



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

Fax: 503-378-5518

www.oregon.gov/LCD



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: March 11, 2016
Jurisdiction: City of Wilsonville
Local file no.: DB15-0092 & DB15-009
DLCD file no.: 008-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 03/10/2016. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 35 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE

File No.: 008-15 {24183}

Received: 3/10/2016

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Wilsonville

Local file no.: **DB15-0092 and DB15-0093**

Date of adoption: 03/07/2016

Date sent: 3/10/2016

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 12/21/2015

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Chris Neamtzu, Planning Director

Phone: 503-682-4960

E-mail: neamtzu@ci.wilsonville.or.us

Street address: 29799 SW Town Center Loop East

City: Wilsonville

Zip: 97070-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

Change from FD-20	to Industrial	8.72 acres.	A goal exception was required for this change.
Change from	to	acres.	A goal exception was required for this
change.			
Change from	to	acres.	A goal exception was required for this
change.			
Change from	to	acres.	A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address): 3S,1W,SEC. 2B, TL'S 400, 500 and 501; SW Day Road

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from FD-20	to PDI-RSIA	Acres: 8.72
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address): 3S,1W,SEC. 2B, TL'S 400, 500 and 501; SW Day Road

List affected state or federal agencies, local governments and special districts: See attached list

Identify supplemental information that is included because it may be useful to inform DLCDC or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.



PLANNING DIVISION

FAX: (503) 682-7025

(503) 570-1575

swhite@ci.wilsonville.or.us

Delivery via Email

Letter of Transmittal

TO: Attention: Plan Amendment Specialist

FROM: Shelley White

Department of Land Conservation & Development

Administrative Assistant

635 Capitol Street NE, Suite 150

DATE: March 10, 2016

Salem, Oregon 97301-2540

WE ARE TRANSMITTING THE FOLLOWING:

DB15-0092 and DB15-0093 – Universal Health Services: Comprehensive Plan Map Amendment and Zone Map Amendment

- DLCD Notice of Adoption Form 2 for DB15-0092 and DB15-0093
- Ordinance 785 and supporting documents (Comp Plan Map Amendment)
- Ordinance 786 and supporting documents (Zone Map Amendment)
- List of affected agencies

Please address questions and comments regarding this notice to:

Chris Neamtzu
Planning Director
City of Wilsonville
503-682-4960
Neamtzu@ci.wilsonville.or.us

ORDINANCE NO. 785

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A COMPREHENSIVE PLAN MAP AMENDMENT FROM THE WASHINGTON COUNTY FUTURE DEVELOPMENT – 20 (FD-20) DISTRICT TO THE CITY OF WILSONVILLE INDUSTRIAL DESIGNATION ON APPROXIMATELY 8.72 - ACRES COMPRISING TAX LOTS 400, 500 AND 501 OF SECTION 2B, T3S, R1W, WASHINGTON COUNTY, OREGON, UNIVERSAL HEALTH SERVICES, INC., WILLAMETTE VALLEY BEHAVIORAL HEALTH, APPLICANT.

RECITALS

WHEREAS, Universal Health Services, Inc. – Willamette Valley Behavioral Health Facility (“Applicant”) has made a development application requesting, among other things, a Comprehensive Plan Map Amendment for the Property; and

WHEREAS, the development application form has been signed by David C. Brown, Trustee for David C. Brown Revocable Living Trust, as Owner of the real property legally described and shown on Attachments 1 and 2, attached hereto and incorporated by reference herein (“Property”); and

WHEREAS, the Comprehensive Plan Map Amendment approval is contingent on annexation of the Property to the City of Wilsonville, which annexation has been petitioned for concurrently with the Comprehensive Plan Map Amendment request; and

WHEREAS, the City of Wilsonville Planning Staff analyzed the Comprehensive Plan Map Amendment request and prepared a staff report for the Development Review Board, finding that the application met the requirements for a Comprehensive Plan Map Amendment and recommending approval of the Comprehensive Plan Map Amendment, which staff report was presented to the Development Review Board on January 25, 2016; and

WHEREAS, the Development Review Board Panel B held a public hearing on the application for a Comprehensive Plan Map Amendment on January 25, 2016, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 322 which recommends that the City Council approve a request for a Comprehensive Plan Map Amendment (Case File DB15-0092), adopts the staff report with findings and recommendations, all as placed on the record at the hearing, certain of which are contingent on City Council approval of the Comprehensive Plan Map Amendment and authorizes the Planning Director to issue approvals to the Applicant consistent with the staff report, as adopted by DRB Panel B; and

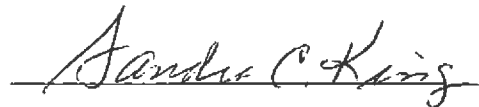
WHEREAS, on February 18, 2016, the Wilsonville City Council held a public hearing regarding the above described matter, wherein the City Council considered the full public record made before the Development Review Board, including the Development Review Board's Comprehensive Plan Findings, Exhibit A; DRB Resolution No. 322, Exhibit B; Staff Report and DRB Recommendation and Application on Compact Disc, Exhibit C, DRB Meeting Minutes, Exhibit D, all the exhibits are attached hereto and incorporated by reference as if fully set forth herein; and received a City Council staff report on file with the City Recorder; took public testimony; and, upon deliberation, concluded that the proposed Comprehensive Plan Map Amendment meets the applicable approval criteria under the City of Wilsonville Development Code.

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

Section 1. Findings. The City Council adopts, as findings and conclusions, the forgoing Recitals and in particular, the Development Review Board staff report, as contained in the record of the above described DRB hearing, together with the City Council staff report, and incorporates them by reference as fully set forth herein.

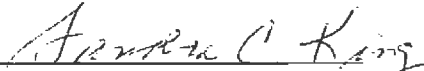
Section 2. Order. Upon adoption of Ordinance No. 784, which is the proposed annexation of the property which is being considered contemporaneously herewith, and the filing of Ordinance No. 784 with the required agencies to finalize the annexation of the Property to the City, which property is described in Attachments 1 and 2, the Comprehensive Plan designation for the property shall be changed from Washington County's Future Development - 20 District to Industrial on Wilsonville's Comprehensive Plan Map.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on February 18, 2016 and scheduled for the second reading on March 7, 2016 commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 Town Center Loop East, Wilsonville, OR.


Sandra C. King, MMC, City Recorder

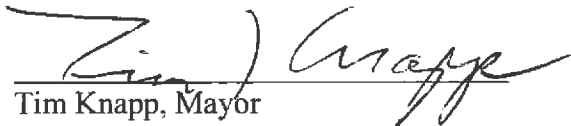
ENACTED by the City Council on the 7th day of March, 2016 by the following

votes: Yes: -4- No: -0-



Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this 5TH day of March, 2016.



Tim Knapp, Mayor

ATTEST:

Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES:

Mayor Knapp - Yes

Councilor Starr - Excused

Councilor Fitzgerald - Yes

Councilor Lehan - Yes

Councilor Stevens - Yes

Exhibits and Attachments:

Attachment 1, Legal Description and Survey Map

Attachment 2, Map Depicting Comp. Plan Map Amendment

Exhibit A – Comp Plan Map Amendment Findings, January 26, 2016.

Exhibit B - DRB Resolution No. 322

Exhibit C - Adopted Staff Report and DRB Recommendation (Exhibit A1), dated January 25, 2016 and the application on compact disk.

Exhibit D – January 25, 2016 DRB Minutes

EXHIBIT "A"

Annexation to the City of Wilsonville
 Washington County, Oregon
 Portion of Tax Lots 400, 500 and 501, 3S 1 2B
 December 2, 2015
 Project No. 2542-001

PROPERTY DESCRIPTION

Real property lying in Washington County, Oregon being a portion of Section 2, Township 3 South, Range 1 West of the Willamette Meridian described as follows:

