hall Annex, 8445 SW Elligsen Road, Wilsonville, Oregon. The improvements proposed and the method of assessment shall be mailed and posted as required by Wilsonville Municipal Code Section 3.230.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 2nd day of October, 1995 and filed with the Wilsonville City Recorder this date.



GERALD A. KRUMMEL, Mayor

ATTEST:


SANDRA C. KING, City Recorder

SUMMARY OF Votes:

Mayor Krummel	Yes
Councilor Lehan	Yes
Councilor Hawkins	Yes
Councilor Leahy	Yes
Councilor Leo	Yes

Engineer's Report
and
Financial Investigation Report
for Public Improvements

Canyon Creek Road North
(LID No. 12-95-ST)

Prepared for
City of Wilsonville
30000 SW Town Center Loop E
Wilsonville, Oregon 97070

October 2, 1995

DCN

Engineer's Report
and
Financial Investigation Report
for Public Improvements

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(LID No. 12-95-ST)

Prepared for
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October 2, 1995

DAVID EVANS AND ASSOCIATES, INC.
A PROFESSIONAL SERVICES CONSULTING FIRM
OFFICES IN OREGON, WASHINGTON, CALIFORNIA AND ARIZONA
2828 S.W. CORBETT AVENUE
PORTLAND, OREGON 97201-4830
(503) 223-6663 FAX (503) 223-2701

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ENGINEER'S REPORT

SCOPE OF PROJECT

This project will provide needed public improvements, consistent with the City's Comprehensive Plan, Wastewater Collection System Master Plan, and Transportation Master Plan involving a total of six property owners whose combined property area is approximately 158.6 acres. The properties lie east of Interstate 5, west of the easterly city limits of Wilsonville, south of Elligsen Road, and north of Boeckman Road. The major improvements consist of a new commercial/industrial street connecting Elligsen Road with Boeckman Road (Canyon Creek Road North), extension of the Boeckman Creek sanitary sewer trunk line, a storm drainage system, and water system improvements which will provide for fire protection and domestic service for the abutting parcels.

The street will be 48 feet wide from curb to curb and approximately 6700 feet long in a 62 foot wide right-of-way and will be designed to City of Wilsonville and Washington and Clackamas County standards. It will be equipped with sidewalks, on-street bikeways, and will meet ADA requirements. The design speed will be 35 mph. There will be a total of 7300 linear feet of sanitary sewer, 5500 linear feet of storm sewer, and 1350 linear feet of water line constructed. Storm drain design and construction will be done according to National Pollutant Discharge Elimination System (NPDES) rules and regulations. This work will be coordinated with the City's storm water detention facility project to be built on Boeckman Creek north of Boeckman Road.

EXISTING CONDITIONS

The southerly portion of this area is generally flat with some undulations and a drop-off to the east towards Boeckman Creek. The northerly portion climbs about 200 feet to an elevation of about 350 feet where it intersects Elligsen Road. The corridor traverses meadows that were formerly cultivated and forests that contain both upland and swale type vegetation. The upland forest is dominated by Douglas fir, Oregon white oak, red alder, and bigleaf maple. The swale forest is primarily Oregon ash, black cottonwood, and Oregon white oak with some occasional stands of Ponderosa pine. The understory contains among others: sword fern, salal, Oregon grape, slough sedge, ninebark, twinberry, hardhack, and red elderberry. Some of the existing vegetation, most notably slough sedge, is clearly indicative of wetland conditions. This has been documented in "WILSONVILLE SITE WETLAND DELINEATION" (David Evans and Associates Inc. 1993) and in "Wetland Delineation Report, Wilsonville Campus, Parcel A" (David Evans and Associates, Inc. 1995). The proposed roadway crosses delineated wetland areas in two locations. These crossings are planned for the narrowest points which will minimize the impacts to the area. The hydrology of this area is characterized by seasonable high water tables and surface runoff. The soil surveys conducted with the wetland surveys, indicate that there are numerous soil types along this route. These range from well drained to poorly drained silty loams.

There is an existing city water transmission line extending from a reservoir at the top of the hill southerly, roughly paralleling or within the proposed roadway, for much of the route. BPA/PGE high voltage power transmission lines bisect the route in two locations.

IMPACTS

The construction of Canyon Creek Road North will cause the loss of trees. These trees have been surveyed and identified by a registered landscape architect employed by David Evans and Associates, Inc. (DEA). While the loss of some trees is unavoidable, every effort will be made to minimize the number of trees lost and to integrate the remaining trees into the overall planting scheme. Additionally, a mitigation plan for replanting trees along the proposed 62-foot right-of-way will be developed.

Mitigation could occur in part by including a curbside planting strip (Exhibit I) in the project. New street trees could be planted within this strip as part of the mitigation. However, this will result in the need for additional right-of-way acquisition, and in some areas this will actually require the removal of additional trees. If this option is pursued, a careful evaluation of the impacts on a site-by-site basis will need to be performed, weighing the benefits of replanting trees versus what trees could be saved and what additional costs will be incurred. A table identifying the potentially impacted trees and their locations are contained in Exhibit E.

It will be necessary to place fill material in the wetland areas in order to construct the new road. This will require approval and permits from the Division of State Lands (DSL) and the U.S. Army Corps of Engineers (COE) along with an approved on-site mitigation plan. This plan would typically include construction grading and landscaping and a monitoring plan carried out by a wetland ecologist. This concept was previously reviewed and approved by Resolution No. 858 for the Burns-Western properties. It was found to be consistent with the City's Comprehensive Plan (Exhibit F).

Right-of-way will need to be acquired from all properties abutting the proposed street. Currently, only the Burns-Western and the Mentor Graphics properties have dedicated right-of-way, although all L.I.D. participants have agreed to dedicate the necessary right-of-way. This dedication, which will be a total of 62 feet wide, will occur concurrently with the preliminary design of the L.I.D.

Additionally, right-of-way will need to be acquired from six properties at the south end of the improvement project. These properties lie east of the project and are adjacent to it, but are not within the local improvement district. Right-of-way acquisition from these non-L.I.D. participants will need to be negotiated on a case-by-case basis. The map of the district, Exhibit A, identifies these properties as Faith Baptist, Hemstreet (Nancy Maves, Hemstreet Trustee; Joyce Maves, Co-Owner), Spring, Graffy, Keister, and Madrid.

The extension of the Boeckman Creek Sanitary Sewer Trunk will require 20-foot wide permanent public easements along with the necessary temporary construction easements required to build it. These easements will need to be acquired from the properties listed above, except the Faith Baptist property, and from the Grossman property. Additionally, a 20-foot wide permanent public easement and temporary construction easements will need to be dedicated by the Hobbs and Tektronix, Parcel A properties.

The street connection with Elligsen Road will occur near the crest of the hill where sight distance is below acceptable standards. The existing sight distance at the proposed intersection of Canyon Creek Road with Elligsen Road is adequate for only about 20 mph. Several options have been examined to make this a safe intersection and meet city and county standards. A traffic signal will be warranted at this intersection when the L.I.D. properties are fully developed. This signal is included in this improvement project and will be eligible for an SDC credit as a qualified public improvement. The other identified measure is to rebuild a portion of Elligsen Road, by either lowering the grade through the crest of the hill, filling the sag to the east, or a combination of both. The final design will need to provide for a 35 mph design speed.

A preliminary conceptual design indicates that a combination of cut and fill will produce the desired results (Exhibit B). This work has been included in this project and the construction cost for this reconstruction is included in the estimate. Any design should take into account the future grade along this section of road, and allow for rebuilding the roadway to the east. Although the projected traffic volumes will not immediately meet the warrants for a left turn lane, left turn lanes from westbound Elligsen to southbound Canyon Creek Road North, and from northbound Canyon Creek Road North to westbound Elligsen will be constructed as part of this project.

The street connection with Boeckman Road will occur where sight distances have been previously questioned. The sight distance at this location was previously investigated. As-built drawings were prepared, which are included as Exhibit J. According to the field measurements made during 1990, the sight distance requirements for a 35 mph design speed have been met.

The as-built plan for this section of Boeckman Road was reviewed for a 35 mph design speed. According to AASHTO and City of Wilsonville standards, adequate sight currently exists along this section for a 35 mph design speed. A safe intersection can be constructed at Boeckman Road without adjustments to the present vertical alignment.

While not part of this project, the extension of Canyon Creek Road to the south will occur sometime in the future. The intersection of Canyon Creek Road North and Boeckman Road will be designed to include this extension as the fourth leg of the intersection.

The proposed sanitary sewer trunk line will follow the Canyon Creek Road alignment along the northerly part of the road until it intersects Weideman Road. It will then turn easterly to a point lying in the upper part of the Boeckman Creek Drainage. Then it will turn southerly, generally following the alignment of Boeckman Creek. This will require permanent easements and temporary construction easements as discussed above. The line will cross Boeckman Road, turn easterly crossing Boeckman Creek, and then southerly to connect to the existing trunk sewer some 750 feet south of Boeckman Road. Construction of this facility will traverse a steep sidehill in the upper reaches of the Boeckman Creek canyon. This area is heavily vegetated with stands of trees and substantial undergrowth. The construction of the sewer line will unavoidably impact some of this vegetation. Undergrowth will be replaced rapidly and the long-term appearance of this drainage will not differ dramatically from what currently exists. A revegetation plan will be developed as part of this project to further minimize the impacts and assure that the site is revegetated with appropriate types of plants as quickly as possible.

Another impact due to construction of the roadway will be increased noise levels. While the increase has not been quantified at this point, some measurable level will be attained. It has been suggested by the impacted property owners that are adjacent to the project, but outside the improvement district, that this sound increase be mitigated by the construction of a sound wall or wall/berm combination in the vicinity of their existing houses. The planned right-of-way width of 62 feet will not accommodate both a planting strip and a sound attenuation wall or berm. Additional right-of-way will need to be acquired in this area if both of these elements are to be constructed on public right-of-way

These property owners have expressed universal dislike for the standard pre-cast concrete type wall that ODOT uses. Several opinions have been offered about the desired type of wall. These included a brick faced wall and one that could be easily maintained. If a pre-cast concrete wall is not constructed on public property, a decorative wall could be built on private property adjacent to the street right-of-way. This would be maintained by the abutting property owners. An alternative to a wall could be construction of berms, fencing and/or landscaping. These have the advantages of being less costly and more pleasing to look at. The berm/wall has been included in the estimate of cost.

The entire L.I.D. area, when fully developed, will be part of an area storm sewer system. This system will discharge into the Boeckman Creek drainage basin. With the construction of the detention facility just north of Boeckman Road (which was previously designed by City staff to handle the 100-year design storm with the basin fully developed), the water level in Boeckman Creek, upstream of the detention facility will be regulated. This level will be somewhat higher after storm events than it will be without the detention facility. Exhibit A depicts the area subject to inundation during a 100-year design storm when the drainage basin is fully developed.

BENEFITED PROPERTIES

The properties which would be served by the construction of the new street, storm sewer, sanitary sewer, and water improvements are listed below.

The boundaries of these properties are shown in Exhibit A, along with the proposed improvements. A discussion of each property follows:

Property Owner	Tax Lot	Gross Acreage
Tektronix inc., Parcel A	T.L. 590	24.75 acres
Tektronix Inc., Parcel B	T.L. 500	20.33 acres
Everett L. Hobbs	T.L. 601, 602, 603	20.41 acres
Mentor Graphics Corp.	T.L. 501	22.19 acres
Burns-Western, Parcel A	T.L. 300	25.02 acres
Burns-Western Parcel B	T.L. 407	4.87 acres
Burns-Western Parcel C	T.L. 407	5.09 acres
Richard A Brownstein, Parcel A	T.L. 200	7.42 acres
Richard A Brownstein, Parcel B.	T.L. 200	7.40 acres
S & S Development ⁽¹⁾	T.L. 100, 400	19.38 acres
Total		158.59 Acres

⁽¹⁾ Contract Purchaser

Tektronix Inc., Parcel A

This is a 24.75 acre parcel proposed to be zoned residential of which 1.21 acres have been delineated as wetlands. There is an existing powerline easement running across the property which takes up 4.73 acres, leaving a net area of 18.81 acres. All of this area will be served by all of the proposed improvements. Therefore, all of the improvement costs will apply. The sanitary sewer trunk line will pass through the easterly half of this parcel and will require an easement.

Tektronix Inc., Parcel B

Parcel B is currently zoned industrial and consists of 20.33 acres. Of this, 1.94 acres have been determined to be wetlands and 2.65 acres are under BPA powerline easement. The net remaining area is 15.74 acres. All of this property is also benefited and will share in all of the improvement costs.

Everett L. Hobbs

The Hobbs property is located at the north end of the improved portion of Canyon Creek Road North. It contains 20.41 acres and is zoned residential. There are no known wetland areas on this site but there is 3.41 acres of primary open space. The useable remainder is 17.00 acres. All of this will be served by the improvements and will be assessed for them. The sanitary sewer line will run through the easterly portion of this property and will require an easement.

Mentor Graphics Corporation



This parcel is currently zoned industrial. There are 22.19 acres of land of which 4.62 are in primary open space. No wetlands have been identified on this site. The total net acreage of remaining land is 17.57 acres. Right-of-way for the roadway improvements though this property have already been dedicated. The property is already served by sanitary sewer, domestic water, and storm sewer and therefore, will not benefit from these improvements. The cost of improvements allocated to this parcel, then, is only for roadway improvements.

