

**ORDINANCE NO. 680**

**AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE CITY – PUBLIC FACILITY (PF) ZONE TO VILLAGE (V) ZONE ON APPROXIMATELY 11.67 ACRES IN THE EAST CENTRAL PORTION OF VILLEBOIS VILLAGE IN TAX LOT 2914, AND THE SOUTHERLY PORTION OF TAX LOT 2911 SECTION 15, T3S-R1W, CLACKAMAS COUNTY, OREGON. POLYGON NORTHWEST COMPANY, APPLICANT.**

WHEREAS, Polygon Northwest Company has requested a Zone Map Amendment of certain property described in Attachment 1 of Attachment 1 of this ordinance; and

WHEREAS, the Wilsonville Planning Staff analyzed the request and prepared a staff report, with conditions, to the Development Review Board dated May 17, 2010, wherein it reported that the request is consistent with and meets requirements for approval of a Zone Map Amendment; and

WHEREAS, the Development Review Board Panel 'B' held a public hearing on this request on June 28, 2010, and after taking testimony, gave full consideration to the matter and recommended approval of the request; and

WHEREAS, on July 19, 2010, the Wilsonville City Council held a public hearing regarding the above described matter, considered the record before the Development Review Board and the staff report, took testimony, and, upon deliberation, concluded that the proposed Zone Map Amendment meets the applicable approval criteria under the city's land 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 in this matter labeled Attachment 2 and the supplemental staff report labeled Attachment 3 which are attached hereto and incorporated herein as if fully set forth.

Section 2. Order. The official City of Wilsonville Zone Map is hereby amended in Zoning Order DB10-0006, attached hereto, from *Public Facility (PF)* zone and *Public to Village (V)* zone on Tax Lot 2914 and a portion of Tax Lot 2911, Section 15, T3S-R1W, Clackamas County, Oregon, as depicted on the attached map depicting the zone map amendment (Attachment 2 of Attachment 1), Clackamas County, Wilsonville, Oregon.


SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on the 19<sup>th</sup> day of July, 2010, and scheduled for second reading at a regular meeting thereof on the 2nd day of August, 2010 commencing at the hour of 7 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, OR.

  
Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the 2nd day of August, 2010, by the following votes: Yes:-5- No:-0-.

  
Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this 3<sup>rd</sup> day of August, 2010.

  
TIM KNAPP, MAYOR

|                   |     |
|-------------------|-----|
| Mayor Knapp       | Yes |
| Councilor Hurst   | Yes |
| Councilor Kirk    | Yes |
| Councilor Núñez   | Yes |
| Councilor Goddard | Yes |

Attachments:

1. Zoning Order DB10-0006  
Attachment 1: Legal Description  
Attachment 2: Map depicting zone map amendment
2. DRB Amended and Adopted Staff Report, June 28, 2010, labeled Exhibit A1
3. Planning Division Staff Report to City Council, July 19, 2010

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

In the Matter of the Application of  
Polygon Northwest Company  
for a Rezoning of Land  
and Amendment of the City of Wilsonville  
Zoning Map incorporated in Section  
4.102 Wilsonville Code.

**ZONING ORDER DB10-0006**

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

It appears to the Council that the property, which is the subject of this application, is described as follows: Tax Lot 2914 and portion of Tax Lot 2911, in Section 15, T3S-R1W, Clackamas County, Wilsonville, Oregon, and such property has heretofore appeared as *Public Facility (PF)* on the official Zoning Map.

The Council having heard and considered all matters relevant to the application and including the Development Review Board record and recommendation, and found that the criteria in Wilsonville Code 4.197(.02)A through G are met, finds that the application should be approved, and it is therefore,

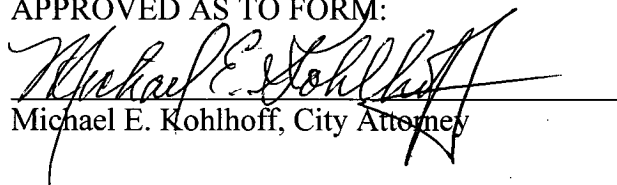
ORDERED that approximately 11.67 acres of Tax Lots 2914 and 2911, in Section 15, T3S-R1W, Wilsonville, Clackamas County, Oregon, more particularly shown in proposed zone map amendment map, Attachment 2 of Attachment 1 and described in Attachment 1 of

Attachment 1 to this Order, is hereby rezoned to *Village (V)*, and such 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 3<sup>rd</sup> day of August, 2010.

  
TIM KNAPP, MAYOR

APPROVED AS TO FORM:

  
Michael E. Kohlhoff, City Attorney

ATTEST:

  
Sandra C. King, MMC, City Recorder

Attachment 1 of Attachment 1: Legal Description  
Attachment 2 of Attachment 1: Map depicting zone map amendment



**ATTACHMENT 2**  
**Exhibit A1**  
**STAFF REPORT**  
**WILSONVILLE PLANNING DIVISION**  
**Quasi Judicial Hearing**  
**POLYGON *at* VILLEBOIS**  
**(Amended and Adopted June 28, 2010)**

**HEARING DATE:** June 28, 2010  
**DATE OF REPORT:** May 17, 2010  
**Revised:** June 16, 2010 and June 29, 2010

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*Bold/italic = new words*

~~Strike through~~ = Deleted words

**APPLICATION NUMBERS:**

- A. DB10-0004: SAP-South PDP-6, Preliminary Development Plan
- B. DB10-0005: Tentative Subdivision Plat
- C. DB10-0006: Zone Map Amendment
- D. DB10-0007: Type C Tree Plan
- E. DB10-0008: Final Development Plan
- F. DB10-0009: Five (5) -Year Temporary Use Permit
- G. DB10-0010: Two SAP Refinements
- H. DB10-0012: Variance to setbacks for Lots 23-26.

**APPLICANT/OWNER:** Polygon Northwest Company (Developer) / Villebois, LLC (Owner)

**REQUEST:** Review of a proposed Preliminary Development Plan and companion applications for Polygon at Villebois No. 6 of SAP-South (PDP-6S) comprising 81 single-family dwelling lots on approximately 11.67 acres within Villebois Village. The request also includes a Zone Map Amendment from the *Public Facility* (PF) zone to the *Village* (V) zone.

**LOCATION:** The subject property is located in the east central portion of Villebois Village, in the northeasterly part of SAP-South, immediately east of SAP-East and 110<sup>th</sup> Avenue, and north of SAP-South, PDP-1. The entire site is located within the Wilsonville City Limits.

**LEGAL DESCRIPTION:** Tax Lot 2914 and portion of 2911 Township 3 South, Range 1 West, Section 15, Clackamas County, Oregon.

**LAND USE DESIGNATIONS:** Wilsonville Comprehensive Plan Map  
Designation: *RV Residential-Village*

**ZONING DESIGNATIONS:** Wilsonville Zone Map Classification: *Public Facility (PF)*. Proposed application DB10-0006 seeks to rezone the subject property to the Village (V) zone. Upon approval of request for zone map amendment to *Village* (File No. DB10-0006) the Zone Map Classification will be amended. The submittal is reviewed under the applicable criteria for the *Village* Zone.

**STAFF REVIEWERS:** Blaise Edmonds, Mike Wheeler, Steve Adams, Don Walters and Kerry Rappold

**REVIEW CRITERIA - Planning & Land Development Ordinance:** Sections 4.008 through 4.015; 4.163; 4.167; 4.169; 4.171; Sections 4.175 - 4.176; Section 4.178; Section 4.179; Sections 4.196 and 4.197; Sections 4.200-4.264; Section 4.300 and Sections 4.610.40 and 4.800.

SAP-South Amendment:

Section 4.125 Village (V) Zone  
(.18) V Zone Development Permit Process

PDP- Villebois Nos. 6

Section 4.125 Village (V) Zone  
(.02) Permitted Uses  
(.05) V Zone Development Standards  
(.07) General Regulations  
(.08) Open Space  
(.09) Street & Access Standards  
(.10) Sidewalk & Pathway Standards  
(.11) Landscaping, Screening & Buffering  
(.12) Signage and Wayfinding  
(.13) V-Zone Design  
(.14) V Zone Design Standards

**Other Planning Documents:**

Comprehensive Plan, Villebois Village Master Plan and The Specific Area Plan -South for the property as approved by the DRB and Transportation Systems Plan.

**REQUESTED ACTIONS:**

The Development Review Board is being asked to review concurrent applications proposing development of Villebois No. 6 of SAP-South. The applicant is submitting requests for:

- A. DB10-0004: SAP-South, PDP-6, Preliminary Development Plan
- B. DB10-0005: Tentative Subdivision Plat
- C. DB10-0006: Zone Map Amendment
- D. DB10-0007: Type C Tree Plan
- E. DB10-0008: Final Development Plan
- F. DB10-0009: 5-Year Temporary Use Permit
- G. DB10-0010: Two SAP Refinements
- H. DB10-0012: Variance

## OVERVIEW:

This staff report will be reviewed by requests as identified in “Requested Actions”. The report will first provide a review of the requests and then propose findings for approval. Findings will be identified by the request letter, e.g. “C1 – Zone Map Amendment” then ‘A1’ in numerical order.

The applicant is requesting approval of Preliminary Development Plan (SAP-South) Phase 6 within Villebois Village as prescribed by the Villebois Village Master Plan (approved by the City as part of their Comprehensive Plan). SAP-South has an approved Master Signage and Wayfinding Plan and Fence Plan, Architectural Pattern Book, Communities Elements Book, Rainwater Program and Plan.

## SUMMARY:

**Zone Map Amendment.** The proposal is to change the City *Public Facility* (PF) zone on 11.67 acres within Villebois Village to the *Village* (V) zone. The proposed single family detached residential use is permitted under Wilsonville Code 4.125. A Zone Map Amendment would initiate the development permitting process for this area of Villebois.

**Proposed Preliminary Development Plan.** The proposed PDP-6S is an improvement over the general site layout shown in SAP-South. Addition park space is proposed in the form of “Linear Greens” which are intended to retain more “good *trees*” and six (6) “Important” red and pin oaks. This is a net increase of 1.17 park acres. Though row houses will be replaced with single-family detached housing, proposed are small and medium size lots to better meet the housing demand for smaller and more affordable housing.

*The applicant has indicated to staff that the small lots would have side yard easements over and upon the adjacent lot for useable space. This is very similar to the alley loaded lot design at Canyon Creek Subdivision.*

There are no single-family dwellings with an accessory dwelling unit (ADU’s) included with this application. At the pre-application meeting staff encouraged the applicant of the advantages of the recent Council adoption of Ordinance No. 667 that amended zoning code standards in sections 4.001.7, 4.113(.11) and 4.125(.07), for Accessory Dwelling Units (ADU’s).

**Tentative Subdivision Plat.** The applicant is proposing the subdivision of PDP-6 into 81 residential lots, Tracts A through N and associated site improvements.

|           |              |
|-----------|--------------|
| 32        | Medium Lots  |
| 49        | Small Lots   |
| <b>81</b> | <b>Total</b> |

**Proposed Tree Removal Plan and request for Type C Tree Removal Permit.** A Tree Report prepared by Walter H. Knapp, for Polygon Villebois No. 6, has been submitted based on the Tree Report for SAP-South. A request for a Type C Tree Removal Plan is included. See Section IIE of the applicant's notebook.

**Final Development Plan (FDP).** The FDP area includes 2.12 acres of parks, open space and linear greens, more specifically Tracts B, F, K, H, I, M and N. See Section Plan Map 8 of Section IIB.

**Five (5) Year Temporary Use Permit.** The proposed five-year Temporary Use Permit meets the City criteria in Subsection 4.163 Temporary Use Permits, and the Signage and Way Finding Plan for SAP South. See Section VII.

**Two Refinements.**

- The proposed PDP application includes a refinement to the mix of units and to the density approved with the SAP South application. The refinement to the location and mix of residential land use types results in a \*10 units decrease in the total number of lots in Phase 6, for a total of 2,483 units in Villebois to 2,493 units. The overall total change is 2.29 %. This is well within the 10% allowance for refinements for a PDP. The result is an increase in the number of housing types that provide affordable housing opportunities.

\*Staff note:  $2,493 - 2,483 = 10$  units reduction not 11.

- The second refinement requested seeks to modify the distribution of parks throughout the PDP area. See the findings in Request G for a more detailed analysis.

**Variance:** Variance to setbacks for Lots 23 – 26.

**ISSUES**

**Cedar Park:** The proposal is for 2.12 acres of open space and parks which is 1.17 additional acres in SAP-South for Phase 6. However, the .95 acres approved in SAP-South for Cedar Park in Phase 6 is larger than the proposal for .79 acres, for a net loss of .16 acres. Most all of the park amenities and the seven (7) incense cedars shown in the Villebois Village Master Plan Technical Appendix are incorporated in the proposed

Cedar Park design. *Neighborhood Park 2 (Cedar Park): The primary missing park amenity is Cedar Park is .16 acres smaller for lawn play. Proposed additional amenities are a stand-up spinner and a 4' rainbow climber.* Staff is not suggesting that Cedar Park be .95 acres because the applicant is creating "Linear ~~Parks~~ Greens" at SW Davos of the project site primarily that will save six "Important" red and pin oaks. (See Table on Plan Sheet 8).

As indicated in the Summary statement the applicant is requesting a refinement to the location and mix of land uses within the PDP-6 area. This would change the mix of units from 18 medium lots, 48 small lots and 26 row houses for a total of 92 lots to 32 medium lots and 49 small lots, for a total of 81 lots. So the character of this portion of Villebois would become more homogeneous without row house types. In order to off-set uniform architecture there is greater need for architectural diversity. The approved Architectural Pattern Book allows for American, French and English styles to accomplish architectural diversity. At the time of writing this report the applicant has not provided staff his proposed conceptual house designs. It is not a prerequisite requirement because the design of every house is weighed against the approved SAP-South Architectural Pattern Book standards and must be further reviewed by the City's architectural consultant prior to issuance of building permits. However, staff is still very curious to see the conceptual designs to discourage monotonous development. According to the applicant ~~applicant is~~ row housing is not proposed because it is extremely difficult to obtain financing for multiple family housing units. Proposed condition PDE5 requires: "The applicant/owner shall provide the architectural plans for the proposed houses to staff and obtain approval from City's architectural consultant prior to the City Planning Director and Community Development Director signing the final plat."

Staff is in support of the proposed refinements to the mix of housing modification and the distribution of parks. The housing change will equally meet the conditions of the approved SAP, as there are no specific conditions relating to the number or distribution of housing units that is altered by this refinement.

**Variance:** Variance to reflect changes to Lots 23 – 26 due to the additional 3 feet in alley Tract 'L' of the adjacent Arbor Villebois Phase 1. Lots 23-26 continue to comply with the lot sizes and dimensions applicable to Small lots shown in the Pattern Book on page B4.

Staff is in support of the proposed variance request.

## CONCLUSION AND RECOMMENDATION

Staff has reviewed the applicant's analysis of compliance with the applicable criteria (Section IIA of the submittal book). The analysis adequately demonstrates compliance with the City's Comprehensive Plan (Villebois Village Master Plan and Specific Area Plan-South) and the Planning & Land Development Ordinance. This staff report adopts the applicant's responses as Findings of Fact except as noted in the Findings and modified by proposed Conditions of Approval. Based on the Findings of Fact and information included in this staff report, and information received from a duly advertised

public hearing, staff recommends that the Development Review Board approve the proposed requests (DB10-0004 through DB10-0012) and with the following conditions:

**PROPOSED CONDITIONS OF APPROVAL FOR REQUESTS ‘A’ – ‘H’:**

Based on the applicant’s findings, findings of fact, analysis and conclusionary findings, staff recommends that the Development Review Board approve the project for Phase 6 of SAP-South.

The application and supporting documents are hereby adopted for approval with the following conditions:

- PD = Planning Division conditions
- BD – Building Division Conditions
- PF = Engineering Conditions
- NR = Natural Resources Conditions
- TR = SMART/Transit Conditions
- FD = Tualatin Valley Fire and Rescue Conditions

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| <u>Planning Division Conditions:</u>  |
| <i>Request C – DB10-0006: Zone Map Amendment – No conditions</i>  |
| <i>Request A – DB10-0004: SAP-South, Preliminary Development Plan (PDP-6)</i>   |
| <p><b>PDA1.</b> Approval of Case File DB10-0004 (Request A) Preliminary Development Plan-6 (PDP-6) is contingent upon City Council approval of the Zone Map Amendment from Public Facility (“PF”) to Village (“V”) (Case File DB10-0006).</p> <p><b>PDA2.</b> The applicant/owner shall provide the City Attorney copies of “draft” legal documents relating to the creation of a non-profit home owner’s association(s) for approval. See Finding A52.</p> <p><b>PDA3.</b> Public Rights-of-way will be dedicated and shall be recorded with recordation of final plat in accordance with Section 4.177. Street improvements and right-of-way dedications shall be completed to conform to the City’s Level-of-Service requirements as phased development occurs.</p> <p><b>PDA4.</b> All landscaping, and park improvements approved by the Development Review Board and Engineering Division Public Works Permit punch list items for the specific phase of the PDP shall be completed before 50% of the homes are occupied for PDP6 unless weather or other special circumstances prohibit completion, which case bonding for the improvements shall be permitted. All parks in PDP6 are private.</p> <p><b>PDA5.</b> <i>In order to accommodate diverse housing types the Applicant/Owner shall provide the Planning Division a plan showing consolidating of not more than 10% of the lots. The actual consolidation of lots is be reviewed by the Development Review Board as a ‘Refinement’ and demonstration that density will not be compromised as a result of lot consolidation within SAP South. See Finding C4.</i></p> |

***Request B – DB10-0005: Tentative Subdivision Plat***

- PDB1.** Approval of a Tentative Subdivision Plat for Case File DB10-0005 (Request B) is contingent upon City Council approval of the request for a Zone Change in Case File DB10-0006 (Request C)
- PDB2.** The applicant/owner shall work to establish a program for the perpetual maintenance of parks/open space. If one or more of the park/open space tracts are to be dedicated to the City or other public entity, this dedication(s) shall also be executed and recorded with the Final Plat.
- PDB3.** Alleyways, parking lots and drives shall remain in private ownership and be maintained by the Homeowner's Association established by the subdivision's CC&Rs. See Finding A52.
- PDB4.** Reserve strips shall be detailed on the Final Subdivision Plat.
- PDB5.** Pedestrian linkages shall be provided at all locations where alleys do not intersect with the local road network. See Finding B45.
- PDB6.** Easements or other documents shall be provided, guaranteeing the City the right to enter the site and plant, remove, or maintain approved street trees that are located on private property. The applicant/owner shall execute the required documents with the City as described above prior to Final Subdivision Plat approval, as an easement or dedication. All common areas and tracts shall have platted public access easements over their entirety.
- PDB7.** Streetlights shall be installed in accordance with city standards and include the fixtures and luminaries in the approved Community Elements Plan for SAP-South. The city is mindful of changing technologies and recognizes that adjustments for specific fixtures may be addressed and approved through the hearing process. Compliance will be demonstrated with the FDP. See Finding E14.
- PDB8.** The Final Subdivision Plat shall indicate dimensions of all lots, lot area, minimum lot size, easements, proposed lot and block numbers, parks/open space by name and/or type, and any other information that may be required as a result of the hearing process for PDP 6 or the Tentative Plat.

***Request D – DB10-0007: Type C Tree Plan***

- PDD1.** Approval of a Type C Tree Plan for Case File DB10-0007 (Request D) is contingent upon City Council approval of the request for a Zone Change in Case File DB10-0006 (Request C).
- PDD2.** This action approves the proposed Type C Tree Plan, for the removal and mitigation of up to 44 trees, as entered into the DRB record on May 12, 2010, for the proposed project.
- PDD3.** The applicant/owner shall obtain a Type C Tree Removal Permit from the Planning Division prior to removal of any trees on site. The applicant/owner shall provide a Tree Protection Plan depicting the location of tree protection fencing prior to initiation of grading or construction as well as a clear depiction of trees proposed to be retained, situational and removed trees.



- PDD4.** All trees required to be retained shall be protected with a 6' tall chain link fence with metal posts pounded into the ground. Such fences shall be placed at or beyond the drip line of the trees to be protected and shall remain in place until such time as substantial construction is complete.
- PDD5.** The project arborist is required to submit a plan for tree protection before, during, and after construction as part of the Type C Tree Removal Permit (i.e. tree protection plan). Such a plan shall contain recommendations that will be reviewed by Staff and incorporated as conditions of approval for the project. Such an approved plan shall be closely followed for all trees being preserved.
- PDD6.** Mitigation of the removed trees is required at a 1 to 1 ratio.
- PDD7.** The final FDP landscape plan shall address plantings, ground cover and irrigation around all trees to be retained in a manner that is sensitive to the existing trees roots and growing conditions.

***Request E – DB10-0008: Final Development Plan***

- PDE1.** Approval of a Final Development Plan for Case File DB10-0008 (Request E) is contingent upon City Council approval of the request for a Zone Change in Case File DB10-0006 (Request C)
- PDE2.** This action approves the Final Development Plan for Phase 6 of SAP – South. The applicant/owner shall construct the project in substantial compliance with the approved FDP plans and materials (plans dated April 8, 2010). Minor amendments to the project can be processed by the Planning Director through a Class I Administrative Review.
- PDE3.** Modify Plan Sheet L3.0, in Section VIB of the submittal notebook to include benches and picnic tables for the proposed park/open space areas. See Finding A31. Street trees shall be planted as each house is built. See Finding A63.
- PDE4.** The applicant/owner shall install landscaping along the public view sheds of each house, unless otherwise approved by the Community Development Director. Homeowners association shall contract with a professional landscape service to maintain the landscaping. See Finding A44.
- PDE5.** The applicant/owner shall provide the architectural plans for the proposed houses to staff and obtain approval from City's architectural consultant prior to the City Planning Director and Community Development Director signing the final plat.
- PDE6.** Revise street trees for Autumn Blaze Red Maple to Armstrong Red Maple at SW Orleans Street as outlined in the Community Elements Book for Specific Area Plan-South. Proposed Zelkova street trees at Barber Street shall match the species existing along Barber Street. (See Finding E16)
- PDE7.** All site signage must be consistent with the approved Villebois Master Signage and Wayfinding Plan.
- PDE8.** The colors of the play structures and elements should not be primary colors. See Finding E1.
- PDE9.** Prior to recording the final subdivision plat with Clackamas County the

applicant/owner shall provide the City an Operations and Maintenance Agreement for the parks and open space for PDP6.  
**PDE10. *The applicant/owner shall relocate and construct the active children play equipment from Cedar Park to the park/open space at the northeast corner of SW Orleans Loop and SW Devos Lane.***

| <b><u>Building Division Conditions and Advisories:</u></b> |   |
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| BD 1.  | CONDITION. A GEOTECH REPORT will be required as part of the subdivision grading permit submittal. A lot-specific geotech report shall be required for each building permit submittal unless advance approval is granted by the building official. Exception: Up to 10 adjacent lots with very similar geographic conditions may be included under a single geotech report. (Lot specific reports are typically one-or-two page reports that apply the site-wide geotech report to the specific lot. |
| BD 2.  | CONDITION. GRADING. Lots shall be graded so as to drain surface water away from foundation walls. Surface drainage shall be directed to the street, alley, or other approved storm sewer conveyance as required by the City. Surface drainage may drain to a park or other open area when approved by the City. Surface drainage shall only be directed to an adjoining building lot when expressly approved by the City. (Oregon Residential Specialty Code Section R401.3)                        |
| BD 3.  | CONDITION. RETAINING WALLS. When pedestrian walkways are located at or adjacent to the top of retaining walls where there is 30 inches or more of grade differential between the top of the wall and the lower finished grade, guardrails (or equivalent) meeting the requirements of the building code shall be installed. (OSSC Section 1013.1)   |
| BD 4.  | CONDITION. EARTH ADVANTAGE. Each home shall meet the requirements of the Earth Advantage program. A certificate signifying that a home meets or exceeds <i>Earth Advantage</i> standards shall be submitted to this office or the building inspector before a final inspection can be signed-off. (Villebois Development agreement)   |
| BD 5.  | CONDITION. A LOT COVERAGE CALC TABLE shall be placed on the site plan that accompanies each home building permit. It shall show the total lot coverage, and shall include the square footage of the 1 <sup>st</sup> floor, covered entry, garage, 2 <sup>nd</sup> story overhang, and any covered patio or deck.  |
| BD 6.  | ADVISORY. STREET SIGNS. No inspections for work proceeding under a permit issued by the Building Department shall be requested until approved permanent or temporary street signs adequate to guide emergency personnel are installed. Temporary signs shall be maintained until replaced by permanent signs. (Oregon Fire Code (OFC) Section 505.2)  |

| <b><u>Tualatin Valley Fire and Rescue</u></b> |   |
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| FD 1  | HYDRANT LOCATIONS and number shall be approved by the fire marshal. ((OFC C101.1) Tentative fire hydrant locations have been submitted to the Engineering |

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| Division by the fire marshal. |  |
| FD 2                          | ADDRESSES. Buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road. (OFC 505.1) Where homes are not clearly visible from the street (such as lots 44-50 facing Tract H, lots 5-8 facing Tract B, and possibly lots 72-75 facing Track M), marquee or other style signage approved by the fire marshal shall be installed adjacent to the entrance to the alley system giving access to these addresses, or in an alternate location as approved by the fire marshal. Any signage shall be placed in a maintenance easement or otherwise located and legally protected to insure permanence. |
| FD 3                          | TREE SELECTION. The Fire Code requires that required fire apparatus access roads have an unobstructed vertical clearance of 13'6". (OFC 503.2.1) This should be taken into account when choosing street trees that may encroach into the access roadway as they mature.  |

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| <b>Engineering Division Conditions: Standard Comments:</b> |   |
| PFA1.  | All construction or improvements to public works facilities shall be in conformance to the City of Wilsonville Public Works Standards.  |
| PFA2.  | No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, right-of-way and easements have been obtained and Staff is notified a minimum of 24 hours in advance.   |
| PFA3.  | All public utility/improvement plans submitted for review shall be based upon a 22"x 34" format and shall be prepared in accordance with the City of Wilsonville Public Work's Standards.   |
| PFA4.  | Plans submitted for review shall meet the following general criteria: <ul style="list-style-type: none"> <li>a. Public/private utility improvements that are not contained within any public street shall be provided a maintenance access acceptable to the City. The public/private utility improvements shall be centered in a minimum 15-ft. wide public easement for single utilities and a minimum 20-ft wide public easement for two parallel utilities and shall be conveyed to the City on its dedication forms.</li> <li>b. Design of any public/private utility improvement shall be approved at the time of the issuance of a Public Works Permit.</li> <li>c. All elevations on design plans and record drawings shall be based on NAVD 88 Datum.</li> <li>d. All proposed on and off-site public/private utility improvements shall comply with the State of Oregon and the City of Wilsonville requirements and any other applicable codes.</li> <li>e. 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.</li> <li>f. All new gas, telephone, cable, fiber-optic and electric improvements etc. shall be installed underground.</li> <li>g. Any final site landscaping and signing shall not impede any proposed or existing driveway or interior maneuvering sight distance.</li> </ul> |

- h. Erosion Control Plan that conforms to City of Wilsonville Ordinance No. 482.
- i. Existing/proposed right-of-way, easements and adjacent driveways shall be identified.
- j. All engineering plans shall be stamped by a Professional Engineer registered in the State of Oregon.
- k. At the completion of the installation of any required public improvements, and before a 'punch list' inspection is scheduled, the Engineer shall perform a record survey. Said survey shall be the basis for the preparation of 'record drawings' which will serve as the physical record of those changes made to the plans and/or specifications, originally approved by Staff, that occurred during construction. Using the record survey as a guide, the appropriate changes will be made to the construction plans and/or specifications and a complete revised 'set' shall be submitted. The 'set' shall consist of drawings on 3 mil. Mylar and an electronic copy in AutoCAD, version 2010.

**PFA5.** Submit plans in the following format and order:

- a. Cover sheet
- b. General note sheet
- c. Existing conditions plan.
- d. Erosion control and tree protection plan.
- e. Site plan. Include property line boundaries, water quality pond boundaries, sidewalk improvements, right-of-way (existing/proposed), easements (existing/proposed), and sidewalk and road connections to adjoining properties.
- f. Grading plan, with 1-foot contours.
- g. Composite utility plan; identify storm, sanitary, and water lines; identify storm and sanitary manholes.
- h. Detailed plans; show plan view and either profile view or provide i.e.'s at all utility crossings; include laterals in profile view or provide table with i.e.'s at crossings; vertical scale 1"= 5', horizontal scale 1"= 20' or 1"= 30'.
- i. Street
- j. Storm sewer/drainage plans; number all lines, manholes, catch basins, and cleanouts for easier reference
- k. Water and sanitary sewer plans; plan; number all lines, manholes, and cleanouts for easier reference.
- l. Detailed plan for storm water detention facility (both plan and profile views), including water quality orifice diameter and manhole rim elevations. Provide detail of inlet structure and energy dissipation device. Provide details of drain inlets, structures, and piping for outfall structure.
- m. Composite franchise utility plan.
- n. City of Wilsonville detail drawings.
- o. Illumination plan.
- p. Striping and signage plan.
- q. Landscape plan.