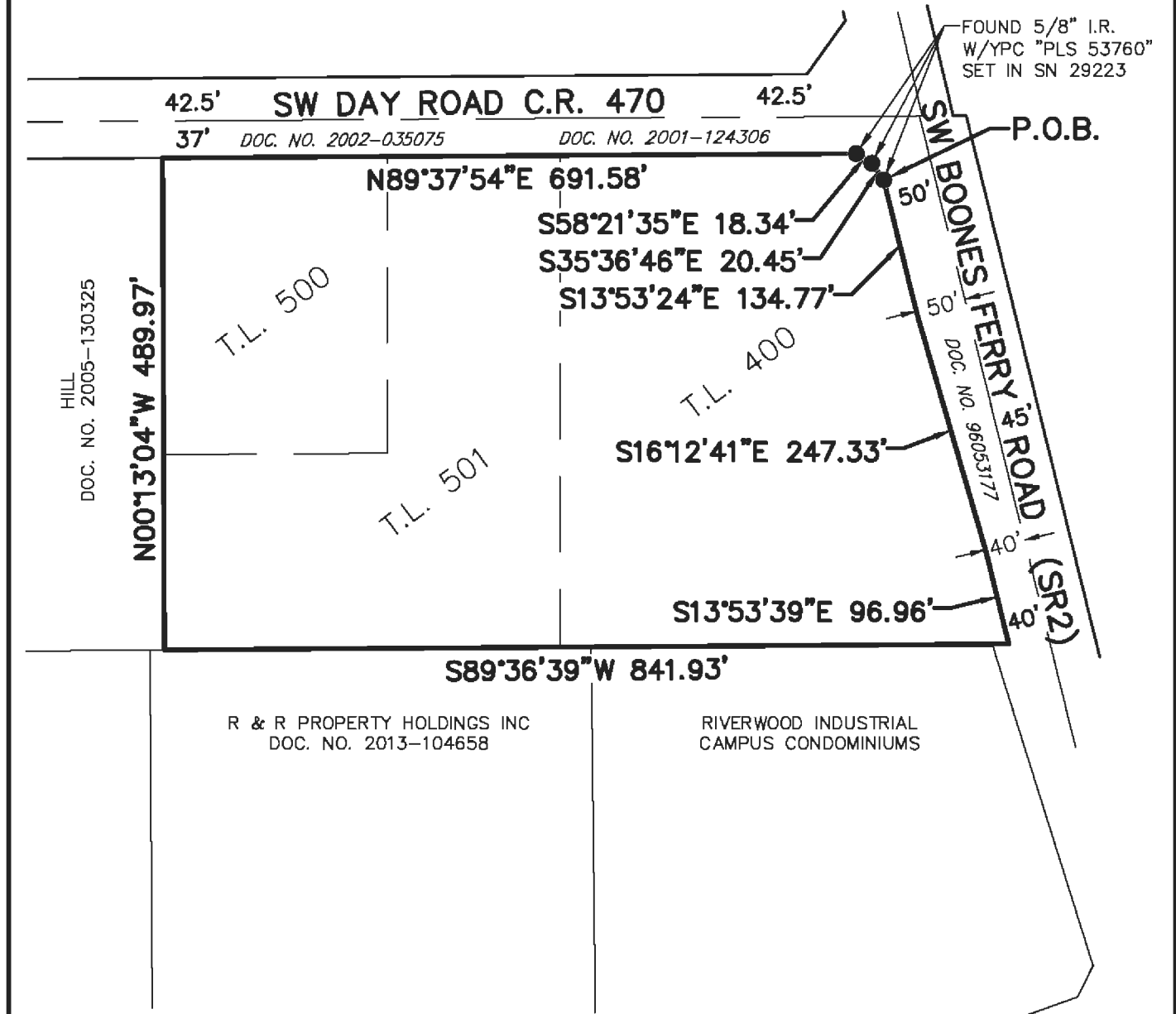
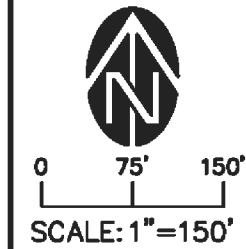
Beginning at a 5/8 inch iron rod with yellow plastic cap marked "PLS 53760" set in Washington County Survey Number 29,223 on the west right of way line of S.W. Boone's Ferry Road 50.00 feet from the centerline thereof measured at a right angle, said point also being 63.42 feet southerly of the centerline of S.W. Day Road measured at a right angle;
 thence along said west right of way line as conveyed to the State of Oregon by Document Number 96053177 through the following three courses:
 South 13°53'24" East, 134.77 feet, South 16°12'41" East, 247.33 feet, and South 13°53'39" East, 96.96 feet to the easterly extension of the north line of the plat "Riverwood Industrial Campus Condominium";
 thence along said north line and the north line of that property conveyed to "R & R Property Holdings Inc" by Document Number 2013-104658, South 89°36'39" West, 841.93 feet;
 thence along the east line of that property conveyed to "Hill" by Document Number 2005-130325, North 00°13'04" West, 489.97 feet to the south right of way line of S.W. Day Road being 37.00 feet from the centerline thereof measured at a right angle;
 thence along said south right of way line as conveyed to the State of Oregon by Document Numbers 2002-035075 and 2001-124306, North 89°37'54" East, 691.58 feet to a 5/8 inch iron rod with yellow plastic cap marked "PLS 53760" set in Washington County Survey Number 29,223;
 thence along the right of way lines at the southwest corner of the intersection of S.W. Day Road and S.W. Boones Ferry Road for the following two courses: South 58°21'35" East, 18.34 feet, and South 35°36'46" East, 20.45 feet to the Point of Beginning.

Containing 8.728 acres more or less.

Bearings shown per Washington County Survey Number 17,450.

**REGISTERED
 PROFESSIONAL
 LAND SURVEYOR**

**OREGON
 NOVEMBER 12, 2013
 MICHAEL D. SPELTS
 87475PLS**
RENEWS: 06-30-2016

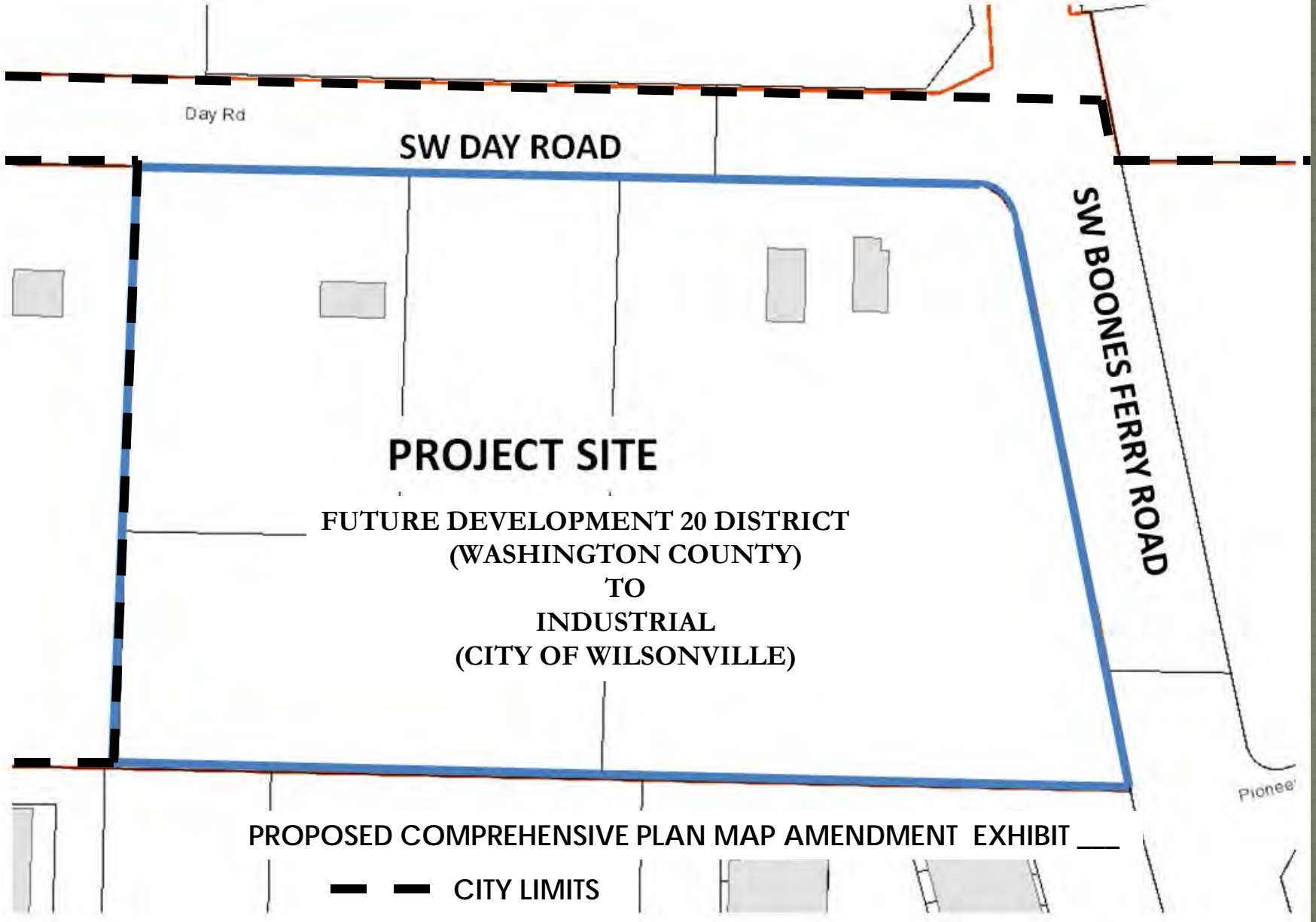


DRAWING NAME: J:\2542-001\Survey\CAD\DWG\2542-001EDWG DEC 03, 2015 - 7:30AM - MDS

EXHIBIT B
PAGE 1 OF 1
 SECTION 2, TOWNSHIP 3 SOUTH,
 RANGE 1 WEST, W.M.
 WASHINGTON COUNTY, OREGON

DATE	12/03/2015
DRAWN BY	MDS
CHECKED BY	GRA
REVISION	0
JOB NO.	2542-001

WESTLAKE
 CONSULTANTS INC.
 ENGINEERING ♦ SURVEYING ♦ PLANNING
 PACIFIC CORPORATE CENTER
 15115 S.W. SEQUOIA PARKWAY, SUITE 150 (503) 684-0652
 TIGARD, OREGON 97224 FAX (503) 824-0157



Day Rd

SW DAY ROAD

SW BOONES FERRY ROAD

PROJECT SITE

FUTURE DEVELOPMENT 20 DISTRICT
(WASHINGTON COUNTY)
TO
INDUSTRIAL
(CITY OF WILSONVILLE)

PROPOSED COMPREHENSIVE PLAN MAP AMENDMENT EXHIBIT

--- CITY LIMITS

Pioneer

**Ordinance No. 785
City Council Exhibit A**

**STAFF REPORT
WILSONVILLE PLANNING DIVISION**

**Universal Health Services Inc., Willamette Valley Behavioral Health
Comprehensive Plan Map Amendment
CITY COUNCIL
QUASI-JUDICIAL PUBLIC HEARING**

HEARING DATE	February 18, 2016
DATE OF REPORT:	January 26, 2016

REQUEST: DB15-0092 Comprehensive Plan Map Amendment

SUMMARY: The City Council is being asked to review Ordinance 785 to amend the Comprehensive Plan Map from Washington County ‘Future Development - 20 District’ (FD-20) to the City ‘Industrial’ Designation contingent on the approval of annexation with Ordinance 784. Concurrently proposed are a Zone Map Amendment, Stage I Preliminary Plan, Stage II Final Plan, Site Design Review, Type ‘C’ Tree Removal Plan and Class III signs to enable development of an approximately 62,000 square foot behavioral health facility.