Burns-Western Parcel A

This is a 25.02 acre site which is currently zoned residential. There are 3.89 acres of delineated wetlands present and a powerline easement of 4.45 acres. This leaves 16.68 acres of benefited land. Since there are no existing public facilities on this parcel, all of the apportioned improvement costs will apply. Access to the sanitary sewer could occur either to the west or to the south.

Burns-Western Parcel B

Parcel B is the smallest tract included in the L.I.D. It is 5.09 acres and is currently zoned residential. Present on the site are 1.20 acres of wetlands and 2.19 acres of powerline easement. This leaves 1.70 acres of benefited property. All of this will have access to the utilities and to the roadway and will be assessed proportionately.

Burns-Western Parcel C

This currently industrial zoned 6.60 acre tract contains 1.15 acres of wetlands and also has 0.28 acres of powerline easement running across it. The 5.17 acres remaining will only benefit from the roadway and will therefore, only be assessed for the proportionate costs of the road.

Richard A. Brownstein Parcels A & B

These parcels are 7.42 and 7.40 acres respectively. Parcel A, which is currently zoned industrial, and 0.41 acres of primary open space while both parcels contain BPA powerline easements. Parcel A contains 1.12 acres and parcel B contains 1.48 acres. This leaves 5.89 acres of benefited property for parcel A and 5.92 acres for parcel B. Parcel B, which is proposed to be zoned industrial, also fronts on Elligsen Road to the north. The costs for all of the improvements will be apportioned to both of these lots.

S & S Development

This parcel which lies in the northeast corner of the L.I.D. and fronts on Elligsen Road, contains 19.38 acres. Primary open space occupies 1.00 acres and there are 4.01 acres of powerline easement. The balance of 14.37 acres will benefit from all of the improvements and will be assessed accordingly. The property is currently zoned residential. S&S Development is the contract purchaser of this parcel. The property owner is Jung D. Shin.

ESTIMATED COSTS

The estimated costs for the proposed improvements are shown below.

	<u>Street⁽¹⁾</u>	<u>San. Sewer⁽²⁾</u>	<u>Storm Sewer</u>	<u>Water</u>	<u>Total</u>
Construction	\$1,878,000	\$496,000	\$246,000	\$202,500	\$2,822,500
Contingencies @ 15%	\$282,000	\$74,000	\$37,000	\$30,500	\$423,500
Legal, Admin., & Eng. ⁽³⁾	\$540,000	\$143,000	\$71,000	\$59,000	\$813,000
Total	\$2,700,000	\$713,000	\$354,000	\$292,000	\$4,059,000

(1) This includes construction of a traffic signal at Elligsen and reconstruction of Elligsen Road.

(2) Includes revegetating areas damaged by construction.

(3) The Legal Administration and Engineering Services fee is calculated on the basis of 25% of the total project cost, and includes right-of-way acquisition estimates.

DISTRIBUTION OF COSTS

Through a series of meetings with the benefited property owners and representatives, several cost distribution methodologies were considered. The methodology selected is a percentage of cost basis for each improvement. These improvements are: sanitary sewer trunk extension; water system improvements; the roadway; and the storm drainage construction. The attached Exhibits C and D illustrate the calculation of assessments and show the planned distribution of costs to each benefited property.

FINANCIAL INVESTIGATION REPORT

This report, prepared by PUBLIC FINANCIAL MANAGEMENT, INC. (PFM) and by David Evans and Associates, Inc. addresses the twelve issues identified as critical to the success of the formation of the Local Improvement District. The portion of each tax lot considered to be benefited is shown on Exhibit A.

ASSESSED REAL MARKET VALUE

The following table shows the ratio of projected assessments to Real Market Value (RMV). All of the proposed properties meet the criteria of two times market value, some of which is supported by independent appraisals, which considers the value of the properties upon completion of the L.I.D. improvements.

Tax Lot(s)	Prop. Owner	Pro-Rata Share Assessment	94-95 (1)RMV	Ratio	Meet Criteria?
590	Tektronix, Inc. (Parcel A)	\$436,651	\$915,930	2.10	Yes
500	Tektronix, Inc. (Parcel B)	\$648,059	\$25,659,820	35.59	Yes
601,602,603	Everett Hobbs	\$441,032	\$1,850,000	4.19	Yes
501	Mentor Graphics Corporation	\$404,565	\$28,933,050	71.52	Yes
300	Burns-Western (Parcel A)	\$839,994	\$2,600,000	3.10	Yes
407	Burns-Western (Parcel B & C)	\$189,241	\$914,120	4.83	Yes
200	Richard J. Brownstein (Parcel A & B)	\$477,063	\$1,585,000	3.32	Yes
100,400	S & S Development	<u>\$622,395</u>	<u>\$2,200,000</u>	3.53	Yes
		\$4,059,000	\$64,657,920	15.93	Yes

(1) RMV are for FY 94-95. Independent Appraisals (see Exhibit H) have been completed for Tax Lots 200 (Brownstein), 100 and 400 (S&S Development), 300 (Burns-Western), and 601, 602, and 603 (Hobbs) pursuant to City Code, Section 3.218(1). These have been substituted for the tax appraisals for those properties.

Exhibits C and D detail the infrastructure improvements and estimated costs. Staff recommends that the City participate in the cost of these improvements by agreeing to credits against future system development charges (SDC's) made to properties when they develop. These future credits are estimated to be \$1,419,000 and are summarized by the City by letter as detailed in Exhibit G. Actual credits will be based on actual construction costs. They apply to sanitary sewer system construction, street construction, and storm drainage system construction. Additionally, a traffic signal is now proposed for the intersection at Elligsen Road. This is also a qualified public improvement eligible for SDC credit.

NUMBER OF VACANT LOTS

Only the Mentor Graphics and the Tektronix Parcel B lots are developed. The remaining lots are vacant.

NUMBER OF SIMILAR LOTS HELD BY THE CITY THROUGH FORECLOSURE

There are no lots known to be held by the City through foreclosure at this time.

DELINQUENCY RATE

Records kept by the Clackamas County Assessors and the Washington County Assessors show that the owners of the properties in the proposed L.I.D. have made timely property tax payments. There has been no delinquency reported for any of the property in question.

REAL ESTATE VALUE TRENDS

Based on the general increase of property values in the Portland metropolitan area, it would appear that properties in this area will continue to appreciate.

TAX LEVY TRENDS

The following chart shows the governmental tax rates for the three tax codes which cover the L.I.D. Tax codes 3-027UR and 3-023 are in Clackamas County. Tax code 101-02 is in Washington County.

In Clackamas County, the governmental tax rate decreased by 8.30% from FY 92-93 to FY 93-94, then increased by a modest 0.61% in FY 94-95.

In Washington County, the governmental tax rate decreased by 7% from FY 92-93 to FY 93-94, and decreased by 2.36% in FY 94-95.

Assuming the recent trend continues, PFM believes that there will not be any significant financial impact on the L.I.D.. Increases in RMV would likely outpace any modest increases in tax rates. Continued decreases in tax rates would make the L.I.D. slightly more financially robust.

Governmental Tax Rates

Tax Code	92-93	93-94	94-95
3-027 UR	\$ 8.2630	\$ 7.5798	\$ 7.6259
3-023	\$ 8.2630	\$ 7.5798	\$ 7.6259
101-03	\$ 8.4128	\$ 7.8234	\$ 7.6386

CONFORMANCE TO THE CITY COMPREHENSIVE PLAN

This project conforms to the City's Comprehensive Plan, Transportation Master Plan and Wastewater Collection System Master Plan.

ATTITUDE OF PROPERTY OWNERS TOWARDS PROJECT

The attitude of the property owners within the Local Improvement District is good. Each have signed petitions to form the L.I.D., demonstrating their willingness to grant the necessary right-of-way and to accept their proportionate share of the project cost. Property owners outside the L.I.D., but adjacent to the project, have expressed concerns about the loss of trees and habitat, the need for sound attenuation, and the location of the sanitary sewer trunk on their properties. Each of these concerns will be resolved during the preliminary design phase of the improvement project.

STATUS OF MUNICIPAL DEBT

ORS 223.295 limits overall municipal debt to 3% of the real market value. Using the 1994-95 cash value, the allowable limit for total indebtedness is approximately \$29 million. Outstanding general indebtedness as of June 30, 1995 was about \$4.6 million. The difference of \$24.4 million is the legal maximum amount of debt the city may issue at this time; thus, adequate capacity exists to issue bonds for this project.

CREDIT WORTHINESS

No participants of this L.I.D. are known to be a credit risk.

FINANCING MECHANISMS

PFM believes the City should evaluate the financing of this L.I.D. consistent with its previous experience with L.I.D. projects. There are basically three short and three long term financing mechanisms which the City could use. These recommendations are based on general policies used in Oregon but should be reviewed when the City's policy is formalized.

Short Term Financing

Short term financing for L.I.D. projects comes from two sources - bank notes and bond anticipation notes. Both mechanisms bear the same level of risk to the City in that each can be structured with a pledge solely of the assessments that might be received, the proceeds from any property foreclosures and the promise to issue bonds upon the completion of the project.

Issue Bank Warrants

This is the traditional way to finance L.I.D. construction. Cities may issue warrants directly to banks which may be rolled over indefinitely. These notes generally bear a "full faith" pledge of the city, however, and have lost some of the traditional appeal except for very small projects. There are minimal issuance costs and are generally tax-exempt.

Bond Anticipation Notes

Virtually all large L.I.D. projects are financed using bond anticipation notes (BANs) these days. Bond anticipation notes require a pledge to issue bonds to repay the notes at maturity. Generally, cities also pledge any assessment payments, and foreclosure payments in addition to give note holders comfort that there will be enough money to pay off the notes on a timely basis.

Recommendation

Bond Anticipation Notes represent the lowest cost construction financing for this project and should be structured for repayment based solely on bond proceeds and payments related to this L.I.D.

Long Term Financing

Pure Assessment Bonds

The security for pure assessment bonds rely entirely on the assessments due on the benefited properties. No city guarantees are given, therefore, the city has no risk. Pure assessment bonds are often difficult to sell, and typically require that the current assessed values exceed three times the pro-rata share of assessment. Half of the benefited properties do not fit this criteria. Pure assessment bonds would be more feasible if the benefited owners agree to a joint and several guarantee for the bonds, i.e., if one benefited property does not pay, other benefited owners would step up to pay the delinquency.

Credit-Enhanced Assessment Bonds.

The bonds could be issued as pure assessment bonds secured by a Letter of Credit (L.O.C.). Obtaining an L.O.C. will be difficult unless the larger benefited owners such as Tektronix, Mentor Graphics and Burns-Western were willing to pursue this option and provide some type of guarantees to the L.O.C. provider. This financing mechanism would increase the cost of the financing substantially, but would pose no risk to the city.

Bancroft Bonds or Limited Tax Improvement Bonds


Bonds could be issued which are payable from the assessments but secured additionally by the full faith and credit and limited taxing power of the city. The Bancroft Statutes allow the city to issue L.I.D. bonds with General Obligation backing without a vote. Since the city's governmental tax rate is below \$10, the Bancroft Statutes allow the city to levy a tax up to the \$10 limit in the event of a deficiency in assessment payments. In the event that the city has reached the \$10 limit, the city would have to use its general funds to pay debt service. This type of financing will present a lowest cost financing.

Recommendation

Based on the general policies used by other cities, we recommend use of Bancroft bonds for this project. Since the City is not "in compression", there still exists protection to bond holders in the event that the assessment payments are insufficient to meet bond payments by levying additional taxes. We believe, however, that the city faces little risk that additional taxes will be needed. Since all properties meet the two times assessment test, as long as the City adheres to timely foreclosures in the event of non-payment there is no substantial risk of default on bond payments. As an added protection, we would recommend the bonds be structured as a single term bond which only require interest payments. Principal payments from the property owners would be used to call bonds. We would recommend the term bond due in 12 years (although the payment schedule would be based on 10 years like the assessment maturities) to allow for the foreclosure process to run if the last payment on a 10 year contract is missed.

COST OF FINANCING

The costs for each of the three financing mechanisms are summarized in the following chart. The analysis assumes that the bonds would be amortized over a 10 year period. The true interest costs represent the rate of borrowing and the underwriter's discount. The effective interest rate include the rate of borrowing, the underwriter's discount and the cost of issuance. In addition to these costs, the benefited owners will need to pay an additional percentage that cities generally charge L.I.D.'s to cover administrative expenses.



	Pure Assessment Bonds	Credit Enhanced Assessment Bonds	Bancroft Bonds
Sources:			
Par Value of Bonds	\$4,660,000	\$4,650,000	\$4,145,000
City Internal Funds	\$0	\$0	\$0
Uses:			
Deposit to Construction Fund	\$4,059,000	\$4,059,000	\$4,059,000
Underwriter's Discount	\$93,200	\$69,750	\$41,450
Letter of Credit Fees	\$0	\$3,584	\$0
Cost of Issuance	\$40,000	\$50,000	\$40,000
Deposit to Debt Service Reserve	\$466,000	\$465,000	\$0
Deposit to Contingency	\$1,800	\$2,665	\$4,550
Debt Repayment:			
Average Annual Debt Service	\$573,576	\$573,575	\$549,728
True Interest Cost	7.01%	6.01%	5.70%
Effective Interest Cost	7.20%	7.30%	5.91%

Issuance of pure assessment bonds incurs the highest costs. These bonds are considered non-investment grade and therefore require higher yields.