**PFA6.** Prior to manhole and sewer line testing, design engineer shall coordinate with the City and update the sanitary and stormwater sewer systems to reflect the City's numbering system. Video testing and sanitary manhole testing will refer to the updated

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|               | numbering system. Design engineer shall also show the updated numbering system on record drawings submitted to the City.   |
| <b>PFA7.</b>  | The applicant shall install, operate and maintain adequate erosion control measures in conformance with the standards adopted by the City of Wilsonville Ordinance No. 482 during the construction of any public/private utility and building improvements until such time as approved permanent vegetative materials have been installed.   |
| <b>PFA8.</b>  | The applicant shall obtain a 1200-C permit from the Oregon Department of Environmental Quality before disturbing any soil on the respective site.  |
| <b>PFA9.</b>  | To lessen the impact of the proposed project on the downstream storm drain system, and adjacent properties, project run-off from the site shall be detained and limited to the difference between a developed 25-year storm and an undeveloped 25-year storm. The detention and outfall facilities shall be designed and constructed in conformance with the Public Works Standards.<br><br>See PFA 47 for specific stormwater detention requirements.   |
| <b>PFA10.</b> | A stormwater analysis report prepared by a Professional Engineer registered in the State of Oregon shall be submitted for review and approval by the City to address appropriate pipe sizing and use of Low Impact Development (LID) principles.   |
| <b>PFA11.</b> | If required, the project shall connect to an existing manhole or install a manhole at each connection point to the public storm system and sanitary sewer system.  |
| <b>PFA12.</b> | A City approved energy dissipation device shall be installed at all proposed storm system outfalls. Storm outfall facilities shall be designed and constructed in conformance with the Public Works Standards.   |
| <b>PFA13.</b> | No surcharging of sanitary or storm water manholes is allowed.   |
| <b>PFA14.</b> | The applicant shall be in conformance with all water quality requirements for the proposed development per the Public Works Standards. If a mechanical water quality system is used, prior to City acceptance of the project the applicant shall provide a letter from the system manufacturer stating that the system was installed per specifications and is functioning as designed.  |
| <b>PFA15.</b> | The applicant shall provide the City with a Stormwater Maintenance and Access Easement (on City approved forms) for City inspection of those portions of the storm system to be privately maintained. Applicant shall maintain all private conventional storm water facilities and LID storm water components located from back of curb onto and including the project site.   |
| <b>PFA16.</b> | The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Any existing well shall be limited to irrigation purposes only. Proper separation, in conformance with applicable State standards, shall be maintained between irrigation systems, public water systems, and public sanitary systems. Should the project abandon any existing wells, they shall be properly abandoned in conformance with State standards.  |
| <b>PFA17.</b> | 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 project shall, at its 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 |

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|               | law. A copy of any recorded survey shall be submitted to Staff.  |
| <b>PFA18.</b> | Sidewalks and pedestrian linkages shall be in compliance with the ADA Accessibility Guidelines (ADAAG), as amended in 2002, or the 2005 Draft Public Rights-of-Way Accessibility Guidelines for areas not fully addressed in the ADAAG standards as determined by the City Engineer.   |
| <b>PFA19.</b> | The applicant shall provide two perpendicular directional pedestrian ramps at curb returns at 4-way intersection. At 3-way intersections, only one corner needs to have the two directional pedestrian ramps; the other corner needs only one directional pedestrian ramp.   |
| <b>PFA20.</b> | At the time of plan submittal for a Public Works Permit, the applicant shall provide to the City a copy of correspondence showing that the plans have also been distributed to the franchise utilities. Prior to issuance of a Public Works Permit, the applicant shall have coordinated the proposed locations and associated infrastructure design for the franchise utilities. Should permanent/construction easements or right-of-way be required to construct the public improvements or to relocate a franchised utility, the applicant shall provide a copy of the recorded documents. Should the construction of public improvements impact existing utilities within the general area, the applicant shall obtain written approval from the appropriate utility prior to commencing any construction. |
| <b>PFA21.</b> | All new franchise utility lines ("dry" utilities) shall be installed underground, any existing overhead utility lines within the development boundaries shall also be installed underground. The applicant shall be responsible for and make all necessary arrangements with the serving utility to provide underground service(s).  |
| <b>PFA22.</b> | If required, the City will provide System Development Charge credits and/or funding in conformance with the Development Agreement and associated finance plan.   |
| <b>PFA23.</b> | All storm, sanitary, and water main lines shall be extended to future phases located north of project as per the most recently adopted Villebois Village Master Plan.  |
| <b>PFA24.</b> | The proposed water system shall be designed by a Registered Professional Engineer to provide, at a minimum, 1500 gpm flow with 20 psi residual pressure with the City's Water Treatment Plant off-line.  |
| <b>PFA25.</b> | Fire hydrants shall be located in compliance with TVF&R fire prevention ordinance.   |
| <b>PFA26.</b> | All water lines that are to be temporary dead-end lines due to the phasing of construction shall have a blow-off assembly installed at the end of the line: 2" assembly for lines of 8" or 12" diameter, 6" assembly for lines of 18" diameter.  |
| <b>PFA27.</b> | Intersecting roadway and alleyway centerlines shall match as best possible.  |
| <b>PFA28.</b> | The applicant shall provide a 'stamped' engineering plan and supporting information that shows the proposed street light locations meet the appropriate AASHTO lighting standards for all proposed streets. Street lights shall be in conformance with the Villebois Community Elements Book (Hadco S8867E).   |
| <b>PFA29.</b> | All required pavement markings, in conformance with the Transportation Systems Plan and the Bike and Pedestrian Master Plan, shall be completed in conjunction with any conditioned street improvements.   |
| <b>PFA30.</b> | The applicant shall provide adequate sight distance at all project driveways by driveway placement or vegetation control. Specific designs to be submitted and approved by the City Engineer. Landscaping plantings shall be low enough to provide adequate sight distance at all street intersections and alley/street intersections.   |
| <b>PFA31.</b> | Access requirements, including sight distance, shall conform to the City's   |

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| Transportation Systems Plan (TSP) or as approved by the City Engineer. |   |                                 |
| <b>PFA32.</b>  | Landscape trees located in the right-of-way, parks, and open spaces shall be situated so that they are in compliance with City of Wilsonville Standard Detail No. R-1157. All proposed storm and sanitary laterals, water services, fire hydrants, street lights, signage, and driveways shall be clearly shown on the landscape plans so that potential conflicts can be noted and adjustments made.   |                                 |
| <b>PFA33.</b>  | Where trees are located within 8 feet of public sidewalks and/or curbs, the sidewalks and/or curbs shall be protected from root intrusion with a root control barrier system designed by a Professional Landscape Architect registered in the state of Oregon; root control barrier shall be approved by the City's authorized representative before installation. Generally, the root control system should be installed a minimum of 24 inches deep, with a minimum 20-foot length centered on the root source. Installation of such systems shall be done so as to not disturb the sidewalk, curb or base rock previously installed. Provide landscaping plan showing location of root control barrier system. |                                 |
| <b>PFA34.</b>  | Staff reserves the right to require revisions/modifications to the public improvement construction plans and completed street improvements, if additional modifications or expansion of the sight distance onto adjacent streets is required.   |                                 |
| <b>PFA35.</b>  | The applicant shall work with the other developers of Villebois and the City to develop an equitable storm water and parks maintenance fee or a maintenance memorandum of understanding prior to any final plat approval.   |                                 |
| <b>PFA36.</b>  | At the request of Staff, DKS completed a SAP South PDP 6 Trip Generation Review dated May 5, 2010 that looked at the overall development plan for the Villebois Village. A comparison to the Villebois Urban Village Master Plan Amendment Transportation Summary dated May 27, 2005 follows.   |                                 |
|  | <u>Study Date</u>   | <u>Dwelling Unit Count</u>      |
|  | May 27, 2005  | 455 + 5000 SF Commercial        |
|  | Current Study   | 480 + no Commercial             |
|  |   | <u>Total PM Peak Hour Trips</u> |
|  |   | 400                             |
|  |   | 425                             |
|  | Of these 25 additional PM Peak Hour Trips, previous traffic reports for SAP South show that 19 of these additional trips are attributable to previous changes by other SAP South phased developments. However, 6 additional trips appear to be attributable to the SAP South PDP 6 development.   |                                 |
|  | The applicant may be required to pay Street SDC fees for these additional 6 PM Peak Hour Trips, unless applicant can show evidence of other arrangements with the City having been made.  |                                 |
|  | This project is hereby limited to no more than the following impacts:   |                                 |
|  | Net new P.M. peak hour trips  | 82                              |
|  | Trips through Wilsonville Road Interchange Area   | 26                              |
| <b>PFA37.</b>  | All construction traffic shall access the site via the existing site roadways and 110th Avenue. No construction traffic will be allowed on Brown Road.  |                                 |

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| <p><b>PFA38.</b> Applicant shall be required to complete full design and construction of Mont Blanc Street and Orleans Avenue through the far right-of-way and all intersections through the far corner radii. All interior streets along with Mont Blanc Street and Orleans Avenue shall be designed in conformance to the applicable street type as shown in the Villebois Village Master Plan.</p>   |
| <p><b>PFA39.</b> The development borders 110th Avenue to the east. The Villebois Village Master Plan shows this street as being redeveloped as Costa Circle. From material submitted, it appears that to construct Costa Circle entirely would require an additional 24 feet of right-of-way to be dedicated from the owner(s) of the tax lot(s) located on the east side of 110th.</p> <p>The proposed street location would require unequal contributions of required right-of-way, 12 feet from the applicant and 24 feet from property east of the Costa Circle. At a bare minimum applicant shall purchase six feet of additional right-of-way from the owner(s) of the tax lot(s) located on the east side of 110<sup>th</sup>, <i>unless otherwise negotiated between the applicant and tax lot owner(s) and approved by the City Engineer</i>, and construct Costa Circle as shown in the Villebois Village Master Plan as Street Type E, Minor Collector Standard / Residential – Village Loop through the east side of the north bound travel lane. Design and construction shall include all underground storm, sanitary, and water systems as shown in the Villebois Village Master Plan and as needed to service other areas of the Villebois development, and all franchise utility conduit and systems needed to service other areas of the Villebois development.</p> <p>The remaining portion of Costa Circle (bike lane, parking, curb &amp; gutter, streetlights, sidewalks, landscaping, etc) would be the responsibility of the owner(s) of the tax lot(s) located on the east side of Costa Circle at the time this side is developed, <i>unless otherwise negotiated between the tax lot owner(s) and the applicant and approved by the City Engineer</i>.</p> |
| <p><b>PFA40.</b> The Villebois Village Master Plan has identified the north side of Mont Blanc Street as a minor pedestrian path and connection. Applicant shall design and construct the north side curb &amp; gutter of Mont Blanc with 8-foot wide throats on the east and west ADA ramps to accommodate for the future 8-foot minor pedestrian path.</p>  |
| <p><b>PFA41.</b> The Villebois Village Master Plan identifies a major path, the Tonquin Trail, crossing a portion of this development. Applicant shall construct a 12-foot wide pathway A minimum of a 12-foot wide paved major pathway from the southwest corner of the intersection of Costa Circle / St. Moritz Loop, through Cedar Park (NP-2) to the northwest corner of the roundabout at Costa Circle / Barber Street.</p> <p>Enhanced trail crossing treatment, such as a painted crosswalk, street lighting and/or median treatment, shall be installed at the location along the proposed Tonquin Trail system:</p> <p>Costa Circle and St. Moritz Loop, south leg of the intersection</p>  |
| <p><b>PFA42.</b> At the time of plan submittal for a Public Works Permit, the applicant shall provide to the City a copy of correspondence showing that the plans have also been distributed to the franchise utilities. Prior to issuance of a Public Works Permit, the applicant shall</p>  |



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|               | <p>have coordinated the proposed locations and associated infrastructure design for the franchise utilities. Should permanent/construction easements or right-of-way be required to construct the public improvements or to relocate a franchised utility, the applicant shall provide a copy of the recorded documents. Should the construction of public improvements impact existing utilities within the general area, the applicant shall obtain written approval from the appropriate utility prior to commencing any construction.</p>   |
| <b>PFA43.</b> | Alleys that are identified by Tualatin Valley Fire and Rescue (TVF&R) as possible routes for medical and/or fire emergencies shall meet TVF&R's design requirements.  |
| <b>PFA44.</b> | Minor path linkages shall be provided at all locations where alleys do not intersect with the local road network.   |
| <b>PFA45.</b> | The applicant shall provide 'stamped' engineering details with dimensions for intersection sight distance verification and AutoTURN layouts for all proposed intersections, including alley/street connections. Adequate clearance shall be provided at all intersections and alleyways. The sight distance point for exiting vehicles shall be located 14.4 feet from the edge of the traveled way.  |
| <b>PFA46.</b> | At a minimum, the applicant shall provide 'stamped' engineering AutoTURN layouts for fire trucks and buses (WB-60) that show the overhang and/or mirrors of the vehicle as opposed to the wheel paths. Turning vehicles may use the width of the minor street to start the appropriate turn. The vehicle must however, stay within the appropriate receiving (inside) lane of the major street. Additionally, the turning vehicle must not intrude onto the wheel chair ramp on the inside of the turning movement.   |
| <b>PFA47.</b> | <p>Much of this site (area south of Davos Lane) is designed to drain to Pond E2 and/or Pond F, which has been sized to accommodate the runoff based on assumptions of impervious surfaces. Development shall not exceed the stormwater runoff predictions as determined in previously approved Detention Analysis reports.</p> <p>That portion of the site located north of Davos Lane is designed to drain to the Coffee Lake Wetlands. Per City Ord. 608, detention is not required for areas of Villebois that drain to the wetlands; however, until the stormwater system is completed east of 110th Avenue (Costa Circle), applicant shall be in conformance to PFA 9 for this portion of the development.</p> |
| <b>PFA48.</b> | Site information provided by the applicant show a temporary detention pond and piping located on an adjacent parcel to the north. Applicant shall provide the City with an easement allowing placement of these storm facilities. Applicant shall provide the City with a Stormwater Maintenance and Access Easement (on City approved forms) for City inspection of this portion of the storm system that is to be privately maintained.   |
| <b>PFA49.</b> | Any existing water, sanitary, and storm water lines dating from the Dammasch State Hospital that are scheduled to be abandoned shall either be completely removed or abandoned per a City approved recommendation from a Professional Engineer registered in the State of Oregon whose area of expertise is geotechnical engineering.   |
| <b>PFA50.</b> | Both Northwest Natural Gas line and Kinder Morgan have existing gas/fuel lines located on the west side of the existing 110th Avenue right-of-way. No obstruction can be placed within, adjacent or across the pipelines that will impede access to the pipelines or easement. Applicant's contractor shall contact representatives from both   |

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| Northwest Natural Gas line and Kinder Morgan prior to commencing any work within 10 feet of the lines.   |
| <b>PFA51.</b> Water flow modeling shall be done by a Professional Engineer registered in the State of Oregon. Modeling information shall be provided to the City in a format acceptable to City staff. Modeling shall show that required fire flows are being met when taking into account the water demands from full buildout of the previously approved lots located in Villebois SAP South PDP 1, PDP 2, PDP 3, PDP 4 and PDP 5, Villebois SAP East PDP 1, and Villebois SAP Central PDP 1 and PDP 2.                      |
| <b>PFA52.</b> Waterline connections to existing facilities shall include, at a minimum, the 8” main line in Costa Circle East (two connections), the 8” main line in SW Orleans Avenue (three connections), and the 8” main line in SW Charlotte Lane. The applicant shall also “loop” proposed waterlines within the development wherever feasible.   |
| <b>PFA53.</b> Note that Composite Utility Plan sheets shall show storm and sanitary laterals and water services. Show numbering system for all storm and sanitary manholes, cleanouts and/or catch basins. Identify storm, sanitary, and water lines by number and provide referencing to appropriate plan sheet where system information can be located.  |
| <b>PFA54.</b> Previously, some utilities have been extended to service lots that no longer exist with the new proposed plat. Any water service line or storm / sanitary lateral that is not intended to service a lot in the proposed plat shall be removed and plugged (water) or capped (storm or sanitary) at the main line. Any abandoned line remaining in the ground shall be filled with controlled density fill.   |
| <b>PFA55.</b> Where a public street has been completed to finish grade, and where installation of new service laterals and/or abandonment of existing laterals would create numerous patches in the asphalt surface, the City Engineer may require the applicant to grind and overlay the affected street so that a clean, new appearance can be obtained.   |
| <b>PFA56.</b> Agreements with previous developers have left SW Orleans Loop and SW Zurich Avenue incomplete of being fully constructed. Applicant shall complete construction of these streets by constructing curb & gutter, sidewalks, street lighting, signing and striping, landscape and irrigation, and top lift of asphalt. This top lift of asphalt shall be a minimum thickness of 2” and extend the entire width of these streets. Some curb & gutter infill work will be required on the far side of these streets. |
| <b>PFA57.</b> In previous meetings between the developers, the City, and United Disposal, discussions included that some alleyway configurations excluded accessibility to United Disposal vehicles (from material submitted these appear to be lots 59 and 81). Their shall be an agreement between the developers, the City, and United Disposal regarding how solid refuse disposal is to occur at all lots in Villebois SAP South PDP 6 prior to issuance of any building permits.   |
| <b>PFA58.</b> SAP South PDP 6 consists of 81 lots. All construction work in association with the Public Works Permit and Project Corrections List shall be completed prior to the City Building Division issuing a certificate of occupancy, or a building permit for the housing unit(s) in excess of 50% of total (41st lot).  |
| <b>PFA59.</b> In previous discussions with the US Postmaster in 2006, a mail box kiosk was identified to be installed on the south side of St. Moritz Loop, adjacent to the proposed Cedar Park (NP-2). Applicant shall work with the US Postmaster and City staff to determine if this is still the preferred location or to identify another location within SAP South PDP 6 that could better serve the public.   |

Once the location is approved, applicant shall construct the mail kiosk per the Villebois approved design.

**Engineering Division Conditions:**

**PFB 1.** If public or franchise services are to be located in alleyways, a minimum 24-foot wide easement shall be provided. All utility meters, boxes, or pedestals shall be located in an easement; where utility clusters are located, additional easement area may be required.

**PFB 2.** Applicant shall provide 6-ft wide Public Utility Easements on property fronting all residential streets.

**PFB 3.** Applicant shall provide 8-ft wide Public Utility Easements on property fronting Costa Circle.

**PFB 4.** Tracts of land containing alleys shall have vehicle and pedestrian ingress and egress easements located over their entirety.

**Natural Resources Conditions: Stormwater Management**

**NR1.** Submit a drainage report and drainage plans. The report and plans shall demonstrate the proposed water quality treatment facilities satisfy the requirements of the City of Wilsonville's Public Works Standards.

**NR2.** Provide profiles, plan views and specifications for the proposed water quality treatment facilities consistent with the requirements of the City of Wilsonville's Public Works Standards.

**NR3.** Pursuant to the Public Works Standards, the applicant shall submit a maintenance plan (including the City's stormwater maintenance covenant and access easement) for the proposed stormwater facilities, inclusive of the rainwater management components, prior to approval for occupancy of the associated development.

**NR4.** Pursuant to the City of Wilsonville's Public Works Standards, access shall be provided to all areas of the proposed water quality treatment facilities. At a minimum, at least one access shall be provided for maintenance and inspection.

**Rainwater Management Components**

**NR5.** The proposed rainwater management components in the Preliminary Development Plan do not satisfy the mitigation percentage for impervious area in the amended Rainwater Management Program for SAP South. Revise the PDP to reflect the amended Rainwater Management Plan for SAP South, or provide a rainwater analysis for the PDP that demonstrates the proposed rainwater management components are comparable to the rainwater management components proposed in the SAP.

**NR6.** Pursuant to the City of Wilsonville Public Works Standards, access shall be provided to all areas of the proposed rainwater management components. At a minimum, at least one access shall be provided for maintenance and inspection.

**NR7.** All Rainwater Management Components and associated infrastructure located in public areas shall be designed to the City of Wilsonville Public Works Standards. Rainwater

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| Management Components in private areas shall comply with the plumbing code.   |
| <b>NR8.</b> Plantings in Rainwater Management Components located in public areas shall comply with the City of Wilsonville Public Works Standards. Plantings in Rainwater Management Components located in private areas shall comply with the Plant List in the Rainwater Management Program or Community Elements Plan. |
| <b>NR9.</b> The rainwater management components shall comply with the requirements of the Oregon DEQ UIC (Underground Injection Control) Program.   |
| <b>Other</b>  |
| <b>NR10.</b> The applicant shall comply with all applicable state and federal requirements for the proposed construction activities and proposed facilities (e.g. DEQ NPDES #1200-C permit).  |

*Request F – DB10-0009: Five-Year Temporary Use Permit*

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| <b>PDF1.</b> This action approves a five-year temporary use permit for the use of a real estate sales office and three model homes, as identified on the approved Exhibits B2-1, B2-2 and B2-L1.0. This Temporary Use Permit will be valid for five years from the date of Notice of Final Decision for this application.   |
| <b>PDF2.</b> The hours of operation for the real estate sales office and three model homes shall be from 8 am to <del>5</del> 6 pm weekdays and Saturdays, and 10 <del>pm</del> am to 5 pm Sundays. The real estate office operation shall only be used for the sale of lots in the Polygon at Villebois Development. The real estate office operation shall only be used for the sale of lots in the Polygon at Villebois Development. |
| <b>PDF3.</b> The applicant/owner shall operate the sales office and model homes in substantial compliance with the plans approved by the DRB, unless altered with Board approval, or minor revisions are approved by the Planning Director under a Class I administrative review process.   |
| <b>PDF4.</b> All signs associated with the approved real estate sales office and model homes shall comply with the adopted Signage and Way Finding Plan for SAP South and with Plan Sheet 2 of Section VIIB in Exhibit B2.  |
| <b>PDF5.</b> All outside lighting shall be arranged and shielded so as not to shine into adjacent residential properties and to prevent any undue glare or reflection and any nuisance, inconvenience, and hazardous interference of any kind on adjoining streets or property.   |
| <b>PDF7.</b> Awning signs must meet the requirements of the Master Signage and Wayfinding Plan for retail canopy signs. See Finding F10.  |

*Request G – DB10-0010 Refinements: No conditions.*

*Request H – DB10-0012 Variance: No conditions.*

**MASTER EXHIBIT LIST FOR REQUESTS A THROUGH H:**

**A. Staff's Written and Graphic Materials:**

- A1. Staff Report (*revised May 20, 2010*):**
  - Findings of Fact for requests A through H
  - Proposed Conditions of Approval for requests A through H
  - Conclusionary Findings for requests A through H
- A2. Power Point presentation.**

**B. Applicant's Written and Graphic Materials:**

**B1. APPLICATION**

**B2. POLYGON at VILLEBOIS NO. 6, SAP – SOUTH**  
***(NOTEBOOK SUBMITTED UNDER SEPARATE COVER)***

**SECTION I GENERAL INFORMATION**

- I-A Introductory Narrative
- I-B Form/Fee Calculation/Copy of Check
- I-C Mailing List

**SECTION II PRELIMINARY DEVELOPMENT PLAN**

- II-A Supporting Compliance Report
- II-B Reduced Drawings
- II-C Utility & Drainage Reports
- II-D Traffic Analysis – See Exhibit C4
- II-E Tree Report

**SECTION III TENTATIVE PLAT**

- III-A Supporting Compliance Report
- III-B Tentative Plat
- III-C Draft CC&Rs
- III-D Copy of Certificate of Assessments and Liens

**SECTION IV ZONE CHANGE**

- IV-A Supporting Compliance Report
- IV-B Zone Change Map

**SECTION V TREE REMOVAL PLAN**

- VA Supporting Compliance Report
- VB Tree Report
- VC Tree Preservation Plan

**SECTION VI FINAL DEVELOPMENT PLAN**

- VIA Supporting Compliance Report
- VIB Reduced Drawings
- VIC Mailbox Kiosk Elevation

**SECTION VII TEMPORARY USE PERMIT**

- VIIA Supporting Compliance Report
- VIIIB Reduced Drawings

**PRELIMINARY DEVELOPMENT PLAN DRAWINGS**

**(Reduced size and full size):**

Plan Sheets

- 1 Cover Sheet
- 2 Existing Conditions
- 3 Aerial Photograph
- 4 Tentative Plat

- 5 Grading And Erosion Control Plan
  - 6 Composite Utility Plan
  - 7 Circulation Plan
  - 8 Site and Land Use Plan
  - 9 Tree Preservation Plan
  - 10 Street Tree / Lighting Plan
  - L1.0 Landscape Plan Sheet 1
  - L2.0 Landscape Plan Sheet 2
  - L3.0 Landscape Plan Sheet 3
  - L4.0 Landscape Plan Sheet 4
  - 6 Rainwater Detail Sheet
  - 1 Sales Office & Model Homes Site Plan
  - 2 Sales Office & Model Homes Site Plan – Signage
  - L1.0 Sales Office & Model Homes Landscape Plan
- 1 through 5, front house elevation designs for proposed American Classic, American Modern and English Tudor houses.***

- B3.** Applicant’s letter dated April 23, 2010 responding to staff’s April 19<sup>th</sup> letter stating that the application was incomplete. Attached to Exhibit B2 note book.
- 1. Metes and bounds description
  - 2. Statutory Bargain and Sales Deed; dated June 30, 2004
  - 3. Letter from Allied Waste Services; dated April 22, 2010
  - 4. Plan Sheet 5 -Revised Grading and Erosion Plan
  - 5. Plan Sheet 8 – Site and land Use Plan showing house types on lots.
  - 6. Plan Sheet 9 – Tree Preservation Plan
- B4.** Variance Request: Attached to Exhibit B2 note book.
- 1. Supporting Compliance Report; dated April 30, 2010
  - 2. Application form and fee; dated April 28, 2010
  - 3. Site Plan – Proposed Setback Variance; dated April 28, 2010
- B5.** Attached to Exhibit B2 note book.
- 1. Plan Sheet 8 – Revised Site and land Use Plan showing house types on lots.
  - 2. Plan Sheet 4 – Revised Tentative Plat
- B6.** *Letter, Fred Gast requesting continuance of the DRB public hearing, dated May 21, 2010.*
- B7.** *Letter, Fred Gast tolling the 120-day state rule, dated May 24, 2010.*
- B8.** *Letter from Wayne Rembold, dated June 25, 2010.*

**C. Development Review Team Correspondence:**

- C1. Building Division and TVF&R memo; dated April 23, 2010.
- C2. Engineering Division memo; dated May 7, 2010
- C3. Natural Resourced Program Manager memo; dated May 6, 2010.
- C4. DKS Traffic Report, dated May 5, 2010.

**D. General Correspondence:**

- D1. Letters (neither For nor Against): ***Letter, Rudy Kadlub dated May 20, 2010.***
- D2. Letters (In Favor): None submitted
- D3. Letters (Opposed): None submitted

## FINDINGS OF FACT

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1. The statutory 120-day time limit applies to this application. The application was received on April 8, 2010. On April 19, 2010, staff conducted a completeness review within the statutorily allowed 30-day review period, and, on April 23, 2010 the applicant submitted new materials. The application was deemed complete on May 6, 2010. ***The applicant requested a 30-day continuance that the Board approved on May 24.*** The City must render a final decision for the request, including any appeals, by ~~September 3~~, **October 3, 2010.**
  
2. Projects surrounding SAP-South are SAP-Central, SAP-East and SAP-North, which will primarily be developed as single family houses and town houses.
  
3. Prior SAP-South land use actions include:
  - Villebois Village Ordinances and Resolutions
  
  - Legislative:
    - 02PC06 - Villebois Village Concept Plan
    - 02PC07A - Villebois Comprehensive Plan Text
    - 02PC07C - Villebois Comprehensive Plan Map
    - 02PC07B - Villebois Village Master Plan
    - 02PC08 - Village Zone Text
    - 04PC02 – Adopted Villebois Village Master Plan
    - LP-2005-02-00006 – Revised Villebois Village Master Plan
    - LP-2005-12-00012 – Revised Villebois Village Master Plan (Parks and Recreation)
  
  - Quasi Judicial:
    - 03DB21 - SAP-South
    - AR10-0013 – Two (2) lot partition
  
4. 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.

**REQUEST C - ZONE MAP AMENDMENT****A. CITY OF WILSONVILLE COMPREHENSIVE PLAN****1. Implementation Measure 4.1.6. A:**

Development in the “Residential – Village” Map area shall be directed by the Villebois Village Concept Plan (depicting the general character of proposed land uses, transportation, natural resources, public facilities, and infrastructure strategies), and subject to relevant Policies and Implementation Measures in the Comprehensive Plan; and implemented in accordance with the Villebois Village Master Plan, the “Village” Zone District, and any other provisions of the Wilsonville Planning and Land Development Ordinance that may be applicable.

C1. This application is being submitted and reviewed concurrently with the proposed Preliminary Development Plan for Phase 6 for the north-easterly portion of SAP-South. Implementation Measure 4.1.6. IM4.1.6A is met.

**2. Implementation measure 4.1.6.C:**

The “Village” Zone District shall be applied in all areas that carry the Residential – Village Plan Map Designation.

C2. This application proposes a Zone Map Amendment from Public Facility (PF) to Village (V) for the subject 11.67 acres premises, which carries the Residential-Village Plan Map Designation. IM 4.1.6.C is met.

**3. Implementation Measure 4.1.6.D**

The “Village” Zone District shall allow a wide range of uses that befit and support an “urban village”, including conversion of existing structures in the core area to provide flexibility for changing needs of service, institutional, governmental and employment uses.

C3. The subject property is adjacent to the central village area. PDP6 is 11.67 gross acres (8.06 net acres) within Specific Area Plan - South (SAP-S) of the Villebois Master Plan. It will provide 81 single-family detached residential lots and 2.12 acres of parks and open space. (See the Project Narrative in Section IA of the PDP-6 submittal notebook). The proposed residential land use is consistent with those portrayed in the Villebois Village Master Plan, which this regulation is intended to implement. Implementation Measure 4.1.6.D is met. The applicant is also seeking approval of two refinements; 1) to the Villebois Village Master Plan to the number units approved in SAP South. Proposed is a net loss in the number of row house type units in SAP-South (295 approved, 270 proposed = 8.47% change); and increase in single family lots (184 approved, 198 proposed = 7.60% change); 2) to modify the distribution of parks throughout the PDP area. See the findings in Request G for a more detailed analysis of the refinements. Both refinements are within the 10% allowance for a PDP meeting code.



- C4. *The subject property was part of the F.H. Dammasch State Hospital property and the Dammasch Area Transportation – Efficient Land Use Plan, amended by the Villebois Village Master Plan. The property was owned by the Oregon Department of Corrections and transferred to the Oregon Department of Administrative Services to be sold to benefit of the Department of Human Services. The property has since been sold to private entities but the Oregon Department of Administrative Services was charged to reserve from the sale of the real property of the former Dammasch Hospital property of not more than 10 acres. Staff is not aware of a current plan for the dispersal of diverse housing as it is proprietary information of the Oregon Department of Human Services. In the event the State identifies housing within PDP-6 then staff is proposing condition PDA-5 to accommodate diverse housing and lot consolidation as long as the approved density is not compromised within SAP-South.*

## B. CITY OF WILSONVILLE LAND DEVELOPMENT ORDINANCE

### 1. Section 4.029 - Zoning Consistent with the Comprehensive Plan:

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.

- C5. A Zone Map Amendment is being requested concurrently with a Preliminary Development Plan (PDP) and Tentative Subdivision Plat for the subject premises in conformance with the code. The PDP application material is located in Section IIA of the application notebook and the Tentative Plat application material in Section IIIA. Section 4.029 - Zoning Consistent with the Comprehensive Plan is met.

### 2. Section 4.110 - Zoning – Zones

(.01) The following Base Zones are established by this Code:

(F) Public Facility, which shall be designated “PF”

(H) Village, which shall be designated “V” [per Section 4.125 enabling amendments (File No. 02PC08)]

- C6. The subject property is within the city limits of Wilsonville and is currently zoned Public Facility (PF). This request is for a zone change to Village (V). The zone change request is being reviewed concurrently with a Preliminary Development (PDP-6), which emphasizes residential uses. Residential is not allowed in the PF zone, therefore, the Village zoning designation is most appropriate for the subject property to implement the Villebois Village Concept Plan meeting Section 4.110.