LOCATION: Approximately 8.72 acres at the southwest corner of SW Day Road and SW Boones Ferry Road. Described Tax Lots 400, 500 and 501, Section 2B, Township 3 South, Range 1W, Willamette Meridian, Washington County, Oregon.

OWNER: Mr. David C. Brown, of the David C. Brown Revocable Living Trust U/T/A

APPLICANT: Universal Health Services Inc. – Willamette Valley Behavioral Health

PETITIONER FOR ANNEXATION: Mr. David C. Brown

APPLICANT’S REPRESENTATIVE: Mr. Kenneth Sandblast – Westlake Consultants

COMPREHENSIVE PLAN MAP DESIGNATION: ‘Future Development - 20 District’ (FD-20) (Washington County)

PROPOSED PLAN MAP DESIGNATION: Industrial – Area H (City of Wilsonville)

STAFF REVIEWER: Blaise Edmonds, Manager of Current Planning.

DEVELOPMENT REVIEW BOARD RECOMMENDATION: In Resolution No. 322 DRB Panel B Recommended approval of the requested Comprehensive Plan Amendment to City Council.

APPLICABLE REVIEW CRITERIA:

<u>DEVELOPMENT CODE</u>	
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.029	Zoning to be consistent with Comp. Plan
Section 4.031	Authority of the Development Review Board
Section 4.033	Authority of the City Council
Section 4.198	Comprehensive Plan Map Amendments
<u>OTHER CITY PLANNING DOCUMENTS</u>	
Comprehensive Plan: Policy 4.1.3 Implementation Measure 4.3.1.a. Implementation Measure 4.1.3.b. Implementation Measure 4.1.3.c. Implementation Measure 4.1.3.d. Implementation Measure 4.1.3.e. Implementation Measure 4.1.3.f. Implementation Measure 4.1.3.g. Implementation Measure 4.1.3.h. Implementation Measure 4.1.3.i. Implementation Measure 4.1.3.j.	Industrial
REGIONAL AND STATE PLANNING DOCUMENTS	
Statewide Planning Goals	
Transportation Systems Plan Stormwater Master Plan	
State Transportation Planning Rule	OAR 660-012-0060 Transportation Planning Rule for Plan and Land Use Regulation Amendment.

Staff: The subject property and adjacent SW Day Road and SW Boones Ferry Road are within the City's UGB.



Vicinity Map

Comprehensive Plan Map Amendment (DB15-0092). The applicant is requesting to change the current Washington County Comprehensive Plan Map designation 'Future Development - 20 District' (FD-20) to the City of Wilsonville Comprehensive Plan Map designation 'Industrial' which is the appropriate designation for the 8.72 acre site.

REQUEST B: DB15-0092 COMPREHENSIVE PLAN MAP AMENDMENT

GENERAL INFORMATION

Section 4.008 Application Procedures-In General

Review Criterion: This section lists general application procedures applicable to a number of types of land use applications and also lists unique features of Wilsonville's development review process.

Finding: This criterion is met.

Explanation of Finding: The application is being processed in accordance with the applicable general procedures of this Section.

Section 4.009 Who May Initiate Application

Review Criterion: "Except for a Specific Area Plan (SAP), applications involving specific sites may be filed only by the owner of the subject property, by a unit of government that is in the process of acquiring the property, or by an agent who has been authorized by the owner, in writing, to apply."

Finding: This criterion is satisfied.

Explanation of Finding: The application has been submitted on behalf of Universal Health Services Inc. – Willamette Valley Behavioral Health.

Subsection 4.011 (.02) B. Lien Payment before Application Approval

Review Criterion: “City Council Resolution No. 796 precludes the approval of any development application without the prior payment of all applicable City liens for the subject property. Applicants shall be encouraged to contact the City Finance Department to verify that there are no outstanding liens. If the Planning Director is advised of outstanding liens while an application is under consideration, the Director shall advise the applicant that payments must be made current or the existence of liens will necessitate denial of the application.”

Finding: This criterion is satisfied.

Explanation of Finding: No applicable liens exist for the subject property.

COMPREHENSIVE PLAN MAP AMENDMENT

Comprehensive Plan – Comprehensive Plan Changes

The City of Wilsonville’s Comprehensive Plan, provide the following procedure for amending the Comprehensive Plan:

B1. Review Criteria: Who May Initiate Plan Amendments

Finding: This criterion is satisfied.

Explanation of Finding: The owner through their authorized agent (Mr. Kenneth Sandblast, AICP) has made application to modify the Comprehensive Plan map designation for the subject property from the Washington County Comprehensive Plan designation FD-20 to City Comprehensive Plan designation ‘Industrial’.

Application for Comprehensive Plan Amendment

The applicant has met all applicable filing requirements for a Comprehensive Plan Map amendment.

B2. Review Criteria: Consideration of Plan Amendment

Finding: This criterion is satisfied.

Explanation of Finding: The Planning Division received the application on November 16, 2015. Staff met with the applicant subsequent to the submittal of the application to discuss the completeness of the application and perceived deficiencies of the application. The application was deemed complete on January 11, 2016. The findings and recommended conditions of approval adopted by the Development Review Board in review of the

application to modify the Comprehensive Plan Map designation will be forwarded as a recommendation to the City Council.

- B3. Review Criteria:** Standards for Development Review Board and City Council Approval of Plan Amendments (page 8 of the Comprehensive Plan): The proposed amendment is in conformance with those portions of the Plan that are not being considered for amendment.

Finding: This criterion is satisfied.

Explanation of Finding: Findings B1 through B29, which satisfy these Plan policies.

- B4. Review Criteria:** b. The granting of the amendment is in the public interest.

Finding: This criterion is satisfied.

Explanation of Finding: The applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied. The public interest is served by providing a behavioral health facility.

- B5. Review Criteria:** c. The public interest is best served by granting the amendment at this time.

Finding: This criterion is satisfied.

Explanation of Finding: UHS plans to construct the site over 2016 in preparation for opening in 2017. The applicant has satisfied requirements of citizen involvement and public notice requirements.

- B6. Review Criteria:** d. The following factors have been adequately addressed in the proposed amendment:

Suitability of the various areas for particular land uses and improvements;

Finding: This criterion is satisfied.

Explanation of Finding: The subject 8.72 acre property has two existing houses and land with moderate slopes at the southerly side but is suitable for the specific planned use and associated improvements. Existing houses and accessory structures will be razed for the development of the UHS facility. The subject property has direct frontage on SW Day Road for temporary access until the westerly adjoining property is developed and a joint permanent access would be required. The City Engineering Division has indicated through Public Facilities (PF) conditions of approval found in this staff report that public utilities, i.e., water, sanitary sewer, storm sewer and street improvements can be accomplished to serve the subject property.

- B7. Review Criteria:** Land uses and improvements in the area;

Finding: This criterion is satisfied.

Explanation of Finding: Adjacent uses to the west are primarily rural residential but for future urban development.

- B8. **Review Criteria:** Trends in land improvement;
Finding: This criterion is satisfied.
Explanation of Finding: The proposal is for a behavioral health facility which is responding to a public need.
- B9. **Review Criteria:** Density of development:
Finding: This criterion is not applicable.
Explanation of Finding: The proposal does not plan for residential development.
- B10. **Review Criteria:** Property values:
Finding: This criterion is satisfied.
Explanation of Finding: A professional analysis of property values has not been shared with staff.
- B11. **Review Criteria:** Needs of economic enterprises in the future development of the area;
Finding: This criterion is satisfied.
Explanation of Finding: The subject property is within the City UGB and would involve capital projects for public infrastructure improvements.
- B12. **Review Criteria:** Transportation access:
Finding: This criterion is satisfied.
Explanation of Finding: The DKS Transportation Impact Analysis (Exhibit P of Exhibit B1) proposes several transportation mitigation recommendations for the subject property. The City Engineering Division has considered the mitigation recommendations and has factored them in the proposed Public Facilities (PF) conditions of approval for the Stage II Final Plan.
- B13. **Review Criteria:** Natural resources; and Public need for healthful, safe and aesthetic surroundings and conditions:
Finding: This criterion is satisfied.
Explanation of Finding: The subject property does not have Metro Title 3/13 and Statewide Planning Goal 5 natural resource areas.

Wilsonville Development Code (WC) – Comprehensive Plan Changes

Subsection 4.198(.01) of the Development Code stipulates, “Proposals to amend the Comprehensive Plan, or to adopt new elements or sub-elements of the Plan, shall be subject to the procedures and criteria contained in the Comprehensive Plan. Each such amendment shall include findings in support of the following:

- B14. **Review Criteria:** Approval Criterion A: “That the proposed amendment meets a public need that has been identified;”
Finding: This criterion is satisfied.
Explanation of Finding: See the applicant’s response finding on page 9 of the project

narrative in Exhibit B1 meeting this criterion. "The proposed use of the site as a behavioral health facility will produce jobs and increase the economics of the state."

- B15. Review Criteria:** Approval Criterion B: "That the proposed amendment meets the identified public need at least as well as any other amendment or change that could reasonably be made;"

Finding: This criterion is satisfied.

Explanation of Finding: The current Washington County Zoning Map identifies the subject property as FD-20. It is appropriate to designate these properties as Industrial.

- B16. Review Criteria:** Approval Criterion C: "That the proposed amendment supports applicable Statewide Planning Goals, or a Goal exception has been found to be appropriate;"

Finding: This criterion is satisfied.

Explanation of Finding: With the implementation of the proposed conditions of approval, the proposed amendment supports the applicable Statewide Planning Goals. Findings to the Statewide Planning Goals were prepared by the applicant in the response findings of Exhibit B1.