Issuance of credit-enhanced assessment bonds incurs the second highest costs. These bonds trade as an A-credit. However, there is an annual fee of 1% for the L.O.C.. In addition, a L.O.C. fee of .75% must be paid up front.

Bancroft bonds are the least expensive option. These bonds trade close to the city's general obligation bonds level.

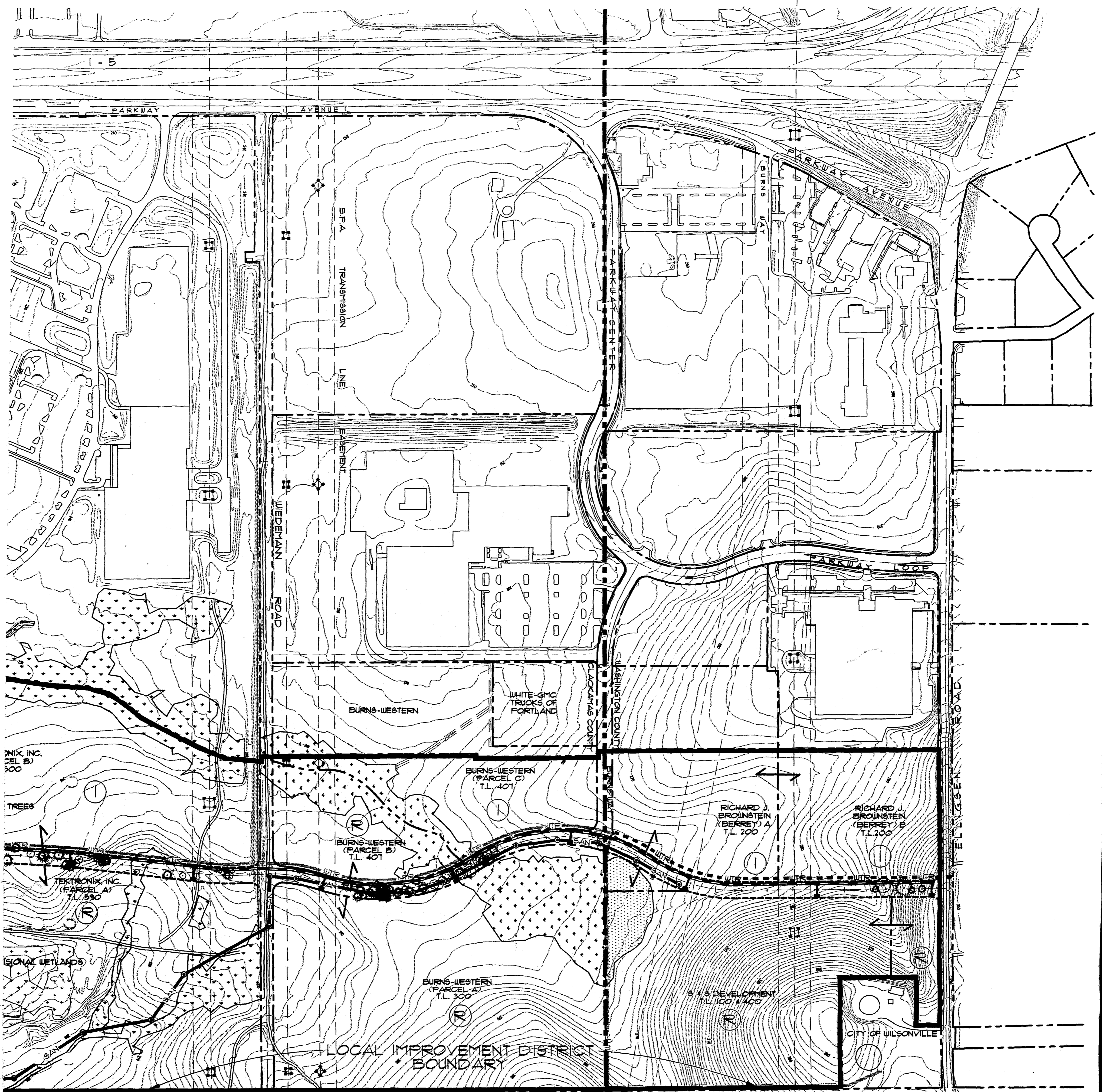
APPENDIX: DESCRIPTION OF EXHIBITS

- Exhibit A - Map of Proposed Local Improvement District
- Exhibit B - Proposed Elligsen Road Improvements
- Exhibit C - Proposed Cost Allocation Matrix
- Exhibit D - Infrastructure Improvements and Estimated Costs
- Exhibit E - Survey of Trees
- Exhibit F - City Resolution No. 858
- Exhibit G - City Letter - System Development Charges (SDC's) Credits
- Exhibit H - Summary of Independent Appraisals
- Exhibit I - Typical Street Cross-sections
- Exhibit J - Profile and Sight Distance Along Boeckman Road

Exhibit A - Map of Proposed Local Improvement District

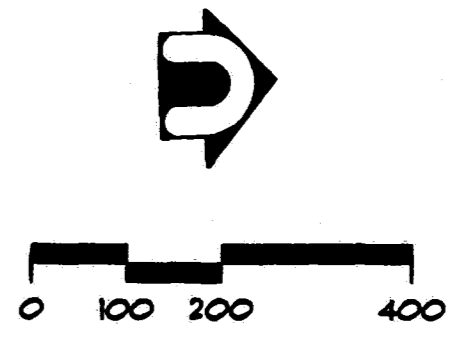
Resolution

1222



LAND	PRIMARY	POWERLINE	
A	OPEN SPACE	EASEMENT	NET AREA
(acres)	(acres)	(acres)	(acres)
0	0	4.73	16.98
0	0	2.65	15.74
3.41	0	0	17.00
4.62	0	0	17.57
0	0	4.45	16.68
0	0	2.19	1.70
0	0	0.28	5.11
0.41	0	1.12	5.89
0	0	1.48	5.92
1.00	0	4.01	14.37
9.44	0	20.91	117.02

EXHIBIT 'A'
MAP OF PROPOSED
CANYON CREEK ROAD NORTH
LOCAL IMPROVEMENT DISTRICT
OCTOBER 2, 1995




DAVID EVANS AND ASSOCIATES, INC.
 ENGINEERS, SURVEYORS, PLANNERS, LANDSCAPE ARCHITECTS
 2028 S.W. CORBETT AVENUE PORTLAND, OR 97201 (503)255-1663



EXISTING SANITARY SEWER TRUNK MANHOLE

PROPOSED FLOW CONTROL STRUCTURE

AREA INCLUDED IN 100 YEAR FLOOD PLAIN SUBJECT TO INUNDATION WHEN BASIN IS FULLY DEVELOPED

LEGEND

- PROPERTY LINE
- PROPERTY LINE
- COUNTY LINE
- EASEMENT LINE
- CENTER LINE
- BUILDING LINE
- SAN SANITARY SEWER
- STORM SEWER
- EXISTING WATER
- UTR PROPOSED WATER
- LOCAL IMPROVEMENT DISTRICT BOUNDARY
- EXISTING CONIFEROUS TREE
- EXISTING DECIDUOUS TREE
- DELINEATED WETLAND AREA
- PRIMARY OPEN SPACE
- PROPOSED/EXISTING INDUSTRIAL ZONING
- PROPOSED/EXISTING RESIDENTIAL ZONING

LINE NO.	PROPERTY OWNER	ZONING	GROSS AREA	WETLAND AREA	PRIMARY OPEN SPACE
			(acres) (1)	(acres)	(acres)
1	TEKTRONIX, INC. (PARCEL A)	R	24.75	3.04	0
2	TEKTRONIX, INC. (PARCEL B)	I	20.33	1.94	0
3	EVERETT L. HOBBS	R	20.41	0	3.41
4	MENTOR GRAPHICS CORPORATION	I	22.15	0	4.62
5	BURNS-WESTERN (PARCEL A)	R	25.02	3.89	0
6	BURNS WESTERN (PARCEL B)	R	5.03	1.20	0
7	BURNS WESTERN (PARCEL C)	I	6.60	1.15	0
8	RICHARD J. BROWNSTEIN (PARCEL A)	I	1.42	0	0.41
9	RICHARD J. BROWNSTEIN (PARCEL B)	I	1.40	0	0
10	S & S DEVELOPMENT	R	19.38	0	1.00
TOTALS			158.59	11.22	9.44

(1) Parcel boundary information is from Clackamas County tax maps, where appropriate.

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Exhibit B - Proposed Elligsen Road Improvements

EXHIBIT 'B' PROFILE OF PROPOSED ELLIGSEN ROAD IMPROVEMENTS 10-2-95

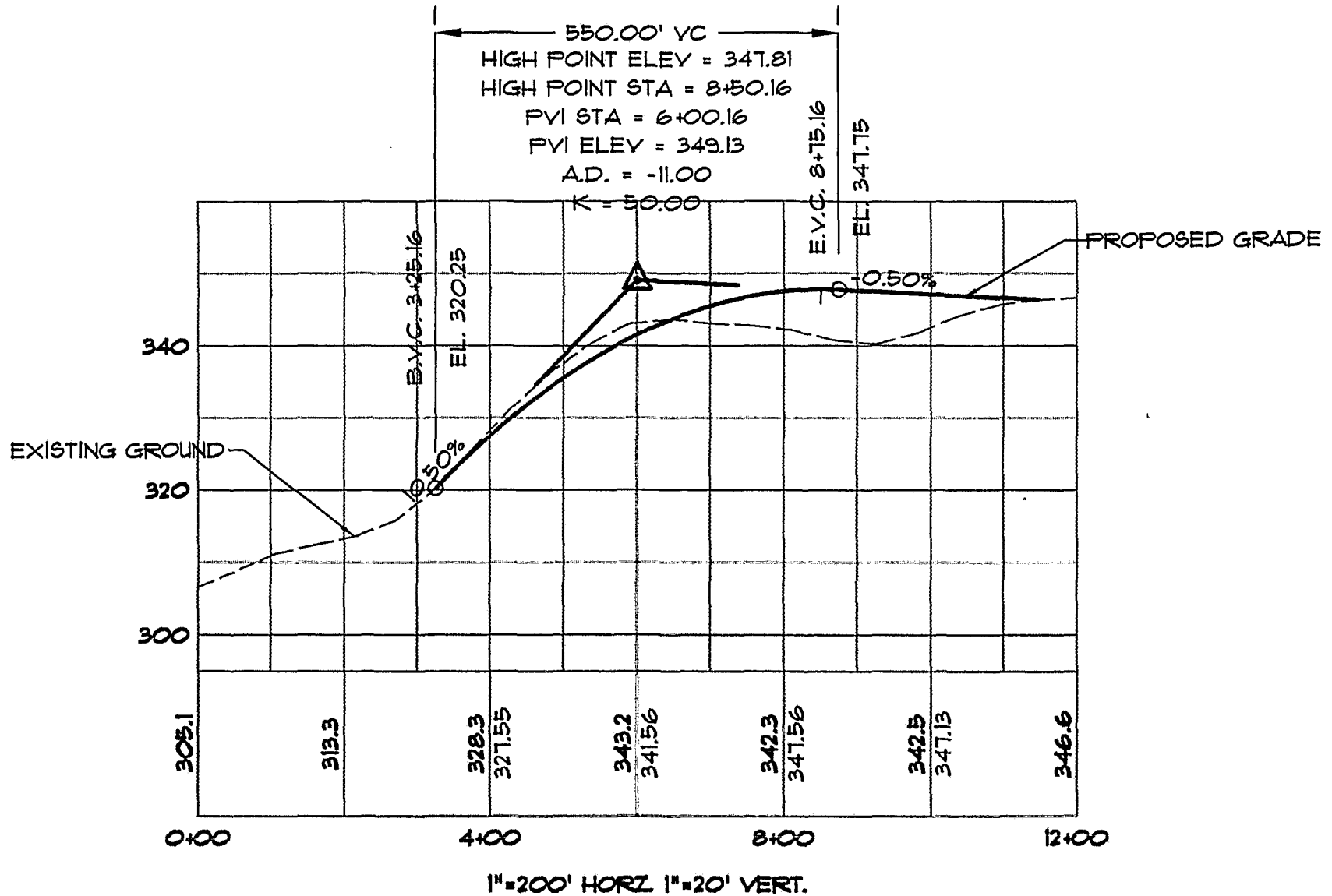


Exhibit C - Proposed Cost Allocation Matrix

EXHIBIT "C"

PROPOSED COST ALLOCATION MATRIX (October 2, 1995)