### 3. Section 4.125 - Village (V) Zone

(.01) The Village (V) zone is applied to lands within the Residential Village Comprehensive Plan Map designation. The Village zone is the principal implementing tool for the Residential Village Comprehensive Plan designation. It is applied in accordance with the Villebois Village Master Plan and the Residential Village Comprehensive Plan designation as described in the Comprehensive Plan.

C7. The subject premises lies within the area designated Residential – Village on the Comprehensive Plan Map. This request is for a zone change to Village.

**(.02) Permitted Uses**

C8. The proposed residential use listed in the associated application for a Preliminary Development Plan (see Section IIA of the application notebook) are consistent with the land uses permitted under the Village zone. The proposed PDP-6 will create lots intended for the use of single-family detached dwellings, as well as parks and open space. The proposed residential is permitted under the Village zone.

**(.18) Village Zone Development Permit Process**

**B. Unique Features and Processes of the Village (V) Zone**

2. ... Application for a zone change shall be made concurrently with an application for PDP approval...

C9. The application for a zone change is being made concurrently with an application for PDP-6.

**4. Section 4.136 - PF – Public Facility Zone (.01)**

**(.01) Purpose: 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 publicly owned.**

C10. The subject property is currently zoned Public Facility. The property’s most recent use was F.H. Dammasch State Hospital and agriculture, which has been completely demolished.

**5. Section 4.197 Zone Changes and Amendments to this Code – Procedures.**

**(.02) In recommending approval or denial of a proposed zone map amendment, the Planning Commission or Development Review Board shall at a minimum, adopt findings addressing the following criteria:**

**A. 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; and**

C11. This application has been submitted in accordance with the procedures set forth in Section 4.140, which requires that:

**(A) All parcels of land exceeding two (2) acres in size that are to be used for residential, commercial or industrial development, shall, prior to the issuance of building permit: 1. Be zoned for planned development; and**

**(B) Zone change and amendment to the zoning map are governed by the applicable provisions of the Zoning Sections, inclusive of Section 4.197.**

- C12.** This zone change application will establish the appropriate Village Zone for this development and will be governed by the appropriate Zoning Sections.
- B.** **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.**
- C13.** Comprehensive Plan Implementation Measure 4.1.6.c. states “the “Village” Zone District shall be applied in all areas that carry the Residential-Village Plan Map Designation.” Since the Village zone must be applied to areas designated Residential Village on the Comprehensive Plan map, and is the only zone that may be applied to these areas, its application to these areas is consistent with the Comprehensive Plan, which describes the Village zone as implementing the Residential – Village Comprehensive Plan Map designation.
- C.** **In the event that the subject property, or any portion thereof, is designated as “Residential” on the City’s Comprehensive Plan Map; specific findings shall be made addressing substantial compliance with Implementation Measure 4.1.4.b, d, e, q, and x of Wilsonville’s Comprehensive Plan text; and**
- C14.** As noted above, Comprehensive Plan Implementation Measure 4.1.6.c. states “the “Village” Zone District shall be applied in all areas that carry the Residential-Village Plan Map Designation.” Since, the Village zone must be applied to areas designated Residential Village on the Comprehensive Plan map, and is the only zone that may be applied to these areas, its application to these areas is consistent with the Comprehensive Plan, which describes the Village zone as implementing the Residential – Village Comprehensive Plan Map designation.
- D.** **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.**
- C15.** Sections IIB and IIC of the submittal notebook includes supporting utility and drainage reports demonstrating that the existing primary public facilities are available and can be provided in conjunction with the project. In addition, a Traffic Impact Analysis Prepared by DKS and Associates has been received (See Exhibit B2-IID).
- C16. Sanitary Sewer:** Approval of PDP-6 must be met upon compliance with the Public Facilities (PF) Conditions of Approval. The City Engineer is required to approve all construction plans for the sanitary sewer system prior to construction to insure that they comply with City standards. This must be met at the time of development as monitored by the City Engineer.

**C17. Water:** Approval of a PDP-6 must be met upon compliance with the Public Facilities (PF) and Building Division (BD) Conditions of Approval. The City Engineer is required to approve all construction plans for the water system prior to construction to insure that they comply with City standards. This must be met at the time of development as monitored by the City Engineer.

**E. 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; and**

**C18.** The subject area does not include, nor does it abut, areas designated within the Significant Resource Overlay zone making this criterion not applicable.

**F. 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.**

**C19.** The applicant is committed to a development schedule demonstrating that the development of the subject property is reasonably expected to commence within two (2) years of the initial approval of the zone change.

**G. 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.**

**C20.** The proposed development can be developed in compliance with the applicable development standards, as demonstrated by this report.

## **REQUEST A - PRELIMINARY DEVELOPMENT PLAN**

The applicant's findings in Section IIA of the Compliance Report addressing the Wilsonville Planning & Development Ordinance respond to the majority of the applicable criteria. In the case where the applicant has adequately addressed the criteria, the staff findings simply refer to the relevant text in the applicant's narrative.

### **Wilsonville Planning & Land Development Ordinance**

#### **Section 4.125 Village (V) Zone**

##### **(.02) Permitted Uses**

**Examples of principal uses that typically permitted:**

- A. Single Family Detached Dwellings**
- B. Accessory Dwelling Units, subject to the standards of Section 4.113 (.11)**
- C. Duplexes**
- D. Row Houses**
- E. Multi-Family Dwellings**
- F. Cluster Housing**
- G. Residential Facilities, Residential Homes and Community Housing developed to implement ORS 426.508.**
- H. Non-commercial parks, plazas, playgrounds, recreational facilities, community buildings and grounds, tennis courts, and other similar recreational and community uses owned and operated either publicly or by an owners association.**
- I. Commercial uses within the Village Center, subject to the standards of (.06) Standards Applying to Commercial Uses and similar to the following is Subsection 4.125.02(I)( 1 through 5).**
- J. Neighborhood Commercial.**

- A1.** The proposed Preliminary Development Plan for Phase 6 (PDP-6) is intended for development of single-family detached dwellings as well as parks and open space areas. Proposed uses within the subject PDP-6 are permitted pursuant to subsection 4.125.02.

##### **(.05) Development Standards Applying to All Developments in the Village Zone**

**All development in this zone shall be subject to the V Zone and the applicable provisions of the Wilsonville Planning and Land Development Ordinance. If there is a conflict, then the standards of this section shall apply. The following standards shall apply to all development in the V zone:**

- A. Block, Alley, Pedestrian and Bicycle Standards:**
  - 1. Maximums Block Perimeter: 1,800 feet, unless the Development Review Board makes a finding that barriers such as existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent a block perimeter from meeting this standard.**
  - 2. Maximum spacing between streets for local access: 530 feet, unless the Development Review Board makes a finding that barriers such as existing buildings, topographic variations, or designated Significant Resource**

**Overlay Zone areas will prevent street extensions from meeting this standard.**

- 3. If the maximum spacing for streets for local access exceeds 530 feet, intervening pedestrian and bicycle access shall be provided, with a maximum spacing of 330 feet from those local streets, unless the Development Review Board makes a finding that barriers such as existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent pedestrian and bicycle facility extensions from meeting this standard.**

**A2.** The applicant has provided findings in Section IIA of PDP-6 (Supporting Compliance Report) regarding block perimeters and spacing for local access. The proposed PDP provides consistency with the approved Villebois Village Master Plan. Alleys will not have sidewalks, but will have low traffic volumes and speeds that can serve as “shared roadways”.

- B. Access: All lots with access to a public street, and an alley, shall take vehicular access from the alley to a garage or parking area, except as determined by the City Engineer.**

**A3.** All lots with access to a public street or an alley meet code.

**Table V-1, Development Standards**

**A4.** Plan Sheets in Section III in the application notebook depict proposed lot sizes and dimensions. Plan Sheets in Section IIB, Map 8 also show the location of the various proposed lot types. Section 4.125 - Table V-1: Development Standards show lot sizes and dimensions for each building type.

Section 4.125. V – Village Zone

| Building Type   | Min. Lot Size (sq.ft.) | Min. Lot Width (ft.) | Min. Lot Depth (ft.) | Max. Lot Coverage (note) | Min. Frontage Width <sup>14,15</sup> (ft.) | Max. Bldg. Height (ft.) | Front Min. (ft.)  | Setbacks <sup>18,19,20</sup> |                 |                 | Alley-Loaded Garage (note) | Street-Loaded Garage (note) |
|---|------------------------|----------------------|----------------------|--------------------------|--|-------------------------|-------------------|------------------------------|-----------------|-----------------|----------------------------|-----------------------------|
|   |                        |                      |                      |                          |  |                         |                   | Front Max. (ft.)             | Rear Min. (ft.) | Side Min. (ft.) |                            |                             |
| Commercial Buildings - Village Center <sup>14</sup>     | NR                     | NR                   | NR                   | 1                        | 90   | 60                      | NR <sup>3</sup>   | 5                            | NR              | NR              | NR                         | NA                          |
| Hotels - Village Center <sup>14</sup>                   | NR                     | NR                   | NR                   | 1                        | 80   | 60                      | NR <sup>3</sup>   | 15                           | NR              | NR              | NR                         | NA                          |
| Mixed Use Buildings - Village Center <sup>14</sup>      | NR                     | NR                   | NR                   | 1                        | 90   | 60                      | NR <sup>3</sup>   | 8                            | NR              | NR              | NR                         | NA                          |
| Multi-Family Dwellings - Village Center <sup>14</sup>   | NR                     | NR                   | NR                   | 1                        | 80   | 45                      | 5 <sup>4</sup>    | 15                           | NR              | NR              | NR                         | NA                          |
| Row Houses <sup>11</sup> - Village Center <sup>14</sup> | NR                     | NR                   | NR                   | 1                        | 80   | 45                      | 5 <sup>4</sup>    | 10                           | NR              | NR              | NR                         | NA                          |
| Commercial Buildings                                    | NR                     | NR                   | NR                   | 1                        | 60   | 45                      | NR                | 15                           | NR              | NR              | NR                         | NA                          |
| Mixed Use Buildings                                     | NR                     | NR                   | NR                   | 1                        | 60   | 45                      | NR                | 15                           | NR              | NR              | NR                         | NA                          |
| Multi-Family Dwellings                                  | NR                     | NR                   | NR                   | 1                        | 60   | 45                      | 8 <sup>4</sup>    | 15                           | NR              | NR              | NR                         | NA                          |
| Row Houses <sup>11</sup>                                | NR                     | 15                   | 50                   | 1                        | 80   | 45                      | 8 <sup>4</sup>    | 15                           | NR              | NR              | NR                         | NA                          |
| Duplexes  | 4,000                  | 45                   | 70                   | 2                        | 60 <sup>18</sup>                           | 35                      | 12 <sup>5,6</sup> | 20 <sup>6</sup>              | 5               | 5 <sup>13</sup> | 7                          | 8,17,18                     |
| Single-Family Dwellings                                 | 2,250                  | 35                   | 50                   | 2                        | 60 <sup>18</sup>                           | 35                      | 12 <sup>5,6</sup> | 20 <sup>6</sup>              | 5               | 5 <sup>13</sup> | 7                          | 8,17                        |

Notes: NR No Requirement  
 NA Not Allowed  
 1 Lot < 8000sf. NR; Lot >8000sf. 80% (Max. Lot Coverage)  
 2 Small lots: 75%, Medium Lots: 65%, Standard and Large Lots: 55%, Estate Lots: 45% Maximum Lot Coverage  
 3 On lots where detached accessory buildings are built, maximum lot coverage may be increased by 10%.  
 4 Bay windows, balconies, and other structural building projections above 8 ft. may encroach up to 5 ft. into the Public Way; canopies, awnings, and other non-structural projections may encroach up to 8 ft. into the Public Way.  
 5 Porches, stairs, stoops, decks, canopies, balconies, bay windows, chimneys, awnings, and other building projections may encroach up to the Public Way.  
 6 Porches, stoops, decks, canopies, balconies, bay windows, chimneys, awnings, and other building projections may encroach to within 8 ft. of the Public Way. Stairs may encroach to the Public Way.  
 7 For Standard, or Large Lots on Collector Avenues, front setbacks are 20 ft. min., (13' setback to porch), side street setbacks are 15' (8' setback to porch). Pie-shaped lots or lots with significant trees or grade banks at frontage have no maximum front setback.  
 8 The garage setback from alley shall be between 3 and 5 foot or, when as optional parking space is located between the garage and the alley, shall be 16 ft. minimum. Lots with important trees, as identified in the Master Plan, or grade differences at the alley, affecting garage location shall be exempt from this requirement.  
 9 Street-loaded garages shall be a minimum 20 ft. front setback to face of garage, and located a minimum of 5 ft. behind main facade of the associated dwelling unit.  
 10 Vertical encroachments are allowed up to ten additional feet, for up to 10% of the building footprint; vertical encroachments shall not be habitable space.  
 11 For Village Center buildings with lots fronting two or more streets, at least two facades shall be subject to the minimum frontage width and front setback requirements.  
 12 Row Houses shall be attached; however, no more than ten units shall be contiguous along a street edge.  
 13 See Definitions, 4.125.01, for measurement of Minimum Frontage Width.  
 14 Front Setback is measured as the offset of the front lot line or a vehicular or pedestrian access easement line. On lots with alleys, Rear Setback shall be measured from the alley right of way.  
 15 See Figure 2A - Village Center Boundary & Land Use Plan in the Villebois Village Master Plan for areas included within the Village Center.  
 16 On Estate Lots and Large Lots with frontage 70 ft. or wider, the minimum combined side yard setbacks shall total 15 ft. with a minimum of 5 ft. On Small and Medium Lots, minimum side setback shall be 0 ft. or as required by Building Code.  
 17 For cluster housing with lots arranged on a courtyard, frontage shall be measured at the front door face of the building adjacent to a public right of way or a public pedestrian access easement linking the courtyard with the Public Way.  
 18 Dwellings on lots without alley access shall be at least 36 feet wide.  
 19 Duplexes with front-loaded garages are limited to one shared standard-sized driveway/apron.  
 20 Maximum setbacks may be increased as necessary to accommodate building cod, public utility easements or public open space requirements.  
 21 Lots are categorized as small, medium, standard, large or estate as shown in the Pattern Book.

**Proposed lots meet the size and dimension standards of Table V-1.**

**Subsection 4.125(.07), Table V-2: General Regulations – Off-Street Parking, Loading & Bicycle Parking:**

| <b>Table V-2: Off Street Parking Requirements</b> |                                      |                            |                                    |                                   |
|---|--------------------------------------|----------------------------|------------------------------------|-----------------------------------|
| <b>Permitted or Conditional Use</b>               | <b>Min. Vehicle Spaces</b>           | <b>Max. Vehicle Spaces</b> | <b>Bicycle Short-term (Spaces)</b> | <b>Bicycle Long-term (Spaces)</b> |
| <b>Permitted Uses</b>                             |                                      |                            |                                    |                                   |
| Single-Family Detached Dwellings                  | 1.0/DU                               | NR                         | NR                                 | NR                                |
| <del>Single-Family Accessory Dwelling Units</del> | <del>1.0/DU</del>                    | <del>NR</del>              | <del>NR</del>                      | <del>NR</del>                     |
| Duplex  | 1.0/DU                               | NR                         | NR                                 | NR                                |
| Row Houses  | 1.0/DU                               | NR                         | NR                                 | NR                                |
| Multi-Family Dwellings                            | 1.0/1 Bdr<br>1.5/2 Bdr<br>1.75/3 Bdr | NR                         | 1 per 20 units<br>Min. of 2        | 1 per 4 units<br>Min. of 2        |
| Community Housing                                 | 1 per 4 residents                    | 1 per unit                 | None                               | 1 per 8 residents<br>Min. of 2    |
| <b>Commercial Uses</b>                            |                                      |                            |                                    |                                   |
| Convenience Store                                 | 2/1000 sf                            | 5/1000 sf                  | 1 per 5000 sf<br>Min. of 2         | 1 per 12,000 sf<br>Min. of 2      |
| Restaurant/Pub                                    | 2/1000 sf                            | 10/1000 sf                 | 1 per 5000 sf<br>Min. of 2         | 1 per 12,000 sf<br>Min. of 2      |
| Child Day Care                                    | 0.2 per student/staff                | 0.3 per student/staff      | None                               | 1 per 10,000 sf<br>Min. of 2      |
| Medical/Dental                                    | 3/1000 sf                            | 4/1000 sf                  | 1 per 40,000 sf<br>Min. of 2       | 1 per 70,000 sf<br>Min. of 2      |
| All other commercial uses                         | 2/1000 sf                            | 4/1000 sf                  | 1 per 10,000 sf<br>Min. of 2       | 1 per 40,000 sf<br>Min. of 2      |
| <b>Conditional Uses</b>                           |                                      |                            |                                    |                                   |
| Schools   | 0.2 per student/staff                | 0.3 per student/staff      | 0.3 per student/staff              | 0.2 per classroom                 |
| Recreational Facilities                           | 3/1000 sf <sup>1</sup>               | 5/1000 sf <sup>1</sup>     | 1 per 3,000 sf<br>Min. of 4        | 1 per 3000 sf<br>Min. of 4        |

A5. Section 4.125(.07)(Table V-2 shown above) establishes parking minimums and maximums. The proposal is for 81 lots wherein the minimum parking requirement is 81 spaces. Buildings are not proposed with this application, however, the potential off-street parking have been considered in the overall land use plan for Villebois and Specific Area Plan – South (SAP-South). A minimum of two garage parking spaces per lot is assumed. Based upon 81 lots would total 162 parking spaces with additional on-street parking provisions exceeding code.

**(.08) Open Space:**

A6. **Parks & Open Space:** WC 4.125(.08) requires that in all residential developments, and in mixed use developments where the majority of the developed square footage is to be in residential use, at least 25% of the area shall be in open space, excluding street pavement and surface parking. In multi-phased development, individual phases are not required to meet the 25% standard as long as an approved SAP demonstrates that the overall development shall provide a minimum of 25% open space. Figure 5 – Parks & Open Space Plan of the Villebois Village Master Plan (August 2005 version) states that there are 49.46 acres of parks and 108.32 acres of open space for a total of 157.66 acres, or approximately 32.7 %. Specific Area Plan – South included parks and open space



areas consistent with the acreage proposed for the subject area in the *Villebois Village Master Plan*. The Preliminary Development Plan application, in the PDP Supporting Compliance Report (located in Section IIA), proposes park and open space areas greater than that proposed in the SAP-South; the proposal is for 2.12 acres of open space and parks for a net increase of 1.17 acres. The .95 acres approved in SAP-South for Cedar Park is reduced to .79 acres. Staff is not suggesting that Cedar Park be .95 acres since the applicant is creating “Linear ~~Parks~~ Greens” at SW Davos of the project site primarily to save six “Important” red and pin oaks. *Neighborhood Park 2 (Cedar Park): The primary missing park amenity is Cedar Park is .16 acres smaller for lawn play. Proposed additional amenities are a stand-up spinner and a 4’ rainbow climber.* (See Table on Plan Sheet 8).

**(.09) Street & Access Improvement Standards**

**A. Except as noted below, the provisions of Section 4.177 apply within the Village Zone:**

**1. Generally:**

**a) All street alignment and access improvements shall conform to the Villebois Village Master Plan, or as refined in the Specific Area Plan, Preliminary Development Plan, or Final Development Plan and the following standards:**

**A7.** The PDP design includes a request for two refinements to the SAP-South. These are included as requests for refinements on pp. 18 -22 of Section IIA of the application. (See the findings in Request G).

**1) All street improvements shall conform to the Public Works Standards and shall provide for the continuation of streets through proposed developments to adjoining properties or subdivisions, according to the Master Plan.**

**A8.** All street improvements associated with PDP-6 are required to comply with the applicable City Public Works Standards. The street system within this PDP-6 is designed to provide for the continuation of streets within Villebois and to adjoining properties or subdivisions which meets code.

**2) All streets shall be developed with curbs, landscape strips, bikeways or pedestrian pathways, according to the Master Plan.**

**A9.** Street classifications and cross-sections within proposed PDP-6 are shown on Sheet 7 – Circulation Plan of Section 7. The cross-sections show the location of curbs, bikeways, landscape strips, sidewalks, etc. and comply with the cross-sections in the Master Plan which meets code.

**2. Intersections of streets**

- a) **Angles: Streets shall intersect one another at angles not less than 90 degrees, unless existing development or topography makes it impractical.**
- b) **Intersections: If the intersection cannot be designed to form a right angle, then the right-of-way and paving within the acute angle shall have a minimum of thirty (30) foot centerline radius and said angle shall not be less than sixty (60) degrees. Any angle less than ninety (90) degrees shall require approval by the City Engineer after consultation with the Fire District.**

**A10.** The applicant has submitted drawings that demonstrate that all proposed streets will intersect at angles consistent with the above standards. (See Plan Sheet 7)

- c) **Offsets: Opposing intersections shall be designed so that no offset dangerous to the traveling public is created. Intersections shall be separated by at least:**
  - 1) 1000 ft. for major arterials
  - 2) 600 ft. for minor arterials
  - 3) 100 ft. for major collector
  - 4) 50 ft. for minor collector

**A11.** There are minor offsets of alley intersections with local streets which are less than 50 feet. Plan Sheet 7 of Section IIB demonstrates that opposing intersections on public streets are offset, as appropriate, so that no danger to the traveling public is created.

- d) **Curb Extensions:**
  - 1) **Curb extensions at intersections shall be shown on the Specific Area Plans required in subsection 4.125(.18)(C) through (F) below, and shall:**
  - 2) **Not obstruct bicycle lanes on collector streets.**
  - 3) **Provide a minimum 20 foot wide clear distance between curb extensions all local residential street intersections shall have, shall meet minimum turning radius requirements of the Public Works Standards, and shall facilitate fire truck turning movements as required by the Fire District.**

**A12.** Curb extensions are shown on Plan Sheet 7 – Circulation Plan (see Section IIB). Curb extensions will not obstruct bicycle lanes on collector streets. The attached drawings illustrate that all street intersections will have a minimum 20 foot wide clear distance between curb extensions on all local residential street intersections.

- 3. **Street grades shall be a maximum of 6% on arterials and 8% for collector and local streets. Where topographic conditions dictate, grades in excess of 8%, but not more than 12%, may be permitted for short distances, as approved by the City Engineer, where topographic conditions or existing improvements warrant modification of these standards.**

**A13.** Plan Sheet 5 - of Section IIB – Grading and Erosion Control Plan demonstrates that proposed streets can comply with this standard.

**4. Centerline Radius Street Curves:**

**The minimum centerline radius street curves shall be as follows:**

- a) Arterial streets: 600 feet, but may be reduced to 400 feet in commercial areas, as approved by City Engineer.**
- b) Collector streets: 600 feet, but may be reduced to conform with the Public Works Standards, as approved by the City Engineer.**
- c) Local streets: 75 feet**

**A14.** The proposed Tentative Subdivision Plat, Request B, demonstrates that all streets will comply with the above standards.

**5. Rights-of-way:**

- a) See (.09) (A), above.**

**A15.** Proposed rights-of-way are shown on the Plan Sheet 7 following the Supporting Compliance Report in Section IIB. Rights-of-way will be dedicated and a waiver of remonstrance against the formation of a local improvement district will be recorded with recordation of final plat in accordance with Section 4.177.

**6. Access drives.**

- a) See (.09) (A), above.**
- b) 16 feet for two-way traffic.**

**A16.** The plans in Section IIB demonstrate that all proposed access drives/alleys in PDP-6 will have a minimum improvement width of 16 feet and will provide two-way travel. In accordance with Section 4.177, all access drives will be constructed with a hard surface capable of carrying a 23-ton load. Easements for fire access will be dedicated as required by the fire department. All access drives will be designed to provide a clear travel lane free from any obstructions.

**7. Clear Vision Areas**

- a) See (.09) (A), above.**

**A17.** Clear vision areas will be reviewed by the City Engineering Division to assure compliance with the Section 4.177.

**8. Vertical clearance:**

- a) See (.09) (A), above.**

**A18.** Vertical clearance will be provided and maintained in compliance with the Section 4.177.

**9. Interim Improvement Standard:**

- a) See (.09) (A), above.**

A19. No interim improvements are necessary for the development of PDP- 6.

**(.10) Sidewalk and Pathway Improvement Standards**

**A. The provisions of Section 4.178 shall apply within the Village zone.**

A20. All sidewalks and pathways within PDP-6 will be constructed in accordance with the standards of Section 4.178 and the Villebois Village Master Plan.

**(.11) Landscaping, Screening and Buffering**

**A. Except as noted below, the provisions of Section 4.176 shall apply in the Village zone:**

**1. Streets in the Village Zone shall be developed with street trees as described in the Community Elements Book.**

A21. Plan Sheets L1.0 through L4.0 – Landscape and Planting Plans, located in Section VIB of the submittal demonstrate that the proposed PDP-6 complies with the Street Tree Master Plan in the SAP-South Community Elements Book and the appropriate standards of Section 4.176. The City Council has expressed a desire for other projects within the City increased planting of tree species which will provide high, spreading canopies when mature, especially in parks, but also along streets and Greenways wherever possible. The counterpart Final Development Plan is included as Request E.

**(.12) Signage and Wayfinding**

**A. Except as this subsection may otherwise be amended, or until such time as a Signage and Wayfinding Plan is approved as required by Section 4.125(.18)(D)(2)(f), signs within the Village zone shall be subject to provisions of Section 4.156.**

A22. Signage and Wayfinding Plans for PDP-6 were approved with SAP-South. The proposed signage is consistent with the approved plans.

**(.13) Design Principles Applying to the Village Zone**

**A. The following design principles reflect the fundamental concepts, and support the objectives of the Villebois Village Master Plan, and guide the fundamental qualities of the built environment within the Village zone.**

**8. The design of streets and public spaces shall provide for and promote pedestrian safety, connectivity and activity.**

A23. The proposed PDP-6 complies with the form and function supported by the standards of this subsection.

**(.14) Design Standards Applying to the Village Zone**

- A. **The following design standards implement the Design Principles found in (.13), above, and enumerate the architectural details and design requirements applicable to buildings and other features within the Village (V) zone. The Design Standards are based primarily on the features, types, and details of the residential traditions in the Northwest, but are not intended to mandate a particular style or fashion. All development within the Village zone shall incorporate the following:**

**1. Generally:**

- a. Flag lots are not permitted.**

A24. Flag lots are not being proposed.

- b. Dwellings on lots without alley access shall be at least 36 feet wide.**

A25. Compliance with this standard is demonstrated with Sheet 4 – Tentative Plat (see Section IIIB). In PDP6 all of the lots have alley access.

- c. The minimum lot depth for a single-family dwelling with an accessory dwelling unit shall be 70 feet.**

A26. Many of the proposed lots currently have a minimum lot depth of 67 feet as shown on Plan Sheet 4 – Tentative Plat, located in Section IIIB of the application notebook. There are no single-family dwellings with an accessory dwelling unit (ADU's) included with this application. Compliance with this standard will be reviewed at the time that building permits are submitted.

**2. Building and site design shall include:**

- a) Proportions and massing of architectural elements consistent with those established in an approved Pattern Book or Village Center Design.**
- b) Materials, colors and architectural details executed in a manner consistent with the methods included in an approved Pattern Book, Community Elements Book or approved Village Center Design.**
- c) Protective overhangs or recesses at windows and doors.**
- d) Raised stoops, terraces or porches at single-family dwellings.**
- e) Exposed gutters, scuppers, and downspouts.**
- f) The protection of existing significant trees as identified in an approved Community Elements Book.**
- g) A landscape plan in compliance with Section (.11), above.**
- h) Building elevations of block complexes shall not repeat an elevation found on an adjacent block.**
- i) Building elevations of detached buildings shall not repeat an elevation found on buildings on adjacent lots.**
- j) A porch shall have no more than three walls.**
- k) A garage shall provide enclosure for the storage of no more than three vehicles.**

- A27. This application requests PDP-6 approval. Single family houses are proposed. Conformance with the approved SAP-South Architectural Pattern Book and the approved Community Elements Book will assure consistency with the Design Standards of subsection (.14). Subsequent Building Permit applications will review building and Final Development Plans for consistency with the SAP-South Architectural Pattern Book and approved landscape/street tree plans.
- A28. Plan Sheet L1.0 – L4.0 Landscape Site Plan located in Section VIB of the submittal notebook, depict the landscape, street tree and program elements for the park/trail/open space areas of this PDP-6. The proposed Final Development Plan will advance the park and open/space planning (See Request E).
- A29. Plan Sheet 9 – Tree Preservation/Protection Plan identifies proposed tree removal and retention. This application includes a request for review of the proposed Tree Removal Plan and subsequent issuance of a Type C Tree Removal Permit for PDP-6 (See Request D).
3. **Lighting and site furnishings shall be in compliance with the approved...Community Elements Book....**
- A30. The approved Communities Elements Book indicates site furnishings for the park/open space areas. It shows proposed street trees and lighting for proposed PDP- 6. These plans illustrate that lighting and site furnishings will be provided in compliance with the Community Elements Book. The proposed Final Development Plan shows the parks and open space areas involved with PDP-6.
- A31. Plan Sheet L3.0, located in Section VIB, indicate play equipment but do not show benches and picnic tables for the proposed park/open space areas. Sheet 10 – Street Tree and Lighting Plan (see Section IIB) show proposed street trees and lighting for this Preliminary Development Plan. The proposed plans illustrate that lighting and site furnishings will be provided in compliance with the Community Elements Book. A subsequent Final Development Plan will be filed for the park and open space areas. See Condition PDE3.
4. **Building systems, as noted in Tables V-3 and V-4 (Permitted Materials and Configurations), below, shall comply with the materials, applications and configurations required therein.**
- A32. As noted previously, no buildings are proposed with this PDP-6. The proposed Final Development Plan will review proposed landscaping and parks.
- (18) **Village Zone Development Permit Process**

**G. Preliminary Development Plan Approval Process:**

1. **An application for approval of a Preliminary Development Plan for a development in an approved SAP shall:**

- a) **Be filed with the City Planning Division for the entire SAP, or when submission of the SAP in phases has been authorized by the Development Review Board, for a phase in the approved sequence.**

A33. This application includes a request for Preliminary Development Plan approval of the fifth phase of SAP-South, as shown on the SAP-South Phasing Plan. Staff finds that this meets code.

- b) **Be made by the owner of all affected property or the owner's authorized agent; and.**

A34. This application has been filed by the property owner, Villebois, LLC. This code provision is met.

