

**RESOLUTION NO. 1387**

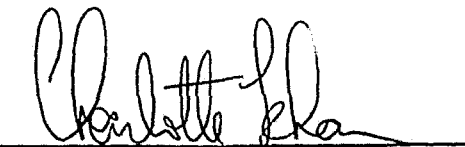
**A RESOLUTION ADOPTING A ZONE ORDER AMENDING THE OFFICIAL ZONE MAP FROM *RESIDENTIAL AGRICULTURE - 1 ACRE MINIMUM (RA-1)* TO *PLANNED DEVELOPMENT RESIDENTIAL (PDR)*, APPROVING A STAGE I MASTER PLAN, AND STAGE II PRELIMINARY PLAN, FOR AN 84-PATIENT ALZHEIMER'S CARE FACILITY LOCATED ON 7.4 ACRES OF PROPERTY PROPOSED ON VLAHOS DRIVE, EAST OF TOWN CENTER LOOP EAST AND SPECIFICALLY IDENTIFIED AS TAX LOT 9200, SECTION 13, T3S-R1W, CLACKAMAS COUNTY, OREGON. (CARMAN OAKS ALZHEIMER'S CARE FACILITY). BETTY L. VLAHOS AND GLENN H. GREGG, APPLICANTS.**

WHEREAS, upon due notice, a public hearing on Zoning Order No. 97DB10 has been scheduled and heard on June 2, 1997; which order proposes that the Council adopt application of Betty L. Vlahos/Glenn H. Gregg, for a zone change and order amending the official zoning map from Residential Agriculture 1-Acres (RA-1) to Planned Development Residential (PDR) for a 7.4 acre parcel identified as Tax Lot 9200, Section 13, T3S-R1W; Clackamas County, Oregon, and for Stage I Preliminary Plan and Stage II Final Plan for an 84-patient Alzheimer's Care Facility. DRB and Planning staff have recommended approval with conditions, after report and public hearing.

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

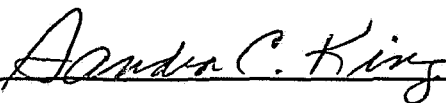
1. Zoning Order No. 97DB10 attached hereto and incorporated by reference as fully set forth herein, is adopted and so ordered.
2. Stage I and Stage I Site Development Plans are approved and the City Council adopts the Development Review Board's approved report attached hereto to "Exhibit A", with the findings and recommendations contained therein.
3. Sections 1 and 2 are to be implemented as follows:
  - A. The Planning Director is hereby authorized to issue a Site Development Permit consistent with approval of Stage I and Stage II plans after a more detailed separate Site and Design review approval by the Development Review Board.
  - B. The Planning Director is authorized to amend the official Zoning Map in keeping with the decision herein.
  - C. The property owner(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.

ADOPTED by the Wilsonville City Council at a regular meeting thereof this 2nd day of June, 1997, and filed with the Wilsonville City Recorder this same date.



CHARLOTTE LEHAN, Mayor

Attest:

  
\_\_\_\_\_

Sandra C. King, CMC, City Recorder

SUMMARY of Votes:

Mayor Lehan        Yes

Councilor MacDonald Yes

Councilor Luper    Yes

Councilor Helser   Yes

Councilor Barton   Yes

**BEFORE THE CITY COUNCIL OF THE  
CITY OF WILSONVILLE, OREGON**

In the Matter of the Application of )  
Betty L. Vlahos/Glenn H. Gregg )  
for a rezoning of land and amendment of ) **ZONING ORDER NO. 97DB10**  
the City of Wilsonville Zoning Map as )  
incorporated in Section 4.102 of the )  
Wilsonville Code )

The above entitled matter came before the Wilsonville City Council on June 2, 1997, to consider the application and request of Betty L. Vlahos/Glenn H. Gregg for a zone change and order amending the official Zoning Map from RESIDENTIAL AGRICULTURE One Acre Minimum (RA-1) to PLANNED DEVELOPMENT RESIDENTIAL (PDR) for 7.4 acres of land identified as Tax Lot 9200, Section 13, T3S-R1W; Clackamas County, Oregon. The property is generally located on the east side of Vlahos Drive east of Town Center Loop East. This application includes a request for the City Council to approve a Stage I Master Plan and a Stage II Preliminary Plan for an 84-patient Alzheimer's Care Facility to be named Carman Oaks Alzheimer's Care Facility.