LINE NO.	PROPERTY OWNER	EXPECTED LAND USE	GROSS AREA (acres) (1)	WETLAND AREA (3)	PRIMARY OPEN SPACE (3)	POWERLINE EASEMENT (acres)	NET AREA (acres)	EDU ALLOCATION - SANITARY				EDU ALLOCATION - WATER				ROADWAY - EDU & NET ACRE AVERAGE						EDU ALLOCATION - STORM						TOTAL COST	TOTAL COST (%)	LINE NO.		
								E.D.U. (SEWER) (2) IND.= (8.4 x gross)	SANITARY SEWER COST (E.D.U.)	TOTAL COST (%)	PROP. SDC CREDIT	SDC CREDIT (%)	E.D.U. (WATER) (2) IND.= (8.4 x gross)	WATER COST	TOTAL COST (%)	PROP. SDC CREDIT	SDC CREDIT (%)	ROADWAY COSTS (EDU)	ROADWAY COSTS (NET AC.)	ROADWAY COSTS (AVG.)	TOTAL COST (%)	PROP. SDC CREDIT	SDC CREDIT (%)	IMPERVIOUS AREA (s.f.) IND.= (0.85 x net)	E.D.U. (STORM) IND.= (1 s.f. / 1,150)	STORM COSTS (E.D.U.)	TOTAL COST (%)				PROP. SDC CREDIT	SDC CREDIT (%)
1	TEKTRONIX, INC (PARCEL A)	R	24.75	3.04	0	4.73	18.98	118	\$73,781	10.35%	\$9,210	10.35%	118	\$30,216	10.35%	\$0	0%	\$225,162	\$391,779	\$308,470	11.42%	\$167,002	11.42%	N/A	118	\$24,184	6.83%	\$2,801	8.83%	\$438,851	10.78%	1
2	TEKTRONIX, INC (PARCEL B)	I	20.33	1.94	0	2.65	15.74	191	\$121,483	17.04%	\$15,164	17.04%	191	\$49,752	17.04%	\$0	0%	\$370,740	\$363,169	\$386,955	13.58%	\$198,865	13.58%	605,745	527	\$109,869	31.04%	\$12,725	31.04%	\$648,059	15.97%	2
3	EVERETT L. HOBBS	R	20.41	0	3.41	0	17.00	118	\$75,053	10.53%	\$9,388	10.53%	118	\$30,737	10.53%	\$0	0%	\$229,044	\$392,241	\$310,642	11.51%	\$168,178	11.51%	N/A	118	\$24,601	6.95%	\$2,848	6.95%	\$441,032	10.87%	3
4	MENTOR GRAPHICS CORPORATION	I	22.18	0	4.62	0	17.57	0	\$0	0.00%	\$0	0.00%	0	\$0	0.00%	\$0	0%	\$403,738	\$405,392	\$404,585	14.88%	\$219,027	14.88%	650,547	0	\$0	0.00%	\$0	0.00%	\$404,585	9.97%	4
5	BURNS-WESTERN (PARCEL A)	R	25.02	3.89	0	4.45	16.68	312	\$198,444	27.83%	\$24,771	27.83%	312	\$81,270	27.83%	\$0	0%	\$605,607	\$384,857	\$495,232	18.34%	\$268,113	18.34%	N/A	312	\$65,046	18.37%	\$7,534	18.37%	\$839,993	20.89%	5
6	BURNS-WESTERN (PARCEL B)	R	5.09	1.20	0	2.19	1.70	24	\$15,285	2.14%	\$1,805	2.14%	24	\$8,252	2.14%	\$0	0%	\$46,585	\$39,224	\$42,905	1.58%	\$23,228	1.58%	N/A	24	\$5,004	1.41%	\$580	1.41%	\$69,425	1.71%	6
7	BURNS-WESTERN (PARCEL C)	I	6.60	1.15	0	0.28	5.17	0	\$0	0.00%	\$0	0.00%	0	\$0	0.00%	\$0	0%	\$120,345	\$119,287	\$119,816	4.44%	\$84,867	4.44%	192,185	0	\$0	0.00%	\$0	0.00%	\$119,816	2.95%	7
8	RICHARD J. BROWNSTEIN (PARCEL A)	I	7.42	0	0.41	1.12	5.89	70	\$44,523	6.24%	\$5,558	6.24%	70	\$18,234	6.24%	\$0	0%	\$135,873	\$135,900	\$135,887	5.03%	\$73,588	5.03%	218,093	190	\$39,611	11.19%	\$4,588	11.19%	\$238,254	5.87%	8
9	RICHARD J. BROWNSTEIN (PARCEL B)	I	7.40	0	0	1.48	5.92	70	\$44,523	6.24%	\$5,558	6.24%	70	\$18,234	6.24%	\$0	0%	\$135,873	\$136,592	\$136,233	5.05%	\$73,755	5.05%	219,194	191	\$39,820	11.25%	\$4,612	11.25%	\$238,809	5.88%	9
10	S & S DEVELOPMENT	R	19.38	0	1.00	4.01	14.37	220	\$139,929	19.63%	\$17,467	19.63%	220	\$57,306	19.63%	\$0	0%	\$427,031	\$331,559	\$379,295	14.05%	\$205,346	14.05%	N/A	220	\$45,866	12.96%	\$5,312	12.96%	\$622,104	15.31%	10
TOTALS			158.59	11.22	9.44	20.91	117.02	1,121	\$713,000	100.00%	\$89,000	100.00%	1,121	\$292,000	100.00%	\$0	0%	\$2,700,000	\$2,700,000	\$2,700,000	100.00%	\$1,461,750	100.00%	1,885,734	1,898	\$354,000	100.00%	\$41,000	100.00%	\$4,669,000	100.00%	
									PROPOSED SDC CREDIT		\$89,000				\$0				\$1,461,750								\$41,000				\$1,501,750	
									PROJECT COST LESS CREDITS		\$624,000				\$292,000						\$1,238,250										\$2,467,250	

(1) Parcel boundary information is from Clackamas County tax maps, where appropriate.
 (2) For residential zoning: E.D.U. = as planned.
 (3) Wetland and Primary Open Space areas are those clear of BPA easements.

Exhibit D - Infrastructure Improvements and Estimated Costs

EXHIBIT D

INFRASTRUCTURE IMPROVEMENTS AND ESTIMATED COSTS

This exhibit describes the proposed infrastructure improvements and provides preliminary estimates of cost for the street construction the sanitary sewer trunk extension, storm sewer construction, and water system improvements.

The descriptions and preliminary estimated costs have been divided into four areas.

- A. Street Construction (Canyon Creek North), Boeckman Road to Elligsen Road
- B. Boeckman Creek Sanitary Sewer Trunk Construction
- C. Storm Sewer System Construction
- D. Water System Improvements

The costs are based on preliminary discussions with City of Wilsonville staff, similar improvements and construction costs for recent city projects, and a review of the proposed project in the field. Fifteen percent (15%) construction contingencies have been added to the preliminary construction costs due to uncertainties that may become apparent during the design phase of the project. Twenty five percent (25%) has been added to the total construction cost estimate to cover overhead costs usually realized with improvement projects involving multiple ownerships. These overhead costs typically include legal expenses, city administration costs, fees for consulting engineering services, and acquisition costs for right-of-way and easements.

A. Street Construction (Canyon Creek North)

Construction of Canyon Creek North from Boeckman Road to Elligsen Road, a length of about 1.27 miles or about 6,700 linear feet, is included. The street is proposed as concrete paving on a crushed rock base with concrete curb and gutter, 48 feet in width, equipped with sidewalks, within a 62-foot right-of-way. Underground facilities are included for power, telephone, cable television, and street lighting. Street lights will be provided by PGE and are not included as a cost. Reconstruction of a portion of Elligsen Road to improve sight distance, construction of sound attenuation measures, and construction of a traffic signal at Elligsen Road are included as separate line item costs.



1.	Clearing and grubbing	10	Ac.	\$8000	\$80,000
2.	Rough grading	30,000	C.Y.	\$5	\$150,000
3.	Subgrade preparation	37,000	S.Y.	\$1	\$37,000
4.	Aggregate rock base(12")	37,000	S.Y.	\$6	\$185,000
5.	Concrete street paving (7.5")	34,000	S.Y.	\$17	\$578,000
6.	Concrete sidewalks	7,400	S.Y.	\$20	\$148,000
7.	Concrete curb and gutter	13,500	L.F.	\$7	\$94,500
8.	Imported subgrade rock, if necessary	1,500	C.Y.	\$15	\$22,500
9.	Finish grading and seeding	All	L.S.	----	\$30,000
10.	Trenching for utility conduits	9,000	L.F.	\$3	\$27,000
11.	4" P.V.C. conduit	36,000	L.F.	\$3	\$108,000
12.	Junction boxes at street lights	40	Ea.	\$250	\$10,000
13.	Switch vaults	20	Ea.	\$2,000	\$40,000
14.	Traffic Signal Installation	All	Ea.	\$125,000	\$125,000
15.	Elligsen Road reconstruction	All	Ea.	----	\$120,000
16.	Sound attenuation measures	All	L.S.	----	\$78,000
17.	Wetlands mitigation	All	L.S.	----	\$25,000
18.	Misc, and clean-up, erosion control during construction	All	L.S.	----	\$20,000
	Street Construction Subtotal				\$1,878,000
	Construction Contingencies (+/- 15%)				\$282,000
	Total Street Construction Cost Estimate				\$2,160,000
	Estimated Costs for Legal, Administration, Engineering Services, and Right-of-Way Acquisition (+/-25%)				\$540,000
	Total Estimated Cost - Street Construction				\$2,700,000

B. Sanitary Sewer Trunk Construction

The city's existing sanitary sewer trunk is located about 750 feet south of Boeckman Road. The northerly extension of this sewer trunk is proposed to just north of the intersection of Canyon Creek North and Burns Way, a total length of about 7,300 linear feet. It will include sewer diversion construction in the vicinity of Boeckman Road.

1.	Clearing and Grubbing	5	AC.	\$8,000	\$40,000
2.	Sewer main including trench and backfill	7,300	L.F.	\$35	\$255,500
3.	Sewer main and diversion in Boeckman	350	L.F.	\$50	\$17,500
4.	Sanitary sewer laterals	20	Ea.	\$1,500	\$30,000
5.	Concrete sewer manhole	35	Ea	\$2,000	\$70,000
6.	Trench rock excavation	300	C.Y.	\$100	\$30,000
7.	Boring under Boeckman	100	L.F.	\$150	\$15,000
8.	Replanting	8000	S.Y.	\$2.25	\$18,000
9.	Misc. and clean-up, erosion control during construction, and revegetation.	All	L.S.	---	\$20,000
	Sanitary Sewer Subtotal				\$496,000
	Construction Contingencies (+/-15%)				\$74,000
	Total Sanitary Sewer Construction Cost Estimate				\$570,000
	Estimated Costs for Legal, Administration, Engineering Services, and Easement Acquisition (+/-25%)				\$143,000
	Total Estimated Cost - Sanitary Sewer Trunk				\$713,000

C. Storm Sewer System Construction

The city has identified the need for area storm sewer improvements. This proposed construction includes provisions for area improvements as well as facilities to drain the proposed street improvements. It is anticipated that approximately 5,500 linear feet of storm sewer pipe will be necessary to complete this element of the project.

1.	12" Storm main including trenching and imported	2,000	L.F.	\$20	\$40,000
2.	15" Storm main including trench and imported	2,000	L.F.	\$25	\$50,000
3.	18" Storm main including trenching and backfill	1,500	L.F.	\$28	\$42,000
4.	Storm sewer manholes	25	Ea.	\$1,800	\$45,000
5.	Concrete inlets (G-1)	45	Ea.	\$800	\$36,000
6.	Concrete ditch inlets	5	Ea.	\$600	\$3,000
7.	Rock riprap	All	L.S.	---	\$10,000
8.	Misc. and clean-up, erosion control during construction, and revegetation.	All	L.S.	---	\$20,000
	Subtotal Storm Sewer Subtotal				\$246,000
	Construction Contingencies (+/-15%)				\$37,000
	Total Storm Sewer Construction Cost				\$283,000
	Estimated Costs for Legal, Administration, and Engineering Services (+/-25%)				\$71,000
	Total Estimated Cost - Storm Sewer System Construction				\$354,000

D. Water System Improvements

An existing 18-inch City supply main exists adjacent to the proposed right-of-way for Canyon Creek North, except for the northerly section between Burns Way and Elligsen Road. This project proposes to construct a connecting main between Burns Way and Elligsen Road to provide local domestic service and fire protection. This main has been preliminarily sized as an 8-inch main. Other proposed water system improvements include adding fire hydrants along the alignment and installing service laterals for the adjacent properties.

1.	8-inch DIP main	1350	L.F.	\$30	\$40,500
2.	Fire hydrant assembly	14	Ea.	\$2,000	\$28,000
3.	18"x18" wet tap for laterals and connections	22	Ea.	\$3,500	\$77,000
4.	18" X 6" wet tap for F.H.	14	Ea.	\$3,000	\$42,000
5.	Misc. and clean-up erosion control	All	Lump Sum	\$800	\$15,000
Water System Subtotal					\$202,500
Construction Contingencies (+/-15%)					\$30,500
Total Water System Construction Cost Estimate					\$233,000
Estimated Costs for Legal, Administration, and Engineering Services (+/-25%)					\$59,000
Total Estimated Cost - Water System					\$292,000

E. Preliminary Estimate of Cost Summary

Street Construction	\$2,700,000
Sanitary Sewer Trunk Construction	\$713,000
Storm Sewer System Construction	\$354,000
Water System Improvements	<u>\$292,000</u>
Total Preliminary Estimate of Cost - Improvement Project	\$4,059,000

3EN

PROPOSED SYSTEMS DEVELOPMENT CHARGE CREDITS

Staff recommends that the City participate in the cost of the improvement project by agreeing to credits against future System Development Charges (SDC's) made to properties when they develop. Exhibit G summarizes Staff recommendations. The following is an outline of these credits.