- c) **Be filed on a form prescribed by the City Planning Division and filed with said division and accompanied by such fee as the City Council may prescribe by resolution; and.**

A35. The appropriate application form and fee have been filed with this submittal meeting code.

- d) **Set forth the professional coordinator and professional design team for the project; and.**

A36. The professional coordinator and professional design team are set forth Section IA of the application notebook.

- e) **State whether the development will include mixed land uses, and if so, what uses and in what proportions and locations.**

A37. The proposed development plan does not include mixed land uses. The proposal includes plans for detached single-family housing Proposed PDP-6 does not include mixed uses, which is master planned in SAP-Central.

A38. This Preliminary Development Plan does not include mixed land uses. Only single family residential and park/open space uses are proposed with this PDP. The Villebois Village Master Plan calls for a Private Recreation use within this Phase 6 of SAP South. This area is identified in the Master Plan as a Neighborhood Park 2 (Cedar Park, 1 acre) of the Parks and Open Space Categories (Figure 10) of the Villebois Village Master Plan – Technical Appendix. It provides the following:

Cedar Park includes a private recreation facility (owned by the Homeowners Association) with benches, picnic tables, mound, trees and shrubs, child creative play and lawn play (0.53 acres @ 290' x 80'). This park provides a connection the 12 foot path along the east side.

Detailed design of the proposed parks and open space can be found in Request E – Final Development Plan SAP-South (Phase 6). A detailed plan is show on Plan Sheets L1.0 through L4.0 (See Section VIB). Plan Sheet 6 includes stormwater/rainwater features meeting code.

- f) **Include a preliminary land division (concurrently) per Section 4.400, as applicable.**
- A39. Proposed is Tentative Subdivision Plat. The proposal includes a draft CC&R's for the City Attorney's review found in Section IIC of the applicant's notebook meeting code.
- g) **Include a concurrent application for a Zone Map Amendment (i.e., Zone Change) for the subject phase.**
- A40. As part of this application the DRB and the City Council will review a proposed amendment to zone the subject PDP area from the Public Facilities zone to create the Village (V) zone.
2. **The application for Preliminary Development Plan approval shall include conceptual and quantitatively accurate representations of the entire development sufficient to demonstrate conformance with the approved SAP and to judge the scope, size and impact of the development on the community and shall be accompanied by the following information:**
- a) **A boundary survey or a certified boundary description by a surveyor licensed in the State of Oregon.**
- b) **Topographic information sufficient to determine direction and percentage of slopes, drainage patterns, and in environmentally sensitive areas, (e.g., flood plain, wetlands, forested areas, steep slopes or adjacent to stream banks). Contour lines shall relate to North American Vertical Datum of 1988 and be at minimum intervals as follows:**
- i) **One (1) foot contours for slopes of up to five percent (5%);**
- ii) **Two (2) foot contours for slopes from six percent (6%) to twelve (12%);**
- iii) **Five (5) foot contours for slopes from twelve percent (12%) to twenty percent (20%). These slopes shall be clearly identified, and**
- iv) **Ten (10) foot contours for slopes exceeding twenty percent (20%).**
- c) **The location of areas designated Significant Resource Overlay Zone (SROZ), and associated 25-foot Impact Areas, within the PDP and within 50 feet of the PDP boundary, as required by Section 4.139.**



**A41.** None of the conditions exist in proposed PDP-6; therefore, the above criteria do not apply.

- d) A tabulation of the land area to be devoted to various uses, and a calculation of the average residential density per net acre.**

**A42.** The above information is listed on Sheet 8 – Site/Land Use Plan of Section IIB.

- e) The location, dimensions and names, as appropriate, of existing and platted streets and alleys on and within 50 feet of the perimeter of the PDP, together with the location of existing and planned easements, sidewalks, bike routes and bikeways, trails, and the location of other important features such as section lines, section corners, and City boundary lines. The plan shall also identify all trees 6 inches and greater d.b.h. on the project site only.**

**A43.** The above information is shown on Plan Sheet 2 – Existing Conditions; Tentative Plat, Plan Sheet 4; Plan Sheet 7 – Circulation Plan; Plan Sheet 9, Tree Preservation/Protection Plan identifies all trees 6 inches and greater d.b.h. on the project site.

- f) Conceptual drawings, illustrations and building elevations for each of the listed housing products and typical non-residential and mixed-use buildings to be constructed within the Preliminary Development Plan boundary, as identified in the approved SAP, and where required, the approved Village Center Design.**

**A44.** The proposed conceptual drawings, illustrations and building elevations for the proposed single family housing within the PDP6 boundary must be reviewed by the City's consultant architect for compliance. See Condition PDE4.

- g) A composite utility plan illustrating existing and proposed water, sanitary sewer, and storm drainage facilities necessary to serve the SAP.**

**A45.** Proposed storm drainage facilities, water lines and sanitary lines are shown on Plan Sheet 6 – Composite Utility Plan of Section IIB. Utility and Drainage Reports demonstrating feasibility can be found in Sections IIB and IIC.

- h) If it is proposed that the Preliminary Development Plan will be executed in Phases, the sequence thereof shall be provided.**

**A46.** PDP-6 will be executed in a single phase. PDP4 is constructed with a modest number of vacant lots remaining. Phase 5 has land use approvals but it is not

under construction. Nevertheless, PDP6 is following the approved phasing sequence for SAP-South.

- i) **A commitment by the applicant to provide a performance bond or other acceptable security for the capital improvements required by the project.**

**A47.** The applicant must provide a performance bond or other acceptable security for the capital improvements required by the project. See PF conditions.

- j) **At the applicant's expense, the City shall have a Traffic Impact Analysis prepared, as required by Section 4.030(.02)(B), to review the anticipated traffic impacts of the proposed development. This traffic report shall include an analysis of the impact of the SAP on the local street and road network, and shall specify the maximum projected average daily trips and maximum parking demand associated with buildout of the entire SAP, and it shall meet Subsection 4.140(.09)(J)(2).**

**A48.** DKS has prepared an addendum Traffic Impact Analysis for PDP-6 meeting this criterion. See Exhibit B2-IIID.

#### **H. PDP Application Submittal Requirements:**

1. **The Preliminary Development Plan shall conform with the approved Specific Area Plan, and shall include all information required by (.18)(D)(1) and (2), plus the following:**
  - a) **The location of water, sewerage and drainage facilities;**
  - b) **Conceptual building and landscape plans and elevations, sufficient to indicate the general character of the development;**
  - c) **The general type and location of signs;**
  - d) **Topographic information as set forth in Section 4.035;**
  - e) **A map indicating the types and locations of all proposed uses; and**
  - f) **A grading and erosion control plan illustrating existing and proposed contours as prescribed previously in this section.**

**A49.** Plan Sheet 2 – Existing Conditions shows site features, including topographic features. Plan Sheet 4 – Tentative Plat illustrates the types and locations of proposed uses. Plan Sheet 5 – Grading and Erosion Control Plans show the location of drainage facilities, topographic information, and a grading and erosion control plan. Plan Sheet 6 – Composite Utility Plan indicates the location of water and sanitary sewer lines. Plan Sheets L1.0 – L4.0 Landscape Site Plan and Plan Sheet 10 – Street Tree Plan, and Plan Sheet 8 – Typical Lot Plans show the lot layout plans. All plan sheets referenced above can be found in Section IIB of this application notebook (Exhibit B2). Signs are approved per the SAP-South Master Signage and Wayfinding Plan.

2. **In addition to this information, and unless waived by the City's Community Development Director as enabled by Section 4.008(.02)(B), at the applicant's expense, the City shall have a Traffic Impact Analysis prepared, as required by Section 4.030(.02)(B), to review the anticipated traffic impacts of the proposed development. This traffic report shall include an analysis of the impact of the PDP on the local street and road network, and shall specify the maximum projected average daily trips and maximum parking demand associated with buildout of the entire PDP, and it shall meet Subsection 4.140(.09)(J)(2) for the full development of all five SAPs.**

**A50.** A Traffic Impact Analysis report has been prepared for this Preliminary Development Plan (See Exhibit C4).

3. **The Preliminary Development Plan shall be sufficiently detailed to indicate fully the ultimate operation and appearance of the phase of development. However, approval of a Final Development Plan is a separate and more detailed review of proposed design features, subject to the standards of Section 4.125(.18)(L) through (P), and Section 4.400 through Section 4.450.**

**A51.** The attached drawings for proposed PDP-6 provide sufficient detail to indicate fully the ultimate operation of the subject phase of development. The proposed Final Development Plan provides more specific details regarding proposed design features, in particular of the parks and open space areas.

4. **Copies of legal documents required by the Development Review Board for dedication or reservation of public facilities, or for the creation of a non-profit homeowner's association, shall also be submitted.**

**A52.** Copies of "draft" legal documents in Section IIIC relating to the creation of a non-profit home owner's association will be provided to the City Attorney. See Condition PDA2.

**I. PDP Approval Procedures**

1. **An application for PDP approval shall be reviewed using the following procedures:**
  - a) **Notice of a public hearing before the Development Review Board regarding a proposed PDP shall be made in accordance with the procedures contained in Section 4.012.**
  - b) **A public hearing shall be held on each such application as provided in Section 4.013.**
  - c) **After such hearing, the Development Review Board shall determine whether the proposal conforms to the permit criteria set forth in this Code, and shall approve, conditionally approve, or disapprove the application.**

**A53.** In accordance with the procedures contained in Section 4.012, the city has provided notice of a public hearing before the Development Review Board on the proposed PDP. A public hearing will be held on each request submitted in conjunction with this application as provided in Section 4.013 at which time the Board will determine whether the proposal conforms to the applicable permit criteria set forth in the City's Code.

**J. PDP Refinements to Approved Specific Area Plan**

**1. In the process of reviewing a PDP for consistency with the approved Specific Area Plan, the Development Review Board may approve refinements, but not amendments, to the SAP. Refinements to the SAP may be approved by the Development Review Board as set forth in Section (.18)(J)(2), below.**

**a) Refinements to the SAP are defined as:**

**1) Changes to the street network or functional classification of streets that do not significantly reduce circulation system function or connectivity for vehicles, bicycles or pedestrians.**

**A54.** The applicant is not proposing modifications to street alignments approved in SAP-South.

**2) Changes to the nature or location of park types, trails or open space that do not significantly reduce function, usability, connectivity, or overall distribution or availability of these uses in the Specific Area Plan.**

**A55.** The applicant is proposing a refinement to some of the parks locations. It is the professional opinion of staff that the proposed parks and open space refinement do not reduce function, usability, connectivity, or overall distribution, but rather increase connectivity and availability of open space in SAP-South. See the more detailed analysis in the findings in Request G.

**3) Changes to the nature or location of utilities or storm water facilities that do not significantly reduce the service or function of the utility or facility.**

**A56.** No changes to the nature or location of utilities or storm water facilities are proposed.

**4) Changes to the location or mix of land uses that do not significantly alter the overall distribution or availability of uses in the Preliminary Development Plan.**

- 5) **A change in density that does not exceed ten percent, provided such density change has not already been approved as a refinement to the underlying SAP or PDP, and does not result in fewer than 2,300 dwelling units in the Village.**

**A57.** This Preliminary Development Plan contains all the single-family detached houses and deletes the row-house type. The plan also alters the location and distribution of the residential lot sizes, as well as the overall density within the allowable limits for a refinement. The applicant asserts that the refinement in the type and distribution of residential uses is in response to market conditions. A detailed analysis of the location and mix of residential uses as provided by the applicant can be found in Request G.

The overall change in density is within the 10 percent allowed for refinements. The change in the mix of land uses provided results in overall changes that are within the 10 percent allowable.

**K. PDP Approval Criteria**

**The Development Review Board may approve an application for a PDP only upon finding that the following approval criteria area met:**

- 1. **That the proposed PDP:**
  - a. **Is consistent with the standards identified in this section.**

**A58.** Section IIA (pages 1 through 31) of the Supporting Compliance Report provides an explanation of how proposed PDP-6 is consistent with the standards of the Village zone.

- b. **Complies with the applicable standards of the Planning and Land Development Ordinance, including Section 4.140(.09)(J)(1)-(3).**

**A59.** Section IIA of the Supporting Compliance Report provides an explanation of how proposed PDP-6 is consistent with the applicable standards of the Planning and Land Development Ordinance.

- c. **Is consistent with the approved Specific Area Plan in which it is located.**

**A60.** PDP-6 is consistent with SAP-South, as demonstrated by the attached drawings located in Section IIB and the refinements analyzed above.

- d. **Is consistent with the approved Pattern Book and, where required, the approved Village Center Design.**

**A61.** Buildings are not proposed for single family lots. Subsequent FDP approvals and Building Permit applications for residential buildings in PDP-6 will document

compliance with the SAP-South Architectural Pattern Book. Proposed lots are sized to accommodate proposed uses in a manner consistent with Table V-1 and the Village Center Architectural Standards.

2. **If the PDP is to be phased, that the phasing schedule is reasonable and does not exceed two years between commencement of development of the first, and completion of the last phase, unless otherwise authorized by the Development Review Board.**
- A62. PDP-6 will be executed in a single phase. Most of the residential in SAP-South (Phases 1, 2, 3 and 4) is built except for Phase 5 (PDP-5) which was approved in 2006. The land use approval for Phase 5 has not expired and construction can begin as soon as an application is submitted and reviewed by the City Engineering Division for a public works permit. However, that action has been delayed for unspecified reasons.
3. **Parks within each PDP or PDP Phase shall be constructed prior to occupancy of 50% of the dwelling units in the PDP or PDP phase, unless weather or other special circumstances prohibit completion, in which case bonding for such improvements shall be permitted.**
- A63. This criterion can be guaranteed through condition of approval PDE3.
4. **In the Central SAP, parks shall be constructed within each PDP as provided above, and that pro rata portion of the estimated cost of Central SAP parks not within the PDP, calculated on a dwelling unit basis, shall be bonded or otherwise secured to the satisfaction of the city.**
- A64. The subject site is located in SAP South, not SAP Central. This standard therefore, does not apply.
5. **The Development Review Board may require modifications to the PDP, or otherwise impose such conditions as it may deem necessary to ensure conformance with the approved SAP, the Villebois Village Master Plan, and compliance with applicable requirements and standards of the Planning and Land Development Ordinance, and the standards of this section.**
- A65. Proposed PDP-6 is in conformance with SAP-South, and, thus, the *Villebois Village Master Plan*, and the applicable requirements and standards of the Planning and Land Development Ordinance (see Section IIA of this Supporting Compliance Report).

#### **Section 4.139-Significant Resource Overlay Zone (SROZ) Ordinance**

- A66. The subject area is not within an identified SROZ; therefore, this section does not apply.

#### **Villebois SAP-Central, PDP 1 – Rainwater Review**

- A67. The approved Rainwater Management Plan for SAP-South applies to proposed PDP-6.

**Section 4.156-Sign Regulations**

- A68. The approved Master Signage and Wayfinding Plan applies to PDP-6.

**Section 4.171 General Regulations – Protection of Natural Features & other Resources**

**(.02) General Terrain Preparation**

- A. All developments shall be planned designed, constructed and maintained with maximum regard to natural terrain features and topography, especially hillside areas, floodplains, and other significant land forms.
- B. All grading, filling and excavating done in connection with any development shall be in accordance with the Uniform Building Code, all development shall be planned, designed, constructed and maintained so as to:
  - 1. Limit the extent of disturbance of soils and site by grading, excavation and other land alterations.
  - 2. Avoid substantial probabilities of: (1) accelerated erosion; (2) pollution, contamination or siltation of lakes, rivers, streams and wetlands; (3) damage to vegetation; (4) injury to wildlife and fish habitats.
  - 3. Minimize the removal of trees and other native vegetation that stabilize hillsides, retain moisture, reduce erosion, siltation and nutrient runoff, and preserve the natural scenic character.

- A69. The drawings located in Section IIB demonstrate that the subject PDP-6 is designed with maximum regard to natural terrain features and topography. No steep hillside areas or floodplains are located within the subject PDP-6. Request A shows proposed tree preservation/protection. Plan Sheet 5 – Grading and Erosion Control Plan show proposed grading within the subject area. All subsequent grading, filling and excavating will be done in accordance with the Uniform Building Code. Disturbance of soils and removal of trees and other native vegetation will be limited to the extent necessary to construct the proposed development. Construction will occur in a manner that avoids substantial probabilities of accelerated erosion; pollution, contamination or siltation of lakes, rivers, streams and wetlands; damage to vegetation; and injury to wildlife and fish habitats. The applicant will comply with all state and federal requirements for construction (e.g., DEQ NPDES #1200-C permit). Also required is a grading and erosion control plan pursuant to City of Wilsonville Ordinance 482.

- (.03) Hillsides: All developments proposed on slopes greater than 25% shall be limited to the extent that:**

**A70.** Proposed PDP-6 does not include any areas of slopes in excess of 25%. Therefore, this standard does not apply to this application.

**(.04) Trees and Wooded Areas.**

**A.** All developments shall be planned, designed, constructed and maintained so that:

- 1.** Existing vegetation is not disturbed, injured, or removed prior to site development and prior to an approved plan for circulation, parking and structure location.
- 2.** Existing wooded areas, significant clumps/groves of trees and vegetation, and all trees with a diameter at breast height of six inches or greater shall be incorporated into the development plan and protected wherever feasible.
- 3.** Existing trees are preserved within any right-of-way when such trees are suitably located, healthy, and when approved grading allows.

**B.** Trees and woodland areas to be retained shall be protected during site preparation and construction according to City Public Works design specifications, by:

- 1.** Avoiding disturbance of the roots by grading and/or compacting activity.
- 2.** Providing for drainage and water and air filtration to the roots of trees which will be covered with impermeable surfaces.
- 3.** Requiring, if necessary, the advisory expertise of a registered arborist/horticulturist both during and after site preparation.
- 4.** Requiring, if necessary, a special maintenance, management program to insure survival of specific woodland areas of specimen trees or individual heritage status trees.

**A71.** The Tree Preservation/Protection Plan in Request D, Type 'C' Tree Plan depicts existing trees within the subject area and identifies trees to be retained and to be removed. The Tree Report prepared by Walt Knapp addresses existing trees within the subject area as well as a Supporting Compliance Report. This information demonstrates that the subject PDP-6 is designed to incorporate existing wooded areas, significant clumps/groves of trees and vegetation, and all trees with a diameter at breast height of six inches or greater into the plan where feasible. Existing trees within a right-of-way are preserved when suitably located, healthy, and proposed grading would allow. Trees and woodland areas that are retained, as identified in the Tree Preservation/Protection Plan, will be protected during site preparation and construction in accordance with City Public Works design specifications and Section 4.171(.04).



**(.05) High Voltage Power line Easements and Rights of Way and Petroleum Pipeline Easements:**

- A. Due to the restrictions placed on these lands, no residential structures shall be allowed within high voltage power line easements and rights of way and petroleum pipeline easements, and any development, particularly residential, adjacent to high voltage power line easements and rights of way and petroleum pipeline easement shall be carefully reviewed.
  - B. Any proposed non-residential development within high voltage power line easements and rights of way and petroleum pipeline easements shall be coordinated with and approved by the Bonneville Power Administration, Portland General Electric Company or other appropriate utility, depending on the easement or right of way ownership.
- A72. Proposed PDP-6 does not contain any high voltage power line easements or rights-of-way.

**(.06) Hazards to Safety: Purpose:**

- A. To protect lives and property from natural or human-induced geologic or hydrologic hazards and disasters.
  - B. To protect lives and property from damage due to soil hazards.
  - C. To protect lives and property from forest and brush fires.
  - D. To avoid financial loss resulting from development in hazard areas.
- A73. There are no obvious hazards to safety related to development within the Phase 6 area. Development of PDP-6 will occur in a manner that minimizes potential hazards to safety.

**(.07) Standards for Earth Movement Hazard Areas:**

- A. No development or grading shall be allowed in areas of land movement, slump or earth flow, and mud or debris flow, except under one of the following conditions.
- A74. Development of PDP-6 will occur in a manner that minimizes potential hazards to safety. No earth movement hazard areas have been identified within the subject area.

**(.08) Standards for Soil Hazard Areas:**

- A. Appropriate siting and design safeguards shall insure structural stability and proper drainage of foundation and crawl space areas for development on land with any of the following soil conditions: wet or high water table; high shrink-swell capability; compressible or organic; and shallow depth-to-bedrock.

- B. The principal source of information for determining soil hazards is the State DOGAMI Bulletin 99 and any subsequent bulleting and accompanying maps. Approved site-specific soil studies shall be used to identify the extent and severity of the hazardous conditions on the site, and to update the soil hazards database accordingly.**

A75. Development of PDP-6 will occur in a manner that minimizes potential hazards to safety. No soil hazard areas have been identified within the subject area.

**(.09) Historic Protection; Purpose:**

A76. A Historic/Cultural Resource Inventory was conducted for SAP-South. The inventory showed that the subject PDP does not include any sites, objects, or areas having historic, cultural, or archaeological significance. The standards of this section, therefore, do not apply.

**Section 4.172-Flood Plain Regulations**

A77. Proposed PDP-6 does not include any areas impacted by a 100-year flood plain. Therefore, the standards of Section 4.172 are not applicable.

**Section 4.176-Landscaping, Screening & Buffering**

A78. The proposed Final Development Plan for PDP-6 includes Landscape Plans. The proposed Community Elements Book depicts street trees along rights-of-ways. The Street Tree and Lighting Plans have been developed in conformance with the Community Elements Book and the applicable standards of Section 4.176.

**Section 4.177-Street Improvement Standards**

A79. As indicated previously, proposed rights-of-way are shown on the attached drawings. Rights-of-way will be dedicated to the public with the exception of alleys which will be owned and maintained by the respective Homeowners Association. The drawings located in Section IIB demonstrate that all proposed access drives/allies within PDP-6 will have a minimum improvement width of 16 feet with 20 foot wide tracts and will provide two-way travel. All access drives will be constructed with a hard surface capable of carrying a 23-ton load. Easements for fire access will be dedicated as required by the fire department. All access drives will be designed to provide a clear travel lane free from any obstructions.

**Section 4.178-Sidewalk & Pathway Standards**

**(.01) Sidewalks. All sidewalks shall be concrete and a minimum of five (5) feet in width, except where the walk is adjacent to commercial storefronts. In such cases, they shall be increased to a minimum of ten (10) feet in width.**

**(.02) Pathways**

- A. Bicycle facilities shall be provided using a bicycle lane as the preferred facility design. The other facility designs listed will only be used if the bike lane standard cannot be constructed due to physical or financial constraints. The alternative standards are listed in order of preference.**
- 1. Bike lane. This design includes 12-foot minimum travel lanes for autos and paved shoulders, 5-6 feet wide for bikes that are striped and marked as bicycle lanes. This shall be the basic standard applied to bike lanes on all arterial and collector streets in the City, with the exception of minor residential collectors with less than 1,500 (existing or anticipated) vehicle trips per day.**
- A80. Sheets located in Section IIB depict the proposed sidewalks and pathways in compliance with the above standards and SAP-South.**

**REQUEST B - TENTATIVE SUBDIVISION PLAT****Subdivision of PDP-6 into 81 residential lots, Tracts A through N and associated site improvements.****Village Zone****Subsections 4.125.02(A.-H): *Village (V) Zone – Permitted Uses***

**B1.** The applicant's response finding is in the Supporting Compliance Report. The proposed Tentative Subdivision Plat for Polygon at Villebois No. 6 will create lots intended for the use of single-family detached houses with a variety of architectural styles, as well as parks and open space areas. Staff finds that the proposed uses are permitted under the "Village" zone (Sections 4.125.02(A., C., H)).

**Subsections 4.125.05(A)(1.-3): *Development Standards Applying to All Developments in the Village Zone***

**B2.** The previously approved SAP-South application No. 03DB21 established compliance with these standards. The Preliminary Development Plan is largely consistent with this plan with two exceptions. The applicant proposes two refinements to housing density and the second refining the location of parks and open space. Full compliance with this section of the Code will be dependent on the result of that review.

**B3.** All proposed block perimeters appear to be less than 1,400 feet in length meeting the requirements of 4.125(.05)A.1.

**Subsection 4.125.05(B). *Access***

**B4.** Sheet of Section IIB for the Tentative Subdivision Plat show that all proposed lots with access to a public street and an alley. This will be assured with approval of the Final Plat. This standard has been met.

**Table V-1: *Development Standards***

**B5.** The proposed Tentative Subdivision Plat depicts lot sizes and dimensions. Lots proposed for single family dwellings meet the minimum lot size and dimensional standards presented in Table V-1 for these types of dwellings. No buildings are proposed with this application. The Conceptual Elevations located in the SAP-South Architectural Pattern Book provide examples of the front facade of the various product types. Subsequent Building Permit applications will establish compliance with all development standards applying to building setbacks and lot coverage. The Staff Report of Request A - Preliminary Development Plan evaluates the development standards in depth. Full compliance is dependent on the Board's actions on that review.

**Subsection 4.125.07 (A-D).** *General Regulations – Off-Street Parking, Loading & Bicycle Parking*

- B6.** The proposed Tentative Subdivision Plat is intended for single-family detached houses. According to Table V-2 of the Planning and Land Development Ordinance, single-family detached dwellings are subject to a required minimum vehicle space of 1.0/DU. Available off-street parking requirements for proposed uses was considered in the overall land use plan for Villebois and SAP-South. The proposed Preliminary Development Plan is consistent with SAP-South. The 81 proposed lots will provide for a minimum of 2 off-street parking spaces. This together with on-street parking exceeds code requirements. No specific bicycle parking spaces are required for detached single-family dwellings.
- B7.** The tentative plat is being reviewed concurrently with the preliminary development plan. Off-street parking, loading and bicycle parking will be reviewed as a part of that application. Please refer to Request A.

**Subsection 4.125.08 (A-C).** *Open Space*

- B8.** The applicant has indicated that with the development of Phase 6, the SAP-South area will contain 2.12 acres of parks and open space.
- B9.** Tracts A - N will be owned and maintained by the Polygon at Villebois Homeowners Association (see Draft CC&R's in Section IIIC of the submittal notebook).

**Subsection 4.125.09(A).** *Street & Access Improvement Standards*

- B10.** The applicant has indicated that most of the standards listed below are addressed through information presented in the PDP application. Full compliance with those standards will be dependent on the result of the PDP review and approval of the requested refinements.

**Subsection 4.125.09(A)(1)(a)(i.-ii):** *Street Alignment and Access Improvements Conform to the Villebois Village Master Plan.*

- B11.** The applicant has demonstrated that the proposed Tentative Subdivision Plat provides for the continuation of streets to adjoining properties or proposed future development in accordance with the SAP-South.

**Subsections 4.125.09(A)(2)(a-c):** *Intersections of streets*

- B12.** The proposed Tentative Subdivision Plat demonstrates that all proposed streets will intersect at angles consistent with the standards of this section.

**Subsection 4.125.09(A)(2)(d)(1-3): Curb Extensions**

- B13.** The applicant must provide stamped engineering details for all curb extensions for turning movement verification (see the Transportation System Conditions of Approval from the Engineering Division).

**Subsection 4.125.09(A)(3): Street Grades**

- B14.** Plan Sheet 5 – Grading and Erosion Control Plan located in Section IIB, demonstrates that proposed streets can comply with this standard. A final grading plan will need to be submitted at the time of construction documents.

**Subsections 4.125.09(A)(4)(a-c): Centerline Radius Street Curves**

- B15.** Plan Sheet 4 – Tentative Plat located in Section IIB, demonstrates that proposed streets can comply with this standard. This requirement has been met.

**Subsections 4.125.09(A)(5-9): Refer to Subsection 4.177 for Rights-of-way; Access Drives; Clear Vision Areas; Vertical Clearance; Interim Improvement Standard:**

- B16.** Plan Sheet 4 of Section IIB depicts right-of-way dedication necessary to complete the streets per the circulation plan of the SAP-South. The Preliminary Development Plan is consistent with this plan.
- B17.** The width, design and construction of all access drives shall conform to the Public Works Standards, Sections 4.125 (.09) and 4.177 of the Planning and Land Development Ordinance, the Transportation System Plan and must be approved by Tualatin Valley Fire & Rescue. These aspects will be reviewed at the time construction documents are submitted.

**Subsection 4.125.18(G)(1)(f): PDP Approval Process – Preliminary Land Division**

- B18.** The application for this Tentative Subdivision Plat is being submitted concurrently with the proposed Preliminary Development Plan for Phase 6. This requirement has been met.

**Subsection 4.177.01(F): Street Improvement Standards – Rights of Way**

- B19.** Proposed rights-of-way are shown on plan sheet 7 located in Section IIB. Rights-of-way will be dedicated. Alleyways must remain in private ownership and be maintained by the Homeowner's Association established by the subdivision's CC&Rs.

**Subsection 4.177.01(H): Access Drives and Lanes**

- B20.** The drawings located in Section IIB of PDP-6 demonstrate that all proposed access drives and private lanes within proposed Preliminary Development Plan – 6 will have a minimum improvement width of 16 feet [permitted in the “V” zone] and will provide two-way travel. In accordance with Section 4.177, all access

drives will be constructed with a hard surface capable of carrying a 23-ton load. Easements for fire access will be dedicated as required by the fire department. All access drives will be designed to provide a clear travel lane free from any obstructions. The plat will be evaluated for compliance and conformance at the time of Final Plat review. The improvement widths shall not be less than the standard.

**Subsection 4.177.01(I):** *Corner or Clear Vision Area*

**B21.** Clear vision areas must be provided and maintained in compliance with the Section 4.177. This standard will be met at the time of development as monitored by the City Engineer.

**Subsection 4.177.01(J):** *Vertical Clearance*

**B22.** Vertical clearance must be provided and maintained in compliance with Section 4.177. This standard will be met at the time of development as monitored by the City Engineer.

**Subsection 4.177.01(K):** *Interim Improvement Standard*

**B23.** The proposed PDP-6 does not include any interim improvements.

**Subsections 4.125.10:** *Sidewalk and Pathway Improvement Standards;* **(.11):** *Landscaping, Screening and Buffering;* **(.12):** *Master Signage and Wayfinding;* **(.14):** *Design Standards Applying to the Village Zone.*

**B24.** The standards of these sections of the code apply unless modified by an approved Pattern Book or Community Elements Book or as may be modified through the hearing process. They are reviewed with the staff report for PDP-6. Full compliance will be determined in the findings of that report. This criterion is met.

**Subsection 4.210(.01)A.:** *Preparation of Tentative Plat*

**B25.** A Tentative Subdivision Plat has been prepared by an Oregon licensed professional engineer as required. The Tentative Subdivision Plat can be seen on Sheet 4 of Section IIB and improvement plans can be seen on Sheet 7. The Introductory Narrative includes a listing of the services provided by each design team member. This criterion is met.