- B17. Review Criteria:** Approval Criterion D: "That the proposed change will not result in conflicts with any portion of the Comprehensive Plan that is not being amended."

Finding: This criterion is satisfied.

Explanation of Finding: The applicant is requesting an amendment to the Comprehensive Plan Map for the subject property referenced herein. The applicant does not propose to modify or amend any other portion of the City of Wilsonville Comprehensive Plan.

INDUSTRIAL DEVELOPMENT

Policy 4.1.3 City of Wilsonville shall encourage light industry compatible with the residential and urban nature of the City.

- B18. Review Criteria: Implementation Measure 4.1.3.a** Develop an attractive and economically sound community.

Finding: This criterion is satisfied.

Explanation of Finding: The proposed UHS project is being designed by professional architects, engineers and land use planners. Site design must adhere to the Day Road Design Overlay District (DOD) design standards to assure high-quality industrial development that would help develop an attractive and economically sound community.

- B19. Review Criteria: Implementation Measure 4.1.3.b** Maintain high-quality industrial development that enhances the livability of the area and promotes diversified economic growth and a broad tax base.

Finding: This criterion is satisfied.

Explanation of Finding: The proposed UHS project is being designed by professional architects, engineers and land use planners. Site design must adhere to the Day Road Design Overlay District (DOD) design standards to assure high-quality industrial development that would enhance the livability of the area and would promote economic growth and a broad tax base. See request G of this staff report for detailed analysis of the building, site and design plans.

B20. Review Criteria: Implementation Measure 4.1.3.c Favor capital intensive, rather than labor intensive, industries within the City.

Finding: This criterion is satisfied.

Explanation of Finding: The proposed project is estimated to cost over 25 million dollars and employ people with family wage jobs.

B21. Review Criteria: Implementation Measure 4.1.3.d Encourage industries interested in and willing to participate in development and preservation of a high-quality environment. Continue to require adherence to performance standards for all industrial operations within the City.

Finding: This criterion is satisfied.

Explanation of Finding: The proposed UHS project is being designed by professional architects, engineers and land use planners with the goal in mind to preserve as many significant trees along the west side and northeast corner of the property.

B22. Review Criteria: Implementation Measure 4.1.3.e Site industries where they can take advantage of existing transportation corridors such as the freeway, river, and railroad.

Finding: This criterion is satisfied.

Explanation of Finding: The subject property is in close proximity to Interstate 5 via SW Day Road and SW Boones Ferry Road to the Stafford Interchange.

B23. Review Criteria: Implementation Measure 4.1.3.f Encourage a diversity of industries compatible with the Plan to provide a variety of jobs for the citizens of the City and the local area.

Finding: This criterion is satisfied.

Explanation of Finding: See the applicant's response finding on page 21 of Exhibit B1.

B24. Review Criteria: Implementation Measure 4.1.3.g Encourage energy-efficient, low-pollution industries.

Finding: This criterion is satisfied.

Explanation of Finding: The proposed UHS project is being designed by professional architects and engineers including an energy-efficient hospital type building with no pollution.

B25. Review Criteria: Implementation Measure 4.1.3.h The City, in accordance with Title 4 of the Metro Urban Growth Management Functional Plan, supports appropriate retail development within Employment and Industrial Areas. Employment and Industrial areas are expected to include some limited retail commercial uses, primarily to serve the needs of people working or living in the immediate Employment or Industrial Areas, as well as office complexes housing technology-based industries. Where the City has already designated land for commercial development within Metro's employment areas, the City has been exempted from Metro development standards.

Finding: This criterion is satisfied.

Explanation of Finding: The proposed UHS project does not include retail uses so this criterion is not applicable.

B26. Review Criteria: Implementation Measure 4.1.3.i The City shall limit the maximum amount of square footage of gross leasable retail area per building or business in areas designated for industrial development. In order to assure compliance with Metro's standards for the development of industrial areas, retail uses with more than 60,000 square feet of gross leasable floor area per building or business shall not be permitted in areas designated for industrial development.

Finding: This criterion is satisfied.

Explanation of Finding: The proposed UHS project does not include retail uses so this criterion is not applicable.

B27. Review Criteria: Implementation Measure 4.1.3.j All industrial areas will be developed in a manner consistent with industrial planned developments in Wilsonville. Non-industrial uses may be allowed within a Planned Development Industrial Zone, provided that those non-industrial uses do not limit the industrial development potential of the area.

Finding: This criterion is satisfied.

Explanation of Finding: In Requests D and E of this staff report the proposed UHS facility is being reviewed by the applicable Planned Development Code criteria within the PDI-RSIA zone. The project location at the southwest corner of SW Day Road and SW Boones Ferry Road would not limit industrial development potential of properties west of the UHS property.

OAR 660-012-0060 Transportation Planning Rule for Plan and Land Use Regulation Amendment

B28. Review Criteria: Review Criteria: Amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. This shall be accomplished by either:

- (a) Limiting allowed land uses to be consistent with the planned function, capacity, and performance standards of the transportation facility;
 - (b) Amending the TSP to provide transportation facilities adequate to support the proposed land uses consistent with the requirements of this division;
 - (c) Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes; or
 - (d) Amending the TSP to modify the planned function, capacity and performance standards, as needed, to accept greater motor vehicle congestion to promote mixed use, pedestrian friendly development where multimodal travel choices are provided.
- (2). A plan or land use regulation amendment significantly affects a transportation facility if it:
- (a) Changes the functional classification of an existing or planned transportation facility;
 - (b) Changes standards implementing a functional classification system;
 - (c) Allows types or levels of land uses which would result in levels of travel or access which are inconsistent with the functional classification of a transportation facility; or
 - (d) Would reduce the performance standards of the facility below the minimum acceptable level identified in the TSP.

Finding: These criteria are satisfied.

Explanation of Finding: The City's TSP was approved by the City Council on June 17, 2013. The applicant's proposal would not significantly affect transportation facilities identified in the City's Transportation System Plan (TSP). The proposed PF conditions of approval would mitigate any impacts in Request F for the Stage II Final Plan. The Comprehensive Plan Amendment and Zone Map Amendment do not propose any new amendments to the TSP. The proposed Comprehensive Plan Map and Zone Map Amendments do not propose to change the functional classification of an existing City street facility or one planned in the TSP. Furthermore the proposed Comprehensive Plan Map and Zone Map Amendments legislative do not propose to change standards implementing a functional classification system. Finally, the City has adopted traffic concurrency standards which will be applied to development in the subject property UGB area during subsequent development review to ensure levels of travel and access are not inconsistent with the functional classification of a transportation facility and maintain performance standards adopted in the TSP.

DKS Associates has prepared a Transportation Impact Analysis for this application in Exhibit P of Exhibit B1. The on-site circulation system proposed in the Stage II Final Plan, Plan Sheet C100 in Exhibit B1 is designed to reflect the principles of smart growth encouraging alternatives to the automobile while accommodating all travel modes, including car pool, SMART dial-a-ride, bicycles and pedestrians.

TPR 0060: ODOT received the public notice for the Universal Health Services, Inc., application. See Exhibit C8. The property is located at the intersection of SW Day Rd and SW Boones Ferry Rd which is an ODOT intersection. On page 23 of the DKS TIA in Exhibit B1 contains the TPR findings of “no significant effect” based on consistency with the City Comprehensive Plan and Transportation Systems Plan (TSP).

SUMMARY FINDING

The proposed Comprehensive Plan Map Amendment meets all applicable requirements and can be approved by the City Council.

ORDINANCE NO. 786

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE WASHINGTON COUNTY FUTURE DEVELOPMENT - 20 (FD-20) ZONE TO THE CITY'S PLANNED DEVELOPMENT INDUSTRIAL – REGIONALLY SIGNIFICANT INDUSTRIAL AREA (PDI-RSIA) ZONE ON APPROXIMATELY 8.72 - ACRES COMPRISING TAX LOTS 400, 500 AND 501 OF SECTION 2B, T3S, R1W, WASHINGTON COUNTY, OREGON, UNIVERSAL HEALTH SERVICES, INC., WILLAMETTE VALLEY BEAVIORAL HEALTH FACILITY, APPLICANT.

RECITALS

WHEREAS, Universal Health Services, Inc., Willamette Valley Behavioral Health Facility (“Applicant”) has made a development application requesting, among other things, a Zone Map Amendment of the Property from FD-20 to PDI-RSIA; and

WHEREAS, the development application form has been signed by David C. Brown, Trustee for David C. Brown Revocable Living Trust, as Owner of the real property legally described and shown on Attachment 1, attached hereto and incorporated by reference herein (“Property”); and

WHEREAS, the Zone Map Amendment is contingent on annexation of the Property to the City of Wilsonville and an amendment to the Comprehensive Plan Map, which annexation and Comprehensive Plan Map Amendment have been petitioned for and applied for concurrently with the Zone Map Amendment request; and

WHEREAS, the City of Wilsonville Planning Staff analyzed the Zone Map Amendment request and prepared a staff report for the Development Review Board, finding that the application met the requirements for a Zone Map Amendment which staff report was presented to the Development Review Board on January 25, 2016;

WHEREAS, the Development Review Board Panel B held a public hearing on the application for a Zone Map Amendment on January 25, 2016, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 322 which recommends that the City Council approve a request for a Zone Map Amendment (Case File DBI5-0093), adopts the staff report (Exhibit B) with findings and recommendation, all as placed on the record at the hearing, certain elements of which are contingent upon City Council approval of the Zone Map Amendment and authorizes the Planning Director to issue approvals to the Applicant consistent with the staff report, as adopted by DRB Panel B; and

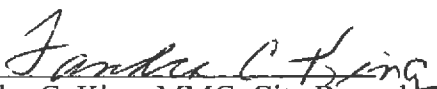
WHEREAS, on February 18, 2016, the Wilsonville City Council held a public hearing regarding the above described matter, wherein the City Council considered the full public record made before the Development Review Board, including the Development Review Board and City Council staff reports; took public testimony; and, upon deliberation, concluded that the proposed Zone Map Amendment meets the applicable approval criteria under the City of Wilsonville Development Code;

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


Section 1. Findings. The City Council adopts, as findings and conclusions, the forgoing Recitals and the Development Review Board staff report, as contained in the record of the above described DRB hearing and incorporates it by reference herein, as if fully set forth.