The Wilsonville Development Review Board held public hearings on this application of April 28, 1997, and after closing the hearing, adopted Resolution No. 97DB10 which recommends that the Council approve the Zone Map Amendment, Stage I Master Plan and Stage II Preliminary Plan subject to Conditions of Approval for the facility along with findings as proposed by Planning staff and modified by the Board.

It appears to the City Council that the Development Review Board's record of proceedings, along with the Board's recommendations which have been forwarded to the Council, is complete and factual and having taken public testimony and received exhibits, the City Council hereby adopts the Findings (Exhibit A as recommended by DRB) and Conditions of Approval and, in doing so, finds that this application should be APPROVED with conditions, as follows:

97DB10  
Carman Oaks Alzheimer's Care Facility  
Stage I, Preliminary Plan,  
Zone Map Amendment,  
and  
Stage II, Final Plan

CITY COUNCIL  
Adopted Conditions of Approval  
(Adopted June 2, 1997)

1. The Development Review Board recommends to the City Council that the Stage II, final site development plans be approved for a 84 unit Alzheimer's Care facility. The DRB recommends approval of the Stage I, Preliminary Plan together with Zone Map Amendment to convert the RA-1 zone to PDR zone.
2. Upon presentation by the applicant of the necessary legal documents the City will accept proposed dedication of treed POS area to preserve trees and steep slopes. Said dedication to be free and clear of any and all property taxes, including any farm deferred taxes, interest and penalties and closing costs. Applicant shall provide City with good and sufficient title and title insurance to that effect.
3. The project arborist shall supplement his report in the Site and Design Review application and coordinate with the Civil Engineer in finding the least environmentally destructive alignment for the storm sewer line.
4. The applicant shall construct a 5' wide concrete sidewalk to connect the main building entrance with the sidewalk in Vlahos Street. The sidewalk shall be constructed prior to occupancy.
5. The applicant shall install one bicycle rack to accommodate four (4) bicycles. Locate the bicycle rack within close proximity to the main building entrance, and if possible, under covering. The bicycle rack shall be of the design that bicyclists can provide their own locking device to secure the frame and both wheels.
6. The applicant shall obtain a Type 'C' Tree Removal Permit prior to site development. All trees and vegetation within POS shall be preserved or satisfactorily mitigated. The applicant shall follow the Tree and Plant Preservation / Protection specifications identified in Exhibit K. The Tree and Plant Preservation / Protection specifications shall be printed in it's entirety on the construction drawings as plan notes. The Planning Director shall review the revision for consistency with this approval.
7. All construction workers' vehicles and job shacks associated with this project shall be parked and located on site.
8. The applicant shall make every reasonable attempt to find someone capable of moving the existing house to a new location. This request seeks to recycle the house as it appears to be in excellent condition. If the house is going to be relocated, then the

house shall not be on moving blocks for more than 3 consecutive months, otherwise, the house shall be demolished. Prior to moving the house, the house mover shall obtain all appropriate permits from the City should the house be relocated within the City Limits.