**Subsection 4.210.01(B)(1-25):** *Tentative Plat Submission*

**B26.** Staff finds that the informational elements required for submission with a proposed Tentative Plat have been submitted by the applicant. A traffic study has been completed. The applicable portions of these criteria have been met.

**Subsection 4.210.01(C)(1):** *Action on proposed tentative plat*

**B27.** The proposed tentative subdivision plat, as seen on Sheet 4 – Tentative Plat, located in Section IIB is included with this application for review by the Development Review Board.

**Section 4.210.01(C)(2):** *Consideration of Tentative Partition Plat*

**B28.** There is no partition plat proposed with this application.

**Subsection 4.210.01(C)(3):** *Action on proposed tentative plat*

**B29.** Any conditions of approval adopted by the Board shall be reflected on the final plat. The final plat will not be approved by the City until all the conditions of approval adopted by the DRB for the tentative plat are satisfied.

**Subsection 4.210.01(C)(4):** *Board may limit content of deed restrictions*

**B30.** The applicant must acknowledge the authority of the Board to limit the content of the deed restriction or covenants.

**Subsection 4.210.01(C)(5):** *Effect of Approval*

**B31.** After approval of the tentative subdivision plat, a final plat must be prepared and submitted to the Planning Division within two years if an extension is not provided.

**Subsection 4.210.01(D):** *Land division phases to be shown*

**B32.** Development of this subdivision is proposed in one phase. The applicant has indicated that Construction is anticipated to begin in the summer of 2010.

**Subsection 4.210.01(E):** *Remainder tracts to be shown as lots or parcels*

**B33.** The tentative subdivision plat does not include any remainder tracts.

**Subsection 4.236.01:** *General Requirements – Streets; Conformity to the Master Plan Map.*

**B34.** The boundaries of the proposed tentative subdivision plat are equal to the boundaries of SAP-South.

**Subsection 4.236.02(A.-C):** *General Requirements – Streets; Relation to Adjoining Street System.*

**B35.** These regulations address street connectivity with areas of future development. Because PDP-6 is a portion of SAP-South, which in turn is a portion of Villebois Village, conformity to the street plans and other requirements specified in these regulations is to be established with each PDP. The street system connectivity



proposed in this subdivision conforms to the street system in SAP-South and the Villebois Village Master Plan.

**Subsection 4.236.03:** *All streets shall conform to the standards set forth in Section 4.177 and the block size requirements of the zone.*

**B36.** See the findings in response to Subsection 4.177.

**Subsection 4.236.04:** *Creation of Easements*

**B37.** Any necessary easements in the conditions of approval for any application relating to SAP-South shall be identified on the final plat.

**Subsection 4.236.05:** *Topography*

**B38.** The general street layout for Polygon at Villebois, more specifically PDP-6, has given recognition to surrounding topographic conditions, as well as the preservation of trees. See Request D for further discussion of the impact on existing trees.

**Subsection 4.236.06(A-D):** *Reserve Strips*

**B39.** Reserve strips must be provided as appropriate. Reserve strips shall be detailed on the final plat. Generally, all double frontage lots with potential access to a collector or an arterial street will take access from the frontage on the residential street.

**Subsection 4.236.07:** *Future Expansion of Street*

**B40.** Provision has been made to extend SAP-South into adjacent areas as development occurs. Reserve strips and street plugs shall be detailed on the final plat.

**Subsection 4.236.08:** *Existing Streets*

**B41.** Rights-of-way must be dedicated in accordance with the *Villebois Village Master Plan* and the Transportation System Plan. This standard will be met with approval of the final plat.

**Subsection 4.236.09:** *Street Names*

**B42.** Street names and numbers shall conform to the established naming system in the City and submitted to the City for approval with the final plat.

**Subsections 4.237.01(A.-B):** *General Requirements – Other; Blocks*

**B43.** Staff has noted in previous findings that block lengths meet code requirements.

**Subsections 4.237.02(A-B): Easements**

**B44.** The applicant must coordinate the proposed locations and associated infrastructure design with the franchise utilities. Should permanent/construction easements or rights-of-way be required to construct the public improvements or to relocate a franchised utility, the applicant must provide a copy of the recorded documents. Should the construction of public improvements impact existing utilities within the general area, the applicant must obtain written approval from the appropriate utility prior to commencing any construction. Any easements must be shown on the final plat.

**Subsections 4.237.03(A-B). Pedestrian and bicycle pathways.**

**B45.** The Circulation Plan (Sheet 7, Section IIB) shows dedicated bike lanes and pedestrian access ways including the 12' wide Villebois Major Pathway along SW Costa Circle East and turning east at SW St. Moritz Loop. Pathways will comply with this standard. PDP-6 evaluates the location, usability, and adequacy of the proposed pedestrian and bicycle pathways. Pedestrian linkages must be provided at all locations where alleys do not intersect with the local road network. See Condition BDB5.

**Subsection 4.237.04: Tree planting.**

**B46.** Plan Sheet 10 Street Tree/Lighting Plan (Section IIB) show proposed street tree planting and lighting. A final street tree and lighting plan must be submitted as a part of construction documents.

**Subsections 4.237.05(A-B): Lot Size and shape.**

**Subsection 4.237.05(C): Waivers.**

**B47.** The proposed lot sizes, widths, shapes and orientations are consistent with the Village Zone requirements. Plan Sheet 8 – Site and Land Use Plan illustrates typical home placement on lots.

**Subsection 4.237.06: Access.**

**B48.** The proposed lots comply with the applicable access requirements of the village zone. No waiver from the requirements has been requested. Plan Sheet 8 (Section IIB) illustrates typical lot plans. This requirement has been met.

**Subsection 4.237.07: Through Lots.**

**B49.** Pursuant to Section 4.125(.05), all lots with access to a public street, and an alley, shall take vehicular access from the alley to a garage or parking area. Several lots about SW Costa Circle East and along that roadway section a plantings within tracts is proposed.

**Subsection 4.237.08:** *Lot side lines.*

**B50.** As far as practicable all side lines of lots will run at right angles to the street upon which the lots face.

**Subsection 4.237.09:** *Large Lot Land Divisions.*

**B51.** The proposed tentative plat does not include any large lots or tracts which at some future time are likely to be redivided. This requirement has been met.

**Subsection 4.237.10:** *Building line*

**B52.** No special building lines are proposed.

**Subsection 4.237.11:** *Build-to line*

**B53.** No special build-to lines are proposed.

**Subsection 4.237.12:** *Land for public purposes*

**B54.** Aside from street right-of-way dedication, this subdivision does not include other land for public purposes. Proposed parks including Cedar Park will be private.

**Subsection 4.237.13:** *Corner lots*

**B55.** All lots on street intersections will have a corner radius of not less than ten (10) feet.

**Subsection 4.262.01:** *Improvements – Requirements - Streets*

**B56.** The Plan Sheet 5 – Grading and Erosion Control Plan, is located in Section IIB – PDP-6. The City Engineer is required to review and approve all construction plans for public improvements prior to construction and inspect the completed improvements to insure that requirements such as these are met. This standard will be met at the time of development as monitored by the City Engineer.

**Subsection 4.262.02:** *Curbs*

**B57.** This standard will be met at the time of development as monitored by the City Engineer.

**Subsection 4.262.03:** *Sidewalks*

**B58.** This standard will be met at the time of development as monitored by the City Engineer.

**Subsection 4.262.04: Sanitary sewers**

**B59.** Plan Sheet 6 – Composite Utility Plan, located in Section IIB, illustrates proposed sanitary sewer lines and shows that the development is within close proximity of an existing public sewer main. The City Engineer is required to approve all construction plans for the sanitary sewer system prior to construction to insure that they comply with City standards. This must be met at the time of development as monitored by the City Engineer. Approval of a final plat must be met upon compliance with the Public Facilities (PF) Conditions of Approval.

**Subsection 4.262.05: Drainage**

**B60.** Plan Sheet 5 – Grading and Erosion Control Plan, located in Section IIB, illustrate proposed storm drainage facilities. A supporting utility report was provided (see Section IIC of the submittal notebook) that demonstrates that the proposed storm drainage facility will meet city standards. This standard will be met with compliance of the PF Conditions of Approval.

**Subsection 4.262.06: Underground utility and service facilities**

**B61.** Proposed utilities will be placed underground pursuant to Section 4.300 and City Public Works Standards. This standard will be met at the time of development as monitored by the City Engineer.

**Subsection 4.262.07: Streetlight standards**

**B62.** Proposed street lights are shown on Plan Sheet 10, located in Section IIB. Streetlights shall be installed in accordance with City standards and include the fixtures and luminaries in the proposed Community Elements Plan for SAP-South. Compliance will be demonstrated with the FDP.

**Subsection 4.262.08: Street signs**

**B63.** This standard will be met at the time of construction and monitored by the City Building Official.

**Subsection 4.262.09: Monuments**

**B64.** Monuments shall be placed at all lot and block corners, angle points, points of curves in streets, at intermediate points and will be of such material, size, and length as required by State Law (General Requirements). Any monuments that are disturbed before all improvements are complete must also comply with the requirements of State Law and must be installed by the developer and accepted by the City.

**Subsection 4.262.10: Water**

**B65.** Water mains and fire hydrants must be installed to serve each lot in accordance with City standards (see Plan Sheet 6 – Composite Utility Plan, located in Section

IIB of the submittal notebook, for locations). The City Engineer is required to approve all construction plans for the water system prior to construction to insure that they comply with City standards. This must be met at the time of development as monitored by the City Engineer. Compliance with the Public Facilities (PF) and Building Division (BD) Conditions of Approval must be met prior to approval of the final plat.

**REQUEST C - ZONE MAP AMENDMENT**: See pages the findings beginning on page 26.

**REQUEST D - TYPE 'C' TREE PLAN**

**Project arborist Walter H. Knapp of Silviculture & Urban Forestry.**

**Table 1. Condition classification summary for trees at Villebois SAP-South.**

| <b>Rating</b> | <b>Number of Trees</b> |
|---------------|------------------------|
| I - Important | 6%                     |
| G - Good      | 55%                    |
| M - Moderate  | 0%                     |
| P - Poor      | 39%                    |
| D - Dead      | 0%                     |
| <b>Total</b>  | <b>100%</b>            |

Considerable effort was taken to retain as many of the high-quality trees as possible. Note that none of the seven (7) Important trees are being removed or likely to be removed for construction.

Mitigation: The City of Wilsonville requires mitigation planting when live trees are removed. 44 trees (this includes "situational"), or 57 %, are subject to mitigation requirements. The proposal includes plans to plant 110 trees, leaving a mitigation surplus of 59 trees.

**Table 3. Mitigation calculations, Arbor Villebois No. 6 SAP-South**

| <b>Category</b>             | <b>No. of Trees</b> |
|-----------------------------|---------------------|
| Live Trees on site          | 77                  |
| Trees to be retained        | 33                  |
| Trees subject to mitigation | 44                  |

|  |           |
|--|-----------|
| <b>Mitigation Category</b>                           |           |
| Street trees to be planted                           | 106       |
| Trees planted in park areas and open space           | 4         |
| Total trees to be planted                            | 110       |
| Trees to be removed, subject to mitigation (table 2) | 51        |
| <b>Surplus tree mitigation</b>                       | <b>59</b> |

6. Section 4.61 0.00-Application Review Procedures

(.03) **Reviewing Authority**

**B. Type C. Where the site is proposed for development necessitating site plan review or plat approval by the Development Review Board, the Development Review Board shall be responsible for granting or denying the application for a Tree Removal Permit, and that decision may be subject to affirmance, reversal or modification by the City Council, if subsequently reviewed by the Council.**

**D1.** This application includes a Tree Removal Plan, Sheet 9, located in Section IIB of the application notebook for review by the Development Review Board. The applicant is requesting that this plan be approved by the Development Review Board, so that a Tree Removal Permit may be issued.

7. **Tree Preservation and Protection**

8. Section 4.610.10-Standards for Tree Removal, Relocation or Replacement

**(.01) Except where an application is exempt, or where otherwise noted, the following standards shall govern the review of an application for a Type A, B, C or D Tree Removal Permit:**

**A. Standard for the Significant Natural Resource Zone. The standard for tree removal in the Significant Natural Resource zone shall be that removal or transplanting of any tree is not inconsistent with the purposes of this chapter.**

**D2.** PDP-6S does not contain areas identified within the Significant Natural Resource Zone.

**B. Preservation and Conservation. No development application shall be denied solely because trees grow on the site. Nevertheless, tree preservation and conservation as a principle shall be equal in concern and importance as other design principles.**

**D3.** The design of this Preliminary Development Plan has taken into account the preservation of trees on site. Considerable effort was taken to retain as many of the high-quality trees as possible. None of the seven (7) "Important" trees or trees in good healthy is identified for removal. There are seven (7) trees that are considered "situational" and a final determination will need to be made at the time of construction.

**C. Development Alternatives. Preservation and conservation of wooded areas and trees shall be given careful consideration when there are feasible and reasonable location alternatives and design options on-site for proposed buildings, structures or other site improvements.**

**D4.** The preservation and conservation of trees on site was carefully considered during the planning for on-site improvements. Plan Sheet 9 - Tree Preservation/Protection Plan, shown in Section IIB of the application notebook,

depicts the trees that are proposed to be removed and likely to be removed during construction, due to the placement of buildings, structures or other site improvements.

**D. Land Clearing.** Where the proposed activity requires land clearing, the clearing shall be limited to designated street rights-of-way and areas necessary for the construction of buildings, structures or other site improvements.

**D5.** The clearing of land will be limited to areas necessary for the construction of on-site improvements.

**E. Residential Development.** Where the proposed activity involves residential development, residential units shall, to the extent reasonably feasible, be designed and constructed to blend into the natural setting of the landscape.

**D6.** The approved Architectural Pattern Book was developed for the general design of residential structures within SAP – South. These homes are designed to blend into the landscape as much as feasible. The design of homes within PDP-6S must comply with the Pattern Book approved as a part of SAP – South. This will be assured through review of each structure for compliance with the Architectural Pattern Book at the time of Building Permit application.

**F. Compliance with Statutes and Ordinances.** The proposed activity shall comply with all applicable statutes and ordinances.

**D7.** The development in PDP-6S will comply with all applicable statutes and ordinances.

**G. Relocation or Replacement.** The proposed activity shall include necessary provisions for tree relocation or replacement, in accordance with WC 4.620.00, and the protection of those trees that are not removed, in accordance with WC 4.620.10.

**D8.** No tree relocation is proposed. Tree replacement will be made in accordance with the necessary provisions from WC 4.620.00 and WC 4.620.10. A preliminary landscape plan can be found Sheets L1.0 through L4.0 in Section VIB of the application notebook.

**H. Limitation.** Tree removal or transplanting shall be limited to instances where the applicant has provided completed information as required by this chapter and the reviewing authority determines that removal or transplanting is necessary based on the criteria of this subsection.

**1. Necessary for Construction.** Where the applicant has shown to the satisfaction of the reviewing authority that removal or transplanting is necessary for the construction of a building, structure or other site improvement and that there is no feasible and reasonable location alternative or design option on-site for a proposed building, structure or



other site improvement; or a tree is located too close to an existing or proposed building or structures, or creates unsafe vision clearance.

2. **Disease, Damage, or Nuisance, or Hazard.** Where the tree is diseased, damaged, or in danger of falling, or presents a hazard as defined in WC 6.208, or is a nuisance as defined in WC 6.200 it seq., or creates unsafe vision clearance as defined in this code.
3. **Interference.** Where the tree interferes with the healthy growth of other trees, existing utility service or drainage, or utility work in a previously dedicated right-of-way, and it is not feasible to preserve the tree on site.
4. **Other.** Where the applicant shows that tree removal or transplanting is reasonable under the circumstances.

**D9.** The applicant has provided a Tree Report which calls out trees to be removed or retained. The determination to remove trees was based upon an assessment by Walt Knapp, of Silviculture and Forest Management, of which trees were necessary to remove due to construction, the health of the tree, and whether or not they interfered with the health of other trees or utility work. A listing of all the trees to be removed is included following the Tree Report in Section IIE of the application notebook.

**I. Additional Standards for Type C Permits.**

1. **Tree Survey.** For all site development applications reviewed under the provisions of Chapter 4 Planning and Zoning, the developer shall provide a Tree Survey before site development as required by WC 4.610.40, and provide a Tree Maintenance and Protection Plan, unless specifically exempted by the Planning Director or DRB, prior to initiating site development.

**D10.** A Tree Survey and a Tree Preservation and Protection Plan were completed for the entire SAP – South area. Walt Knapp provided a report to identify and categorize trees specifically for PDP-6S. This report and plans are included with this application in Section VIB of the application notebook.

2. **Platted Subdivisions.** The recording of a final subdivision plat whose preliminary plat has been reviewed and approved after the effective date of Ordinance 464 by the City and that conforms with this subchapter shall include a Tree Survey and Maintenance and Protection Plan, as required by this subchapter, along with all other conditions of approval.

**D11.** The final subdivision plat will include this information, as necessary.

3. **Utilities.** The City Engineer shall cause utilities to be located and placed wherever reasonably possible to avoid adverse environmental consequences given the circumstances of existing locations, costs of placement and extensions, the public welfare, terrain, and preservation of natural

**resources. Mitigation and/or replacement of any removed trees shall be in accordance with the standards of this subchapter.**

**D12.** The utility plan for the site has been designed to minimize the impact upon the environment to the extent feasible, given existing conditions. This plan can be seen in Sheet 6 of Section IIB of the application notebook. Any trees to be removed due to the placement of utilities will be replaced and/or mitigated in accordance with the provisions in this subchapter. Sheet 10 of Section IIB of the application notebook outlines a tree mitigation and landscape plan.

**J. Exemption. Type D permit applications shall be exempt from review under standards D, E, H and I of this subsection.**

**D13.** This application requests a Type 'C' Tree Removal Plan. Therefore, this standard is not applicable.

#### **Section 4.610.40-Type C Permit**

**(.01) Approval to remove any trees on property as part of a site development application may be granted in a Type C permit. A Type C permit application shall be reviewed by the standards of the subchapter and all applicable review criteria of Chapter 4. Application of the standards of this section shall not result in a reduction of square footage or loss of density, but may require an applicant to modify plans to allow for buildings of greater height. If an applicant proposes to remove trees and submits a landscaping plan as part of a site development application, an application for a Tree Removal Permit shall be included. The Tree Removal Permit application will be reviewed in the Stage II development review process, and any changes made that affect trees after Stage II review of a development application shall be subject to review by DRB. Where mitigation is required for tree removal, such mitigation may be considered as part of the landscaping requirements as set forth in this Chapter. Tree removal shall not commence until approval of the required Stage II application and the expiration of the appeal period following that decision. If a decision approving a Type C permit is appealed, no trees shall be removed until the appeal has been settled.**

**D14.** This application includes a request for approval of a Type 'C' Tree Removal Plan for approval by the Development Review Board, so that a Tree Removal Permit may be issued. Proposed tree removal is identified on Sheet 9, Tree Preservation/Protection Plan, included in Section IIB of the application notebook, following the Tree Report.

**(.02) The applicant must provide ten copies of a Tree Maintenance and Protection Plan completed by an arborist that contains the following information:**

- A. A plan, including a topographical survey bearing the stamp and signature of a qualified, registered professional containing all the following information:**
  - 1. Property Dimensions.** The shape and dimensions of the property, and the location of any existing and proposed structure or improvement.
  - 2. Tree Survey.** The survey must include:
    - a) An accurate drawing of the site based on accurate survey techniques at a minimum scale of one inch (1") equals one hundred feet (100') and which provides a) the location of all trees having six inches (6")**

or greater d.b.h. likely to be impacted, b) the spread of canopy of those trees, c) the common and botanical name of those trees, and d) the approximate location and name of any other trees on the property.

- b) A description of the health and condition of all trees likely to be impacted on the site property. In addition, for trees in a present or proposed public street or road right-of-way that are described as unhealthy, the description shall include recommended actions to restore such trees to full health. Trees proposed to remain, to be transplanted or to be removed shall be so designated. All trees to remain on the site are to be designated with metal tags that are to remain in place throughout the development. Those tags shall be numbered, with the numbers keyed to the tree survey map that is provided with the application.
  - c) Where a stand of twenty (20) or more contiguous trees exist on a site and the applicant does not propose to remove any of those trees, the required tree survey may be simplified to accurately show only the perimeter area of that stand of trees, including its drip line. Only those trees on the perimeter of the stand shall be tagged, as provided in "b", above.
  - d) All Oregon white oaks, native yews, and any species listed by either the state or federal government as rare or endangered shall be shown in the tree survey.
3. **Tree Protection.** A statement describing how trees intended to remain will be protected during development, and where protective barriers are necessary, that they will be erected before work starts. Barriers shall be sufficiently substantial to withstand nearby construction activities. Plastic tape or similar forms of markers do not constitute "barriers".
  4. **Easements and Setbacks.** Location and dimension of existing and proposed easements, as well as all setback required by existing zoning requirements.
  5. **Grade Changes.** Designation of grade proposed for the property that may impact trees.
  6. **Cost of Replacement.** A cost estimate for the proposed tree replacement program with a detailed explanation including the number, size, and species.
  7. **Tree Identification.** A statement that all trees being retained will be identified by numbered metal tags, as specified in subsection "A," above in addition to clear identification on construction documents.

**D15.** Proposed tree removal is identified on the attached drawings (see Plan Sheet 9, Tree Preservation/Protection Plan, located in Section V-C of the application notebook). The Tree Preservation/Protection Plan provides information required by Section 4.610.40(.02). A Tree Report has also been prepared by Walt Knapp of Silviculture and Forest Management (see Section IIE of the application notebook) that provides information required by Section 4.610.40(.02).

9. Section 4.620.00-Tree Relocation, Mitigation, or Replacement

(.01) **Requirement Established.** A Type B or C Tree Removal Permit grantee shall replace or relocate each removed tree having six (6) inches or greater d.b.h. within one year of removal.

D16. The applicant is proposing the removal of 44 trees (7 are identified as "situational" and a determination will need to be made at the time of construction). All trees to be removed will be replaced or relocated as required by this section. The applicant has submitted a Tree Preservation/Protection Plan (see Section IIB of the application notebook) outlining trees to be removed. The applicant has also provided a landscape and mitigation plan which can be found on Plan Sheet 10 of Section IIB of the application notebook.

(.02) **Basis For Determining Replacement.** The permit grantee shall replace removed trees on a basis of one (1) tree replaced for each tree removed. All replacement trees must measure two inches (2") or more in diameter. Alternatively, the Planning Director or Development Review board may require the permit grantee to replace removed trees on a per caliper inch basis, based on a finding that the large size of the trees being removed justifies an increase in the replacement trees required. Except, however, that the Planning Director or Development Review Board may allow the use of replacement Oregon white oaks and other uniquely valuable trees with a smaller diameter.

D17. Trees to be removed will be replaced in accordance with these criteria. The applicant has provided a Tree Report including an analysis for planting replacement trees. The Tree Report and preliminary plans, specifically Sections IIB and IIE of the application notebook detail the proposed tree replacement plan. Staff concurs with the applicant's assessment and mitigation balance sheet and finds that the applicant has a surplus mitigation of 59 (see Table 2 above). This exceeds the number of trees subject to mitigation.

(.03) **Replacement Tree Requirements.** A mitigation or replacement tree plan shall be reviewed by the City prior to planting and according to the standards of this subsection.

A. Replacement trees shall have shade potential or other characteristics comparable to the removed trees, shall be appropriately chosen for the site from an approved tree species list supplied by the City, and shall be state Department of Agriculture nursery Grade No. 1 or better.

B. Replacement trees must be staked, fertilized and mulched, and shall be guaranteed by the permit grantee or the grantee's successors-in-interest for two (2) years after the planting date.

C. A "guaranteed" tree that dies or becomes diseased during that time shall be replaced.

D. Diversity of tree species shall be encouraged where trees will be replaced, and diversity of species shall also be maintained where essential to preserving a wooded area or habitat.

D18. The applicant has provided a Tree Report including an analysis for planting replacement trees. The Tree Report and preliminary plans, specifically sheets

Sections IIB and IIE of the application notebook detail the proposed tree replacement plan. Staff concurs with the applicant's assessment and mitigation balance sheet and finds that the applicant has a surplus mitigation of 59 (see Table 2 above). This exceeds the number of trees subject to mitigation.

**(.04) All trees to be planted shall consist of nursery stock that meets requirements of the American Association of Nurserymen (AAN) American Standards for Nursery Stock (ANSI Z60.1) for top grade.**

**D19.** Trees to be planted will meet the requirements of the American Association of Nurseryman (AAN) American Standards for Nursery Stock (ANSI Z60.1) for top grade. A final tree protection and mitigation plan will be required.

**(.05) Replacement Tree Location.**

- A. City Review Required. The City shall review tree relocation or replacement plans in order to provide optimum enhancement, preservation, and protection of wooded areas. To the extent feasible and desirable, trees shall be relocated or replaced on-site and within the same general area as trees removed**
- B. Relocation or Replacement Off-Site. When it is not feasible or desirable to relocate or replace trees on-site, relocation or replacement may be made at another location – approved by the city.**

**D20.** Trees will be replaced within the same general area as the trees removed. The applicant has submitted a preliminary development plan for Phase 6 which outlines the proposed mitigation and landscape plan. (See Sheet 10 in Section IIB of the application notebook). In addition, the applicant has provided an analysis of for replacing the trees to be removed (See Page 3 in Section IIE of the application notebook). In addition, the applicant is requesting final development plan approval for parks and opens space, which represents a majority of those areas identified for mitigation plantings.

**(.06) City Tree Fund. Where it is not feasible to relocate or replace trees on site or at another approved location in the City, the Tree Removal Permit grantee shall pay into the City Tree Fund, which fund is hereby created, an amount of money approximately the value as defined by this subchapter, of the replacement trees that would otherwise be required by this subchapter. The City shall use the City Tree Fund for the purpose of producing, maintaining and preserving wooded areas and heritage trees, and for planting trees within the City.**

**D21.** The applicant is proposing a tree mitigation plan which exceeds the required mitigation (See Table 3 of the Tree Report in Section IIE of the application notebook).

**(.07) Exception. Tree replacement may not be required for applicants in circumstances where the Director determines that there is good cause to no so require. Good cause shall be based on a consideration of preservation of natural resources, including preservation of mature trees and diversity of ages of trees. Other criteria shall include consideration of terrain, difficulty of replacement and impact on adjacent property.**

**D22.** The applicant has not requested an exception to the tree replacement requirements.

**10. Section 4.620.10-Tree Protection During Construction**

**(.01)** Where tree protection is required by a condition of development under Chapter 4 or by a Tree Maintenance and Protection Plan approved under this subchapter, the following standards apply:

- A.** All trees required to be protected must be clearly labeled as such.
- B.** **Placing Construction Materials Near Tree.** No person may conduct any construction activity likely to be injurious to a tree designated to remain, including, but not limited to, placing solvents, building material, construction equipment, or depositing soil, or placing irrigated landscaping, within the drip line, unless a plan for such construction activity has been approved by the Planning Director or Development Review Board based upon the recommendations of an arborist.
- C.** **Attachments to Trees During Construction.** Notwithstanding the requirement of WC 4.620.10(1)(A), no person shall attach any device or wire to any protected tree unless needed for tree protection.
- D.** **Protective Barrier.** Before development, land clearing, filling or any land alteration for which a Tree Removal Permit is required, the developer shall erect and maintain suitable barriers as identified by an arborist to protect remaining trees. Protective barriers shall remain in place until the City authorizes their removal or issues a final certificate of occupancy, whichever occurs first. Barriers shall be sufficiently substantial to withstand nearby construction activities. Plastic Tape or similar forms of markers do not constitute “barriers”. The most appropriate and protective barrier shall be utilized. Barriers are required for all trees designated to remain, except in the following cases.
  - a.** Rights-of-ways and Easements.
  - b.** Any property area separate from the construction or land clearing area onto which no equipment may venture.

**D23.** Plan Sheet 9 of Section IIB shows the Tree Preservation/Protection Plan. The supporting compliance report indicates that PDP-6 is designed to incorporate the trees to be retained, where feasible and to the extent possible. Trees that are retained must be protected during site preparation and construction in accordance with City Public Works design specifications and Section 4.171(.04). A detailed tree plan will be required with construction drawings.

**11. Section 4.620.20-Maintenance and Protection Standards**

**(.01)** The following standards apply to all activities affecting trees, including, but not limited to, tree protection as required by a condition of approval on a site development application brought under this chapter or as required by an approved Tree Maintenance and Protection Plan.

- A.** Pruning activities shall be guided by the most recent version of the ANSI 300 Standards for Tree, Shrub and Other Woody Plant Maintenance.

**B. Topping is prohibited**

1. **Exception from this section may be granted under a Tree Removal Permit if necessary for utility work or public safety.**

**D24.** All pruning activities will comply with ANSI 300 standards. Additional details about the pruning activities proposed for trees will be required during construction and will be further addressed in the construction drawings. Any topping may only occur following approval of a Tree Removal Permit.

**REQUEST E - FINAL DEVELOPMENT PLAN**

**E1.** Proposed Tract H is identified in the Villebois Concept Plan as Cedar Park. More specifically, proposed Tract H is identified in the Villebois Village Master Plan Technical Appendix as a neighborhood Park. The Feasibility Plan for this park is included in Villebois Village Master Plan Technical Appendix. This conceptual plan depicts Cedar Park, including open lawn, creative play, benches, picnic tables and paths. Cedar Park is generally consistent with the features proposed in the Technical Appendix. The outdoor play equipment must not be painted in primary colors. See Condition PDE8.

**Subsection 4.125.18(P)(1 and 2) sets forth the approval criteria for Final Development Plans.**

**Subsection 4.125.18(P)(1): An application for approval of a FDP shall be subject to the provisions of Section 4.421.**

**E2.** The applicant has provided response findings to the applicable criteria, Section VIA Compliance Report of the FDP notebook. Staff concurs with these findings except where otherwise noted.

**Section 4.421: Site and Design Review - Criteria and Application of Design Standards**

**(.01) The following standards shall be utilized by Board in reviewing the plans, drawings, sketches and other documents required for Site Design Review. These standards are intended to provide a frame of reference for the applicant in the development of site and building plans as well as a method of review for the Board. These standards shall not be regarded as inflexible requirements. They are not intended to discourage creativity, invention or innovation. The specification of one or more particular architectural styles is not included in these standards.**

**A. Preservation of Landscape. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soils removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.**

**E3.** The design of the parks and open space will protect the existing significant trees consistent with the Tree Protection component of the SAP-South Community Elements Book and Plan - Tree Preservation Plan. A companion application has been submitted for approval of a Type 'C' Tree Removal Plan (see Section IIE of the application notebook and Request D). Of the 77 trees on the site, 33 are being retained. Seven additional trees are classed as situational. The request to remove 44 existing trees is based upon the recommendation of Walt Knapp, a certified arborist (see Section IIE of the application notebook).