SANITARY SEWER SYSTEM CONSTRUCTION:

Boeckman Road diversion system and trunk sewer in Boeckman Creek, south of Boeckman Road	\$62,000
Construction Contingencies (+/- 15%)	\$9,300
Total Estimated Construction Costs Credits	\$71,300
Estimated Fees for Legal, Administration, and Engineering Services (+/- 25%)	\$17,700
TOTAL ESTIMATED CITY CREDITS (SANITARY)	\$89,000

STREET CONSTRUCTION:

Extra Street Width (24 feet to 48 feet)	\$510,000
Thicker Section (Less pavement/base rock, remaining 24' width)	\$180,000
Traffic signal at Canyon Creek North/Elligsen Road	\$125,000
Reconstruction of Elligsen Road	\$120,000
Open Space Frontage (12 feet of street, incl. curb & sidewalk) Basis: \$ 45.00 per linear front foot	
Mentor Graphics - 300 feet	\$13,500
Hobbs/Tektronix - 320 feet	\$14,400
Burns-Western, West Side - 350 feet	\$15,750
Burns-Western, East Side - 600 feet	\$27,000
Steve Berrey, East Side - 250 feet	\$11,250
Total Preliminary Street Construction Credits	\$1,016,900
Construction Contingencies (+/- 15%)	\$152,500
Total Estimated Construction Costs Credits	\$1,169,400
Estimated Fees for Legal, Administration, and Engineering Services (+/- 25%)	\$292,350
TOTAL ESTIMATED CITY CREDITS (STREETS)	\$1,461,750



STORM DRAINAGE SYSTEM CONSTRUCTION:

Oversizing of piping due to wider street	\$20,000
Additional catch inlets due to wider street	\$8,000
Total Preliminary Storm Drainage System Credits	\$28,000
Construction Contingencies (+/- 15%)	\$4,200
Total Estimated Construction Costs Credits	\$32,200
Estimated Fees for Legal, Administration, and Engineering Services (+/- 25%)	\$8,800

TOTAL ESTIMATED CITY CREDITS (STORM) \$41,000



TOTAL PROPOSED ESTIMATED CITY CREDITS

⁽¹⁾\$1,419,000

⁽¹⁾ *The reconstruction of Elligsen Road was not included in Staff's recommendation summarized in Exhibit G. The addition of this improvement increases the total proposed Estimated City Credits from \$1,419,000 to \$1,591,750. Staff recommends that the reconstruction of Elligsen Road be included as an additional allowable City credit.*

Exhibit E - Survey of Trees

EXHIBIT E
Survey of Trees

This Survey identifies trees 8" in diameter, or larger, that are
within the planned 62-foot right-of-way.

Roadway Station	Location	Description	Scientific Name
80	10'	2-20" fir	Pseudotsuga Menziesii / Douglas fir
11+50	0'	10" fir	Pseudotsuga Menziesii / Douglas fir
11+60	30' rt	18" oak	Quercus garryana / Oregon white oak
11+80	20' rt	2-18 fir	Pseudotsuga Menziesii / Douglas fir
11+95	30' rt	20" oak	Quercus garryana / Oregon white oak
12+30	0'	30" fir	Pseudotsuga Menziesii / Douglas fir
12+60	5' lt	26" fir	Pseudotsuga Menziesii / Douglas fir
12+65	4' lt	18" fir	Pseudotsuga Menziesii / Douglas fir
12+65	25' rt	30" fir	Pseudotsuga Menziesii / Douglas fir
12+85	4' lt	28" fir	Pseudotsuga Menziesii / Douglas fir
13+00	6' lt	22" fir	Pseudotsuga Menziesii / Douglas fir
13+25	8' lt	12" fir	Pseudotsuga Menziesii / Douglas fir
13+25	8'	22" fir	Pseudotsuga Menziesii / Douglas fir
13+25	25' rt	12" birch	Betula papyrifera / paper-bark birch
13+50	0'	4-6" fir	Pseudotsuga Menziesii / Douglas fir
13+70	30' rt	oak	Quercus garryana / Oregon white oak
13+75	3' rt	20" fir	Pseudotsuga Menziesii / Douglas fir
14+10	30' rt	oak	Quercus garryana / Oregon white oak
14+30	10' ft	15" cottonwood	Populus trichocarpa / black cottonwood
15+00	30' rt	2-24" fir	Pseudotsuga Menziesii / Douglas fir
15+10	10' lt	20" fir	Pseudotsuga Menziesii / Douglas fir
15+20	5' lt	12" fir	Pseudotsuga Menziesii / Douglas fir
15+75	0'	8" fir	Pseudotsuga Menziesii / Douglas fir
16+20	30' rt	30" fir	Pseudotsuga Menziesii / Douglas fir
16+45	0'	6" fir	Pseudotsuga Menziesii / Douglas fir
16+90	0'	2-10" ash	Fraxinus latifolia / Oregon ash
17+10	0'	15" fir	Pseudotsuga Menziesii / Douglas fir
17+45	0'	2-8" ash	Fraxinus latifolia / Oregon ash
17+45	30' rt	24" oak	Quercus garryana / Oregon white oak
18+45	30' rt	18" apple	Malus species / apple
23+10	0'	2-12" serviceberry	Amalanchier alnifolia / serviceberry
23+5	0'	10" oak	Quercus garryana / Oregon white oak
25+2	5' rt	2-10" crabapple	
27+50	0'	10" apple	Malus species / apple
27+80	0'	20" fir	Pseudotsuga Menziesii / Douglas fir
28+20	25' lt	30" oak	Quercus garryana / Oregon white oak
28+35	5' lt	26" oak	Quercus garryana / Oregon white oak
28+35	5' rt	10" oak	Quercus garryana / Oregon white oak
28+70	10' lt	2-20" oak	Quercus garryana / Oregon white oak
29+90	30' lt	20" fir	Pseudotsuga Menziesii / Douglas fir
30+0	5' rt	20" oak	Quercus garryana / Oregon white oak
30+1	5' lt	15" maple	Acer macrophyllum / big-leaf maple
30+1	7' lt	12" oak	Quercus garryana / Oregon white oak
30+5	15' rt	10" cherry	Prunus emarginata / bitter cherry
30+5	30' rt	15" fir	Pseudotsuga Menziesii / Douglas fir
31+5	20' rt	18" fir	Pseudotsuga Menziesii / Douglas fir

Roadway Station	Location	Description	Scientific Name
31+8	30' lt	15" fir	Pseudotsuga Menziesii / Douglas fir
32+4	10' lt	12" willow	Salix lasiandra / Pacific willow
32+85	5' lt	12" madrone	Arbutus menziesii / madrone
32+90	5' lt	20" fir	Pseudotsuga Menziesii / Douglas fir
33+10	10' rt	12" cherry	Prunus emarginata / bitter cherry
33+50	12' lt	18" fir	Pseudotsuga Menziesii / Douglas fir
33+8	25' rt	15" fir	Pseudotsuga Menziesii / Douglas fir
34+0	20' rt	15" fir	Pseudotsuga Menziesii / Douglas fir
34+0	30' rt	15" fir	Pseudotsuga Menziesii / Douglas fir
34+2	15' rt	12" cherry	Prunus emarginata / bitter cherry
34+3	0' rt	12" willow	Salix lasiandra / Pacific willow
35+00	10' lt	10" fir	Pseudotsuga Menziesii / Douglas fir
35+2	0' rt	3-12" fir	Pseudotsuga Menziesii / Douglas fir
35+20	8' lt	10" fir	Pseudotsuga Menziesii / Douglas fir
35+3	5' lt	12" willow	Salix lasiandra / Pacific willow
35+35	5' lt	12" fir	Pseudotsuga Menziesii / Douglas fir
35+4	7' lt	12" fir	Pseudotsuga Menziesii / Douglas fir
35+4	30' lt	4-8-10" fir	Pseudotsuga Menziesii / Douglas fir
36+6	20' rt	8" cherry	Prunus emarginata / bitter cherry
37+8	20' rt	15" fir	Pseudotsuga Menziesii / Douglas fir
38+4	15' rt	10" cherry	Prunus emarginata / bitter cherry
40+1	0'	12" fir	Pseudotsuga Menziesii / Douglas fir
40+20	0'	12" maple	Acer macrophyllum / big-leaf maple
44+85	10' lt	16" fir	Pseudotsuga Menziesii / Douglas fir
45+30	25' rt	12" pine	Pinus ponderosa / ponderosa pine
45+35	0'	15" fir	Pseudotsuga Menziesii / Douglas fir
45+50	20' rt	12" pine	Pinus ponderosa / ponderosa pine
45+75	5' rt	12" fir	Pseudotsuga Menziesii / Douglas fir
45+92	1' rt	24" fir	Pseudotsuga Menziesii / Douglas fir
46+0	25' lt	12" fir	Pseudotsuga Menziesii / Douglas fir
46+10	15' rt	15" fir	Pseudotsuga Menziesii / Douglas fir
46+10	5' rt	18" fir	Pseudotsuga Menziesii / Douglas fir
46+15	25' rt	12" fir	Pseudotsuga Menziesii / Douglas fir
46+15	10' lt	12" fir	Pseudotsuga Menziesii / Douglas fir
46+25	10' lt	12" fir	Pseudotsuga Menziesii / Douglas fir
46+25	15' rt	15" fir	Pseudotsuga Menziesii / Douglas fir
46+35	18' rt	12" fir	Pseudotsuga Menziesii / Douglas fir
46+38	10' rt	12" fir	Pseudotsuga Menziesii / Douglas fir
46+40	26' rt	14" fir	Pseudotsuga Menziesii / Douglas fir
46+40	5' lt	12" fir	Pseudotsuga Menziesii / Douglas fir
46+50	5' lt	14" fir	Pseudotsuga Menziesii / Douglas fir
46+8	10' rt	15" fir	Pseudotsuga Menziesii / Douglas fir
46+85	5' rt	10" fir	Pseudotsuga Menziesii / Douglas fir
47+10	0'	12" fir	Pseudotsuga Menziesii / Douglas fir
47+25	10' rt	15" fir	Pseudotsuga Menziesii / Douglas fir
47+60	25' lt		
47+80	0'	12" ash?	Fraxinus latifolia / Oregon ash
47+80	0+10' rt	4-12" fir	Pseudotsuga Menziesii / Douglas fir
48+25	8' rt	15" oak	Quercus garryana / Oregon white oak
48+40	15' rt	15" cottonwood	Populus trichocarpa / black cottonwood
48+60	5' rt	14" oak	Quercus garryana / Oregon white oak
48+80	15' lt	2-18" oak	Quercus garryana / Oregon white oak

Roadway Station	Location	Description	Scientific Name
48+90	10' lt	18" oak	<i>Quercus garryana</i> / Oregon white oak
49+30	8' rt	18" oak	<i>Quercus garryana</i> / Oregon white oak
49+30	5' rt	14" oak	<i>Quercus garryana</i> / Oregon white oak
49+30	5' lt	15" oak	<i>Quercus garryana</i> / Oregon white oak
49+40	10' rt	18" oak	<i>Quercus garryana</i> / Oregon white oak
49+70	20' rt	3-12 blk wal.	
50+15	15' rt	12" ash	<i>Fraxinus latifolia</i> / Oregon ash
50+3	5' lt	15" ash	<i>Fraxinus latifolia</i> / Oregon ash
50+35	8' rt	15" ash	<i>Fraxinus latifolia</i> / Oregon ash
50+35	12' rt	12" ash	<i>Fraxinus latifolia</i> / Oregon ash
50+38	10' rt	15" ash	<i>Fraxinus latifolia</i> / Oregon ash
50+50	18' rt	16" oak	<i>Quercus garryana</i> / Oregon white oak
50+52	10' rt	12" ash	<i>Fraxinus latifolia</i> / Oregon ash
50+58	12' rt	15" oak	<i>Quercus garryana</i> / Oregon white oak
50+60	6' rt	20" oak	<i>Quercus garryana</i> / Oregon white oak
50+9	5' lt	12" willow	<i>Salix lasiandra</i> / Pacific willow
50+95	10' rt	4-10"	
51+0	20' lt	10" cherry	<i>Prunus emarginata</i> / bitter cherry
66+2	0'	2-10" fir	<i>Pseudotsuga Menziesii</i> / Douglas fir
66+6	0'	2-12" cherry	<i>Prunus emarginata</i> / bitter cherry
67+3	5' lt	30" fir	<i>Pseudotsuga Menziesii</i> / Douglas fir
67+6	5' rt	11" fir	<i>Pseudotsuga Menziesii</i> / Douglas fir
68+	0'	12" fir	<i>Pseudotsuga Menziesii</i> / Douglas fir
8+00	0'	oak	<i>Quercus garryana</i> / Oregon white oak
8+40	0'	8" serviceberry	<i>Amalanchier alnifolia</i> / serviceberry
99+50	15' lt	24" oak	<i>Quercus garryana</i> / Oregon white oak

Exhibit F - City Resolution No. 858

EXHIBIT "F"

RESOLUTION NO. 858

A RESOLUTION ADOPTING THE PLANNING COMMISSION'S FINDINGS AND RECOMMENDATION TO APPROVE THE ALIGNMENT OF CANYON CREEK NORTH AND MODIFICATION OF THE STAGE I MASTER PLAN FOR PARKWAY CENTER; BURNS-WESTERN, INC., APPLICANT; TAX LOT 1500, SECTION 1, T3S-R1W, WASHINGTON COUNTY AND TAX LOTS 300 AND 400, SECTION 12, T3S-R1W, CLACKAMAS COUNTY, OREGON.

