

ORDINANCE NO. 448

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN MAP TO APPLY COMMERCIAL LAND USE DESIGNATION TO 1.94 ACRES AND TO AMEND THE OFFICIAL ZONING MAP TO APPLY PLANNED DEVELOPMENT COMMERCIAL ZONING AND ADOPTING FINDINGS AND CONDITIONS APPROVING STAGE 1 AND STAGE 2 SITE DEVELOPMENT PLANS FOR A "CHEVRON" AUTOMOBILE FACILITY COMPRISED OF A FUEL STATION, CONVENIENCE MARKET, TUNNEL CAR WASH AND AUTOMOBILE REPAIR BUILDING, AND DECLARING AN EMERGENCY. THE SITE IS IDENTIFIED AS BEING TAX LOT 301, TM3-1W-14C, WILSONVILLE, CLACKAMAS COUNTY, OREGON. HANK HUMMELT FOR KINSMAN L.L.C., APPLICANT.

WHEREAS, Hank Hummelt for Kinsman L.L.C. on May 1, 1995, has submitted a full and complete application requesting a Comprehensive Plan and Zoning Map amendments for Tax Lot 301, TM3-1W-14C, located at the Northeast Corner of Kinsman and Wilsonville Road; and,

WHEREAS, an application, together with Planning exhibits for the above captioned development, has been submitted in accordance with the procedures set forth in Section 4.008(5) and 4.139(1)&(2) &(3) of the Wilsonville Code, and

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

WHEREAS, the Wilsonville City Council at Public Hearings held on October 2, 1995, and October 16, 1995, considered the Planning Department, Engineering Department, and Building Department reports and recommendations and considered public testimony and revised site plans and elevations; and,

WHEREAS, the City Council, after providing public notice of the hearings in accordance with State law and Chapter 4 of the Wilsonville Code, having duly considered all evidence and testimony.

NOW, THEREFORE, the Wilsonville City Council ordains as follows:

SECTION I. The Comprehensive Plan and Zoning Map Amendments requested by H. Hummelt for Kinsman L.L.C. are hereby approved as described below. The City Council adopts the findings contained in the Staff Report (Exhibit "A"), and the following Conditions of Approval included in such report and adopts the proposed Comprehensive Plan and Zoning Map amendments as follows:

1. Revise the Comprehensive Plan to show Tax Lot 301 of TM3-1W-14C as Commercial Land Use.

2. Revise the Zoning Map to show Tax Lot 301 of TM3-1W-14C as Planned Development Commercial (PDC).

3. Revise the text and maps of the Comprehensive Plan and Zoning Ordinance to be consistent with the above.

SECTION II. Stage I and II Site Development Plans are approved and the City Council adopts the staff report attached hereto as Exhibit "A", with the findings, recommendations and conditions of approval contained therein.

SECTION III. Sections I, II, and III are to be implemented as follows:

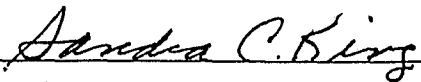
1. The Planning Director is hereby authorized to issue a Site Development Permit consistent with approval of Stage 1 and 2 plan;

2. The Planning Director is authorized to amend the official Zoning Map in keeping with the decision herein;

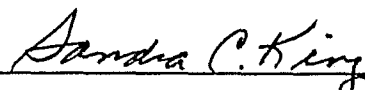
3. The property owners(s) of the parcel (and any future owners) shall accept the City Council's Conditions of Approval and such acceptance shall be placed and kept with the City Recorder. Any proposed amendments or modifications of any Condition shall be brought back to the Council for their approval and shall be subject to the public hearing notice and process as set forth in the Wilsonville Code.

SECTION IV. Emergency declared and effective date. Inasmuch as this ordinance is necessary for the immediate preservation of the health, safety, and general welfare of the City of Wilsonville and the inhabitants thereof, an emergency is hereby declared to exist and this Ordinance shall take effect immediately upon its final passage by the City Council and signing by the Mayor.