**E3.** The proposed Type C Tree Plan in Request D requires the review and approval of the Development Review Board (DRB) and being processed concurrently with this FDP request.



**E4.** The design of the parks and open space will protect the existing significant trees consistent with the Tree Protection component of the Community Elements Book and Plan Sheet 9 - Tree Preservation/Protection Plan shown in the previous Preliminary Development Plan application. However, a companion application has been submitted for approval of a Type 'C' Tree Removal Plan (see Section IIE of the application notebook), to remove 44 existing trees. These trees shown on the Tree Preservation/Protection Plan in the PDP as "to be retained" or "likely to be removed (situational decisions during construction)" need to be removed because an arborist has identified them to be in poor health and/or a potential hazard to future users of the parks. The request to remove these trees is based upon the recommendation of Walt Knapp, a certified arborist (see Section IIE of the application notebook).

1. See the findings in request D, regarding the proposed Type 'C' Tree Removal Plan review.

**B. Relation of Proposed Buildings to Environment. Proposed structures shall be located and designed to assure harmony with the natural environment, including protection of steep slopes, vegetation and other naturally sensitive areas for wildlife habitat and shall provide proper buffering from less intensive uses in accordance with Sections 4.171 and 4.139 and 4.139.5. The achievement of such relationship may include the enclosure of space in conjunction with other existing buildings or other proposed buildings and the creation of focal points with respect to avenues of approach, street access or relationships to natural features such as vegetation or topography.**

**E5.** This FDP does not include a review of the residential use buildings proposed for PDP 6. The FDP process is limited to the review of parks and open spaces. The subject area is not located in a Significant Natural Resource Overlay Zone nor does it contain areas of steep slopes. The proposed open space has been reviewed in accordance with the adopted Villebois Village Master Plan Technical Appendix.

**C. Drives, Parking and Circulation. With respect to vehicular and pedestrian circulation, including walkways, interior drives and parking, special attention shall be given to location and number of access points, general interior circulation, separation of pedestrian and vehicular traffic, and arrangement of parking areas that are safe and convenient and, insofar as practicable, do not detract from the design of proposed buildings and structures and the neighboring properties.**

**E6.** SAP – South was approved to provide a safe and efficient circulation system for a variety of transportation options including automobiles, bicyclists and pedestrians. The Parks do not contain any streets or parking lots for automobiles. However, they are proposed to accommodate bicyclists and pedestrians.

**E7.** Sidewalks and pathways will be developed using the design standards provided in the Villebois Village Master Plan. Tract H (Cedar Park) contains a major pathway with a 12' width along SW Costa Circle East. The linear greens also contain some minor pathways, which will have a 4' width. The remaining

sidewalks in the subject area will have a 5' width. The sidewalks, pathways and bicycle lanes, will comply with the City's standards for construction, pavement, and pathway clearance.

- E8. Parking:** WC 4.125 (.07)(B) requires compliance with Table V-2, Off-Street Parking Requirements. The applicant is proposing two garage parking spaces per single family dwelling unit. One per unit is required meeting code.

**D. Surface Water Drainage. Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties of the public storm drainage.**

- E9.** Parks and open space will drain to storm water facilities consistent with the City's design requirements and City of Wilsonville Stormwater Master Plan. During smaller storm events these areas will drain to the rainwater management components consistent with the Rainwater Management Program for SAP-South.

**E. Public Utilities.**

- E10.** With the exception of the street lights, which are part of the approved Community Elements Book for SAP-South the proposed development will not include any above ground utilities.

- E11.** Proposed methods for sanitary and storm sewage disposal is illustrated on Sheet 6 – Composite Utility Plan of the submitted plans. In addition, the applicant has provided reports related to sanitary sewer, stormwater management and rainwater management (See Section IIC of the submittal notebook).

**F. Advertising Features. In addition to the requirements of the City's sign regulations, the following criteria should be included: the size, location, design, color, texture, lighting and materials of all exterior signs and outdoor advertising structures or features shall not detract from the design of proposed buildings and structures and the surrounding properties.**

- E12.** Any signage must comply with the SAP-South Master Signage and Wayfinding Plan. Compliance will be guaranteed through the issuance of a sign permit.

**G. Special Features. Exposed storage areas, exposed machinery installations, surface areas, truck loading areas, utility buildings and structures and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall be required to prevent their being incongruous with the existing or contemplated environment and its surrounding properties. Standards for screening and buffering are contained in Section 4.176.**

- E13.** There are no special features contained in this phase of development, therefore this criterion does not apply.

**Subsection 4.125.18(P)(2): An application for an FDP shall demonstrate that the proposal conforms to the applicable Architectural Pattern Book, Community Elements Book, Village Center Design and any conditions of a previously approved PDP.**

**Lighting Master Plan:**

**E14.** The proposed lighting plan must conform to the Lighting Master Plan Diagram shown on page 4 of the Community Elements Book. SAP-South (Case file No. 03DB21). See Condition PDB11.

**Curb Extensions:**

**E15.** Curb extensions will need to meet the requirements of the PF conditions of approval in the staff report for the PDP.

**Street Tree Master Plan:**

**E16.** The applicant's street tree species proposal is consistent with the Street Tree Master Plan Diagram shown in the Community Elements Book and for SAP-South except for the selection of the Autumn Blaze Red Maple instead of Armstrong Red Maple along SW Orleans. The approved species for SW Orleans will need to be revised to an appropriate species. The approved species for a SW Costa Circle Loop are Tulip Trees. Zelkova is appropriate for SW Barber but it must match the species that is currently planted in that street. See condition PDE6.

**Site Furnishings:**

**E17.** Tract H (Cedar Park) is identified in the Master Plan as Neighborhood Park. According to the Technical Appendix, benches and picnic tables are required, but an exact location is not specified. Proposed site furnishings are depicted on Sheet L2.0 of the submitted plan set. Proposed site furnishings must be consistent with the Villebois Specific Area Plan – South, Community Elements Book. Tree wells will also need to be consistent with the Community Elements Book. This will be monitored by the Engineering Division.

**E18.** Curb extensions will need to meet the requirements of the PF conditions of approval in the staff report for the PDP.

**Play Structures:**

**E17.** PDP 6 is not identified in the Villebois Village Master Plan Technical Appendix as a location for a play structure. Cedar Park in Polygon Villebois No. 6 does not include any play structures but creative play feature.

**Tree Protection:**

- E19.** A tree protection plan was prepared for SAP-South and the subject PDP (See Section IIE of the submittal notebook). The Tree Protection Plans were based on a Tree Report prepared by Walt Knapp, a certified arborist. The proposed Tree Protection Plan is consistent with the goal, policies and implementation measures of Villebois Specific Area Plan – South, Community Elements Book. The design of the parks must protect the existing significant trees consistent with the Tree Protection component of the Community Elements Book. See Request D- Tree Preservation/Protection Plan.

**Plant List:**

- E20.** The Community Elements book approved with SAP-South contains a Plant List of non-native and native trees, shrubs, and herbs/grasses for species to plant throughout Villebois. Plan sheets L1.0 – L4.0 show the plants that will be planted in the parks, open space and linear greens. The proposed planting plan is consistent with the Community Elements book for SAP-South.

**Master Fence Plan:**

- E21.** A Master Fence Plan has been reviewed and approved by the Development Review Board. Fencing will be reviewed as each building permit is processed.

**Section 4.156 Sign Regulations**

- E22.** The FDP do not propose gateway or entry monument signs. Street name signs will need to be consistent with the Master Signage and Wayfinding Plan as well.

**Section 4.176: Landscaping**

- E23.** A detailed landscape plan is provided with this FDP application in accordance with the requirements of Section 4.125 (.07) and (.11), 4.176(.09), and 4.440(.01)(B) (see Plan Sheets L1.0 – L4.0, Section VIB of the submittal notebook).

- E24.** The proposed Final Development Plan includes all the parks approved in this FDP area within PDP-6 of SAP-South.

See Finding E16 and Sheet 10. Street trees are a major component of the landscaping.

- E25.** The Community Elements Book contains a Plant List of non-native and native trees, shrubs, and herbs/grasses for species to plant throughout Villebois.

- E26.** Plan Sheet 10, L1.0 – L4.0 identify the proposed placement of landscaping, street trees and the planting schemes. The street profiles identify planter strips with street trees on each side of public streets (not alleys).

**Subsection 4.176(.02)(D): Low Screen Landscape Standard**

E27. The applicant's proposed landscape plans would use a combination of fifteen (15) different types of shrubs, a combination of primarily deciduous trees and a series of low shrubs and ground cover around the perimeter of the site to both screen and add visual interest to the project. The proposed landscape plan meets this criterion.

**Subsection 4.176(.03): Landscape Area.**

E29. Plan Sheets L1.0 – L4.0 show the location, land area, and function of the park and open spaces areas within the PDP. A permanent irrigation system will be required to ensure survival of the plants.

**Subsection 4.176(.04)(C&D): Buffering and Screening**

E30. The applicant is not proposing any outdoor storage.

**Subsection 4.176(.06)(A-E): Plant Materials.**

E31. This FDP includes landscaping treatment around single-family dwellings. Landscaping treatment on private property is the property owner's or the developer's responsibility to install and are not subject to the DRB review. Homeowners associations must be made responsible for professional maintenance of the landscaping. The proposed landscape plan meets this criterion.

E32. The proposed Landscape Plans (Sheets L1.0 – L4.0 through) meet the spread requirement of 10" to 12". The specified tree and ground cover types are of a size and spacing must meet the criteria of 4.176(.06)(A)(1-2) and (B).

E33. The proposed landscape specifications for secondary and accent trees meet code criterion for caliper size and/or height. This code criterion is met.

E34. See Finding E16 and Sheet 10 for the proposed street trees.

**Subsection 4.176(.07)(A-D): Installation and Maintenance**

E35. Plant materials, once approved by the DRB, shall be installed to current industry standards and shall be properly staked to assure survival. Support devices (guy wires, etc.) shall not be allowed to interfere with normal pedestrian or vehicular movement. Maintenance of landscaped areas is the on-going responsibility of the property owner. Any landscaping installed to meet the requirements of this code, or any condition of approval established by city decision-making body acting on an application, shall be continuously maintained in a healthy, vital and acceptable manner. Plants that die are to be replaced in kind, within one growing season, unless the city approves appropriate substitute species. Failure to maintain landscaping as required in this subsection shall constitute a violation of the city code for which appropriate legal remedies, including the revocation

of any applicable land development permits, may result.

**Subsection 4.176(.10): Completion of Landscaping**

**E36.** The applicant's submittal documents do not specify whether a deferment of the installation of the proposed planting plan is requested. The applicant/owner will be required to post a bond or other security acceptable to the Community Development Director for the installation of the approved landscaping, should the approved landscaping not be installed by the time of final occupancy.

**Subsections 4.179(.06-.07) and 4.430(.01-.04): Location, Design and Access Standards for mixed Solid Waste and Recycling Areas**

**E37.** The applicant must coordinate with Allied Waste Management to demonstrate that proposed solid waste storage areas for single family houses will be adequate to accommodate the trash collection trucks.

**Subsection 4.155(.03)(B)(1&2): Parking Lot Landscaping**

**E38.** The proposal does not include plans for a parking lot; therefore, this code criterion is not applicable.

**Tree Protection**

**E39.** The Tree Protection component of the proposed Community Elements Book for SAP-South describes the goal, policies, and implementation measures that were used to promote the protection of existing trees. A Tree Protection Plan is proposed for the subject FDP by certified arborists consistent with the proposed Community Elements Book. See the proposed findings in the Type 'C' review under Request D of this staff report.

**Section 4.450: Installation of Landscaping**

**E40.** All landscaping approved by the Development Review Board must be installed prior to issuance of occupancy permits, unless security equal to one hundred and ten percent (110%) of the cost for landscaping is filed with the City.

**Subsection 4.176(.10) – Completion of Landscaping**

**E41.** The applicant will be required to post a bond or other security acceptable to the Community Development Director for the installation of the landscaping. If the proposed project proceeds in more than one phase, the applicant will be required to post a bond or other security for each phase of the project.

**Section 4.176(.12)(D): Irrigation**

**E42.** Irrigation plans have not been provided. The applicant has stated that a permanent underground irrigation system will be provided for all lawn, shrub and tree plantings at the time building permits are issued for projects. Irrigation must not be excessive to harm existing trees. The City may approve temporary irrigation to beautify selected landscaped areas for marketing reasons, but

irrigation must be above ground installation, and it must be removed to comply with the final landscape and in-ground irrigation plans as determined by the City. The irrigation plan will need to provide the information required in Subsections 4.179(.09)(A-D).

**Section 4.800: Wireless communications facilities:**

**E43.** A conditional use permit is required for any wireless communications pursuant to Section 4.800 of the Wilsonville Code. No such facilities are currently proposed.

**REQUEST F - 5 – YEAR TEMPORARY USE****BACKGROUND:**

In 2009, the City Council amended the Code to enable such temporary uses for up to five (5) years.

This application is requesting approval of a five-year Temporary Use Permit to allow a commercial use within a residential zone on Lots 54, 56, 57 and 58 in Phase 6 of SAP South. The commercial usage will include a temporary real estate sales office (modular building) and three (3) model home for *Polygon at Villebois* (Phase 6 – SAP South). The sales office will be removed and the model homes will be sold when sales activities end. See Plan Sheet 1 of Section VIIB. The applicant's discussion of the request is found in Section VIIA.

The model home facilities in SAP-Central, West Hills in SAP-South and Matrix in SAP-East typically have up to three employees during busy selling periods and operate from 8 am to 5 pm weekdays and Saturdays, and 10 pm to 5 pm Sundays, which is anticipated with this application. Access to the complex will be provided via SW Costa Circle East and SW St. Moritz loop. The applicant proposes 12 parking spaces along SW St. Moritz Loop and SW Costa Circle East which meets the code minimum parking requirement. See page 8 of Section VIIA.

Permanent signage associated with the real estate sales office and model home is proposed as a part of this application.

**Section 4.009(.01) and 4.140(.07)(A)(1) Ownership: Who may initiate application**

**F1.** The applicant has demonstrated ownership of the subject properties. This code criterion is met.

**Sections 4.013-4.031, 4.113, 4.118, 4.124 Review procedures and submittal requirements**

**F2.** The applicant has complied with these sections of the Code. The required public notices have been sent and all proper notification procedures have been satisfied. This criterion is met.

**Sections 4.400-4.450 Site Design Review**

**F3.** These sections of the Code pertain to the purposes and objectives of Site Design Review under which this application is evaluated.

**Section 4.125 V – Village Zone**

**(.05) Development Standards Applying to All Developments in the Village Zone. In addition to other applicable provisions of the Wilsonville Planning and Land Development Ordinance, all development in the Village zone shall be subject to Tables V-1 through V-4,**



**and to the following. If there is a conflict between the provisions of the Village zone and other portions of the Code, then the provisions of this section shall apply.**

**F4.** The proposed use would be allowed as a temporary use within the V zone as it would be of limited duration and revocable by the Development Review Board. Staff does not typically require that a traffic study be performed for temporary uses, due to their limited duration.

**F5.** The proposed model homes on the subject property must meet the setback requirements established with the PDP phase 6 subdivision approval. These setbacks specified in Table V-1 of Section 4.125 were reviewed with the building permit. This criterion is met.

**B. Access: All lots with access to a public street, and an alley, shall take vehicular access from the alley to a garage or parking area, except as determined by the City Engineer.**

**F6.** The model homes will include three small lots and takes access from SW St. Moritz Loop and SW Costa Circle East with alley access available. During the time the homes will be used as a model homes only pedestrian access directly to the lots will be allowed.

**(.07) General Regulations – Off-Street Parking, Loading & Bicycle Parking**

**F7.** There is no parking ratio specified in the Code for model homes. The parking demand could be established by the “All other commercial uses” category in Table V-2 of the Village zone, i.e., two (2) parking spaces per 1000 square feet. This strategy was applied for the TUP approval for SAP East. The model homes and temporary sales office will total approximately 5,671 square feet in size, therefore requiring 2 spaces per 1000 SF of commercial space when using this requirement. The applicant proposes 12 street parking spaces meeting minimum code. (See Plan Sheet 1 of Section VIIA). Code for ADA parking on streets is silent but must be accessible to a sidewalk which will be the case with ADA accessible curbs at street intersection.

**Section 4.155 General Regulations-Parking, Loading & Bicycle Parking**

**F8.** Bicycle parking is not required but is recommended for at least one bicycle.

**Section 4.156 Sign Regulations**

**(.02) Application for Sign Permits**

**F9.** The temporary signage for the model home complex will be in compliance with the SAP South Master Signage and Wayfinding Plan. See Plan Sheet 2 of Section VIIB for the proposed temporary signage. The signs proposed for the model home complex include the following elements:

**1. Site sign**

2. A-Board
3. Retail canopy sign
4. Banner on street lights
5. Customer Parking / No Construction Parking signs

**F10.** The approved Master Signage and Wayfinding Plan regulates the placement of all signage. Staff notes that awning signs are not expressly identified as an allowed sign type; therefore, awning signs will not be permitted. It is the intent of the Master Signage & Wayfinding Plan to add signs when a comprehensive review of the sign family has been conducted to determine how each new sign will impact the overall system and streetscape. The model home complex provides a retail function for the sale of homes. This is a commercial use within a residential zone. Although not expressly identified as a temporary sign, the applicant is proposing a type of sign that is consistent with the commercial use. Retail canopy signs are permitted within the Village zone provided that they are not used in conjunction with bulkhead signs. The applicant is not proposing bulkhead signage; therefore, staff finds that the awning sign is consistent with not only commercial uses, but the intent of the temporary sign family. Condition of approval PDF7 will guarantee that the awning sign meets the requirements of the Master Signage and Wayfinding Plan for retail canopy signs.

- *Maximum of three graphic areas or appliques per lease space.*
- *Mounted to leading edge of canopy only.*
- *1 sq. ft. per linear foot, up to a total maximum of 32 sq. ft.*
- *Maximum sign height of 8"*
- *Sewn panel or vinyl graphics appliqué on fabric awning.*

The balance of the previously stated signs is permitted by the Master Signage and Wayfinding Plan and therefore can be approved.

#### **Section 4.163 General Regulations – Temporary Structures & Uses**

**(.01) [Provision for non-conforming temporary use; not a substantial structure; five-year, revocable, renewable permit; subject to conditions to safeguard the public health, safety, convenience and general welfare]**

**F11.** The applicant is requesting a five-year Temporary Use Permit to allow a commercial use within a residential zone. The commercial usage would involve a temporary sales office and three model homes for Polygon at Villebois (Phase 6 of SAP – South) within the development (see Plan Sheet 1 of Section VIIB). The temporary sales office will be removed and the model homes will be sold as homes when sales activities are no longer necessary. If the model homes are necessary for longer than five (5) years, the applicant would need to re-apply to the Development Review Board for renewal of the permit. The applicant has provided specific information describing the temporary sales office. Permanent public, fire, health, and safety improvements necessary for its operation will be installed.

**Section 4.176 Landscaping, Screening & Buffering**

**F12.** Landscaping is proposed around the sales office at not less than 15% of the total area covered by the model homes. Per Section 4.176(.03), landscaping is consistent with the Plant List component of the previously approved Community Elements Book for SAP – South. See Plan Sheet L1.0 of Section VIIB. Staff finds that the proposal is adequate for the period of active sales activities. Once the real estate sales office is removed, and the model homes is reconfigured, it will be required to adhere to the applicable provisions for Landscaping, Screening, & Buffering within the Village zone.

**Section 4.262 Improvements – Requirements**

**F13.** Phase 6 compliance with master plans, development plans, and permit requirements will include the homes. All applicable provisions of the Development Code (including Villebois Village regulations or General Development regulations) will, therefore, also apply to the model homes meeting code.

**REQUEST G - REFINEMENTS**

**G1. Refinements:** The applicant is requesting two refinements:

- The proposed PDP application includes a refinement to the mix of units and to the density approved with the SAP South application.
- The refinement requested to the distribution of parks throughout the PDP area.

*Applicant's Response: The proposed PDP application includes a refinement to the mix of units and to the density approved with the SAP South application. The refinement is requested to advance the approved plan to reflect current market demand for housing in the area, while maintaining the intent of the Master Plan and the SAP approval. The blocks included in the PDP area were approved in the SAP with 18 medium lots, 48 small lots and 26 row houses for a total of 92 lots. The PDP proposal for these blocks includes 32 medium lots and 49 small lots, for a total of 81 lots. The table below shows the number of units in each land use category approved with SAP South and the number of units in the SAP with the proposed refinement as well as the percent change in each aggregate land use category:*

|                                       | Approved Unit<br>Count in SAP S | Proposed Unit<br>Count in SAP S | % Change |
|---------------------------------------|---------------------------------|---------------------------------|----------|
| Medium/Standard/<br>Large/Estate      | 184                             | 198                             | 7.60%    |
| Small/Row Homes/<br>Neighborhood Apt. | 295                             | 270                             | 8.47%    |
| <b>Total</b>                          | 479                             | 468                             | 2.29%    |

*The table above demonstrates that the proposed change in unit types and overall density is within the 10% allowed through the refinement process. The most recently approved PDP application (PDP 5S) adjusted the total approved unit count in Villebois to 2,493 units. This proposal reduces the units by 11\*, for a total of 2,483 units within Villebois. This is above the density of 2,300 units required to be obtained across Villebois, meeting this refinement criteria.*

**\*Staff note: 2,493 – 2,483 = 10 units reduction not 11.**

- i. Changes that are significant under the above definitions, but necessary to protect an important community resource or improve the function of collector or minor arterial roadways.**

Applicant's Response: There are no changes requested that are significant under the definitions above.

- 1. Refinements meeting the above definition may be approved by the DRB upon the demonstration and finding that:**
  - a) The refinements will equally or better meet the conditions of the approved SAP, and the Goals, Policies and Implementation Measures of the Villebois Village Master Plan.**

Applicant's Response: *The refinement requested to the distribution of parks throughout the PDP area will continue to maintain consistency with the conditions of the approved SAP. SAP South was approved prior to adoption of the Parks Master Plan. The adoption of this Master Plan created the framework for the provision of parks across the project. The proposed refinement to the park area in this PDP better meets the Goals, Policies and Implementation Measures of the Master Plan. The Goal of Chapter 3 - Parks, Open Space, Off-Street Trails and Pathways is to create an interconnected network of pathways, parks, trails and open spaces to protect and enhance the site's natural resources. The addition of the linear green spaces within the PDP will provide green space within every block of the PDP, creating a more interconnected network of green spaces accessible by all of the residents of the PDP area. Also, the additional green spaces will allow for the retention of healthy existing trees that were previously included on lots, better meeting Policy 1.*

*The applicant is also requesting a refinement to the location and mix of land uses within the PDP area. As discussed above, the applicant is proposing to change the mix of units from 18 medium lots, 48 small lots and 26 row houses for a total of 92 lots to 32 medium lots and 49 small lots, for a total of 81 lots. The change will equally meet the conditions of the approved SAP, as there are no specific conditions relating to the number or distribution of housing units that is altered by this refinement.*

*This refinement will create blocks that are intermixed with medium and small lots, whereas the Master Plan and SAP approvals grouped the housing types within blocks and on streets. The intermixing of housing types on each street in this proposal better meets Residential Neighborhood Housing Policy 5 of the Master*

*Plan which calls for a mix of housing types within each neighborhood and on each street to the greatest extent possible.*

*In general, the Master Plan envisions a plan where density and massing increases approaching the Village Center. The proposed refinement is consistent with this vision. Barber Street is a collector street that leads to the Village Center. Approvals have been granted for the lots both to the east and west of the subject PDP along Barber Street. The lots to the east were approved with PDP 1 South and include 2-story duplexes and triplexes. The proposed small lots on Barber Street are also 2-story homes located close together and will be similar in massing to the units in PDP 1 – South. Continuing to the west along Barber Street across Orleans Loop is the Village Center. Approval was granted for these lots for the 2 ½-story Les Bois rowhomes. The Les Bois rowhomes are detached; they increase in height and are spaced more closely together than the homes in PDP 6 – South and PDP 1 – South. Density and massing continues to increase into the Village Center with 3-story Seville rowhomes and the future mixed-use buildings surrounding the Village Center Plaza.*

*Also of note, Chapter 2 – Land Use of the Master Plan states that medium-density housing should be used to help define important walking streets and at the transition between the neighborhood and the Village Center. The proposed small lots along Barber Street, an important walking street into the Village Center, are consistent with this intent and continue the progression set in place for a general increase in massing and density approaching the Village Center.*

- b) The refinement will not result in significant detrimental impacts to the environment or natural or scenic resources of the PDP and Village area, and**

*Applicant's Response: The refinement requested to the distribution of parks and open spaces will enhance the natural resources of the PDP and the Village area, as it will provide more green space and allow for the preservation of existing healthy trees in the PDP area. The refinement to the distribution of land uses in the PDP does not have an effect on the environment or natural resources of the area.*

- c) The refinement will not preclude an adjoining or subsequent PDP or SAP from development consistent with the approved SAP or Master Plan.**

*Applicant's Response: The proposed refinements will not preclude an adjoining or subsequent PDP or SAP from developing in a manner consistent with the approved SAP or Master Plan as the refinements only pertain to uses within the planned blocks of the subject PDP area.*

- G2. Parks & Open Space:** As stated in a previous finding WC 4.125(.08) requires that in all residential developments, and in mixed use developments where the majority of the developed square footage is to be in residential use, at least 25% of the area shall be in open space, excluding street pavement and surface parking. In multi-phased development, individual phases are not required to meet the 25% standard as long as an approved SAP demonstrates that the

overall development shall provide a minimum of 25% open space. Figure 5 – Parks & Open Space Plan of the Villebois Village Master Plan (August 2005 version) states that there are 49.46 acres of parks and 108.32 acres of open space for a total of 157.66 acres, or approximately 32.7 %. Specific Area Plan – South included parks and open space areas consistent with the acreage proposed for the subject Phase 6 area in the Villebois Village Master Plan. The Preliminary Development Plan application, in the PDP Supporting Compliance Report (located in Section IIA), proposes park and open space areas greater than that proposed in the SAP-South. The proposal is for 2.12 acres of open space and parks which is 1.17 acres more than SAP-South for Phase 6. However the .95 acres approved in SAP-South for Cedar Park in Phase 6 is smaller in area than the proposal at .79 acres, for a net loss of .16 acres. Most all of the park amenities and the seven (7) incense cedars shown in the Villebois Village Master Plan Technical Appendix are incorporated in the proposed Cedar Park design.

**The applicant's findings in Section II of the Compliance Report (Exhibit B1) addressing the Wilsonville Planning & Development Ordinance respond to the majority of the applicable criteria. In the case where the applicant has adequately addressed the criteria, the staff findings simply refer to the relevant text in the applicant's narrative.**

### **REQUEST H - VARIANCE**

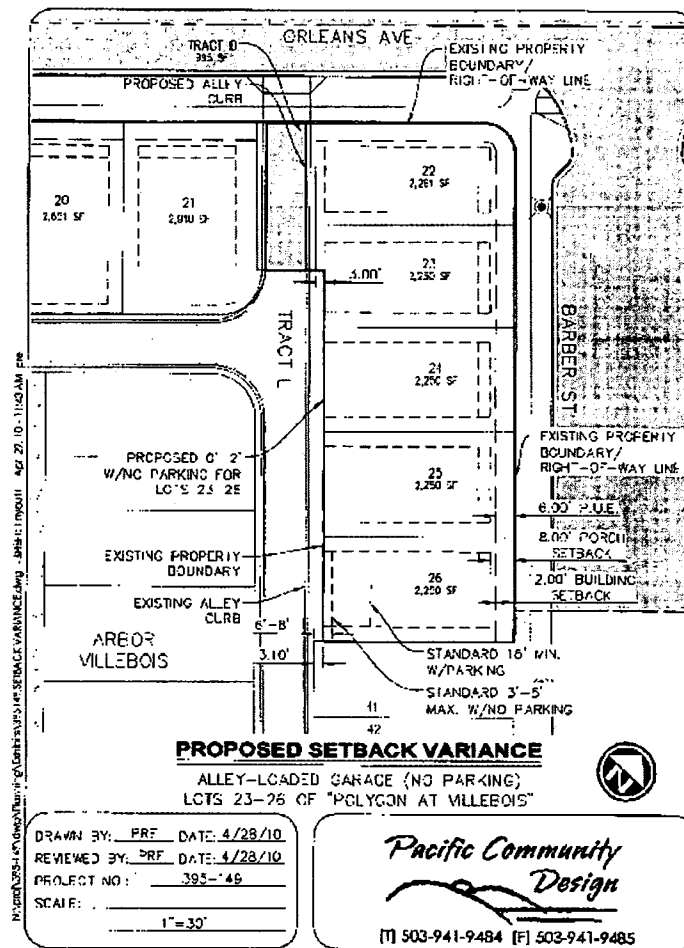
**Summary:** Variance to reflect changes to Lots 23 – 26 due to the additional 3 feet in alley Tract 'L' of the adjacent Arbor Villebois Phase 1. Lots 22-26 continue to comply with the lot sizes and dimensions applicable to Small lots shown in the Pattern Book on page B4.

#### **Section 4.196. Variances.**

**(.01) Where difficulties exist rendering compliance with Chapter 4 impractical and such compliance would create unnecessary hardship to the owner or user of land or buildings, the Development Review Board may grant a variance from the provisions of this Code after the prescribed public hearing as set forth in Section 4.013, and after an investigation; provided all of the following conditions exist:**

- A. The difficulty would apply to the particular land or building regardless of the owner.**
- B. The request for a variance is not the result of an illegal act on the part of the applicant or the applicant's agent.**
- C. The plight of the owner is due to unique circumstances, such as lot size or shape, topography, and size or shape of building, which are not typical of the general conditions of the surrounding area.**
- D. The practical difficulty or unnecessary hardship asserted as a ground for a variance must relate to the premises for which the variance is sought and not to other premises or personal conditions of the applicant.**
- E. The variance does not allow the property to be used for purposes not authorized within the zone involved.**
- F. The variance is the minimum necessary to relieve the hardship.**

- H1.** The applicant has addressed the applicable variance review criteria on Pages 2 - 5 of Exhibit B7. Staff finds that the applicant has demonstrated that a hardship exists with regard to lots 23 - 26 that would otherwise preclude the construction of four houses. Lots 23 - 26 are not typical of other lots in SAP-South and the applicant's proposal is the minimum variance necessary to enable the proposed development, and to reduce the rear yard setback from 3 feet for garages/house at an alley to zero feet. **These criteria are satisfied by the applicant's proposal.**



PLANNING DIVISION  
STAFF REPORT & RECOMMENDATION  
Quasi-Judicial Public Hearing

**DATE:** July 19, 2010

**TO:** Honorable Mayor and City Councilors

**FROM:** Blaise Edmonds, Manager of Current Planning

**SUBJECT:** The applicant (Polygon Northwest Company) and the property owner (Villebois, LLC) are seeking approval of a zone map amendment to change the City Public Facility (PF) Zone to the Village (V) Zone.