WHEREAS, an application, prepared by David Evans and Associates, Inc., on behalf of Burns-Western, Inc., had been submitted for the Planning Commission's consideration and review at their regularly scheduled meeting held on September 10, 1990; and,

WHEREAS, the Planning Commission's recommendation and findings were presented to the Wilsonville City Council at their regularly scheduled meeting held on November 5, 1990; and,

WHEREAS, the City Council, after hearing testimony from the applicant(s), City staff and the Planning Commission Chairman, adopted a motion to remand the issue of the Primary Open Space back to the Planning Commission after directing that further studies be conducted; and,

WHEREAS, the applicant, in cooperation with City Staff, undertook an extensive study of the wetland/Primary Open Space area and determined that an alignment for Canyon Creek North would have minimum impact if it were constructed as shown on Exhibit 1, PARKWAY CENTER, Revised: 15 May 1991; and,

WHEREAS, the revised and modified Parkway Center Master Plan was presented to the Planning Commission and received their approval on June 10, 1991; and,

WHEREAS, the Wilsonville City Council finds that the Planning Commission's action and recommendation regarding the Parkway Center Master Plan (Revised) is both reasonable and appropriate.

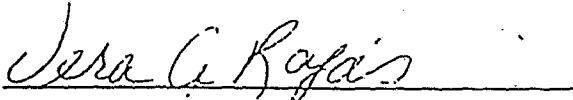
NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES that the City Council of the City of Wilsonville does hereby adopt the recommendation(s) and findings

of the Planning Commission and APPROVES the Parkway Center Master Plan (as Revised on 15 May 1991), subject to the Conditions of Approval recommended and adopted by the Planning Commission. The City Council notes that all or a portion of this property has been identified as a "wetland" on the state-wide inventory. If the site is a jurisdictional wetland, development actions in this area may require a State and/or Federal permits.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 15th day of July, 1991 and filed with the Wilsonville City Recorder this date.


GERALD A. KRUMMEL, Mayor

ATTEST:


VERA A. ROJAS, CMC. City Recorder

SUMMARY OF Votes:

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

City of
WILSONVILLE
In OREGON

30000 SW Town Center Loop E • PO Box 220
Wilsonville, OR 97070
(503) 682-1011

NOTICE OF DECISION

Project Name: PARKWAY CENTER File No: 90PC34

Applicant / Owner: Burns-Western, Inc.

Proposed Action: Modification of Stage I Master Plan and Major Land
Partition

Property Description:

Map No: 1 Tax Lot No: 1500 Site Size: _____
12 300 and 400

Address: _____

Location: North of Wiedemann Road and east of Parkway Avenue

On June 10, 1991, at the meeting of the Planning Commission
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 14th day of June, 1991, and is available for public inspection. The date of filing is the date of the decision. Any appeal(s) must be filed with the Planning Department by 5:00 p.m. on June 28, 1991.

 XX Written decision is attached

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

This action, if approved, will expire on _____ unless development commences prior to the expiration date.

For further information, please contact the Wilsonville Planning Department at City Hall, Community Development, or phone 682-4960.

PLANNING COMMISSION
RESOLUTION NO. 91PC11

A RESOLUTION RECOMMENDING TO THE CITY COUNCIL FINDINGS APPROVING FINAL ALIGNMENT OF CANYON CREEK NORTH, APPROVING COMPREHENSIVE PLAN MAP AMENDMENT TO SHOW ADJUSTMENTS TO THE INDUSTRIAL, PRIMARY OPEN SPACE, SECONDARY OPEN SPACE AND RESIDENTIAL 12-20 DU/AC USE DESIGNATIONS TOGETHER WITH ZONE MAP AMENDMENTS ADJUSTING PLANNED DEVELOPMENT INDUSTRIAL AND PLANNED DEVELOPMENT RESIDENTIAL ZONE DESIGNATIONS - BURNS-WESTERN, APPLICANT. THE AFFECTED PROPERTY CONSISTS OF TAX LOT 1500, SECTION 1, T3S-R1W IN WASHINGTON COUNTY AND TAX LOTS 300 AND 400, SECTION 12, T3S-R1W, CLACKAMAS COUNTY

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted in accordance with the procedures set forth in Sections 4.008(4) and 4.187(1)(C) of the Wilsonville Code, and Section 1 of the Comprehensive Plan, and

WHEREAS, the Planning staff has prepared a report on the above-captioned subject which is attached hereto as Exhibit A, and

WHEREAS, said planning exhibits and staff report were duly considered by the Planning Commission at a regularly scheduled meetings conducted on June 10, 1991, at which time said exhibits, together with findings and public testimony, were entered into the public record, and

WHEREAS, the Commission has duly considered the subject and the recommendation(s) contained in the staff report, and

WHEREAS, all interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Wilsonville does hereby adopt the staff report attached hereto as Exhibit A, with the findings and recommendations contained therein and further authorizes the Planning Director to forward the Planning Commission's recommendation for approval of said Resolution to the City Council

ADOPTED by the Planning Commission of the City of Wilsonville at a regular meeting thereof, this 10th day of June, 1991, and filed with the Planning Secretary this same day.


Chairman, Planning Commission

Attest:


Judec Emison, Planning Secretary

PLANNING COMMISSION
RESOLUTION NO. 91PC11

A RESOLUTION ADOPTING FINDINGS APPROVING A TWO-PARCEL MAJOR LAND PARTITION FOR PROPERTY AFFECTING TAX LOT 1500 OF SECTION 1, T3S-R1W, WASHINGTON COUNTY AND TAX LOTS 300 AND 400 OF SECTION 12, T3S-R1W, CLACKAMAS COUNTY - BURNS-WESTERN, APPLICANT

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted in accordance with the procedures set forth in Sections 4.008(4) and 4.230 of the Wilsonville Code, and Section 1 of the Comprehensive Plan, and

WHEREAS, the Planning staff has prepared a report on the above-captioned subject which is attached hereto as Exhibit A, and

WHEREAS, said planning exhibits and staff report were duly considered by the Planning Commission at a regularly scheduled meetings conducted on June 10, 1991, at which time said exhibits, together with findings and public testimony, were entered into the public record, and

WHEREAS, the Commission has duly considered the subject and the recommendation(s) contained in the staff report, and

WHEREAS, all interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Wilsonville does hereby adopt the staff report attached hereto as Exhibit A, with the findings and recommendations contained therein and further authorizes the Planning Director to issue a

Major Land Partition

consistent with said recommendations.

ADOPTED by the Planning Commission of the City of Wilsonville at a regular meeting thereof, this 10th day of June, 1991, and filed with the Planning Secretary this same day.


Chairman, Planning Commission

Attest:


Judge Emison, Planning Secretary

MOTIONS FROM PLANNING COMMISSION MEETING OF JUNE 10,
1991:

PARKWAY CENTER - Modified Stage I Master Plan and Major Land
Partition

Mike Williams moved to accept the land partition carving out Parcel II and approving the right-of-way for Burns Way. Helen Burns seconded the motion which passed 5-0.

Mike Williams moved to accept the general alignment of Canyon Creek Road North as shown on Exhibit 3, and to provide, as shown on Exhibit 3, that Parcels I and II, located west of Canyon Creek Road North and west of the Primary Open Space be zoned Industrial. Weldon Sloan seconded the motion which passed 5-0.

Mike Williams moved, based on Exhibit 3, to accept Parcel III, which would be both sides of Canyon Creek Road North, as Residential - 12 to 20, with the Commission recognizing that because of the gross acreages involved, it appears that it would have to come in and come before the Planning Commission as a Planned Development Residential application, either singularly or cumulatively. Arland Andersen seconded the motion which passed 3-1-1 with Marian Wiedemann voting against and Helen Burns abstaining.

PLANNING DEPARTMENT
STAFF REPORT

DATE: June 10, 1991

TO: Planning Commission

PREPARED BY: Blaise Edmonds

REQUEST: 90PC34 Parkway Center - Request for approval of a modified Stage I Master Plan and a major land partition. This request also involves a revised alignment for Canyon Creek North where it will cross the Parkway Center site and an Ash wooded wetland that is designated in Primary Open Space.

BACKGROUND

David Evans and Associates, Inc., representing Burns - Western, Inc., submitted an application to modify the Parkway Master Plan on June 2, 1990. The application, according to the Planning Director's memorandum to the City Council, included a request to partition property located within Parkway Center and to replace the Primary Open Space (as designated on the Comprehensive Plan) with Secondary Open Space. As part of the request, certain roads would be realigned to provide right-of-way for what has been identified as Canyon Creek North and an east - west road to connect Parkway Center Drive with a new arterial street and to provide access to other land located east of Canyon Creek North.

The Wilsonville Planning Commission conducted a public hearing on September 10, 1990 to consider this request. The Planning Commission decided to recommend approval of the modified Stage I Master Plan and the preliminary partition. However, the Commission did not recommend that any change be made to the Primary Open Space designation that is depicted on the Comprehensive Plan Map. The Planning Commission's decision was in the form of a recommendation to the City Council.

The City Council held a public hearing to consider the Planning Commission's recommendation and essentially rendered no decision and remanded the request back to the Planning Commission. The remand has allowed the applicant additional time to perform an environmental impact analysis of the POS area for the purpose of establishing an alignment for the Canyon Creek North right-of-way with the least environmental impact on the existing wetland and significant trees. The revised plan includes a wetland mitigation proposal for wetland displaced by street right-of-way. The proposed alignment is delineated on applicant's Exhibits 1 to 4. City staff met on site with the applicant and with Mr. Parks of the Oregon Department of State Lands, and walked the entire length of the Primary Open space area. The Canyon Creek North alignment was tentatively agreed upon to follow a course that would minimize impact on the identified Ash wooded wetland.

PROPOSED FINDINGS

1. The Planning Commission, on September 10, 1990, modified and incorporated affirmative findings that were submitted by David Evans and Associates in their recommendation to the City Council. The Planning Commission deleted the following paragraph:

"A. The Planning Commission finds that the statement regarding secondary open space (Exhibit B, page 10) is inconclusive, there are several areas (which may not be protected as 'primary open space') that still deserve some measure of protection under City ordinances and the Comprehensive Plan. In such cases, it is appropriate and necessary to apply a designation that affords some measure of protection until a more detailed site analysis is performed. This is an acceptable and recommended use for the 'Secondary Open Space' Comprehensive Plan designation."

The Planning Commission made this paragraph "A":

- A. The Commission finds that the area generally depicted as 'primary open space' has been designated as a 'wetland' by the United States Department of the Interior. The Commission notes that a detailed on-the-ground and/or historical analysis may result in a revision of the wetland boundaries which were established through photographic interpretation. Therefore, a plan designation of Primary Open Space is appropriate to protect the resource until a more detailed, on-site analysis is completed. At the time the wetland designation is made, the applicant shall have the right to return to the Planning Commission to have the issue reviewed.
2. That Planning Commission finds that the City's traffic consultant, Carl Butke, has identified Canyon Creek North proposed between Elligsen Road and Boeckman Road as a necessary arterial for access to the subject master planned property. At the time of writing this staff report, the City Council voted in the first reading of the transportation ordinance, to adopt revisions to the City of Wilsonville Transportation Plan. The Transportation Plan, as revised, delineates a general alignment for Canyon Creek North. The subject application further refines this alignment to be more responsive to an existing wetland and to preserve significant roses.
3. The Planning Commission finds that the previous Conditions of Approval are applicable to this request and they are as follows:
 1. That this zone change will expire within two years of final approval by the City Council if substantial development has not occurred.

2. That within a period of one year from the date of adoption of the Ordinance amending the Zoning Map, the applicant submit to the Planning Commission Stage II Final Development Plans for the first phase of development.

Stage II documents shall be consistent with the conceptual Master Plan and identify the specific alignment and street standard sections for Parkway Avenue and the north-south collector to Boeckman Road (extension of Canyon Creek Road).

3. That the phasing of this development be consistent with the City's growth management policies and Capital Improvement programming. Adequate primary facilities as defined in the Comprehensive Plan shall be available to serve each respective phase of development. If adequate facilities do not currently exist, at the time of submittal for Stage II Plan approval they must be planned, scheduled and funded for improvement prior to issuance of Building Permits. Occupancy Permits will be withheld until such time as the needed public facilities have been constructed and area available to service development.
4. That the applicant waive right of remonstrance against any proposed local improvement district which may be formed to construct public improvements which would serve the subject property.
5. That the applicant or respective property owner within the established zoned districts submit at Stage II appropriate CC&Rs or Homeowners' Association By-Laws to insure orderly development of the property consistent with the Parkway Center Master Plan and to insure proper maintenance of any common areas proposed.
6. That Stage II Development Plans identify appropriate dedication of public rights-of-way for street improvements, detailed pedestrian pathway plans and appropriate dedications for designations of common open space areas, together with a proposed method of maintenance for any common areas.
7. That Stage II documents include a proposed Transportation System Management program which has been coordinated with the City, Tri-Met and ODOT.
8. That the applicant's Stage I submittal documents including Land Use Master Plan, design objectives and standards as set forth in the report entitled "The Parkway Center Development Study" dated February 12, 1981, prepared by Zimmer, Gunsul, Frasca Partnership, et al., for Burns Bros., et al., and the slide presentation be adopted as Conditions of Approval.
9. The Conditions in this approval and Stage I commitments will endure to subsequent property owners.
10. The applicant will build roads to the current Public Works Standards or to any alternative standard as may be approved by the City Council.