9. The City encourages the applicant to utilize the existing well for landscape irrigation. Appropriate cross connection prevention shall be installed to city standards.
10. The Stage II, Final Plan approval will expire two years after final approval if substantial development has not occurred on the property within that time unless extended by the DRB for just cause.
11. Approval of this application does not preclude review of site plan design during the Stage II review and further that the preliminary site plan designated as T1 in packet is not specifically approved. The intent is that the City Council is not giving blanket approval to the diagram that has been presented, based on desire of the Development Review Board to review the site plan in detail at the next submittal and on the applicant's statement that this a preliminary diagram and they expect further refinements.
12. This approval would grant a waiver from 4.122 7 (h) (2) - the requirement for 80 feet of minimum street frontage. The waiver was granted because this is a preexisting lot of record.
13. The site plan shall designate the entry drive as a "no parking - tow away zone".

Note: The City Council finds that the objective based on Ordinance 318 is not a siting procedure for residential care facilities pursuant to 197.670 which incorporates 197.667.

#### Building Department Conditions:

- BD-1. A fire hydrant shall be provided within 250', hose lay fashion, of all exterior walls.
- BD-2. All buildings shall be provided with an automatic fire sprinkler system and the location of the fire department connection shall be approved by the fire chief.
- BD-3. The handicapped parking located in the staff parking lot shall be provided with an accessible route from the parking space to an approved entry to the building.
- BD-4. A soils investigation report shall be submitted as required by ORS 455.447 defining a special occupancy structure. The soils investigation report shall be evaluated for seismic site hazard investigation classification as outlined in Chapter 1804 of the State Structural Specialty Code.

#### Engineering Division Public Facilities (PF) Conditions of Approval

Based on a review of the materials submitted to the Community Development Department, the following Conditions of Approval are presented. These conditions are applicable to the

subject application. Any modifications or revisions to the subject application may require amendments and/or additions to the conditions as set forth and outlined below.

- PF 1. From the materials submitted, it appears that the storm drain, domestic water and sanitary sewer facilities will be obtained from main line connections. The materials, as proposed do show main line connections that are to be used in conjunction with the construction of the proposed development. Separate Engineering Drawings reflecting the installation of these public utilities may be required.

No construction of, or connection to, any existing or proposed public utility/improvement will be permitted until all plans are approved by the Engineering Division, all fees have been paid, all necessary permits, right-of-way and easements obtained and the applicant notifies the Engineering Division a minimum of 24 hours in advance.

- PF 2. The Engineering Division reserves the right to revise/modify the public improvement construction plans and completed street improvements to see if additional modifications or expansion of the site distance onto adjacent streets is required.
- PF 3. All public utility/improvement plans submitted for review shall be based upon a 24" x 36" format and shall be prepared in accordance with the City of Wilsonville Public Work's Standards.
- PF 4. Record Drawings are to be furnished by the applicant for all public/utility improvements (on 3 mil. mylar) before the final Punch List Inspection will be performed.
- PF 5. All survey monuments on the subject site, or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated or destroyed as a result of any construction, the applicant shall, at his cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to the Engineering Division.
- PF 6. Plans submitted for review shall meet the following general format:
- A. Composite Utility Plan
  - B. Detailed Utility Plan and Grading Plan.
  - C. Public utilities/improvements that are not contained within any public street shall be provided a maintenance access acceptable to the City centered in a 15 ft. wide public utility easement and shall be conveyed to the City on its dedication forms.
  - D. Design of any public utility/improvement shall be approved at the time of the issuance of a Public Works Permit.
  - E. All proposed on and off-site utility/improvement shall comply with the State of Oregon and the City of Wilsonville requirements and any other applicable codes.