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**DESCRIPTION OF ACTION:**

The City Council is being asked to review a proposal to amend the Wilsonville Zoning Map for approximately 11.67 acres that carry the Comprehensive Plan Map designation of '*Residential-Village*'. A Zone Map Amendment would initiate the development permitting process for Preliminary Development Plan – 6 of SAP-South of Villebois.

**SUMMARY:**

On June 28<sup>th</sup>, DRB Panel B recommended approval of the proposed Zone Map Amendment from the City of Wilsonville Public Facility (PF) zone to the Village (V) zone in Villebois. The findings and conclusions in Exhibit 'A1' support the Development Review Board decision for approval. The DRB also approved Requests A, B, D through H which includes:

**A. DB10-0004: Preliminary Development Plan for Polygon at Villebois No. 6.** PDP #6 comprises 81 residential lots on 11.67 acres including 2.12 for parks and open space tracts. At the pre-application meeting staff informed the applicant of the advantages of the recent Council adoption of Ordinance No. 667 that amended zoning code standards in sections 4.001.7, 4.113(.11) and 4.125(.07), for Accessory Dwelling Units (ADU's). The applicant considered this but choose to not include accessory dwelling units (ADU's) with this application.



**B. Tentative Subdivision Plat.** The applicant is proposing the subdivision of PDP-6 into 81 residential lots, Tracts A through N and associated site improvements.

|           |              |
|-----------|--------------|
| 32        | Medium Lots  |
| 49        | Small Lots   |
| <b>81</b> | <b>Total</b> |

**D. Type C Tree Removal Plan**

**E. Final Development Plan (FDP).** The FDP area includes 2.12 acres of private parks, open space and linear greens, more specifically Tracts B, F, K, H, I, M and N.

**F. Five (5) Year Temporary Use Permit.** The proposed five-year Temporary Use Permit meets the City criteria in Subsection 4.163 Temporary Use Permits, and the Signage and Way Finding Plan for SAP South.

**G. Two Refinements to SAP-South.** The application includes two refinements as listed below:

1. The approved PDP application includes a refinement to the mix of units and to the density approved with the SAP South application. The refinement to the location and mix of residential land use types results is a 10 units decrease in the total number of lots in Phase 6, for a total of 2,483 units in Villebois from 2,493 units. The overall total change is 2.29 %. This is well within the 10% allowance for refinements for a PDP. The result is a ten-unit decrease in the number of housing types that provide affordable housing opportunities.
2. The second refinement modified the distribution of parks throughout the PDP-6 area.

**H. Variance** to reflect changes to Lots 23 – 26 due to the additional 3 feet in alley Tract ‘L’ of the adjacent Arbor Villebois Phase 1. Lots 23-26 continue to comply with the lot sizes and dimensions applicable to Small lots shown in the Pattern Book on page B4.

Requests A, B, D through H are contingent upon City Council approval of the proposed Zone Map Amendment Request C – DB10-0006. General background documents for the above approvals are included in the City Council packet.

The staff report was included in the DRB record. The Development Review Board adopted staff recommendations and findings included as Exhibit A1 as amended.

**DISCUSSION:**

- No areas in the proposed project are designated Significant Resource Overlay Zone (SROZ).
- The proposed Zone Map Amendment meets Wilsonville Code 4.197(.02)A through G and with the goals, policies, and implementation measures of Wilsonville Comprehensive Plan and with the Villebois Master Plan.

- Primary facilities, i.e., roadways, water and sanitary sewer, are or shortly will be available and are of adequate size to serve PDP6. Thus, adequate facilities can be provided.
- The public interest is best served by granting the Zone Map Amendment at this time because there is a demand for affordable single-family housing.

See the Planning Division Staff Report, Attachment 2 (Exhibit A1) as amended, for additional detail and findings of fact.

**RECOMMENDATION:**

Staff respectfully recommends that the City Council act favorably on the Development Review Board recommendation of June 28, 2010 to approve the Zone Map Amendment request. Appropriate Council action would be adoption of proposed Zone Map Amendment Ordinance.

**EXHIBIT "A"**

**May 11, 2010**

**LEGAL DESCRIPTION**

**Job No. 395-149**

A parcel of land being a portion of Lot 6 and Lot 9 of "Villebois", and street right-of-ways, in the Northeast, Southeast, and Southwest Quarters of Section 15, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon, more particularly described as follows:

**BEGINNING** at the most Northerly corner of Track "K" of "Arbor Villebois", also being a point on the Northerly boundary line of plat of "Arbor Villebois";

thence along said plat boundary line, South 47°03'23" West, a distance of 164.00 feet;

thence continuing along said line, South 42°56'37" East, a distance of 10.61 feet;

thence continuing along said line, South 47°03'23" West, a distance of 63.90 feet;

thence continuing along said line, North 42°56'37" West, a distance of 124.58 feet;

thence continuing along said line, South 47°03'23" West, a distance of 20.00 feet;

thence continuing along said line, on a 15.00 foot radius non-tangential curve, concave westerly, with a radius point bearing South 47°03'23" West, central angle of 90°00'00", arc length of 23.56 feet, chord bearing of South 02°03'23" West, and chord distance of 21.21 feet;

thence continuing along said line, South 47°03'23" West, a distance of 74.10 feet;

thence continuing along said line, North 42°56'37" West, a distance of 64.15 feet;

thence continuing along said line, South 47°47'39" West, a distance of 62.17 feet;

thence continuing along said line, South 39°20'21" East, a distance of 83.43 feet;

thence continuing along said line, South 52°35'51" West, a distance of 72.17 feet;

thence continuing along said line, North 89°22'56" West, a distance of 20.00 feet;

**ATTACHMENT 1 of ATTACHMENT 1**

Page 1 of 6

thence continuing along said line, on a 15.00 foot radius non-tangential curve, concave northwesterly, with a radius point bearing North 89°22'56" West, central angle of 51°58'47", arc length of 13.61 feet, chord bearing of South 26°36'29" West, and chord distance of 13.15 feet;

thence continuing along said line, South 52°35'51" West, a distance of 254.62 feet;

thence continuing along said line, on a 59.21 foot radius non-tangential curve, concave southeasterly, with a radius point bearing South 38°18'44" East, central angle of 15°36'15", arc length of 16.13 feet, chord bearing of South 43°53'09" West, and chord distance of 16.08 feet;

thence continuing along said line, South 29°21'54" West, a distance of 19.05 feet;

thence along a 15.00 foot radius non-tangential curve, concave northerly, with a radius point bearing North 60°43'38" West, central angle of 89°37'33", arc length of 23.46 feet, chord bearing of South 74°05'09" West, and chord distance of 21.14 feet;

thence continuing along said line, North 50°57'04" West, a distance of 61.69 feet;

thence continuing along said line, on a 53.26 foot radius tangential curve to the right, through a central angle of 15°36'16", arc length of 14.51 feet, chord bearing of North 43°08'55" West, and chord distance of 14.46 feet;

thence continuing along said line, North 35°20'48" West, a distance of 64.03 feet;

thence continuing along said line, South 54°39'13" West, a distance of 9.74 feet to the most Easterly corner of Tract "O" of "Arbor Villebois No. 2";

thence along the Northerly boundary line of said Tract "O", North 50°34'22" West, a distance of 29.16 feet;

thence continuing along said line, North 56°11'34" West, a distance of 51.48 feet;

thence continuing along said line, North 50°34'22" West, a distance of 158.39 feet to the most Northerly corner of said Tract "O", also being a point on the Easterly boundary line of plat of "Arbor Villebois No. 4", also being a point on the Easterly right-of-way line of SW Bergen Lane;

thence along said right-of-way line, North 47°03'23" East, a distance of 158.55 feet;

thence along said right-of-way line, on a 10.00 foot radius tangential curve to the right, through a central angle of 90°00'00", arc length of 15.71 feet, chord bearing of South 87°56'37" East, and chord distance of 14.14 feet, to a point on the

Southerly right-of-way line of SW Zurich Street, also being a point on the Southerly boundary line of plat of "Villebois Village Center";

thence leaving said line, North 47°03'23" East, a distance of 27.50 feet, to the centerline of said SW Zurich Street;

thence along said SW Zurich Street centerline, South 42°56'37" East, a distance of 272.55 feet, to the centerline of SW Orleans Avenue, also known as the most Southerly corner of Lot 8 of "Villebois";

thence along the Southeasterly boundary line of said Lot 8, North 52°35'51" East, a distance of 125.53 feet;

thence continuing along said line, on a 1998.00 foot radius tangential curve to the left, through a central angle of 05°32'28", arc length of 193.23 feet, chord bearing of North 49°49'37" East, and chord distance of 193.16 feet, to a point on the Southerly boundary line of Lot 7 of "Villebois";

thence along the said boundary line of Lot 7, North 47°03'23" East, a distance of 502.48 feet to a point on the Southerly boundary line of Lot 5 of "Villebois";

thence along the said boundary line of Lot 5, on a 535.50 foot radius tangential curve to the left, through a central angle of 46°12'22", arc length of 431.85 feet, chord bearing of North 23°57'12" East, and chord distance of 420.24 feet to the Southeast corner of Lot 2 of "Villebois";

thence along the Easterly boundary line of said Lot 2, on a 535.50 foot radius tangential curve to the left, through a central angle of 13°42'14", arc length of 128.08 feet, chord bearing of North 06°00'06" West, and chord distance of 127.78 feet;

thence leaving said line, North 77°08'47" East, a distance of 31.36;

thence along a 568.00 foot radius non-tangential curve, concave westerly, with a radius point bearing South 77°01'16" West, central angle of 00°14'37", arc length of 2.42 feet, chord bearing of South 12°51'25" East, and chord distance of 2.42 feet;

thence along a 10.00 foot radius tangential curve to the left, through a central angle of 80°32'26", arc length of 14.06 feet, chord bearing of South 53°00'19" East, and chord distance of 12.93 feet;

thence North 86°43'28" East, a distance of 237.49 feet;

thence along a 15.00 foot radius tangential curve to the left, through a central angle of 91°15'24", arc length of 23.89 feet, chord bearing of North 41°05'46" East, and chord distance of 21.44 feet;

thence South 88°24'59" East, a distance of 56.05 feet to a point on the Easterly right-of-way line of SW 110<sup>th</sup> Avenue;

thence along said right-of-way line, South 01°35'01" West, a distance of 1074.59 feet to a point on the Easterly boundary line of Tract "K" of "Legend at Villebois";

thence North 88°24'59" West, a distance of 40.00 feet, to the Southeast corner of Lot 9 of "Villebois";

thence along the Southerly boundary line of said Lot 9, North 70°00'14" West, a distance of 89.21 feet;

thence continuing along said line, North 47°36'45" West, a distance of 55.54 feet;

thence continuing along said line, North 57°43'14" West, a distance of 65.85 feet;

thence continuing along said line, South 74°25'05" West, a distance of 24.85 feet;

thence continuing along said line, North 36°49'30" West, a distance of 25.36 feet;

thence continuing along said line, North 58°04'03" West, a distance of 140.81 feet;

thence continuing along said line, North 58°04'02" West, a distance of 11.50 feet;

thence continuing along said line, North 36°03'01" West, a distance of 34.39 feet;

thence continuing along said line, North 42°56'37" West, a distance of 11.93 feet;

thence continuing along said line, on a 482.50 foot radius non-tangential curve, concave northwesterly, with a radius point bearing North 58°38'16" West, central angle of 00°22'13", arc length of 3.12 feet, chord bearing of North 31°10'37" East, and chord distance of 3.12 feet;

thence continuing along said line, North 42°56'37" West, a distance of 64.54 feet to the POINT OF BEGINNING.

Containing 12.88 acres, more or less.

Basis of bearing per plat of "Villebois".

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR



OREGON  
JULY 9, 2002  
TRAVIS C. JANSEN  
57751

RENEWS: 6/30/2011

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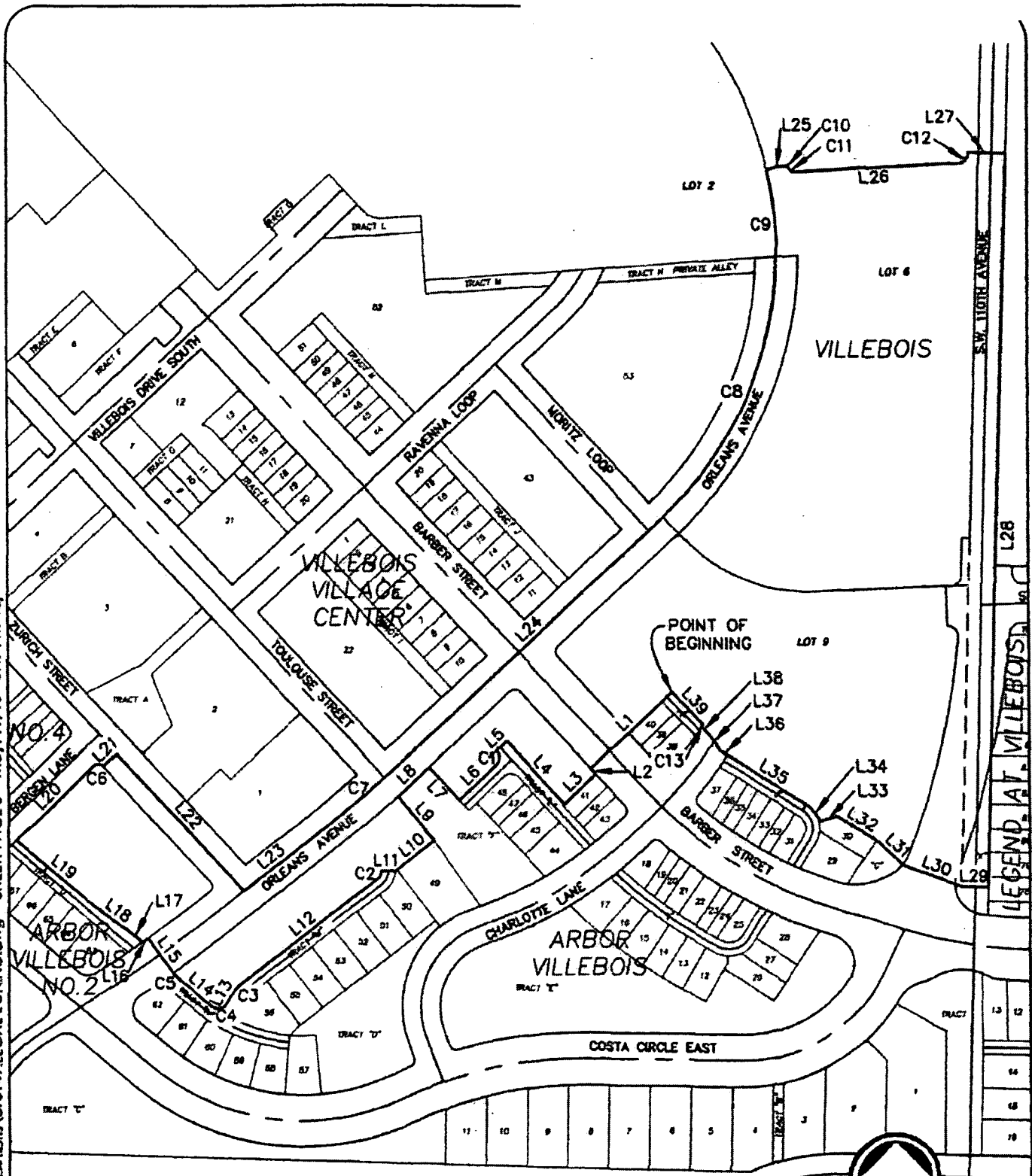


EXHIBIT "A"



DRAWN BY: TCJ DATE: 5/11/10  
REVIEWED BY: MHK DATE: 5/11/10  
PROJECT NO.: 395-149  
SCALE: 1"=200'  
PAGE 5 OF 6

*Pacific Community  
Design*

[T] 503-941-9484 [F] 503-941-9485

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| LINE TABLE |             |         |
|------------|-------------|---------|
| LINE       | BEARING     | LENGTH  |
| L1         | S47°03'23"W | 164.00  |
| L2         | S42°56'37"E | 10.61   |
| L3         | S47°03'23"W | 63.90   |
| L4         | N42°36'37"W | 124.58  |
| L5         | S47°03'23"W | 20.00   |
| L6         | S47°03'23"W | 74.10   |
| L7         | N42°56'37"W | 64.15   |
| L8         | S47°47'39"W | 62.17   |
| L9         | S39°20'21"E | 83.43   |
| L10        | S52°35'51"W | 72.17   |
| L11        | N89°22'56"W | 20.00   |
| L12        | S52°35'51"W | 254.62  |
| L13        | S29°21'54"W | 19.05   |
| L14        | N50°57'04"W | 61.69   |
| L15        | N35°20'48"W | 64.03   |
| L16        | S54°39'13"W | 9.74    |
| L17        | N50°34'22"W | 29.16   |
| L18        | N56°11'34"W | 51.48   |
| L19        | N50°34'22"W | 158.39  |
| L20        | N47°03'23"E | 158.55  |
| L21        | N47°03'23"E | 27.50   |
| L22        | S42°56'37"E | 272.55  |
| L23        | N52°35'51"E | 125.53  |
| L24        | N47°03'23"E | 502.48  |
| L25        | N77°08'47"E | 31.36   |
| L28        | N86°43'28"E | 237.49  |
| L27        | S88°24'59"E | 56.05   |
| L28        | S01°35'01"W | 1074.59 |
| L29        | N88°24'59"W | 40.00   |
| L30        | N70°00'14"W | 89.21   |
| L31        | N47°38'45"W | 55.54   |
| L32        | N57°43'14"W | 65.85   |
| L33        | S74°25'05"W | 24.85   |
| L34        | N36°49'30"W | 25.36   |
| L35        | N58°04'03"W | 140.81  |
| L36        | N58°04'02"W | 11.50   |
| L37        | N36°03'01"W | 34.39   |
| L38        | N42°56'37"W | 11.93   |
| L39        | N42°56'37"W | 64.54   |

| CURVE TABLE |         |           |        |             |        |
|-------------|---------|-----------|--------|-------------|--------|
| CURVE       | RADIUS  | DELTA     | LENGTH | BEARING     | CHORD  |
| C1          | 15.00   | 90°00'00" | 23.56  | S02°03'23"W | 21.21  |
| C2          | 15.00   | 51°58'47" | 13.61  | S28°36'29"W | 13.15  |
| C3          | 59.21   | 15°36'15" | 16.13  | S43°53'09"W | 16.08  |
| C4          | 15.00   | 89°37'33" | 23.46  | S74°05'09"W | 21.14  |
| C5          | 53.26   | 15°36'16" | 14.51  | N43°08'55"W | 14.46  |
| C6          | 10.00   | 90°00'00" | 15.71  | S87°56'37"E | 14.14  |
| C7          | 1998.00 | 5°32'28"  | 193.23 | N49°49'37"E | 193.16 |
| C8          | 535.50  | 46°12'22" | 431.85 | N23°57'12"E | 420.24 |
| C9          | 535.50  | 13°42'14" | 128.08 | N06°00'06"W | 127.78 |
| C10         | 568.00  | 0°14'37"  | 2.42   | S12°51'25"E | 2.42   |
| C11         | 10.00   | 60°32'26" | 14.06  | S53°00'19"E | 12.93  |
| C12         | 15.00   | 91°15'24" | 23.89  | N41°05'46"E | 21.44  |
| C13         | 482.50  | 0°22'13"  | 3.12   | N31°10'37"E | 3.12   |

EXHIBIT "A"

DRAWN BY: TCJ DATE: 5/11/10  
 REVIEWED BY: MHK DATE: 5/11/10  
 PROJECT NO.: 395-149  
 SCALE: \_\_\_\_\_

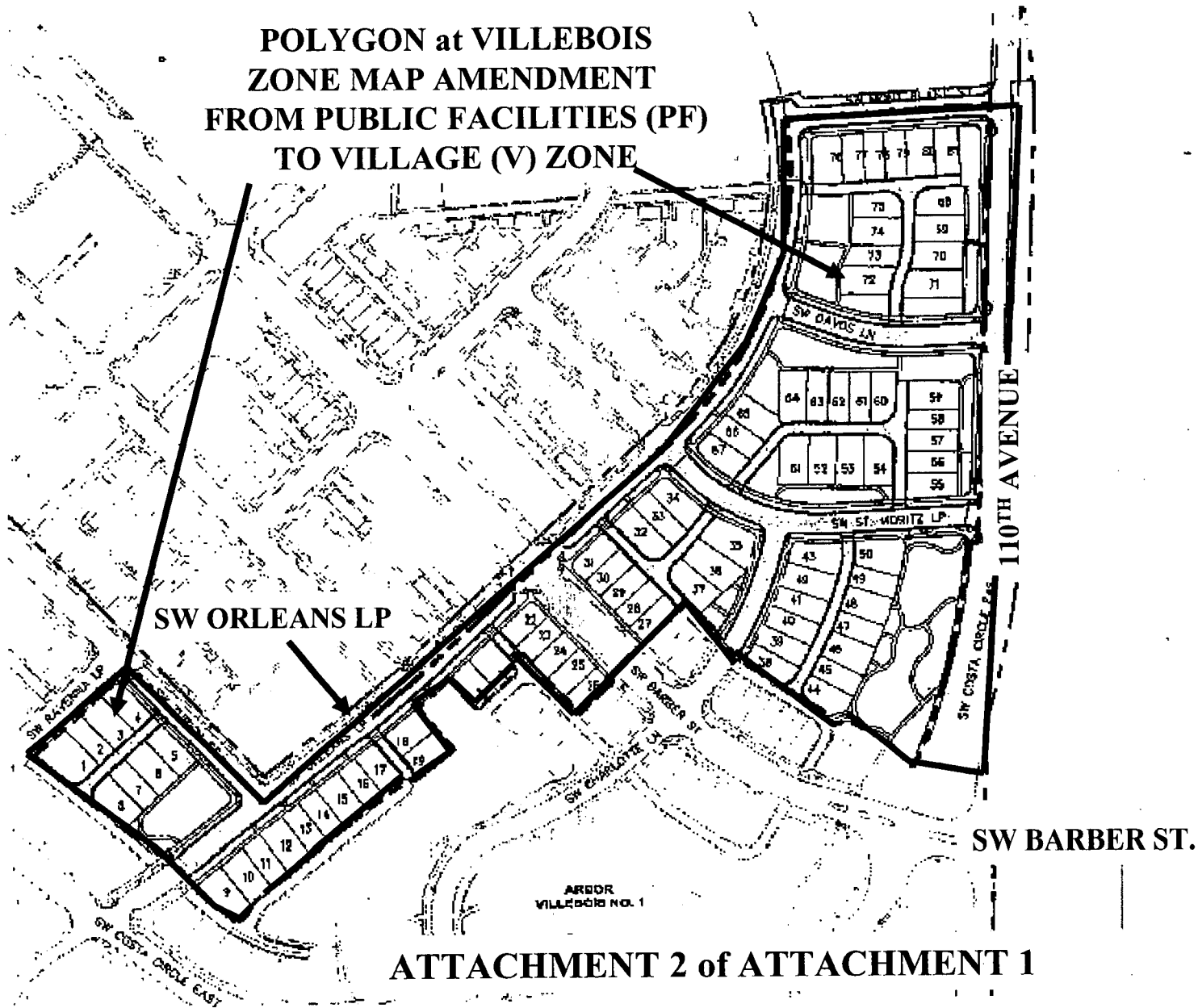
*Pacific Community  
Design*



[T] 503-941-9484 [F] 503-941-9485



**POLYGON at VILLEBOIS  
ZONE MAP AMENDMENT  
FROM PUBLIC FACILITIES (PF)  
TO VILLAGE (V) ZONE**



**ATTACHMENT 2 of ATTACHMENT 1**

**Wilsonville City Hall  
29799 SW Town Center Loop E  
Wilsonville, Oregon 97070**

**Development Review Board – Panel B  
Minutes–June 28, 2010 6:30 PM**

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**I. Call to Order:**

Chair Monica Keenan called the DRB-Panel B meeting to order at 6:20 p.m.

**II. Chairman's Remarks:**

The Conduct of Hearing and Statement of Public Notice were read into the record.

**III. Roll Call:**

Present for roll call were: Monica Keenan, Peter Hurley, Andrew Karr Dianne Knight and City Council Liaison Steve Hurst. Jim Sandlin was absent.

Staff present were: Paul Lee, Blaise Edmonds and Steve Adams

**IV. Citizens' Input:** This is an opportunity for visitors to address the Development Review Board on items not on the agenda. There was none.

**V. City Council Liaison Report:**

Councilor Steve Hurst reported the following regarding the June 21, 2010 City Council meeting:

- Mayor Tim Knapp presented the State of the City Address.
- Lisa Nead, Environmental Education Specialist, was awarded Statewide Recycler of the Year Award from the Association of Recyclers of Oregon.
- Mayor Knapp read a proclamation declaring July as Park and Recreation Month.
- Council adopted a resolution creating a Renter's Utility Relief Program for the benefit of local residential tenants that would be administered by Wilsonville Community Sharing. The resolution sets aside \$20,000 of the City budget to allow for assistance for those struggling paying utilities associated with rent throughout the year.

**VI. Consent Agenda:**

A. Approval of minutes of May 24, 2010 meeting

**Andrew Karr moved to approve the Consent Agenda as presented. Dianne Knight seconded the motion, which passed 3 to 0 to 1 with Peter Hurley abstaining.**

**VII. Public Hearing:**

- A. **Resolution No. 199. Polygon at Villebois. SAP-South PDP-6: Polygon Northwest Company, applicant.** The applicant is requesting that the City Council approve a Zone Map Amendment from the Public Facility (PF) Zone to the Village (V) Zone, and adopting findings and conditions approving a Zone Map Amendment, Preliminary Development Plan, Tentative Subdivision Plat for 81 lots, Type 'C' Tree Plan, Final Development Plan, Five-Year Temporary Use Permit, two Refinements and a Variance for Polygon at Villebois. The subject site is located at Villebois on Tax Lots 2914 and a portion of Tax Lot 2911 of Section 15, T3S, R1W, Clackamas County, Oregon. Staff: Blaise Edmonds and Michael Wheeler
- Case File: DB10-0004 – Preliminary Development Plan  
DB10-0005 – Tentative Subdivision Plat  
DB10-0006 – Zone Map Amendment

DB10-0007 – Type C Tree Removal Plan  
DB10-0008 – Final Development Plan  
DB10-0009 – Five-Year Temporary Use Permit  
DB10-0010 – Two SAP Refinements  
DB10-0012 – Variance

*This item was continued to this date and time certain at the May 24, 2010 DRB panel B meeting.*

**Chair Keenan** called the public hearing to order at 6:32 p.m. and read the conduct of hearing format into the record. Chair Keenan, Dianne Knight and Andrew Karr declared for the record that they had visited the site. Dianne Knight disclosed she was a homeowner in the Villebois community. No board member, however, declared a conflict of interest, bias, or conclusion from a site visit. No board member participation was challenged by any member of the audience.

**Chair Keenan** called for the Staff report.

**Blaise Edmonds, Manager of Current Planning** entered the following two exhibits into the record:

- **Exhibit A3:** Memorandum dated June 16, 2010 from Mr. Edmonds showing proposed revised conditions to the initial Staff report (Exhibit A1). He reviewed the revisions and corrected the first sentence of PDF2 in Exhibit A3 to state, “The hours of operation for the real estate sales office and three model homes shall be from 8 am to 6 pm weekdays and Saturdays, and 10 ~~pm~~ **am** to 6 5 pm Sundays.”
- **Exhibit B8:** Unsigned letter dated June 25, 2010 from Wayne Rembold, Manager, Villebois LLC, Master Developer of Villebois, supporting the application. Distributed to the Board at the meeting.

**Mr. Edmonds** announced that the criteria applicable to the application were stated on page 2 of the Staff report, which was entered into the record. Copies of the report were made available to the side of the room. He presented the Staff report via PowerPoint with these additional comments:

- The application involved a proposed Preliminary Development Plan (PDP) and pending applications for Polygon and Villebois for Phase 6 of Specific Area Plan (SAP) South, comprising 81 single-family dwelling lots on approximately 11.37 acres within Villebois Village.
- The request included a Zone Map Amendment, from Public Facility Zone to the Village Zone that would be a recommendation to City Council, who makes final decisions about Zone Map Amendments.
- He briefly reviewed the layout and general process for development in Villebois, noting that the subject PDP was tentative plat, involving specific block layout, streets, parks, tree preservation. Villebois PDPs were equivalent to Stage II Final Plans elsewhere in the city.
  - The Final Development Plan (FDP) was also being reviewed, providing more specific detail about park amenities and street trees. The Applicant was also prepared to present proposed house designs.
- The location of the subject PDP within Phase 6 and surrounding features was reviewed.
- Two refinements were part of the review, requiring the original SAP to be modified as follows:
  - Eliminate approximately 23 rowhouses approved in the original SAP, replacing them with single-family homes. No rowhouses are proposed in this project, only single-family dwelling units.
    - A refinement cannot exceed 10% of the overall SAP area, Phases 1 through 6. This refinement resulted in a 2.29% reduction, falling well below the limit for refinements.
  - Displacement of the park system within Phase 6. The Applicant was creating more open spaces, in the form of linear greens, to preserve more important trees.
  - Cedar Park, reflected in the SAP South approval, would be slightly reduced from .95 to .79 acres.
  - To compensate, the developers proposed two additional parks to preserve more Red Oaks and Pin Oaks, which are important trees identified by the project arborist.