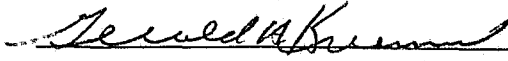
Submitted to the Council and read for the first and second time at a regular meeting thereof on November 6, 1995, commencing at the hour of 7:00 o'clock P.M., at the Wilsonville City Hall.


SANDRA C. KING, City Recorder

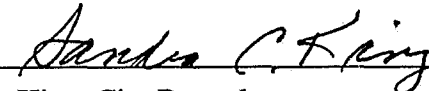
ENACTED by the City Council on the 6th day of November, 1995, by the following votes: YEAS: 5 NAYS: -0-.


SANDRA C. KING, City Recorder

DATED and signed by the Mayor this 8th day of November, 1995.


GERALD A. KRUMMEL, Mayor

ATTEST:


Sandy King, City Recorder
SUMMARY of Votes:

Mayor Krummel	<u>Yes</u>
Councilor Lehan	<u>Yes</u>
Councilor Hawkins	<u>Yes</u>
Councilor Leo	<u>Yes</u>
Councilor Leahy	<u>Yes</u>

PLANNING DEPARTMENT
STAFF REPORT

DATE: August 14, 1995 PC
August 30, 1995 PC
October 2, 1995 CC
October 16, 1995 CC

TO: City Council PREPARED BY: Blaise Edmonds

REQUEST: 95PC20 Kinsman L.L.C. Proposed This application involves a Comprehensive Plan amendment to Change "Industrial" to "Commercial", Zone Map amendment to convert Planned Development Industrial (PDI) to Planned Development Commercial (PDC), and Combined Stage I, preliminary plan and Stage II, site development plans for a Chevron service station, convenience store, automobile repair building and automatic tunnel car wash.

SUMMARY

Several retail fuel, automobile service stations are operating in Wilsonville. Wilsonville Chevron, located at 9140 SW Wilsonville Road is one of several businesses being affected by the Oregon Department of Transportation plans to condemn property and close off existing driveways at Wilsonville Road for Phase I improvements at the Interstate-5/Wilsonville Interchange. ODOT's plans to improve the Wilsonville Interchange will remove Wilsonville Chevron and the Texaco station. Wilsonville Chevron will stay in Wilsonville if a new site is found. Wilsonville Chevron is seeking to convert the property from industrial to commercial for development of an expanded service station facility including a convenience store, vehicle repair building, and automatic car wash. Council approved this request.

The project property being less than 2 acres is too small for master site planning with development phasing. Nevertheless, the City Council reviewed the project as a combined Stage I preliminary plan together with the Stage II site development plans showing one development phase.

The applicant has provided a tree survey identifying trees to be preserved and trees to be removed. Several significant trees will be removed for the parking lot and drives, and buildings. However, the revised site plan approved by Council shows most of the trees will be preserved.

This application was submitted after the adoption of Ordinance 431 of which amended the Traffic Level of Service Criteria applied to the review of planned developments set forth in Chapter 4, Section 4.139(4)(b) of the Wilsonville Code. The City requires a traffic study for new development to appraise trip generation, capacity and level of service. The City's traffic consultant, DKS Associates, has prepared a detailed traffic report

investigating traffic conditions during PM hours from the entire project site up through the most probable intersections. In this case, Kinsman Road with Wilsonville Road and Boones Ferry Road with Wilsonville Road.

APPROVAL

Council approved the application comprising of; 1) Comprehensive Plan amendment, 2) Zone Map amendment and 3) Stage I, preliminary plan 4) Stage II, final site development plans with conditions of approval.

95PC20

CHEVRON STATION

Owner: Kinsman L.L.C.
Applicant: Same
Civil Engineer: DeHass & Associates
Planning Consultant: Mr. Ben Altman

Review Criteria:

Zoning

Section 4.012: Hearings procedures.
Section 4.120: Residential Agriculture 1 - acre (RA-1) zone
Section 4.124: Planned Development Commercial zone (PDC).
Section 4.125: Planned Development Industrial zone (PDI)
Subsection 4.133(2): Permitted commercial uses.
Section 4.150: Off-street parking
Subsection 4.139(4)(a): Compliance with Comprehensive Plan
Subsection 4.139(4)(b): Traffic
Subsection 4.139(4)(c): Public facilities
Subsections 4.187(c)(1 to 7): Zone amendments
Section 4.160: Service Stations
Subsection 4.168: Sidewalks and bikeways
Subsection 4.161(1)(b): Preservation of trees

Comprehensive Plan

Pages 3,4 and 5: Item #3(a to e), Criteria 4(a to d), and #5(a and b).