Section 2. Order. The official City of Wilsonville Zone Map is hereby amended, upon finalization of the annexation of the Property to the City, by Zoning Order DB15-0093, attached hereto as Exhibit A, from the Washington County Future Development - 20 (FD-20) Zone to the Planned Development Industrial – Regionally Significant Industrial Area (PDI - RSIA) Zone described and shown on Attachments 1 and 2.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on February 18, 2016 and scheduled for the second reading on March 7, 2016 commencing at the hour of 7:00 p.m. at the Wilsonville City Hall, 29799 Town Center Loop East, Wilsonville, OR.


Sandra C. King, MMC, City Recorder

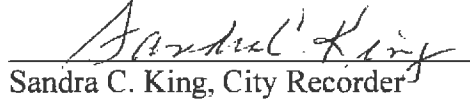
ENACTED by the City Council on the 7th day of March, 2016 by the following
votes: Yes: -4- No: -0-


Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this 8th day of March, 2016.


Tim Knapp, Mayor

ATTEST:


Sandra C. King, City Recorder

SUMMARY OF VOTES:

Mayor Knapp - Yes

Councilor Starr - Excused

Councilor Fitzgerald - Yes

Councilor Lehan - Yes

Councilor Stevens - Yes

Exhibits and Attachments:

Exhibit A - Zoning Order DB15-0093.

Attachment 1, Legal Description and Survey Map

Attachment 2, Map Depicting Zone Amendment

Exhibit B Zone Map Amendment Findings, January 26, 2016.

Exhibit C - DRB Resolution No. 322

Exhibit D - Adopted Staff Report and DRB Recommendation (Exhibit A1), dated January 25, 2016 and the application on compact disk.

Exhibit E - January 25, 2016 DRB Minutes

EXHIBIT A

**BEFORE THE CITY COUNCIL OF THE
CITY OF WILSONVILLE, OREGON
UNIVERSAL HEALTH SERVICES INC.,
WILLAMETTE VALLEY BEHAVIORAL HEALTH FACILITY**

In the Matter of an Application of)
Kenneth Sandblast, Agent for)
Universal Health Services, Inc.,) **ZONING ORDER**
Willamette Valley Behavioral Health,) **NO. DB15-0093**
Applicant, Acting on behalf of)
David C. Brown, Trustee, Owner)
for a Rezoning of Land on the City of)
Wilsonville Zoning Map)
Incorporated in Section 4.102)
Of the Wilsonville Code)


The above-entitled matter is before the Council to consider the application of DB15-0093, for a Zone Map Amendment and an Order, amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code.

The Council finds that the subject property (“Property”), legally described and shown on the attached Exhibit 1 has heretofore appeared on the Washington County zoning map as Future Development - 20 (FD-20).


The Council having heard and considered all matters relevant to the application for a Zone Map Amendment, including the Development Review Board record and recommendation, finds that the application should be approved.

THEREFORE, IT IS HEREBY ORDERED that The Property, consisting of approximately 8.72 acres comprising Tax Lots 400, 500 and 501 Section 2B, 3S 1W as more particularly shown in the Zone Map Amendment Map, Attachment 1 and described and shown in Attachment 2 is hereby rezoned to Planned Development Industrial – Regionally Significant Industrial Area (PDI-RSIA). The foregoing rezoning is hereby declared an amendment to the Wilsonville Zoning Map (Section 4.102 WC) and shall appear as such from and after entry of this Order.

Dated: This 7th day of March, 2016.


TIM KNAPP, MAYOR

APPROVED AS TO FORM:


Barbara Jacobson, City Attorney

ATTEST:


Sandra C. King, MMC, City Recorder

Exhibit A: Zoning Order
Attachment 1, Legal Description and Survey Map
Attachment 2, Map Depicting Zone Amendment

EXHIBIT "A"

Annexation to the City of Wilsonville
 Washington County, Oregon
 Portion of Tax Lots 400, 500 and 501, 3S 1 2B
 December 2, 2015
 Project No. 2542-001

PROPERTY DESCRIPTION

Real property lying in Washington County, Oregon being a portion of Section 2, Township 3 South, Range 1 West of the Willamette Meridian described as follows:

Beginning at a 5/8 inch iron rod with yellow plastic cap marked "PLS 53760" set in Washington County Survey Number 29,223 on the west right of way line of S.W. Boone's Ferry Road 50.00 feet from the centerline thereof measured at a right angle, said point also being 63.42 feet southerly of the centerline of S.W. Day Road measured at a right angle;
 thence along said west right of way line as conveyed to the State of Oregon by Document Number 96053177 through the following three courses:
 South 13°53'24" East, 134.77 feet, South 16°12'41" East, 247.33 feet, and South 13°53'39" East, 96.96 feet to the easterly extension of the north line of the plat "Riverwood Industrial Campus Condominium";
 thence along said north line and the north line of that property conveyed to "R & R Property Holdings Inc" by Document Number 2013-104658, South 89°36'39" West, 841.93 feet;
 thence along the east line of that property conveyed to "Hill" by Document Number 2005-130325, North 00°13'04" West, 489.97 feet to the south right of way line of S.W. Day Road being 37.00 feet from the centerline thereof measured at a right angle;
 thence along said south right of way line as conveyed to the State of Oregon by Document Numbers 2002-035075 and 2001-124306, North 89°37'54" East, 691.58 feet to a 5/8 inch iron rod with yellow plastic cap marked "PLS 53760" set in Washington County Survey Number 29,223;
 thence along the right of way lines at the southwest corner of the intersection of S.W. Day Road and S.W. Boones Ferry Road for the following two courses: South 58°21'35" East, 18.34 feet, and South 35°36'46" East, 20.45 feet to the Point of Beginning.

Containing 8.728 acres more or less.

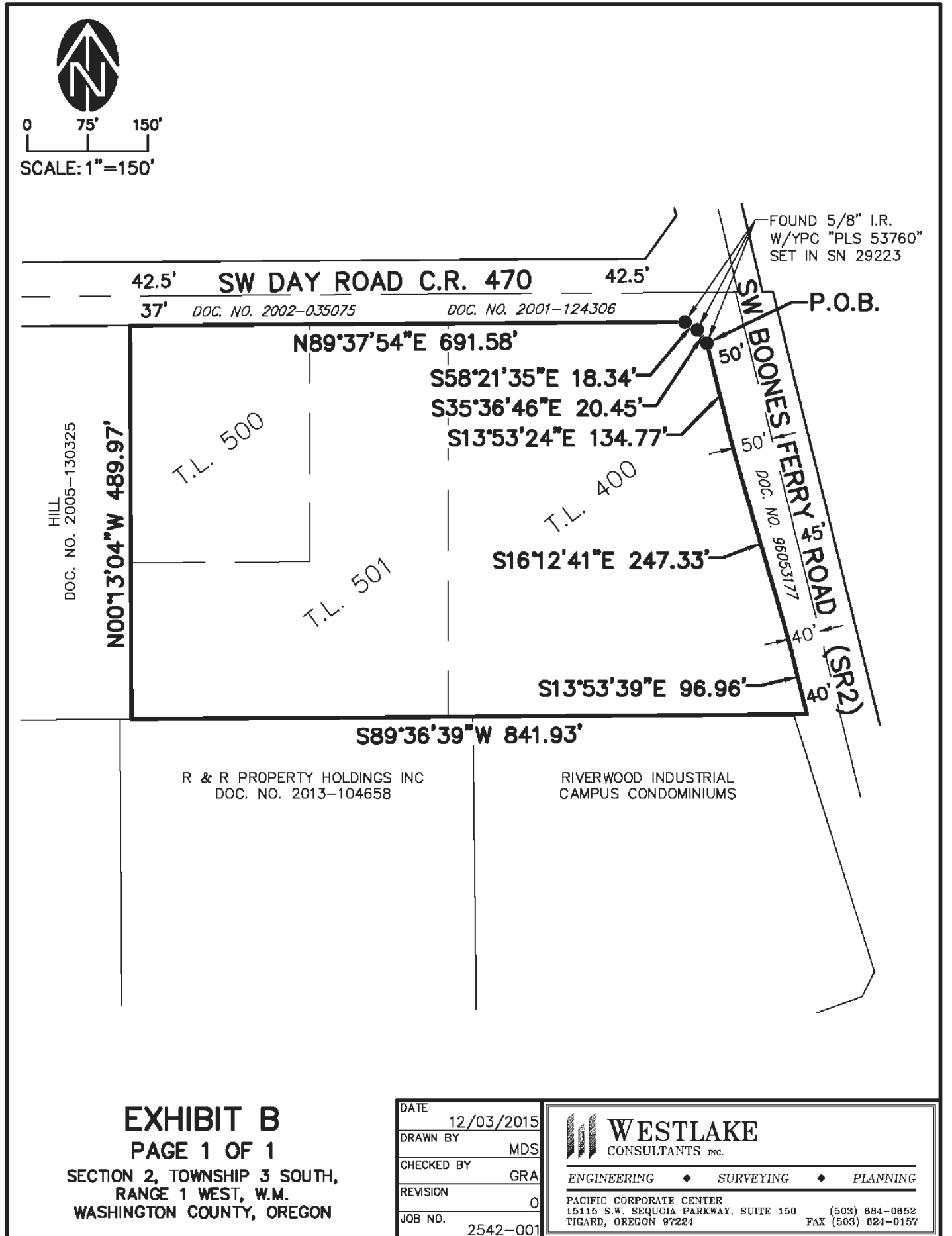
Bearings shown per Washington County Survey Number 17,450.