11. Deleted
12. The applicant submit a detailed Storm Drainage Plan and Concept Master Path Plan with the first phase of Stage II.
13. Deleted
14. Full road right-of-ways must be dedicated by Stage II unless requested earlier by the City.

An additional Condition of Approval was imposed in 1982 when the Parkway Center Plan was modified at the request of Western International Properties. The City Council affirmed the modified Plan in April, 1982, by a 5-0 vote.

15. That all Conditions of Approval adopted under the provisions of Ordinance 187 shall continue to apply save and except the expiration date of the zone change shall follow two years after the date of the adoption of the Boundary Amendment by the City Council and that the one-year submittal deadline for the Stage II Final Development Plans for Phase I of the proposed development shall be submitted within one year following the date of adoption of the Boundary Amendment by the City Council.

The Commission recommends that the City Council modify the original Conditions as follows:

Condition 5 shall be deleted and reworded to state:

5. The applicant shall submit and reword CC&Rs and/or Homeowners' Association By-Laws at the time of filing the plat for the major partition or for the subsequent Stage II review, whichever occurs first.

Condition 8 shall state the following:

8. That the applicant's Stage I submittal documents including Land Use Master Plan, design objectives and standards as set forth in the report entitled "The Parkway Center Development Study" dated February 12, 1981, prepared by Zimmer, Gunsul, Frasca Partnership, et al., for Burns Bros., et al., and the slide presentation be adopted as Conditions of Approval, except that the Land Use Master Plan may be revised and/or modified by the City Council. Whenever the City Council approves a modification to, or revision of, the Parkway Center Master Plan, then that shall supersede all previous Plans. Such modification and/or revision may occur only after the Council first receives the recommendation and findings of the Planning Commission. Changes to the Master Plan may be enacted by a Zone Order adopted by the City Council.

Primary Open Space:

4. The area of the site shown in Primary Open Space on the Comprehensive Plan Map, is a general representation of that area. Policy 4.5.1:

"Primary Open Space is intended to remain undeveloped with the possible exceptions of passive recreation and underground public facilities. These areas include the following:

1. 100 year floodplains
2. Slopes greater than 20%.
3. Significant stands of trees, including all trees and vegetation within 150 feet of the banks of the Willamette River, but not including orchards.
4. Major natural drainage channels."

Based upon Policy 4.5.1(3) and field investigations of the site performed City Planning and City Engineering staff, the applicant, representatives of David Evans and Associates and Mr. Parks of the Oregon Division of State Lands, the subject area identified in Ash wooded wetlands is appropriately classified in Primary Open Space.

5. The proposed Canyon Creek North right-of-way shown to traverse the POS/wetland area is consistent with the Comprehensive Plan. The transportation map in the Comprehensive Plan recognized and intended a north-south street (Canyon Creek North) to traverse the POS area on the site.

RECOMMENDATION: The applicant is seeking approval of the application as revised. The applicant has demonstrated through site engineering and environmental mitigation, that Canyon Creek North could follow an alignment to traverse the Primary Open Space/wetland area and still preserve the natural integrity of that special area. I recommend that the Planning Commission forward a recommendation to the City Council for approval of the modified Master Plan, major land partition and Canyon Creek North road alignment.

Conditions of Approval:

1. This approval grants a tentative major land partition approval for the creation of three lots delineated on the Preliminary Plan.
2. The approval for the major partition shall become final upon recording of the partition map together with any required documents with the County Recorder. Approved subdivision plats shall become void within one year after issuance of the development permit if they are not recorded.

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.

- A. Findings and Conditions of Approval
- B. City of Wilsonville Comprehensive Plan
- C. Chapter 4 of the Wilsonville Code
- D. Applicant's submittal documents

NOTE: These Exhibits are not included in this report

Exhibit G - City Letter - System Development Charges (SDC's) Credits

EXHIBIT "G"

COPY RECEIVED
City of
WILSONVILLE
in OREGON

APR 20 1995

9000

30000 SW Town Center Loop E
Wilsonville, Oregon 97070
FAX (503) 682-1015
(503) 682-1011

April 18, 1995

Christy Wiegel
Don Morissette Homes
5000 SW Meadows Road
Suite 151
Lake Oswego OR 97035

Re: Proposed Canyon Creek North Local Improvement District

Dear Ms. Wiegel:

This letter is in follow-up to our telephone conversation on April 17, 1995, concerning the proposed credits against SDCs for this project.

On March 13, 1995, Mr. Bruce Magnuson of David Evans and Associates presented a proposal that the credits to the property owners against the systems development charges for the subject project be allowed for the following costs:

sanitary sewer system	\$89,000
street construction	\$1,289,000
storm drainage construction	\$41,000
water system construction	\$94,000
Total proposed credits:	<u>\$1,513,000</u>

Staff has reviewed the proposed credits and will support all proposed credits except for water system construction. It is staff's opinion that the construction that is included in the proposed water system credits only benefits the adjacent properties and does not benefit the overall water system. With this deduction, staff would support a total credit of \$1,419,000. It is suggested that if the property owners are still interested in proceeding with formation of a local improvement district that you go ahead and submit the petitions. It is further suggested, that in the council resolutions that are required to establish the local improvement district, that we include the specific credits against systems development charges and any additional specifics concerning these credits.

One additional hurdle that we need to work out is the constitutional limitations on Bancroft funding of local improvement districts. It is suggested that we go ahead and

Christy Wiegel
Don Morissette Homes
Re: Proposed Canyon Creek North LID
April 18, 1995 - Page 2

work through the funding of the local improvement ~~district~~ construction cost
simultaneously with the submission of the petitions for formation of the ~~district~~.

If you have any further questions, please contact the undersigned.

Sincerely,


Eldon R. Johansen
Community Development Director

erj:mld

cc: Bruce Magnuson, David Evans and Associates
Arlene Loble, City Manager
Mike Kohlhoff, City Attorney
Mike Stone, City Engineer
Stephan Lashbrook, Interim Planning Director
file

5.108.11.ej(CWcanyonCrk)

Exhibit H. - Summary of Independent Appraisals

ZELL & ASSOCIATES

September 1, 1995
95139

Real Estate Appraisers and Counselors

S & S Development
Attn: Mr. Jack Shin
8465 SW Hemlock Street
Portland, OR 97225

Upon your instructions conveyed by Agreement and Authorization for Appraisal dated August 25, 1995, we have personally inspected and performed a complete self contained appraisal report of the fee simple interest in 19.38 acres of PDR 12-20 zoned land located on the south side of Elligsen Road and the east side of Canyon Creek Road, in Wilsonville, Oregon 97070, described more fully herein. The purpose of this report is to communicate the data and reasoning used by the appraiser to form an opinion of the market value. It is understood this report is intended to be used by S & S Development to substantiate market value for inclusion in the City of Wilsonville's Canyon Creek North LID.

In the appraisal process, we have considered only the value of raw land. We have reviewed the data from the marketing area, trends in the district, sales and asking prices of comparable properties to estimate the market value of the property assuming completion of the northern portion of Canyon Creek Road. Development costs and rental of the units are considered only within the context of financial feasibility as necessary to establish Highest and Best Use of the property.

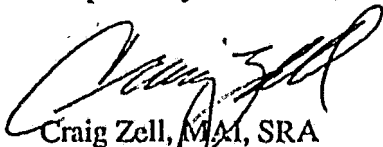
After due consideration of the information contained in the report and based upon our knowledge of market conditions as of the date of inspection, August 24, 1995, the market value of the subject property, assuming completion of the Canyon Creek Road LID by Spring 1997, is estimated to be:

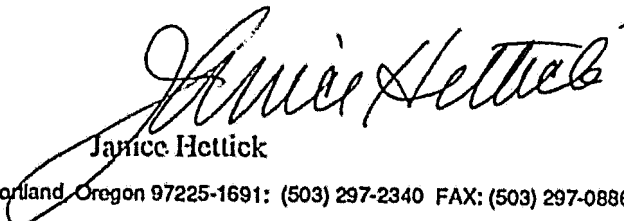
TWO MILLION TWO HUNDRED THOUSAND DOLLARS

\$2,200,000

This value is effective as of the prospective date of completion of the LID, Spring 1997. The value concluded in this report is expressly subject to the conditions, assumptions and comments appearing on the subsequent pages attached. This report has been prepared in accordance with the Uniform Standards of Professional Appraisal Practice. The report is intended to comply with the Office of the Comptroller of the Currency under 12 CFR, Part 34, Subpart C-Appraisals, 34.42 Definitions [f]. The undersigned have the knowledge to complete this appraisal competently and in conformance with the aforementioned guidelines.

Respectfully Submitted,


Craig Zell, MAI, SRA


Janice Hettick

4850 SW Scholls Ferry Rd., Suite 102, Portland, Oregon 97225-1691; (503) 297-2340 FAX: (503) 297-0886

ZELL & ASSOCIATES

August 31, 1995
95138

Real Estate Appraisers and Counselors

Burns Brothers, Inc.
516 SE Morrison Street, Suite 1200
Portland, OR 97214

Upon your instructions conveyed by Agreement and Authorization for Appraisal dated August 11, 1995, we have personally inspected and performed a complete self contained appraisal report of the fee simple interest in 25.02 acres of PDR 12-20 zoned land located on the south side of Burns Way and the west side of Canyon Creek Road, in Wilsonville, Oregon 97070, described more fully herein. The purpose of this report is to communicate the data and reasoning used by the appraiser to form an opinion of the market value. It is understood this report is intended to be used by Burns Brothers, Inc. to substantiate market value for inclusion in the City of Wilsonville's Canyon Creek North LID.

In the appraisal process, we have considered only the value of raw land. We have reviewed the data from the marketing area, trends in the district, sales and asking prices of comparable properties to estimate the market value of the property assuming completion of the northern portion of Canyon Creek Road. Development costs and rental of the units are considered only within the context of financial feasibility as necessary to establish Highest and Best Use of the property.


After due consideration of the information contained in the report and based upon our knowledge of market conditions as of the date of inspection, August 24, 1995, the market value of the subject property, assuming completion of the Canyon Creek Road LID by Spring 1997, is estimated to be:


TWO MILLION SIX HUNDRED THOUSAND DOLLARS

\$2,600,000

The effective date of this conclusion of value is the prospective date of completion of the LID improvements, Spring 1997. The value concluded in this report is expressly subject to the conditions, assumptions and comments appearing on the subsequent pages attached. This report has been prepared in accordance with the Uniform Standards of Professional Appraisal Practice. The report is intended to comply with the Office of the Comptroller of the Currency under 12 CFR, Part 34, Subpart C-Appraisals, 34.42 Definitions [f]. The undersigned have the knowledge to complete this appraisal competently and in conformance with the aforementioned guidelines.

Respectfully Submitted,


Craig Zell, MAI, SRA


Janice Hettick

ZELL & ASSOCIATES

September 1, 1995
95140

Real Estate Appraisers and Counselors

Steve Berrey
18879 SW Martinazzi Avenue
Tualatin, OR 97062

Upon your instructions conveyed by Agreement and Authorization for Appraisal dated August 11, 1995, we have personally inspected and performed a complete self contained appraisal report of the fee simple interest in 14.82 acres of PDI and PDR 12-20 zoned land located on the south side of Elligsen Road and the west side of Canyon Creek Road, in Wilsonville, Oregon 97070, described more fully herein. The purpose of this report is to communicate the data and reasoning used by the appraiser to form an opinion of the market value. It is understood this report is intended to be used by Steve Berrey to substantiate market value for inclusion in the City of Wilsonville's Canyon Creek North LID.

In the appraisal process, we have considered only the value of raw land. We have reviewed the data from the marketing area, trends in the district, sales and asking prices of comparable properties to estimate the market value of the property assuming completion of the northern portion of Canyon Creek Road. Development costs and rental of the units are considered only within the context of financial feasibility as necessary to establish Highest and Best Use of the property.

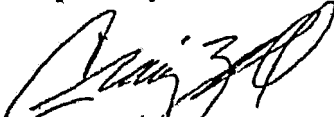
After due consideration of the information contained in the report and based upon our knowledge of market conditions as of the date of inspection, August 24, 1995, the market value of the subject property, assuming completion of the Canyon Creek Road LID by Spring 1997, is estimated to be:


ONE MILLION FIVE HUNDRED EIGHTY FIVE THOUSAND

\$1,585,000

This value is effective as of the prospective date of completion of the LID, Spring 1997. The value concluded in this report is expressly subject to the conditions, assumptions and comments appearing on the subsequent pages attached. This report has been prepared in accordance with the Uniform Standards of Professional Appraisal Practice. The report is intended to comply with the Office of the Comptroller of the Currency under 12 CFR, Part 34, Subpart C-Appraisals, 34.42 Definitions [f]. The undersigned have the knowledge to complete this appraisal competently and in conformance with the aforementioned guidelines.