- F. Design plans shall identify locations for street lighting, gas service, power lines, telephone poles, cable television, mailboxes and any other public or private utility within the general construction area.
  - G. All new public utility/improvements and/or utilities shall be installed underground.
  - H. Any final site landscaping and signing shall not impede any proposed or existing driveway or interior maneuvering site distance.
  - I. All plans, specifications, calculations, etc., prepared in association with the proposed project shall be prepared by a registered professional Engineer of the State of Oregon.
- PF 7. The applicant shall install, operate and maintain adequate erosion control measures in conformance with the standards adopted by the Unified Sewerage Agency of Washington County during the construction of any public utilities and building improvements until such time as approved permanent vegetative materials have been installed.
- PF 8. The applicant shall install City approved energy dissipaters and pollution control devices at each storm outlet point.
- PF 9. The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. If it doesn't use the well the applicant shall take appropriate action to assure that the well locations are safe and in reliable condition. If the applicant chooses not to use the well that is on the site, it shall be abandoned in conformance with the standards.
- PF 10. The applicant shall stake the location of the Greenway boundary. This boundary shall not be encroached during construction.
- PF 11. The applicant shall design the storm system to detain a 25 year storm frequency and meter the runoff to no more than is currently the case.
- PF 12. The applicant shall install a sign at the intersection of Vlahos Drive that states this entrance is a private drive.
- PF 13. The applicant shall reconstruct the westerly portion of entrance to the project. Said portion is approximately 15 x 35 feet.
- PF 14. The project is not approved for a Respite Care (adult day care).
- PF 15. Deleted
- PF 16. Direct, conflict-free pedestrian linkages from the main building entrances to public sidewalks shall be provided meeting ADA requirements.
- PF 17. Bicycle racks shall be provided.
- PF 18. ADA accessible parking spaces meeting City requirements shall be provided.



PF 19. The project sponsor shall contact SMART regarding making the site as transit friendly as possible. This project has potential for transit ridership and measures shall be taken to enhance transit access to the site and pedestrian connections to transit.

PF 20. Building Permit issuance for the development will be delayed until a new reservoir and associated water system improvements or equivalent additional capacity is funded in the City's Water Capital Improvement Program. Budget Committee preliminary approval of the City's Water Capital Improvement Program would satisfy this condition.

PF 21. The project is hereby limited to nor more than the following:

New p.m. peak hour trips	23
New p.m. peak hour trips through I5/Wilsonville Interchange area	6

City of

**WILSONVILLE**  
in OREGON



30000 SW Town Center Loop E  
Wilsonville, Oregon 97070  
(503) 682-1011  
(503) 682-1015 Fax  
(503) 682-0843 TDD

## RECOMMENDATION TO CITY COUNCIL

### NOTICE OF DECISION

#### DEVELOPMENT REVIEW BOARD PANEL B

**Project Name:** CARMAN OAKS ALZHEIMER'S CARE FACILITY

**Case File No.** 97DB10

**Applicant/Owner:** BETTY L. VLAHOS/GLENN H. GREGG

**Proposed Action:** Recommend approval of Zone Map Amendment from Residential Agricultural I (RA-I) to Planned Development Residential (PDR) and approve Stage I Preliminary Plan and Stage II Final Plan for development of an 84-room Alzheimer's Care Facility

**Map No.** 13CA T3S-RIW      **Tax Lot:** 9200      **Site Size:** 7.43 acres

**Location:** 7626 Vlahos Drive

On April 28, 1997, at the meeting of the Development Review board, the following decision was made on the above-referenced proposed development action:

Recommend approval of request for a Zone Map Amendment from RA-I to PDR, Stage I Preliminary Plan and Stage II Final Plan

Public Hearing on this item is tentatively scheduled for June 2, 1997 by the Wilsonville City Council.

For further information, please contact the Wilsonville Planning Department at Community Development Building, 8445 S.W. Elligsen Road, or phone 682-4960

**Attachment:** Resolution No. 97DB10



"Serving The Community With Pride"