**REGISTERED
 PROFESSIONAL
 LAND SURVEYOR**

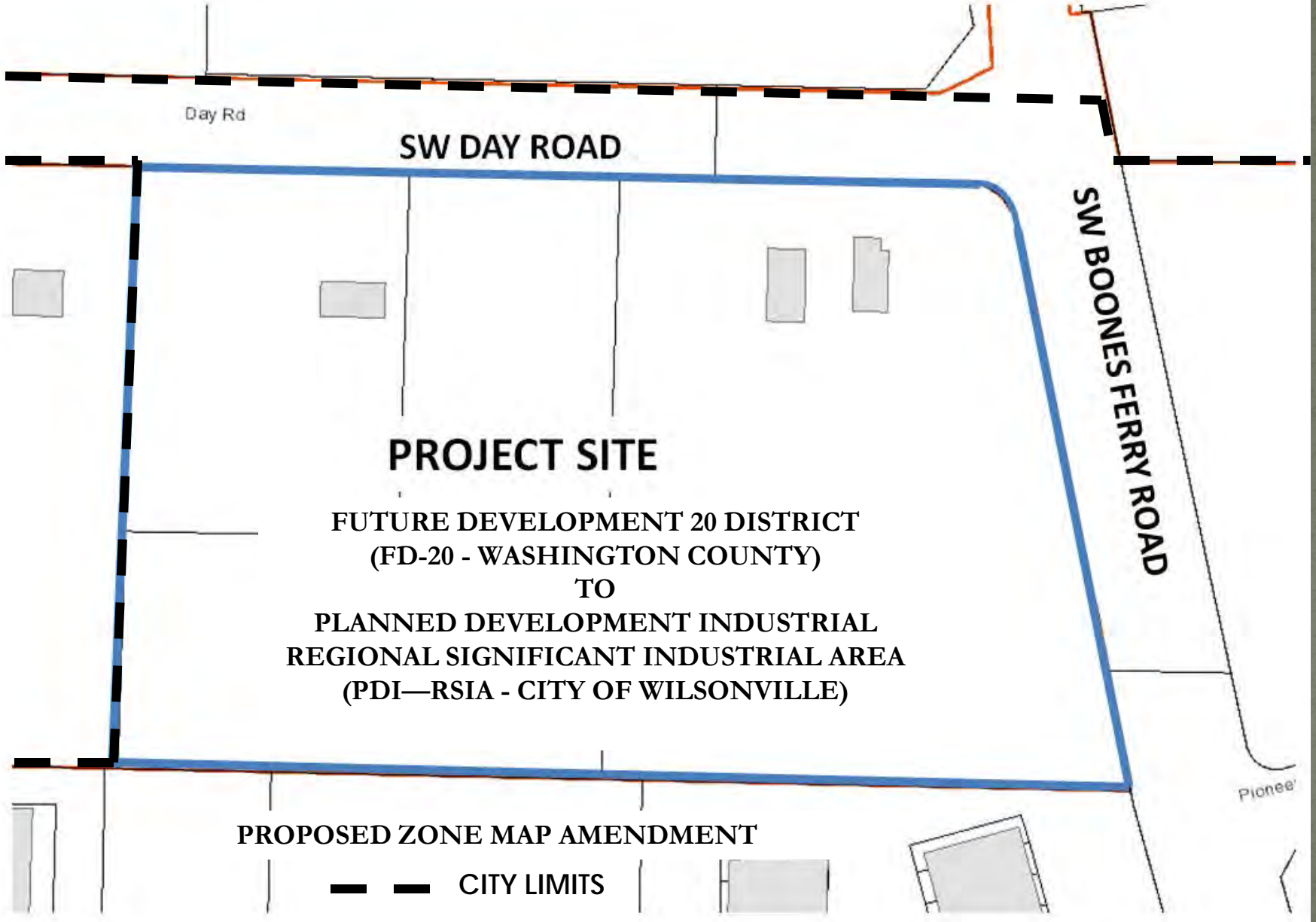
Michael D. Spelts

**OREGON
 NOVEMBER 12, 2013
 MICHAEL D. SPELTS
 87475PLS**

RENEWS: 06-30-2016



DRAWING NAME: J:\2542-001.15\Survey\CAD\DWG\2542-001EDWG DEC 03, 2015 - 7:30AM - MDS



Day Rd

SW DAY ROAD

SW BOONES FERRY ROAD

PROJECT SITE

FUTURE DEVELOPMENT 20 DISTRICT
(FD-20 - WASHINGTON COUNTY)
TO
PLANNED DEVELOPMENT INDUSTRIAL
REGIONAL SIGNIFICANT INDUSTRIAL AREA
(PDI—RSIA - CITY OF WILSONVILLE)

PROPOSED ZONE MAP AMENDMENT

--- CITY LIMITS

Pioneer

**Ordinance No. 786
City Council Exhibit B**

**STAFF REPORT
WILSONVILLE PLANNING DIVISION**

**Universal Health Services Inc., Willamette Valley Behavioral Health Facility
Zone Map Amendment
CITY COUNCIL
QUASI-JUDICIAL PUBLIC HEARING**

HEARING DATE	February 18, 2016
DATE OF REPORT:	January 26, 2016

Request: DB15-0093 Zone Map Amendment

REQUEST/SUMMARY: The City Council is being asked to review a Zone Map Amendment from Washington County ‘Future Development - 20’ (FD-20) Zone to City ‘Planned Development Industrial – Regionally Significant Industrial Area’ (PDI-RSIA) Zone consistent with the Comprehensive Plan Map designation of “Industrial” requested concurrently with Ordinance No. 785. The Zone Map Amendment request is contingent on the City Council approving annexation of the property into the City of Wilsonville with Ordinance No. 784. The DRB has reviewed the Annexation, Comprehensive Plan map amendment, and Zone Map amendment and recommended approval to the City Council. The DRB also approved a Stage I Preliminary Plan, Stage II Final Plan, Site Design Review, Type ‘C’ Tree Removal Plan and Class III signs to enable development of an approximately 62,000 square foot behavioral health facility.

LOCATION: Approximately 8.72 acres at the southwest corner of SW Day Road and SW Boones Ferry Road. Described Tax Lots 400, 500 and 501, Section 2B, Township 3 South, Range 1W, Willamette Meridian, Washington County, Oregon.

OWNER: Mr. David C. Brown, of the David C. Brown Revocable Living Trust U/T/A

APPLICANT: Universal Health Services Inc. – Willamette Valley Behavioral Health Facility

PETITIONER FOR ANNEXATION: Mr. David C. Brown

APPLICANT’S REPRESENTATIVE: Mr. Kenneth Sandblast – Westlake Consultants

COMPREHENSIVE PLAN MAP DESIGNATION: ‘Future Development 20 District’ (FD 20) (Washington County)

PROPOSED PLAN MAP DESIGNATION: Industrial (City of Wilsonville)

ZONE MAP CLASSIFICATION: Future Development - 20 Acre District (FD-20), Washington County)

PROPOSED ZONE MAP DESIGNATION: Planned Development Industrial – Regionally Significant Industrial Area (PDI–RSIA), City of Wilsonville. The subject property is within the Day Road Design Overlay District (DOD). Day Road DOD is an overlay district within the larger Planned Development Industrial - Regionally Significant Industrial Area (RSIA) Zone.

STAFF REVIEWER: Blaise Edmonds, Manager of Current Planning.

DEVELOPMENT REVIEW BOARD RECOMMENDATION: In Resolution No. 322 the Development Review Board recommended approval of the requested Zone Map Amendment to City Council.

APPLICABLE REVIEW CRITERIA:

<u>DEVELOPMENT CODE</u>	
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.029	Zoning to be consistent with Comp. Plan
Section 4.031	Authority of the Development Review Board
Section 4.033	Authority of the City Council
Section 4.134	Day Road Design Overlay District
Section 4.135 and 4.135.5	Planned Development Industrial (PDI) Zone RSIA
Section 4.197	Zone Changes and Amendments to Development Code-Procedures
<u>OTHER CITY PLANNING DOCUMENTS</u>	
Comprehensive Plan: Policy 4.1.3 Implementation Measure 4.3.1.a. Implementation Measure 4.1.3.b. Implementation Measure 4.1.3.c. Implementation Measure 4.1.3.d. Implementation Measure 4.1.3.e. Implementation Measure 4.1.3.f. Implementation Measure 4.1.3.g. Implementation Measure 4.1.3.h.	Industrial

Implementation Measure 4.1.3.i. Implementation Measure 4.1.3.j.	
Comprehensive Plan - Annexation and Boundary Changes. Implementation Measure 2.2.1.e. Implementation Measure 2.2.1.a.	Annexation:
REGIONAL AND STATE PLANNING DOCUMENTS	
Statewide Planning Goals	
Transportation Systems Plan Stormwater Master Plan	
State Transportation Planning Rule	OAR 660-012-0060 Transportation Planning Rule for Plan and Land Use Regulation Amendment.

Zone Map Amendment (DB15-0093). The applicant is requesting to change the current Washington County zoning designation from the Future Development - 20 District (FD-20) to the City of Wilsonville zone designation of 'Planned Development Industrial – Regionally Significant Industrial Area' (PDI - RSIA) which is the appropriate designation to the site.