Goals:

- 1.1: Citizen Involvement
- 2.1: Urban Growth Management
- 3.1: Adequate Public Services
- 4.1: Commercial development serving community

Objectives:

- 1.2 to 1.9: Citizen Involvement
- 2.1.3: Balance Development
- 2.1.6: Available Public Services
- 4.1.1: Commercial compatible with residential and industrial.
- 4.1.2: Mix commercial services
- 4.1.3: Commercial serve surrounding residents
- 4.1.4: Cluster commercial near interchanges
- 4.4.9: Storm Drainage

Policies:

- 3.3.2(a): Public Streets
- 3.3.3: Minimum Street Service
- 4.2.3: Commercial site design
- 4.3.4: Commercial impact
- 4.5.4: Site Planning

TRANSPORTATION MASTER PLAN July 12, 1991

Traffic Management Ordinance No. 431

BICYCLE AND PEDESTRIAN MASTER PLAN Dec. 20, 1993

SEWER MASTER PLAN

WATER SYSTEM MASTER PLAN

STATEWIDE TRANSPORTATION PLANNING RULE

ADOPTED FINDINGS

1. Findings prepared by Mr. Ben Altman in Exhibit D-1 affirmatively responds to the Comprehensive Plan goals, policies and objectives listed above for the proposed Comprehensive Plan Map amendment, with Subsections 4.187(c)(1 to 7) for the Zone Map amendment, and are hereby included in this report as findings for approval. All land development proposals are reviewed for conformity with the Comprehensive Plan and specific standards set forth in zoning ordinance. As set forth in Section 4.187 of the Wilsonville Code, in recommending approval or denial of a proposed zone map amendment, the Planning Commission shall at a minimum, adopt the findings in Exhibit D-1 addressing Criteria 1 - 7.

Site Identification:

2. The project site is located on the northeast corner of Wilsonville Road and Kinsman Road being more particularly described as Tax Lot 301 in Section 14C, T3S, R1W, Clackamas County, Wilsonville, Oregon.

Vicinity Information:

3. North: Lazerquick Printing
East: Single family house on property planned for future industrial use.
West: Kinsman Road and PRO-GRASS landscaping service.
South: Wilsonville Road and undeveloped industrial property.

Comprehensive Plan and Zone Designations:

4. The project site is designated "Industrial". The Comprehensive Plan does not identify the property in an area of special concern. The property is currently zoned Planned Development Industrial (PDI). The zone map amendment to Planned Development Commercial (PDC) would allow the proposed uses.

Description of Project:

5. Several retail service stations operate in Wilsonville; Wilsonville Chevron, Texaco and Shell on Wilsonville Road, UniCal on Parkway, BP and Chevron on Elligsen Road. Pacific Pride is a membership-card lock station. Burn's Brothers is a truck service station. The existing Wilsonville Chevron station located at 9140 SW Wilsonville Road is one of several businesses being affected by the Oregon Department of Transportation plans to condemn property and close off existing driveways at Wilsonville Road for Phase I improvements to the Interstate-5/Wilsonville Interchange. ODOT's plans to improve the Wilsonville Interchange will close Wilsonville Chevron and the Texaco station. Wilsonville Chevron will remain in Wilsonville if a new site is found. Vacant commercially zoned property for new service station development near the west side of Interstate 5/Wilsonville interchange is not available. In this case file, Wilsonville Chevron is negotiating with the applicant Kinsman L.L.C., to pursue a City approval to convert the property from industrial to commercial for development of an expanded service station facility on property located a quarter mile from the interchange. The new station will include fueling islands, a convenience store, vehicle repair building, and automatic car wash. The existing facility comprises the service station with bays for minor vehicle repairs. Thus, this application involved a Comprehensive Plan amendment to Change "Industrial" to "Commercial", a Zone map amendment to convert Planned Development Industrial (PDI) to "Planned Development Commercial" (PDC), and Stage II, site development plans for the new and expanded Chevron service station. The project site is below 2 acres and is too small for master site planning with development phasing. The subject property being less than 2 acres is too small for master site planning. Nevertheless, the City Council reviewed the project as a combined Stage I preliminary plan together with the Stage II site development plans showing one development phase.