CITY OF WILSONVILLE  
DEVELOPMENT REVIEW BOARD  
RESOLUTION NO. 97DB10

CARMAN OAKS ALZHEIMER'S CARE FACILITY

A RESOLUTION OF THE WILSONVILLE DEVELOPMENT REVIEW BOARD RECOMMENDING THAT THE CITY COUNCIL ADOPT FINDINGS AND CONDITIONS OF APPROVAL FOR A STAGE I PRELIMINARY PLAN, STAGE II FINAL PLAN AND A ZONE MAP AMENDMENT FROM RESIDENTIAL AGRICULTURE 1-ACRE MINIMUM (RA-1) TO PLANNED DEVELOPMENT RESIDENTIAL (PDR) FOR DEVELOPMENT OF AN 84-UNIT ALZHEIMER'S CARE FACILITY. THE SITE IS LOCATED AT 7626 VLAHOS DRIVE ON TAX LOT 9200, SECTION 13CA, T3S-R1W, CLACKAMAS COUNTY, WILSONVILLE, OREGON.  
BETTY L. VLAHOS/GLENN H. GREGG, APPLICANTS.

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 4.139(1), (2), and (3) of the Wilsonville Code; 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 Development Review Board at a regularly scheduled meeting conducted on April 28, 1997, at which time said exhibits, together with findings and public testimony, were entered into the public record; and

WHEREAS, the Board has duly considered the subject and the recommendations contained in the staff report; and

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


NOW, THEREFORE, BE IT RESOLVED that the Development Review Board does hereby adopt the staff report, with the findings, recommendations and Conditions of Approval contained therein (Exhibit A attached) and recommends that the City Council approve the proposed Zone Map Amendment from RA-1 to PDR, the Stage I Preliminary Plan and Stage II Final Plan.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 28th day of April, 1997, and filed with the Planning Secretary on April 30, 1997



Brian Griffin, Chair  
Development Review Board - Panel B

Attest:



Sally Hartill, Planning Secretary

**PLANNING DEPARTMENT  
STAFF REPORT**

**DATE: April 28, 1997**  
(Revised April 30, 1997)

**Development Review Board**

**PREPARED BY: Blaise Edmonds**

**REQUEST: 97DB10 Carmen Oaks Alzheimer's Care  
(Vlahos Firs Estate), 84 patient rooms facility.  
This application involves Stage I, Preliminary  
Plan, Zone Map Amendment and Stage II, Final  
Plan. The project site is located at 7626 SE  
Vlahos Drive.**

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**SUMMARY**

The project will provide needed room/housing for patients with the Alzheimer's/Dementia disease. The applicant is seeking to apply Comprehensive Plan Policy 4.4.7 to substantially increase maximum residential density to accommodate the number of rooms being proposed.

The proposal is consistent with the PDR zone, with the Residential and Primary Open Space Comprehensive Plan Map designations, and with applicable Comprehensive Plan goals, policies and objectives.

The proposed Zone Map Amendment is to convert the existing Residential Agriculture 1-acre minimum (RA-1) zone to Planned Development Residential (PDR). The Development Review Board decision is a recommendation to the City Council.

Subsection 4.139(4)(b), Traffic: The location, design, size and uses are such that traffic generated by the proposed development at the most probable used intersection 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.

With the conditions recommended by the City Engineer, the location, design and size of sanitary sewer and storm sewer are such that the project is adequately served or service can be made available in the near future. However, building permit issuance for the development should be delayed until additional water capacity is assured. Staff calls your attention to the City Engineer's report and recommendations, particularly proposed Condition PF 20 related to water service.

PF 15. Building Permit issuance for the development will be delayed until a new reservoir and associated water system improvements or equivalent additional capacity is added to the City's water Capital Improvement Program.

**EXHIBIT A**

Ordinance No. 464, Wilsonville tree removal ordinance. In compliance with Ordinance No. 464, the applicant has provided an arborist report which identifies the trees to be preserved and trees to be removed. Thus the applicant has, wherever feasible and reasonable, designed the Stage II, Final Plan with a good site planning relationship with the 126 trees shown on the Final Plan as the possible candidates for preservation.

### **RECOMMENDATION**

On the basis of the applicant's findings and of findings and conclusions in this report, the Development Review Board recommends approval to the City Council for the proposed Zone Map Amendment together with the Stage I, preliminary plan, and the Stage II, Final Plan with proposed conditions of approval.