CONCLUSIONS and CONDITIONS OF APPROVAL:

Approve the requested Annexation, Comprehensive Plan Amendment and Zone Map Amendment. **The findings and recommended conditions of approval adopted by the Development Review Board in review of the above requests will be forwarded as a recommendation to the City Council.**

FINDINGS OF FACT

1. The statutory 120-day time limit applies to this application. The application was received on November 16, 2015. On November 30, 2015, staff conducted a completeness review within the statutorily allowed 30-day review period. The applicant submitted new material on January 11, 2016. On January 11, 2015 staff determined the application to be complete. The City must render a final decision for the request, including any appeals, by **May 9, 2016**.
2. Except for the adoption of the Coffee Creek Industrial Area Concept Plan, the Day Road Design Overlay District (DOD) and the Urban Growth Boundary (UGB) there are no prior city land use actions on the property.

3. The applicant has complied with Sections 4.013-4.031 of the Wilsonville Code, said sections pertaining to review procedures and submittal requirements. The required public notices have been sent and all proper notification procedures have been satisfied.

GENERAL INFORMATION

Section 4.008 Application Procedures-In General

Review Criterion: This section lists general application procedures applicable to a number of types of land use applications and also lists unique features of Wilsonville's development review process.

Finding: This criterion is met.

Explanation of Finding: The application is being processed in accordance with the applicable general procedures of this Section.

Section 4.009 Who May Initiate Application

Review Criterion: "Except for a Specific Area Plan (SAP), applications involving specific sites may be filed only by the owner of the subject property, by a unit of government that is in the process of acquiring the property, or by an agent who has been authorized by the owner, in writing, to apply."

Finding: This criterion is satisfied.

Explanation of Finding: The application has been submitted on behalf of Universal Health Services Inc. – Willamette Valley Behavioral Health.

Subsection 4.011 (.02) B. Lien Payment before Application Approval

Review Criterion: "City Council Resolution No. 796 precludes the approval of any development application without the prior payment of all applicable City liens for the subject property. Applicants shall be encouraged to contact the City Finance Department to verify that there are no outstanding liens. If the Planning Director is advised of outstanding liens while an application is under consideration, the Director shall advise the applicant that payments must be made current or the existence of liens will necessitate denial of the application."

Finding: This criterion is satisfied.

Explanation of Finding: No applicable liens exist for the subject property.

NOTE: Pursuant to Section 4.014 the burden of proving that the necessary findings of fact can be made for approval of any land use or development application rests with the applicant in the case.

REQUEST C: ZONE MAP AMENDMENT

Planning and Land Development Ordinance

Section 4.029 Zoning to be Consistent with Comprehensive Plan

C1. Review Criterion: “If a development, other than a short-term temporary use, is proposed on a parcel or lot which is not zoned in accordance with the Comprehensive Plan, the applicant must receive approval of a zone change prior to, or concurrently with the approval of an application for a Planned Development.”

Finding: This criterion is satisfied.

Explanation of Finding: The applicant is applying for a zone map amendment concurrently with requests for planned development applications (Requests D - G) which will make the zoning consistent with the Comprehensive Plan.

Subsection 4.110 (.01) Base Zones

C2. Review Criterion: This subsection identifies the base zones established for the City, including the Village Zone.

Finding: This criterion is satisfied.

Explanation of Finding: The requested zoning designation from Washington County zone of Future Development - 20 District (FD-20) to the City Planned Development Industrial-Regionally Significant Industrial Area (PDI-RSIA) zone is among the base zones identified in this subsection.

Subsection 4.135 and 4.135.5 Planned Development Industrial (PDI-RSIA) Zone Purpose

C3. Review Criteria: The PDI-RSIA Zone

Finding: These criteria are satisfied.

Explanation of Finding: See the applicant’s response finding on page 21-22 of Exhibit B1. The applicant, Universal Health Services (UHS), proposes a behavioral health facility in the Coffee Creek Industrial Area, which is designated as a Planned Development Industrial - Regionally Significant Industrial Area (PDI-RSIA). There are many factors to consider when evaluating the compatibility and appropriateness of the proposed use in the RSIA zone including: compatibility with existing and future industrial uses; urban form, design and architecture as expressed in the Day Road Design Overlay Zone (Wilsonville Code Section 4.134) and the draft regulations found in the Coffee Creek Industrial Area Form Based Code; minimization of PM peak hour trip generation; the emerging and evolving nature of industry; job creation and wages; compliance with industrial performance standards; traded

and local sector benefits; as well as consistency with the purpose section of the RSIA zone (WC Section 4.135.5).

The applicant's findings state that the application is consistent with the purpose section of the RSIA zone (please refer to pages 21 and 22 of the applicant's narrative), particularly *Section .03(N) Permitted Uses* because the operation is "1) compatible with industrial operations, 2) it provides an employment center consistent with the Wilsonville Comprehensive Plan, 3) it facilitates the redevelopment of under-utilized industrial sites within the Coffee Creek Master Plan area and within the Day Road Design Overlay District, and 4) is a transition point between zoning districts and the Day Road Design Overlay District."

The applicant's narrative goes into detail regarding each of the above issues. The Coffee Creek Industrial Area was added to Wilsonville's UGB in 2004. The Coffee Creek Industrial Area Master Plan was adopted in 2007. The Day Road Design Overlay Zone was adopted in 2008. For the past 11 plus years, there have been no proposals to develop in the Coffee Creek Industrial Area, until this application. This is in large part due to the fact that utilities, particularly sanitary sewer and potable water are not located together in all parts of the project area. The Coffee Creek Urban Renewal District is being created to assist in the installation of critical infrastructure that will benefit the area.

The applicant is proposing what could be a catalytic development for the area, in that it will set the stage for both Coffee Creek and Basalt Creek industrial areas, demonstrating the high quality built form for the employment area that is envisioned to be created. The applicant's proposal is catalytic in that it will provide essential right-of-way necessary to implement the required Transportation System Plan functional classification for Day Road, which ultimately will be a five lane section, as well as has the potential to generate significant tax increment for the planned Coffee Creek Urban Renewal area which was passed on an advisory vote by the citizens of the city this past November.

The applicant's narrative goes on to state that components of the proposed project contain many of the permitted uses listed in the PDI-RSIA zone such as research and training with local educational institutions, accessory storage and warehousing of medical equipment and supplies, non-retail uses and the minimization of PM peak hour traffic impacts by staggering work shifts to avoid these times. While not primary uses, these incidental aspects of the operation are supportive of the PDI-RSIA zone.

Code Linkages:

The Wilsonville Code is unique and contains many linkages between various sections of the Code. *WC Section 4.135 Planned Development Industrial* lists Public Facilities (WC 4.135 .Q) as an outright permitted use. The Public Facilities zone (WC Section 4.136) purpose section states: *The PF zone is intended to be applied to existing public lands and facilities, including quasi-public lands and facilities which serve and benefit the community and its citizens. Typical uses*

permitted in the PF Zone are schools, churches, public buildings, **hospitals**, parks and public utilities. Not all of the uses permitted in this zone are expected to be publically owned.

The PDI and the PDI-RSIA zone contain many of the same objectives and are very similar in nature. It is not unreasonable to assume that since the PDI zone allows public facilities, and the Public Facility zone permits hospitals, that the PDI-RSIA zone could permit hospitals in a similar manner as the proposed use is not a retail use, does not generate significant traffic during the PM peak hour due to staggered work and visitor shifts and is compatible with the performance standards of the PDI-RSIA zone (see Finding F13).

Urban Form:

The Day Road Design Overlay zone is applied to all properties that front along Day Road in the Coffee Creek Industrial Area, and include the subject site. The findings in this section augment the findings provided in G1 on page 68 of this staff report. The purpose of this overlay zone is to *establish standards for the design and exterior architecture of all structure located in the Day Road DOD in order to assure high quality design of development and re-development at the Day Road gateway to the City of Wilsonville. These standards are intended to create an aesthetically pleasing aspect for properties abutting Day Road by ensuring:*

A. *Coordinated design of building exteriors, additions and accessory structure exteriors.*

Response: The applicant's proposal results in coordinated design of building exteriors with buildings located close to the street framing the public realm resulting in an aesthetically pleasing streetscape.

B. *Preservation of trees and natural features.*

Response: The applicant's site plan proposes to protect large mature native and ornamental trees throughout the site, specifically at the corner of Day Road and Boones Ferry Road as well as along the west property line supporting this criterion.

C. *Minimization of adverse impacts on adjacent properties from development that detracts from the character and appearance of the area.*

Response: This is the first building to be proposed under the Day Road DOD thus setting the stage for the expectations for the type of lasting architecture and quality materials that will continue along the Day Road frontage. The proposal does not result in the creation of adverse impacts on adjacent properties as all activities will be conducted indoors or in the secure internal courtyard and the site planning and architecture do not detract from the character and appearance of the area. This standard is met.

D. *Integration of the design of signage into architectural and site design, and*

Response: The proposed site is at a very visible gateway corner to the Coffee Creek Industrial District. The applicant proposes gateway signage that is tasteful and appropriate for this corner location providing identification for the larger Coffee Creek Industrial area. This standard is satisfied by the applicant's proposal.

E. Minimization of the visibility of vehicular parking, circulation and loading areas.

Response: The applicant proposes to locate parking to the west and south of the building and not between the building and the street, masking, screening and minimizing the presence of vehicle parking and loading areas supporting the above design criteria.

It should also be noted that the applicant's proposal contains many of the elements of good design drafted in the Coffee Creek Industrial Area Form Based Code. Specifically, the building is oriented toward the street, attention is paid to connectivity and improved pedestrian circulation on the perimeter of the site, an enhanced public realm with art and landscaping is provided, a building with durable and attractive materials with a base, body and top, tree preservation, parking located away from the public-street as well as façade articulation, building massing, glazing and height along Day Road.