COMPREHENSIVE PLAN and ZONE MAP AMENDMENTS

6. Again, findings and conclusions relative to the proposed Comprehensive Plan Amendment and Zone Map Amendment in Exhibit D-1 prepared by the applicant's planning consultant, Mr. Ben Altman, are incorporated into this report as findings for approval.
7. An approval of the proposed Comprehensive Plan Amendment and Zone Map Amendment involving the relocation of Wilsonville Chevron is in the best public interest as it will provide needed vehicle fueling service of which the only service stations on the west side of Interstate 5 in the City will be severely disrupted or condemned for the reconstruction of Wilsonville Interchange.

**STAGE II,
SITE DEVELOPMENT REVIEW**

Project Data:

8. Gross site area: 84,506.4 SF @ 1.94 acres

Building Area

Convenience Store:	2484 SF
Car Wash:	1768 SF
Auto Service Building:	1404 SF
Service Pumps Canopy:	3275 SF
Walkway Cover:	1492 SF
Total.....	9233 SF @ 11%

Parking and Drives: 62,653.4 SF @ 74%
Landscaping: 12,620 SF @ 15%

9. Section 4.160, design standards for services stations:

Standard (1) The Planning Commission shall disapprove all applications for new stations unless a need shall be established and the design, location and use is compatible with and does not adversely impact the surrounding uses.

Response finding: This application was processed through a Stage I, preliminary plan and Stage II, final site development review consistent with the above criterion.

10. *Standard (2) No gasoline station shall be located closer than two (200) feet from any school, public playground, church, hospital, or institution for dependents or children.*

Response finding:

The Montessori pre school building is located on Wilsonville Road southwest of the project site. It appears that the pre-school is just outside the 200 foot setback from the proposed service station fuel pumps and underground fuel tanks.

11. *Standards (3) Dimensional Standards:*

(a) *Minimum Front Yard Setback:*

- 1) *Building or Structure: Thirty (30) feet from property line.*
- 2) *Signs, gasoline pumps, pump islands, and enclosed buildings, excluding attached or detached canopies: Fifteen (15) feet from property line.*

- 3) *Attached or Detached Canopies: Two (2) feet from property line.*
- (b) *Minimum Rear Yard Setback: As required in the particular district.*
- (c) *Minimum Side Yard Setback: As required in the particular district.*
- (d) *Minimum Street Frontage: One hundred (100) feet.*
- (e) *Minimum Lot Depth: Sixty (60) feet.*
- (f) *Minimum Lot Size: Twelve thousand (12,000) square feet.*
- (g) *All other dimensional standards as required in the particular district.*

Response finding: The service commercial facility will observe the minimum yard setbacks, parcel size, frontage, parcel depth as prescribed above.

- 12. *Standard (4) Vehicles: All vehicles for service, parked or under the control of any employee shall be on private property and shall not be on any required landscaped area.*

Response finding: 18 standard 9'x18' parking spaces and two (2) handicapped parking space is proposed on-site for employees and patrons. Twelve (12) additional spaces are provided for patrons at the gas pumps for a total 32 spaces. Approximately 23 parking spaces is required by code.

- 13. Minimum Parking. Section 4.150:

Convenience store.....2484 sq.ft. @ 1 space per 200 sq.ft. = 12 spaces
 Car wash.....The code does not specify for automatic car wash facilities.
 Approximately 2 spaces for employees and 4 to 6 spaces at vacuum bays.
 Canopy service pump area....12 spaces provided
Vehicle service building.....1404 sq.ft. @ 1 space per 200 sq.ft.=7 spaces

Proposed Parking:

Convenience store..... 7 spaces
 Car wash.....6 spaces
 Canopy service pump area.....12 spaces
Vehicle service building.....7 spaces
Total Spaces.....32 spaces

Proposed parking exceeds Code by spaces.