Respectfully Submitted,


Craig Zell/MAI, SRA


Janice Hettick

ZELL & ASSOCIATES

September 1, 1995
95137

Real Estate Appraisers and Counselors

Venture Properties, Inc.
Ms. Christie Wiegel
5000 SW Meadows Road, Suite 151
Lake Oswego, OR 97035

Upon your instructions conveyed by Agreement and Authorization for Appraisal dated August 11, 1995, we have personally inspected and performed a complete self contained appraisal report of the fee simple interest in 20.41 acres of PDR 7-12 zoned land approved for development of 117 single family residential lots in a proposed subdivision to be known as CANYON CREEK MEADOWS, located 1,650 feet north of Boeckman Road on the west side of Canyon Creek Road, in Wilsonville, Oregon 97070, described more fully herein. The purpose of this report is to communicate the data and reasoning used by the appraiser to form an opinion of the market value. It is understood this report is intended to be used by Venture Properties, Inc. to substantiate market value for inclusion in the City of Wilsonville's Canyon Creek Road North LID.

In the appraisal process, we have considered only the value of raw land underlying the subdivision. We have reviewed the data from the marketing area, trends in the district, sales and asking prices of comparable properties to estimate the retail value of the lots and the entire development at the time of completion. Retail lot values and typical development costs are considered only within the context of financial feasibility as necessary to establish Highest and Best Use of the property.

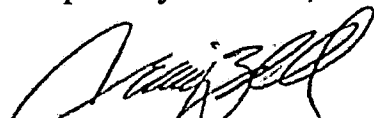
After due consideration of the information contained in the report and based upon our knowledge of market conditions as of the date of inspection, August 24, 1995, the market value of the subject property, assuming completion of the Canyon Creek Road North LID, is estimated to be:

ONE MILLION EIGHT HUNDRED FIFTY THOUSAND DOLLARS

1,850,000

The value concluded in this report is expressly subject to the conditions, assumptions and comments appearing on the subsequent pages attached. This report has been prepared in accordance with the Uniform Standards of Professional Appraisal Practice. The report is intended to comply with the Office of the Comptroller of the Currency under 12 CFR, Part 34, Subpart C-Appraisals, 34.42 Definitions [f]. The undersigned have the knowledge to complete this appraisal competently and in conformance with the aforementioned guidelines.

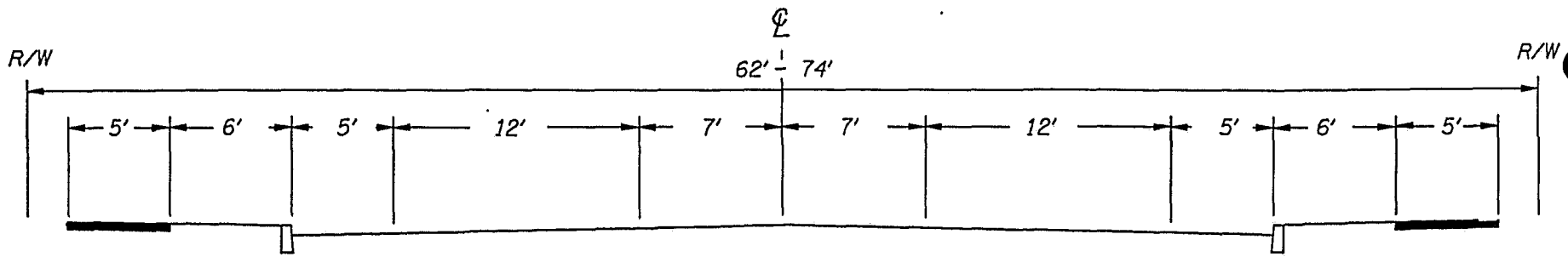
Respectfully Submitted,


Craig Zell, MAI, SRA

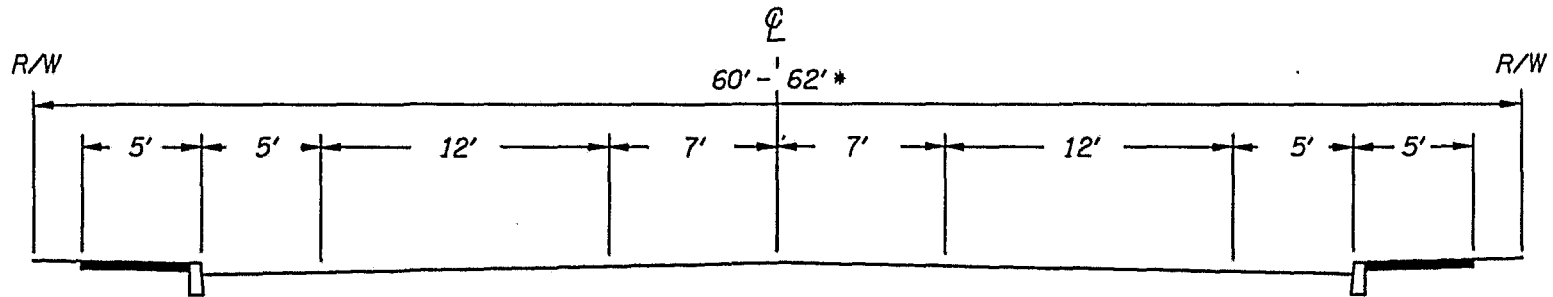

Janice Hettick

Exhibit I - Typical Street Cross-sections

Exhibit I



CI-1 (Modified to include planting strip)
CI Commercial / Industrial With Planting Area

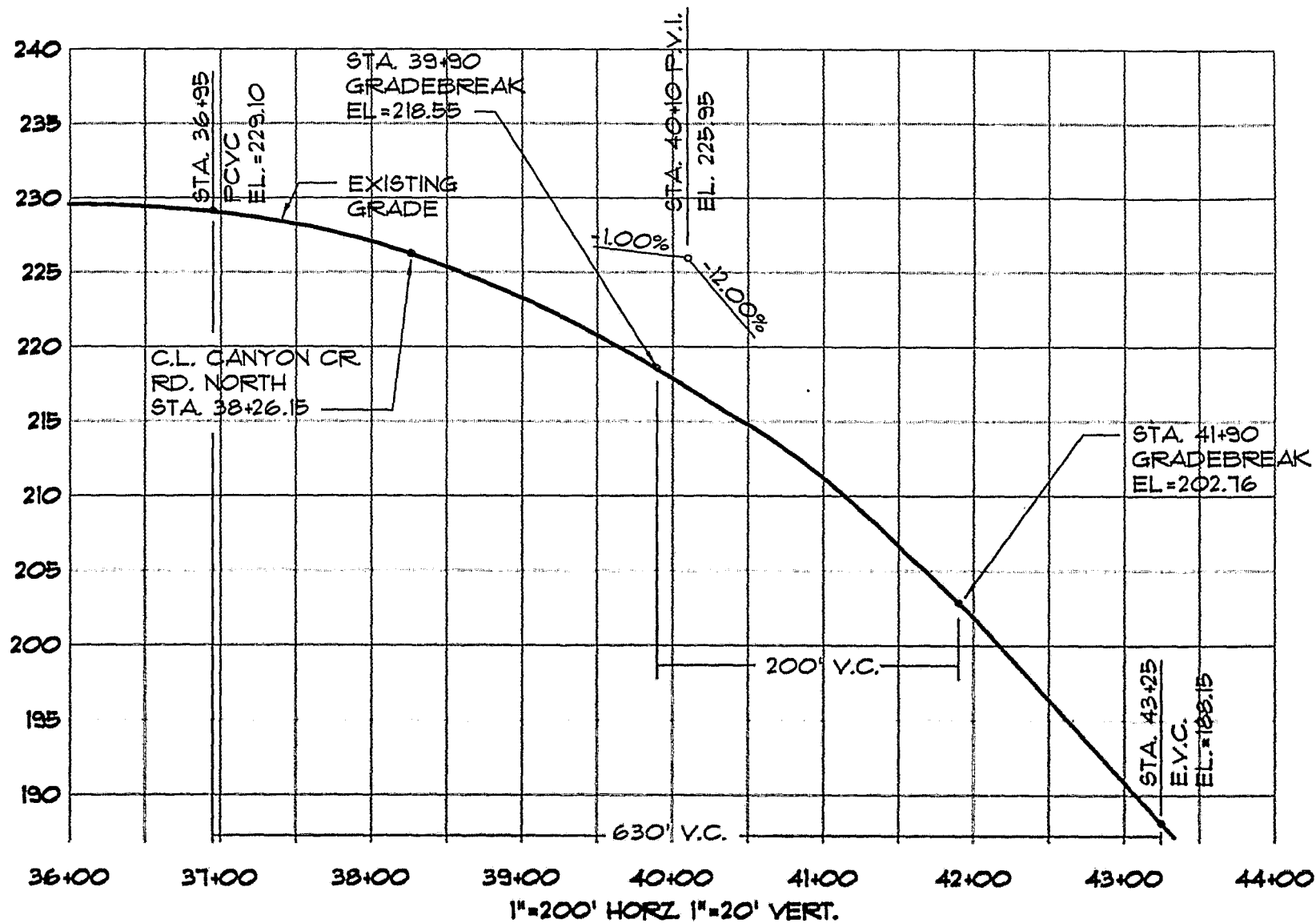


CI-1
Commercial Industrial W/Bikeway

* Current proposal is for 62'

Exhibit J - Profile and Sight Distance Along Boeckman Road

EXHIBIT 'J'
EXISTING PROFILE OF
BOECKMAN RD (FROM AS-BUILT DRAWING)
10-2-95



August 16, 1990

EXHIBIT "J"



Mr. Dick Drinkwater
City Engineer
City of Wilsonville
8445 SW Elligsen Rd.
Wilsonville, Oregon 97070

**RE: Mentor Graphics Corporation Wilsonville Campus Offsite Improvements
Boeckman Road/ Canyon Creek South Intersection Sight Distance
WHP Job No. 242-0104**

Dear Dick:

As requested we have reviewed the intersectional sight distance as well as the stopping sight distance at the above referenced location. The following is a brief summary of this review.

Intersectional Sight Distance

Using the design criteria for intersectional sight distance listed in Table VII, page 33 of the "City of Wilsonville Public Works Standards" 1987 edition, a design speed of 35 mph, an eye height of 3.5 feet and an object height of 4.25 feet, the required intersectional sight distance is 350 feet. Using equation (1) from page 305 of the 1984 edition, AASHTO "A Policy on Geometric Design of Highways and Streets", the calculated sight distance is 420 feet. This is for cars. The calculated sight distance for trucks (eye height of 6 feet) is 483 feet. Both the intersectional sight distance provided for cars and for trucks exceed the minimum requirements.


Stopping Sight Distance

Using the design criteria for stopping sight distance listed in Table IV, page 30 of the "City of Wilsonville Public Works Standards" 1987 edition, the required length of vertical curve for the vertical alignment of Boeckman Road in this area (algebraic difference in street grade of 11%) is between 440 to 550 feet. The actual length of this vertical curve is 630 feet which exceeds the minimum requirements.

Stopping Distance

The calculated stopping distance is approximately 250 feet based on the method outlined in the above referenced AASHTO manual on page 143. This includes an allowance for the "downgrade" of the pavement.

We also measured the sight distance in the field. Looking west from the intersection of Boeckman Road and Canyon Creek South, for an eye height of 3.5 feet and an object height of 4.25 feet the approximate sight distance was measured at 450 feet, which agrees closely with that distance calculated.

 Dick Drinkwater
Page 2

I hope the above information satisfactorily resolves this matter. Please do not hesitate to contact me if you have any questions or comments concerning this matter.

Sincerely,

WILSEY & HAM PACIFIC



Fred R. Gamire Jr., P.E.

pc:Dawn Pavitt
Doug Sowles
Tom Walker
Roger Herndon

mgs/bckmngd.815

Geo. 755-2023

SITE MEETING NOTES

PROJECT: Mentor Graphics Corporation Wilsonville Campus
Boeckman Rd. Canyon Creek South Intersection

DATE: September 25, 1990

NOTES BY: Fred R. Garmire Jr., P.E.

PRESENT: Jim Long, City of Wilsonville
Fred Garmire, Wilsey & Ham Pacific
Rob Monson, Mentor Graphics Corporation

DISTRIBUTION: Dawn Pavitt
Doug Sowles
Rob Monson
Tom Walker
City of Wilsonville
Roger Hen

I met with Jim Long and Rob Monson at the site at 3:15 p.m., on Tuesday, September 25, 1990 to measure the sight distance at the intersection of Boeckman Road and Canyon Creek Road South. The contractor had completed placement and compaction of the aggregate base and prepared the area for pavement. The top of aggregate grade was verified by WHP surveyors to be in accordance with the revised profile of this area as shown on sheet C-5 dated 8-23-90.

Jim Long and I proceeded to measure the sight distance at the intersection by placing a surveyors lath so that the top of the lath (painted fluorescent orange) was 3.75 feet above the top of rock, which corresponds to 3.5 feet above the finished grade on Canyon Creek Road South. This lath was placed 10 feet back from the south edge of pavement of Boeckman Road and 4 feet east of the Canyon Creek Road South centerline (this is design location for the driver's eye height of a vehicle stopped on Canyon Creek Road South, attempting to turn onto Boeckman Road). Using a surveyor's rod to set our eye height at 4.25 feet above the roadway and walking along the design path that an eastbound vehicle would travel on Boeckman Road, Jim and I measured the sight distance at 475 feet. This distance is within the range (465-480 feet) suggested by the City of Wilsonville in their letter dated August 23, 1990.

The contractor is scheduled to complete paving in this area on Wednesday, September 26, 1990.

MGC/bkmngrd2.927