Performance Standards of the PDI-RSIA Zone:

The analysis contained in Finding F13 demonstrates that the proposed use is in conformance with the performance standards of the PDI-RSIA zone and will not have any external impacts that will affect surrounding industrial operations.

Traded and Local Sector:

The traded sector includes industries and employers which produce goods and services that are consumed outside the region where they are made. The local sector, on the other hand, consists of industries and firms that produce goods and services that are consumed locally in the region where they were made.

Both sectors – traded and local – are essential to economic health. Traded-sector employers export products or services, bring in new money into a region. In part, this money gets spent in the local economy, supporting jobs and incomes in the local sector. Local-sector employers provide necessary goods and services that both improve quality of life and contribute to the productivity and competitiveness of the traded sector.

Most forms of manufacturing, specialized design services, advertising and management, and technical consulting are classified as traded in this analysis. Retail trade, construction, **healthcare**, education, real estate and food services are found in all metropolitan areas and mostly fall into the local sector (source: Portland Metro's Traded Sector, 2012).

The applicant's narrative states that there will be approximately 190 new jobs created at the site (average of 29 jobs per acre), many of which are higher paying positions with medical specialization, such as doctors, nurses and psychiatric support services. Higher job densities are desired in today's economy to make more efficient use of the land. One of the many objectives of the RSIA industrial zone is to provide an opportunity to create employment centers with higher wage jobs, which this proposal satisfies.

Conclusion: The applicant has requested a use interpretation by the Director for the proposed behavioral health facility located in the Planned Development Industrial - Regionally Significant Industrial zone. Given the applicant's findings of fact (pages 21 and 22 of the submittal documents), and the above findings, the Director finds that the proposed use:

- Is compatible with the unique nature of the surrounding industrial area.
- Is supportive of many of the objectives of the PDI-RSIA zone including job creation and higher salaries.
- Provides an employment center consistent with the intent of the Comprehensive Plan at job densities that support an employment center.
- Provides quality urban form consistent with the intent and vision established in the Day Road Design Overlay Zone (and the Form Based Code).
- Creates a gateway to the larger Coffee Creek Industrial Area.
- Does not generate traffic that would negatively impact the transportation network in the PM peak hour due to staggered shift changes and a transportation management plan.
- Is supportive of the purpose section of the PDI-RSIA zone.
- Provides many of the primary permitted uses which are ancillary to the primary operation.
- Has the potential to be a catalytic project that facilitates the redevelopment of under-utilized industrial sites within the Coffee Creek Master Plan area and within the Day Road Design Overlay District.

Given the above analysis and findings, staff recommends that the DRB approve the use as consistent with the intent of WC Section 4.135.5 N. *"other similar uses which in the judgment of the Planning Director are consistent with the purpose of the PDI-RSIA zone"*.

Subsection 4.197 (.02) A. Zone Change Procedures

C4. Review Criteria: "That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008, Section 4.125(.18)(B)(2), or, in the case of a Planned Development, Section 4.140;"

Finding: These criteria are satisfied.

Explanation of Finding: The request for a zone map amendment has been submitted as set forth in the applicable code sections.

Subsection 4.197 (.02) B. Zone Change: Conformance with Comprehensive Plan Map, etc.

C5. **Review Criteria:** “That the proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with the applicable goals, policies and objectives, set forth in the Comprehensive Plan text;”

Finding: These criteria are satisfied.

Explanation of Finding: The proposed Zone Map Amendment is consistent with the proposed Comprehensive Map designation of Industrial and as shown in the applicant’s response findings in Exhibit B1.

Subsection 4.197 (.02) D. Zone Change: Public Facility Concurrency

C6. **Review Criterion:** “That the existing primary public facilities, i.e., roads and sidewalks, water, sewer and storm sewer are available and are of adequate size to serve the proposed development; or, that adequate facilities can be provided in conjunction with project development. The Planning Commission and Development Review Board shall utilize any and all means to insure that all primary facilities are available and are adequately sized.”

Finding: With the proposed PF conditions in this staff report, this criterion can be met.

Explanation of Finding: The City Engineering Division has performed an analysis of existing primary public facilities, (i.e., roads and sidewalks, water, sewer and storm sewer) to determine availability and adequacy to serve the subject property. Furthermore, a Transportation Impact Analysis (TIA) was prepared by DKS Associates. See Exhibit P of Exhibit B1.

Subsection 4.197 (.02) E. Zone Change: Impact on SROZ Areas

C7. **Review Criteria:** “That the proposed development does not have a significant adverse effect upon Significant Resource Overlay Zone areas, an identified natural hazard, or an identified geologic hazard. When Significant Resource Overlay Zone areas or natural hazard, and/ or geologic hazard are located on or about the proposed development, the Planning Commission or Development Review Board shall use appropriate measures to mitigate and significantly reduce conflicts between the development and identified hazard or Significant Resource Overlay Zone;”

Finding: These criteria are satisfied.

Explanation of Finding: The applicant has also conducted a natural resources analysis by Pacific Habitat Services, found in Exhibit O of Exhibit B1 and no significant natural resources were found on the property.

Subsection 4.197 (.02) F. Zone Change: Development within 2 Years

C8. **Review Criterion:** “That the applicant is committed to a development schedule demonstrating that the development of the property is reasonably expected to commence within two (2) years of the initial approval of the zone change.”

Finding: This criterion is satisfied.

Explanation of Finding: Development on the subject property will begin in 2016.

Subsection 4.197 (.02) G. Zone Change: Development Standards and Conditions of Approval

C9. **Review Criterion:** “That the proposed development and use(s) can be developed in compliance with the applicable development standards or appropriate conditions are attached to insure that the project development substantially conforms to the applicable development standards.”

Finding: This criterion is satisfied.

Explanation of Finding: Nothing about the zone change would prevent development on the subject property from complying with applicable development standards.

Planned Development Industrial-Regional Significant Industrial Area (PDI-RSIA) Zone

C10. **Review Criterion:** The purpose of the proposed PDI-RSIA Zone is to provide opportunities for a variety of industrial development.

Finding: This criterion is satisfied.

Details of Finding: See the applicant’s response finding on page 21of Exhibit B1. No commercial uses are proposed.

SUMMARY FINDING FOR REQUEST C:

C11. The proposed Zone Map Amendment meets all applicable requirements and its approval may be recommend to the City Council. *This action recommends adoption of the Zone Map Amendment to the City Council for the subject property. This action is contingent upon annexation of the subject properties to the City of Wilsonville (DB15-0091). Case files DB15-0094, DB15-0095, DB15-0096, DB15-0097, DB15-0098, and DB15-0099 are contingent upon City Council’s action on the Zone Map Amendment request.*

Mike Strauch
ODOT Region 2A
9200 SE Lawnfield Road
Clackamas, OR 97015

Attn: Development Review
ODOT Region 1
123 NW Flanders Street
Portland, OR 97209

Bill Rhoades
West Linn/Wilsonville School District 3JT
22210 SW Stafford Road
Tualatin, OR 97062

Brian Harper
Metro
600 NE Grand Avenue
Portland, OR 97232

City Planner
City of Canby
182 N. Holly
Canby, OR 97013

Doug Young
Department of Corrections
2575 Center Street NE
Salem, OR 97310

Jon Kloor, Govern & Political Relations
Coordinator
Home Builders Associations
15555 SW Bangy Road, Suite 301
Lake Oswego, OR 97035

Marah Danielson
ODOT, Region 1
123 NW Flanders Street
Portland, OR 97209

Paulette Copperstone
Metro
600 NE Grand Avenue
Portland, OR 97232

Sherwood School Dist Admin Office
23295 SW Main Street
Sherwood, OR 97140

Andy Back
Wash. County Long Range Planning
155 N. First Avenue
Hillsboro, OR 97124

Ben Baldwin
Tri-Met Project Planning Dept
4012 SE 175th Avenue
Portland, OR 97202

Bobbi Burton
Community Coordinator, Facilities Division
2575 Center Street, NE
Salem, OR 97310

Brian Kelley
NW Natural Gas
20285 SW Cipole Road
Sherwood, OR 97140

Columbia Cable of Oregon
14200 SW Brigadoon Ct.
Beaverton, OR 97005

Gail Curtis
ODOT Region 1
123 NW Flanders
Portland, OR 97209

Justin Wood, Assoc. Dir of Govern & Bldr
Relations
Home Builders Associations
15555 SW Bangy Road, Suite 301
Lake Oswego, OR 97035

Mike McCallister
Planning Director, Development Services
150 Beaver Creek Road
Oregon City, OR 97045

Planning Director
City of Sherwood
22560 SW Pine Street
Sherwood, OR 97140

Tualatin Valley Fire and Rescue
South Division
8445 SW Elligsen Road
Wilsonville, OR 97070

Aquilla Hurd-Ravich
Community Development Director
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, OR 97062

Bill Ferber, Region Manager
Oregon Water Resources Department
725 Summer Street, NE
Salem, OR 97301

Brian Buswell
Portland General Electric
9480 SW Boeckman Road
Wilsonville, OR 97070

Brian Tietsort
United Disposal Services
10295 SW Ridder Road
Wilsonville, OR 97070

Diane Taniguchi-Dennis
Clean Water Services
2550 SW Hillsboro Hwy.
Hillsboro, OR 97123

John Lilly
Department of State Lands
775 Summer Street, NE
Salem, OR 97301

Anthony Buczek
Metro
600 NE Grand Avenue
Portland, OR 97232

Oregon Dept of Environ Quality
811 SW Sixth Avenue
Portland, OR 97204

Shelley Fenton
BPA, Realty Department
PO Box 3621
Portland, OR 97208

Tualatin Valley Fire and Rescue
29875 SW Kinsman Road
Wilsonville, OR 97070

Tualatin Valley Water District
1850 SW 170th Ave.
Beaverton, OR 97005