- 14. *Standard (5) Permitted Services: Sales and services shall be limited to the sale of motor fuels and supplying goods and service generally required in the operation and maintenance of automotive vehicles and fulfilling a motorist's needs. Those may include sale of petroleum products; sale and*

servicing of tires, batteries, automotive accessories and replacement items; washing and lubricating services; the performance of minor automotive maintenance and repair, and the supplying of other incidental customer services and products. Major automotive repairs, painting, and body and fender work are excluded.

Response finding: The proposed service station, convenience market, vehicle service building and car wash facility are permitted uses in the PDC zone. The proposed facility reflects changes in sales and services demanded by the market place. Thus, more automotive, food sales and services are being offered in combination with service centers than what was available in service stations during the adoption of the zoning code in 1981.

15. *Standards (6) Access, Parking and Circulation Requirements:*

(a) Each developed site shall not have more than two (2) access ways to any one street.

(b) On-site parking shall be provided for each employee on duty. The peak employment period shall not be used to determine the number of employee parking spaces.

(c) No vehicles subject to the control of the operator of the premises may temporarily be parked on sidewalks, parkways, driveways, alleys or other public ways.

Response finding:

Three driveways are proposed, one full access at Kinsman Road, a right turn access at Wilsonville road, and full access at the southeast corner of the property at Wilsonville Road. The SE driveway is 70' wide and is designed to serve as a reciprocal access with the adjoining property. The access drives are consistent with the Public Works Code and with the above standards.

16. *Standard (7) Site Screening: Where a service station abuts property in a residential district, a six (6) foot high, solid masonry wall, site-screening decorative fence, or dense evergreen hedge shall be constructed and maintained on such abutting lines. When the wall, fence, or screening reaches the required front yard setback, it shall decrease to a height of three (3) feet.*

Response finding: The project site does not abut a residential district. However, an existing single family residence is next to the east side of the property. That house is on property designated on the Comprehensive Plan Map for future industrial use. The east wall of the mechanics building will effectively buffer the house from the main service center. Landscaping is proposed along the east boundary for additional screening. Landscaping and screening is reviewed by the Design Review Board.

17. *Standard (8) Lighting: All outside lighting shall be so arranged and shielded so as to not shine into adjacent residential areas and to prevent any undue glare or reflection any nuisance, inconvenience, and hazardous*

interference of any kind on adjoining streets or property. All lighting used shall be erected only on the same premises with the use.

Standard (9) All proposed service stations may be subject to design review by the City depending upon the particular site to be utilized in the establishment thereof.

Response finding: Architecture, landscaping and exterior lighting plans is reviewed by the Design Review Board.

18. *Standards (10) Service stations shall , in addition to the above, meet the following requirements:*

(a) No vehicle may be parked on the premises and offered for sale, lease or rent.

(b) Automotive repair and lubricating operations and all sales other than petroleum products shall be conducted within the service station building.

(c) Signs shall not cause any glare or reflection of light on other property or building.

(d) No banner or pennants shall be permitted except by Temporary Permit.

Response finding: The PDC code requires that all businesses be conducted wholly within the building (excepting service stations). Proposed signs is reviewed by the Design Review Board.

19. *Standards (e) Landscaping:*

1) A minimum of one hundred (100) square feet of raised planting area shall be installed and maintained at the intersection of the property lines at a street corner.

2) A minimum of twenty (20) square feet of raised planting area shall be installed and maintained along the building facades on a street.

3) Entrances of all restrooms shall be screened from view of adjacent properties or street right-of-way.

4) All outside trash, garbage, and refuse areas shall be enclosed on at least four(4) sides, and each side shall be at least (6) feet in height.

Response finding:

The majority of the building in that area is covered with the canopy and vehicle circulation. A wide landscape area is proposed along the west side

of the store consistent with code. Landscaping and outside trash enclosures are reviewed by the Design Review Board.

Stage II, Site Development Standards

20. The operable review criteria for Stage II site development including a preliminary subdivision plat is found in Subsection 4.139(4): "*A Planned development permit may be granted by the Planning Commission only if it is found that the development conforms to all the following criteria, as well as to the Planned Development Regulations in Sections 4.130 to 4.140.*"
- a. *The location, design, size and uses, both separately and as a whole, are consistent with the Comprehensive Plan, and with any other applicable plan, development map or Ordinance adopted by the City Council.*
- b. *That the location, design, size, and uses are such that traffic generated by the development can be accommodated safely and without congestion in excess of level service D defined in the highway capacity manual published by the National Highway Research Board on existing or immediately planned arterial or collector streets and will, in the case of commercial or industrial developments, avoid traversing local streets.*
- c. *That the location, design, size and uses are such that the residents or establishments to be accommodated will be adequately served by existing or immediately planned facilities and services.*

Response findings to criterion "a":

21. The applicant is seeking the Comprehensive Plan Map amendment to bring the Stage II, site development plans consistent with Criterion a.

Response findings to Criterion "b"

22. The City requires traffic reports of all new development to appraise trip generation, capacity and level of service. The City's traffic consultant, DKS Associates, has prepared a detailed traffic report. The project has an acceptable traffic level and can be accommodated safely and without congestion for compliance with Subsection 4.139(4)(b) WC., up through the most probable intersections including the Wilsonville Interchange.
23. At the end of calendar year 1994, the Transportation Management Ordinance capacity tracking system chart showed 61 excess trips available to be carried over to 1995 for a total 348 vehicle trips. On the basis of the above the following table illustrates available vehicle trip capacity:

TMO Capacity Tracking System

24. 287 trips available per year for a total 1435 trips for a 5-year period. 1148 trips remain in the TMO for the years 1995 to 1998. The following table tracks remaining vehicle trip capacity.

Response findings to Criterion "c"

26. The developer has retained civil engineering and planning consultants to coordinate public facilities and services to the property with the City Engineering Department. Public utilities are:

Water:

Public water service is available for domestic and fire flows in a 10" line in Wilsonville Road and 6" in Kinsman Road.

Sanitary sewer:

Sanitary sewer is not immediately available to the site as sewer needs to be extended north to intercept the sewer line in Kinsman Road. Depending on grade elevations, this may require a small lift pump.

Storm water:

Storm water run off from streets, parking lots and roofs is intercepted by a 48" line in Wilsonville Road. The Public Works Code requires that the storm drainage system be constructed to meet a 25 year storm frequency.

Sidewalks / Bikeways:

27. Section 4.167 of the Zoning Code requires:

"All streets shall be developed with curbs, utility strips and sidewalks on both sides; or a sidewalk on one side and a bike path on the other side.

- l. "Within a Planned Development the Planning Commission may approve a sidewalk on only one side. If the sidewalk is permitted on just one side of the street, the owners will be required to sign an agreement to an assessment in the future to construct the other sidewalk if the City Council decides it is necessary."*

The State Transportation Planning Rule further recommends that local jurisdictions update or adopt bikeway and pedestrian plans. The TPR recommends that new development include bikeways and pedestrian ways free from hazards, particularly types or levels of automobile traffic that would interfere with or discourage pedestrian or bicycle travel for short trips.

28. Regarding the above, one bicycle rack is proposed near the southeast corner of the market.
29. Proposed is a 5' wide, concrete sidewalk, off-set along the new right-of-way line of Wilsonville Road. A 5' wide, curbside sidewalk exists along Kinsman Road. The Bicycle and Pedestrian Master Plan shows on-street, 5 to 6' wide bike lanes on both sides of Wilsonville Road and Kinsman Road.

Preservation of Trees.

30. Subsection 4.161(1)(b) encourages site planning and development practices which protect and enhance natural features such as streams, swales, ridges, rock outcroppings, views, large trees and wooded areas.

Further, within the Comprehensive Plan, a number of goal and policy statements address Open Space and apply to the subject property. The major ones are:

Goal 3.2 Conserve and create open space throughout the City for specified problems.

Goal 3.3 Identify and encourage conservation of natural, scenic and historic areas within the City.

31. The applicant has provided a tree survey identifying trees to be preserved and trees to be removed. Several significant trees will be removed for the parking lot and drives, and buildings. However, the revised site plan approved by Council shows most of the trees will be preserved. Two 30" Douglas Firs on the center of the site will be removed. Most of the existing trees comprises Maple and Cherry.

95PC20

COMPREHENSIVE PLAN MAP AMENDMENT,
ZONE MAP AMENDMENT, STAGE I, PRELIMINARY PLAN
AND
STATE II, FINAL SITE DEVELOPMENT.

CONDITIONS OF APPROVAL

1. The applicant shall develop the site, buildings, parking, and drives, in substantial compliance with the approved site development plans. It is understood that minor revisions in the development will occur prior to and during the construction phase. Minor site development revisions may be reviewed by the Planning Director under a Class I administrative review.
2. The applicant shall comply with recommendations and conditions represented in the City Engineering, the Building Department report labeled Exhibits 'E' and 'F'. Final construction plans shall be reviewed and approved by the Planning Director, City Engineer, the Tualatin Valley Fire and Rescue District, and the City Building Official prior to the project's construction.
3. The applicant shall waive right or remonstrance against any local improvement district that may be formed to provide public improvements to serve the public site.
4. This approves full driveway access at Kinsman Road. The approval also grants a right-out driveway and a full access driveway at Wilsonville Road as shown on the revised Stage II final plans until such time Wilsonville Road is widened and reconstructed or as determined by the City Engineer during final roadway design for construction. The condition replaces Public Facilities Conditions No. 15 and 16.
5. Trees identified by the City Council shall be preserved. The applicant shall install temporary fencing around the drip line of the trees to protect from excavation, vehicle parking, construction, and storage of building materials.
6. The applicant shall install one bicycle rack to accommodate two bicycles within close proximity to the main entrance to the convenience store. The bicycle rack shall be of the design that bicyclists can provide their own locking device to secure the frame and both wheels.
7. The applicant shall construct a five-foot wide concrete sidewalk from the northeast corner of the intersection of Kinsman Road/Wilsonville Road to the southwest corner of the proposed market.
8. The applicant shall construct a five-foot wide concrete sidewalk with a minimum five-foot off-set from the curb to follow along the entire length of the project site fronting Wilsonville Road. Construct the five-foot wide concrete sidewalk along Wilsonville Road behind a landscaped three-foot high berm. The sidewalk shall be constructed before building occupancy.
9. The applicant shall provide the Design Review Board a landscape plan showing a variety and mix of shrubs along west building elevation of market.

10. The applicant shall construct shade tree planting islands at approximately 6' x 8' dimension at the northeast and southeast corners of the convenience market.
11. The applicant shall obtain from the adjoining property owner to the east a written agreement for a non-exclusive, reciprocal, two-way roadway access/driveway at Wilsonville Road. The applicant shall provide the Planning Department the agreement at the time of issuance of the building permit.
12. The applicant shall provide the Design Review board architectural plans for a trellis over the vacuum units at the car wash similar to the trellis constructed for Town Center car wash.
13. The display of banners, pennants, balloons, or any other type of advertising device is prohibited unless all necessary permits from the Planning Department are obtained. At least one month prior to grand opening, the applicant shall obtain a Temporary Use Permit for display of temporary outdoor advertising devices.
14. All construction workers, and job shacks associated with this project shall be parked and located on site.
15. The applicant shall provide the Design Review Board with alternative design looks as exemplified by the applicant's reference of mirroring Pro-grass's architecture and one that is more in line with a residential softening look such as seen in the exhibit of the Lake Oswego gas station.

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
 - D-1 Project Plans, project findings.
 - D-2 Proposed waivers.
- E. Building Official's memorandum.
- G. DKS Traffic Study
- H. Engineering Department memorandum.
- I. Transportation Advisory Committee minutes.
- J. Affidavit of Mailing, Posting, Publication/Hearing Notice