- More linear greens were also being added through out the project, resulting in more park space that previously approved in the SAP.
- The same park amenities were proposed as proposed in the technical analysis for the Villebois park system.
- Using an aerial photo, he noted the locations of the trees being preserved, which also included Incense Cedars, and a scattering of trees that would be removed as part of the project.
- The Applicant proposed 32 medium and 49 small lots in response to current market conditions, which makes it difficult to sell larger homes. Moreover, developers are finding rowhouses more difficult to finance. Smaller homes are more affordable to those wanted to purchase a new home, or downsize.
- The same street sections previously approved in the Villebois Master Plan would continue; no modifications were being requested.
  - The private alleyways were designed with consideration of Allied Waste Management and that company's liability with regard to backing up their trucks. A "hammerhead" design made accessibility easier and allowed for no dead ends.
- The Applicant would also continue with the well-designed sidewalk system that interconnects lots to the streets. He noted a major 10-ft wide sidewalk that would eventually connect to the new Villebois east school site.
- He displayed diagrams showing cross-sections along the east side of the project adjacent to the Lou Fasano property, to achieve the right-of-way necessary to create access to the subject property.
  - Curbside parking would be available on bump outs along east side of Costa Circle Drive, likely to become the busiest street through Villebois.
  - Linear greens with pathways are adjacent to that street with the homes setback and not facing the street.
- The Applicant refined the subdivision plan from the original SAP to preserve more important good trees, which is what Planning staff expects of development as not every tree can be saved.
  - Of the total 77 trees on the site, 33 would be retained and 44 trees, most in poor or fair condition, would be removed and therefore subject to mitigation. Most of the trees being replanted would be street trees. The Applicant proposed planting 59 trees beyond that required for mitigation.
  - A wide variety of street trees would be planted, complying with the Villebois Street Master Plan, which provides a variety of high-quality street trees throughout the project.
- The first homes built for this project would be three model homes and one modular home on Lots 23 and 26, which were the lots subject to the requested variance.
  - He noted an additional 10-ft right-of-way was added to Tract L, an alley next to Phase 1 of SAP-South, which crowded the lots. The Applicant was requesting a 10-foot variance for Lots 23 to 26 on west side of the site to build right next to the property line.
  - The variance was needed to meet the setback, which made sense, and would allow the Applicant to recapture the 10-ft lost to the alley and enable them to build their preferred house size.
- The Applicant is requesting a five-year temporary use permit for the three model homes, as well as the modular home, which would be similar to those seen in SAP-Central. Hopefully the permit would not be needed for the whole duration.
- The temporary use signs would comply with the approved Villebois Master Sign Plan, respected with that approved for real estate signs throughout the project. Also proposed were flags or pendants, which are allowed to hang from light standards in Villebois, as well as a little awning signage. In addition, a fence was requested to direct people to the modular sales office and model homes.
- He noted that questions existed from the DRB about the location of the proposed play equipment, which he described. This equipment was not considered in the original Cedar Park master planning. Creative play with mounds and all the other required park amenities were proposed as approved in the original SAP-South, with the addition of some active play.
  - One condition required that the primary colors proposed for the equipment be changed to earth tones to match other play equipment in the Villebois.
- Staff recommended approval.

There were no questions for Staff.

**Chair Keenan** called for the Applicant's presentation.

**Fred Gast, President, Polygon Northwest, 3664 NW Thurman, Portland, OR, 97210**, provided a brief history of Polygon Northwest, a northwest builder in the Portland market for 15 years with offices also in Seattle. Polygon develops a variety of different house styles and has a multitude of development types including master planned communities, two of which are in Beaverton: Timberland, north of Highway 26, and Progress Ridge located at the old Progress Rock Quarry. Both developments obtained unanimous approval at the City of Beaverton and had no opposition.

- Polygon's unique philosophy of viewing their work in a much larger picture is very important to their success. They consider the fact that their subject property is part of a larger community and think about how the development plan will fit within the context of the surrounding neighborhood and community.
- The company has a solid reputation with the neighborhoods. Polygon's interactions with the neighborhood add benefit and value to their proposals. The company acknowledges that the residents of the neighborhood know more about the community than they would ever know.
- One of Polygon's key principles in developing a site plan is to look all the opportunities and challenges and consider every challenge is an opportunity. Polygon's task as community developers and home builders was to determine how to balance a variety of competing interests, such as density requirements and tree preservation.
  - People buy in the neighborhood first, and their home second, which is an important aspect in designing a community.
  - Interaction with adjacent homes and neighbors adjacent to the property being developed is also important. Most everything involving development today involves infill, so working in conjunction with the surrounding area, including the neighborhood, transportation, natural resources, etc., is important. Polygon takes great pride in figuring out how to weave its neighborhoods into the environment.
  - Balancing all these competing interests into a community as part of a larger neighborhood and a place people want to call home.

**Jim Lange, Pacific Community Designs, 13500 SW Pacific Hwy, Suite #519, Tigard, OR** stated he had just one clarification regarding the requested variance. The reason for the variance request was not the size of the house but because the alley flared out wider.

- The extra space on that alley was left for future development, but now a different party was continuing with this development and the development plan changed. Originally, that space was intended to be part of the lot, but that was no longer possible. One goal of the rear-alley setbacks was to prevent cars from parking between the garage and the alley, or have a large enough setback to park a car in that space. Rather than having cars parking in the 10-ft space and hang out into the alleyway, the solution was to maintain the intention of the setback of the garage from the alleyway and ask for a variance from the lot line setback to maintain the setback from the alleyway.

**Mr. Gast** presented some proposed preliminary architecture designs, reminding that another process was required to get approval of the homes being constructed. He stated that the company would have a different interpretation or execution of the Pattern Book but emphasized no modification were being requested. Polygon proposed at least 12 different house plans offering different sizes, designs, floor plans, and elevations. While the color and detail still needed some honing, the designs would show the Board the direction Polygon was heading with the design.

- He reviewed the designs featured on foam core boards which displayed two house elevations as they would be seen traveling down the street to show the various styles, rooflines, etc. Smaller copies of

the display boards were made available for the record and the display boards were entered into the record as follows:

- Exhibit 1: Tudor style next to a classic American style
- Exhibit 2: Craftsman style house with a large porch next to narrow Tudor, exhibiting different roof pitch and roof lines. Different sizes would be mixed within the plan itself. A combination of wider and smaller houses would exist along the street.
- Exhibit 3: Craftsman oriented homes with large front porches accentuated.
- Exhibit 4: Classic American style with shutters [inaudible] window, different roof orientation next to a narrower Tudor-style
- Exhibit 5. The same Tudor-style was shown next to a Craftsman house due to the number of lots along the street.
- The intent was to mix the styles to avoid a collection of the same houses in one area, but have a combination of styles with variety and different details while still keeping with the Pattern Book.

**Debbie Knight** noted the Master Plan materials discussed a French-style home and asked if that architectural style would be proposed.

**Mr. Gast** answered no. While the French-style was considered, the Applicant determined not to do that style because Polygon was using stronger version of stucco because of the litigation issues associated with that product. Also, the French-style is very expensive. The primary target for this project was first time home buyers. The Applicant found styles in the Pattern Book that offer a variety of architecture that was not already built in Villebois; a lot of French-style homes had already been built in Villebois.

**Mr. Edmonds** noted that he advanced the proposed designs to the independent consultant architect, Steve Coyle, who only had time to make preliminary comment, but overall, stated the designs match the Architectural Pattern Book. Further design details would be discussed with the team. In addition, the City hired an architectural intern who found details that were otherwise overlooked and these would be discussed later with the Applicant as well, but they were minor details. The intern's overall impression was that the proposed designs complied with the Architectural Pattern Book.

**Chair Keenan** called for public testimony in favor of, opposed and neutral to the application.

**Everett Lapp, 11192 SW Barber St. Wilsonville, OR,** asked what was meant in changing from Public Facilities Plan to a Village Zone.

**Mr. Edmonds** explained that the subject property was previously the Dammasch State Hospital, and an institutional use. Now, the property was moving into residential use which did not meet the Public Facilities Zone. The Village Zone enabled the development to comply with the overall Villebois Master Plan. The City did not normally entertain any zone changes until a actual development proposal was submitted, and therefore a Zone Map Amendment request.

**Mr. Lapp** recommended that playground equipment in Cedar Park not be oriented next to Costa Circle Drive because the street was already very busy, with speed limits being exceeded frequently. He suggested orienting the equipment closer to other side of the property.

**Carl Hocevar, 11831 SW Grenoble St. Wilsonville, OR,** noted that the documentation presented in packet brief discussed the Tonquin Trail. He asked if someone could show how the trail would be implemented through the proposed project.

**Steve Adams, Deputy City Engineer,** explained that Tonquin Trail was planned to extend from the Coffee Lake Wetlands and loop to follow the main parks that border Costa Circle Dr throughout

Villebois. He described how the Tonquin Trail currently wound through Sophia Park and Palermo Park as a 10-ft wide path, eventually connecting to the new Grahams Oaks area. He indicated the portions of the Tonquin Trail that the developer would be responsible for, including portions in the Cedar Park area, crossing Costa Circle, connecting to the portion built in the adjacent Villebois SAP East 1. The trail would continue on to the new school site, and then extend east connecting at the wetlands, at the future intersection of Denmark St and Coffee Lake Dr. The remainder of the Tonquin Trail, extending north into Tualatin is being master planned by the Cities of Wilsonville and Tualatin.

**Rudy Kadlub, President, Costa Pacific Communities, Villebois Master Planner, 1146 SW Barber St. Wilsonville, OR**, commented that the proximity of Costa Circle was one reason a play structure was not included in the Cedar Park Master Plan. A more appropriate location for the play structure might be in the northwest portion of the development. The subject area could be used for adult recreation, such as bocce ball courts. He confirmed that the FDP was also being approved tonight, which included the approval of the architecture as well.

**Mr. Edmonds** clarified that according to the Villebois Master Plan, as long as the Applicant was in compliance with the Architectural Pattern Book and the review of Steve Coyle, the architecture was approvable. The material Mr. Gast presented tonight was more for informational. He clarified that the FDP addressed the street trees, parks, amenities, etc. The Architectural Pattern Book, the measuring stick for the homes, was already approved by the DRB and City Council.

**Mr. Kadlub** stated that in viewing the proposed architecture, he believed the three architectural styles were fairly representative of the Pattern Book. He submitted previous testimony regarding his concern about lack of diversity; only single-family detached was proposed. However, it was an appropriate product for the recession as explained. He cautioned Staff to be careful in following the rules of proximity as the product is built because of the lack of diversity.

**Chair Keenan** asked if alternate locations were considered for the playground equipment.

**Mr. Gast** replied that originally, the location made sense. With the testimony presented, that location was not longer logical and the Applicant suggested moving the equipment further north on the site, away from Costa Circle Drive, at the northeast corner of Devos and Orleans Loop.

**Mr. Edmonds** asked why such a large gap existed in street trees near the proposed play area.

**Mr. Lange** explained that a major gas line followed the sidewalk along Costa Pacific Drive that segment prohibiting the planting of street trees.

**Ms. Knight** asked if the play equipment was included in the original Master Plan; did it need to be included.

**Mr. Gast** believed the Master Plan called out a lawn play and creative play use, which would still exist in Cedar Park. While not included in the Master Plan, Polygon proposed the playground equipment, because their market dictated that something be done and they believed it was important for the proposed community.

**Chair Keenan** agreed it was nice to add, but suggested it be relocated to the northeast area on Devos St. and Orleans Loop.

**Mr. Lange** suggested moving both the creative play and playground equipment elements. Creative play involved mounding for children to use their imaginations.

**Mr. Edmonds** cautioned that the creative play component was called for in the Master Plan and could not be moved without a modification.

**Mr. Gast** replied that the playground equipment would be moved and creative play elements would be included at both locations.

**Chair Keenan** commented that in planning a cohesiveness area like this, it is difficult to maintain the integrity originally presented. Architecture is a very important element. As expressed at a prior meeting, she was concerned that the project not appear as the “recession area circa 2010 housing” when people see this block. Maintaining a level of cohesiveness with the rest of the Villebois community would ensure the development blended in and complemented what had already been built.

**Mr. Edmonds** noted that the English Tudors would have courtyards, which were not mentioned. The American style homes would not require courtyards.

**Ms. Gast** confirmed the American-style homes would have porches.

**Chair Keenan** closed the public hearing at 7:30 p.m.

**Mr. Edmonds** suggested that the new condition regarding the park be included as part of the FDP, since relocating the play elements involved a design element. He recommended adding new Condition PDE10 on page 8 of 87, requiring the Applicant to relocate the active play equipment to the northeast corner of the intersection of Orleans Loop and Devos St.

**Peter Hurley moved to approve the Staff report with the additions of Exhibit A3, Exhibit B8, Exhibits 1 through 5, the architectural renderings submitted by the Applicant, and new Condition PDE10 on Page 8 of 87 in the Staff report, stating, “Applicant to relocate the active play equipment from Cedar Park to the northeast corner of Devos St. and Orleans Loop.” The motion was seconded by Andrew Karr and passed unanimously.**

**Peter Hurley moved to approve Resolution No. 199. Andrew Karr seconded the motion, which passed unanimously.**

**Chair Keenan** read the rules of appeal into the record.

**VIII. Board Member Concerns and Communications—None**

**IX. Staff Communications—None**

**X. Adjournment**

The meeting adjourned at 7:37 p.m.

Respectfully submitted,

Paula Pinyerd, ABC Transcription Services, Inc. for  
Shelley White, Planning Administrative Assistant



INTRODUCTORY NARRATIVE  
PDP 6 - SOUTH  
POLYGON AT VILLEBOIS

INCLUDING: TENTATIVE PLAT, ZONE CHANGE, TREE REMOVAL PLAN, FINAL  
DEVELOPMENT PLAN AND TEMPORARY USE PERMIT

SECTION IA

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DRB  
EXHIBIT B2  
SECTION I-A

## I. GENERAL INFORMATION

Applicant:

**Polygon Northwest Company**  
109 E. 13<sup>th</sup> Avenue  
Vancouver, WA 98660  
Tel: 503.221.1920  
Fax: 360.693.4442  
Contact: Fred Gast

Design Team:

Primary Contact:

**Stacy Connery**  
**Pacific Community Design, Inc.**  
Tel: 503.941.9484  
Fax: 503.941.9485  
Email: stacy@pacific-community.com

Process Planner/Civil  
Engineer/Surveyor:

**Pacific Community Design, Inc.**  
13500 SW Pacific Highway, PMB #519  
Tigard, OR 97223  
Tel: 503.941.9484  
Fax: 503.941.9485  
Contact: Stacy Connery, AICP  
Jim Lange, PE  
Patrick Espinosa, PE  
Travis Jansen, PLS/PE

Landscape Architect:

**Otten Landscape Architects, Inc.**  
3933 SW Kelly Ave., Suite B  
Portland, Oregon 97239  
Tel: 503.972.0311  
Contact: Janet Otten, ASLA  
Erin Holsonback

Arborist:

**Walter H. Knapp & Associates, LLC**  
7615 SW Dunsmuir Lane  
Beaverton, OR 97007  
Tel: 503.646.4349  
Fax: 503.265.8117  
Contact: Walt Knapp  
Morgan Holan

Property Owner:

**Villebois, LLC**  
1022 SW Salmon St., Ste. 450  
Portland, OR 97205

Site and Proposal Information:

Site: 3S1W15, TL 2914 & portion of 2911  
(Note: separate administrative application for a partition of TL 2911 has been submitted)

Size: 11.67 gross acres

Comprehensive Plan Designation: Residential - Village (R-V)

Existing Zoning: City - PF (Public Facilities)

Specific Area Plan: SAP - South

Proposal: Preliminary Development Plan  
Tentative Plat  
Zone Change to Village (V)  
Tree Removal Plan  
Final Development Plan  
Temporary Use Permit

Unit Count: 81 dwelling units

Net Residential Density: 13.7 units/net acre

Project Name: Villebois PDP 6 - South  
"Polygon at Villebois"

## **II. REQUEST**

This request includes six (6) applications [Preliminary Development Plan, Tentative Plat, Zone Change, Tree Removal Plan, Final Development Plan and Temporary Use Permit], for Phase 6 in Specific Area Plan - South (SAP - South). The applications are arranged in the order that approval should be granted based upon provisions in the development code. Each application is placed in a separate section labeled Sections II through VII respectively, with all supporting documentation needed for that application placed in the appropriate subsection.

The following narrative generally describes the Preliminary Development Plan and each of the six applications. The attached Supporting Compliance Reports (see Sections IIA, IIIA, IVA, and VA, VIA and VIIA), in conjunction with the attached plan sheets and other exhibits, demonstrate compliance with the applicable review criteria.

## **III. DESCRIPTION OF PRELIMINARY DEVELOPMENT PLAN**

### **PDP APPLICATION**

Section II of this application notebook contains a request for approval of the Preliminary Development Plan (PDP) for PDP 6 of Specific Area Plan South. This PDP is the sixth PDP request within SAP South, and all prior planning approvals are still valid, therefore it has been concluded that this is the most appropriate numbering to use for this request. The PDP area includes approximately 11.67 total acres located in the southern portion of Villebois, south of Mont Blanc Street, west of Costa Circle East. This PDP application requests land use approval to develop Phase 6 of SAP South with 81 single family homes, 2.12 acres of park and linear green space and associated infrastructure improvements.

### **LAND USES**

This PDP area is located in the southern portion of the Villebois development, within SAP South. This phase provides small and medium sized lots for single family detached homes as well as park and linear green areas. This phase provides a transition to the higher density rowhomes and apartments located across Orleans Loop and Zurich Street within the Village Center.

This PDP includes 49 small lots and 32 medium lots along with 2.12 acres of parks and linear greens. A refinement to the units approved with SAP South is requested with this application. The table below depicts the units approved for this phase with SAP South and the proposed units in their aggregate land use categories.

|                                   | Approved Unit Count in SAP S | Proposed Unit Count in SAP S |
|-----------------------------------|------------------------------|------------------------------|
| Medium/Standard/Large/Estate      | 184                          | 198                          |
| Small/Row Homes/Neighborhood Apt. | 295                          | 270                          |
| <b>Total</b>                      | <b>479</b>                   | <b>468</b>                   |

## PARKS & OPEN SPACE

This PDP includes a total of 2.12 acres of park and linear green spaces, including Cedar Park, a Neighborhood Park which will include a creative child play area, benches, picnic tables and an open lawn area. A FDP application for the design of Cedar Park and the various linear green areas is included with this application package.

## REFINEMENTS

This PDP includes a refinement to the approved SAP for the distribution of parks and open spaces. The plan includes development of Cedar Park as well as the addition of 1.33 acres of linear green spaces within the PDP area. These linear green spaces were not included in the Master Plan or SAP South. The addition of these green spaces provides enhanced pedestrian connectivity and direct access to green space for more of the homes in the PDP area. The proposed plan distributes green space throughout the PDP area, with green spaces now located on every block of the development.

The proposed PDP application also includes a refinement to the mix of units and to the density approved with the SAP South application. The refinement is requested to advance the approved plan to reflect current market demand for housing in the area, while maintaining the intent of the Master Plan and the SAP approval. The blocks included in the PDP area were approved in the SAP with 18 medium lots, 48 small lots and 26 row houses for a total of 92 lots. The PDP proposal for these blocks includes 32 medium lots and 49 small lots, for a total of 81 lots. This refinement is within the 10% change allowed for each land use group across the SAP. The proposal continues the progression of increasing density approaching the Village Center and increasing building massing along Barber Street into the Village Center, as well as provides greater mixing of unit types and integration of green spaces on each block, meeting the intent of the goals and policies of the *Villebois Village Master Plan*.

Detailed findings regarding the two refinements requested can be found in the PDP compliance report found in Section IIA of the application notebook.

## Utilities

### Sanitary Sewer

The sanitary sewer system proposed for PDP 6 - South is shown on *Sheet 6 - Composite Utility Plan* (see Section IIB of this notebook). The sanitary sewer will be a gravity system that will flow into existing sanitary sewer lines located within Phase

1 South, Phase 1 East, and Phase 1 Central. Sewer connection locations include SW Zurich Street, SW Orleans Loop, SW Charlotte Lane and SW Costa Circle East. The ultimate discharge location will be through the Barber Main to the east which connects to the offsite United Disposal main in Kinsman Road.

### Water

The proposed water line system will be connected to existing water lines from Phase 1 South, Phase 1 East, and Phase 1 Central. These mains are located in SW Costa Circle East, SW Charlotte Lane, SW Orleans Loop and SW Zurich Street (see *Plan Sheet 6 - Composite Utility Plan* in Section IIB of this notebook). The proposed public water system will be composed of 8" mains. This system will be looped throughout the development to maximize flows and pressure and will connect to the existing 18" main in Barber via the existing 8" main in Orleans. The 18" Barber main is connected to the 48" water main in Kinsman Road providing adequate pressure to the system, with reported flows above 2200 gpm. Water service can adequately be provided to this area in compliance with the *Villebois Village Master Plan* and the City's Water System Master Plan.

### Stormwater

A supporting Water Quality and Detention Analysis is included in Section IIC of this application notebook. The report models runoff based on land uses and the drainage basins shown in the report. The report determines the appropriate water quality and detention volumes necessary to meet the City's standard requirements within the project limits.

The PDP 6 - South design will utilize a gravity storm system to convey the necessary water quality and detention volumes. The PDP 6 - South area will drain to two separate drainage basins, the Arrowhead Creek Basin to the south, and the Coffee Lake Creek Basin to the east.

The Arrowhead Creek portion of the PDP will flow into Pond F, constructed as part of the PDP 1 & 2 (SAP - South) applications and revised as a modification to the Arrowhead Creek Water Quality and Detention Master Plan in the winter of 2006. This pond has been designed to accommodate the flows from SAP South and the design of PDP 6S is consistent with the anticipated volumes. The detention and water quality facilities currently designed will provide the required levels of detention and water quality for PDP 6S.

The Coffee Lake Creek portion of the PDP is currently master planned to flow to the east across future phases of SAP East. The storm design will provide for a permanent connection to the SAP East drainage system but will temporarily drain the runoff into the existing road side ditch on the west side of SW 110<sup>th</sup> Ave. This ditch will convey the project runoff to the existing storm system in Boeckman Road and to the east into the existing Coffee Lake wetlands and Seely ditch. Prior to release into the existing ditch, runoff will be directed to a temporary detention pond that will detain runoff to pre-developed rates.

## Rainwater

A rainwater management plan is included with the supporting utility reports located in Section IIC of this notebook. Rainwater will be treated through a variety of components within this PDP. Several components are provided within the right-of-ways and park areas including vegetated swales, bioretention cells and street trees.

## CIRCULATION

The transportation infrastructure proposed for PDP 6 - South will provide convenient neighborhood circulation and a range of transportation options. *Sheet 7 - Circulation Plan* illustrates the circulation system within this Preliminary Development Plan area including public streets, bike lanes, alleys and off-street pedestrian walkways.

## PHASING

This applicant plans to develop the subject PDP area in one phase.

## V. APPLICATIONS SUBMITTED WITH THE PDP

This request includes six applications submitted in conjunction with, and including the PDP proposal for Phase 6 of SAP South. In addition to the PDP, which can be found in Section II, the other applications are proposed as follows:

- *Tentative Plat.* This application seeks approval of a Tentative Plat for a subdivision. The subdivision includes 81 lots. This application and supporting documentation are located in Section III.
- *Zone Change.* This application seeks approval of a zone change to re-zone the subject property from the current PF - Public Facilities to the V - Village Zone. This application and supporting documentation are located in Section IV.
- *Tree Removal Plan.* This application requests approval of a Tree Removal Plan that ultimately leads to the issuance of a Type "C" Tree Removal Permit. The application and supporting documentation for this application are located in Section V.
- *Final Development Plan.* The development includes 2.12 acres of parks and linear green. This application requests approval the design for Cedar Park and the linear green spaces within the PDP area along with the location and design of the mailbox kiosk within the phase. The application and supporting documentation for this approval are located in Section VI.
- *Temporary Use Permit.* This application seeks approval of a 5-year temporary use permit for a sales office and model homes. The applicant proposes to develop model homes on lots 54, 57 and 58 with a sales office on lot 56. The application and supporting documentation for this approval are located in Section VII.

## **VI. PROPOSAL SUMMARY & CONCLUSION**

This Introductory Narrative, in conjunction with the referenced sections, describes the proposed Preliminary Development Plan, Tentative Plat, Zone Change, and Tree Removal Plan, Final Development Plan and Temporary Use Permit. The Supporting Compliance Reports located in Sections II through VII, respectively, support these requests for approval of the subject applications and demonstrate compliance with the applicable standards of the Wilsonville Planning and Land Development Ordinance.



SUPPORTING COMPLIANCE REPORT  
ZONE CHANGE  
PDP 6 -SOUTH

SECTION IVA

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DRB  
EXHIBIT B2  
SECTION IVA

I. CITY OF WILSONVILLE COMPREHENSIVE PLAN  
COMPACT URBAN DEVELOPMENT - IMPLEMENTATION MEASURES

IMPLEMENTATION MEASURE 4.1.6. A

Development in the "Residential - Village" Map area shall be directed by the Villebois Village Concept Plan (depicting the general character of proposed land uses, transportation, natural resources, public facilities, and infrastructure strategies), and subject to relevant Policies and Implementation Measures in the Comprehensive Plan; and implemented in accordance with the Villebois Village Master Plan, the "Village" Zone District, and any other provisions of the Wilsonville Planning and Land Development Ordinance that may be applicable.

Response: This application is being submitted and reviewed concurrently with a Preliminary Development Plan for Phase 6 of SAP-South.

IMPLEMENTATION MEASURE 4.1.6.C

The "Village" Zone District shall be applied in all areas that carry the Residential - Village Plan Map Designation.

Response: The application proposes a zone change to "Village" for the subject property area, which includes the "Residential-Village" Comprehensive Plan Map Designation.

IMPLEMENTATION MEASURE 4.1.6.D

The "Village" Zone District shall allow a wide range of uses that benefit and support an "urban village", including conversion of existing structures in the core area to provide flexibility for changing needs of service, institutional, governmental and employment uses.

Response: This application seeks zone change approval from the City PF - Public Facilities zone to V - Village zone on a portion of Villebois located within SAP South. The plan for this property includes 81 single family residential lots covering approximately 11.67 acres. This area includes 2.12 acres of park and open spaces. Table A in the Introductory Narrative (located in Section IA) lists the proposed range of residential units which are interspersed to provide a diverse mix of housing. The proposed residential land use and housing types in this area are consistent with those portrayed in the *Villebois Village Master Plan*, which this regulation is intended to implement.

II. CITY OF WILSONVILLE LAND DEVELOPMENT ORDINANCE

SECTION 4.029 ZONING CONSISTENT WITH THE COMPREHENSIVE PLAN

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.

**Response:** This zone change application is being requested concurrent with a PDP application and Tentative Plat for the site in conformance with the code. The PDP application material is located in Section II of this Notebook and the Tentative Plat application material is in Section III.

**SECTION 4.110 ZONING - ZONES**

(.01) The following Base Zones are established by this Code:

- H. Village, which shall be designated "V" [per Section 4.125 enabling amendments (File No. 02PC08)]

**Response:** The subject property is within the city limits of Wilsonville, and currently has the city classification of Public Facilities (PF). The area has a City of Wilsonville Comprehensive Plan designation of "Residential - Village." This request is for a zone change to "Village," which is permitted within the area designated "Residential - Village" on the Comprehensive Plan Map.

**SECTION 4.125 VILLAGE (V) ZONE**

(.01) The Village (V) zone is applied to lands within the Residential Village Comprehensive Plan Map designation. The Village zone is the principal implementing tool for the Residential Village Comprehensive Plan designation. It is applied in accordance with the Villebois Village Master Plan and the Residential Village Comprehensive Plan designation as described in the Comprehensive Plan.

**Response:** The subject property lies within the area designated "Residential - Village" on the Comprehensive Plan Map. This request is for a zone change to "V - Village."

(.02) Permitted Uses

**Response:** The proposed uses listed in the associated application for a Preliminary Development Plan (see Section II of this Notebook) are consistent with the land uses permitted under the Village zone. The PDP, located in Section II of this Notebook, states that the proposed development will create lots for single family residential homes as well as park and linear green areas. These uses are permitted under the Village zone.

(.18) Village Zone Development Permit Process

B. Unique Features and Processes of the Village (V) Zone

- 2. ...Application for a zone change shall be made concurrently with an application for PDP approval...

**Response:** The application for a zone change is being made concurrent with an application for PDP approval (see Section II of this Notebook).

(.02) In recommending approval or denial of a proposed zone map amendment, the Planning Commission or Development Review Board shall at a minimum, adopt findings addressing the following criteria:

- A. That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008 or, in the case of a Planned Development, Section 4.140; and

Response: This application has been submitted in accordance with the procedures set forth in Section 4.140, which requires that:

- (A) *All parcels of land exceeding two (2) acres in size that are to be used for residential, commercial or industrial development, shall, prior to the issuance of building permit: 1. Be zoned for planned development; and*
- (B) *Zone change and amendment to the zoning map are governed by the applicable provisions of the Zoning Sections, inclusive of Section 4.197.*

This zone change application will establish the appropriate zone for this development and will be governed by the appropriate Zoning Sections.

- B. 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; and

Response: Comprehensive Plan Implementation Measure 4.1.6.c. states, "*the "Village" Zone District shall be applied in all areas that carry the Residential-Village Plan Map Designation.*" Since the "Village" zone must be applied to areas designated Residential Village on the Comprehensive Plan Map, its application to these areas is consistent with the Comprehensive Plan.

- C. In the event that the subject property, or any portion thereof, is designated as "Residential" on the City's Comprehensive Plan Map; specific findings shall be made addressing substantial compliance with Implementation Measure 4.1.4.b, d, e, q, and x of Wilsonville's Comprehensive Plan text; and

Response: As noted above, Comprehensive Plan Implementation Measure 4.1.6.c. states, "*the "Village" Zone District shall be applied in all areas that carry the Residential-Village Plan Map Designation.*" Since the Village Zone must be applied to areas designated "Residential Village" on the Comprehensive Plan Map and is the only zone that may be applied to these areas, its application is consistent with the Comprehensive Plan.

- D. 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; and

**Response:** The Preliminary Development Plan compliance report and the plan sheets demonstrate that the existing primary public facilities are available and can be provided in conjunction with the project. Section IIC of this Notebook includes supporting utility and drainage reports. In addition, the applicant will fund the completion of a Traffic Impact Analysis, which will be submitted to the City upon completion.

- E. 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; and

**Response:** There is no Significant Resource Overlay Zone or identified natural or geologic hazards on this property.

- F. 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; and

**Response:** The applicant is committed to a schedule demonstrating that the development of the subject property is reasonably expected to commence within two (2) years of the initial approval of the zone change.

- G. 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.

**Response:** The proposed development can be developed in compliance with the applicable development standards, as demonstrated by this report and the Preliminary Development Plan (Section II) and Tentative Plat (Section III) applications.

### III. PROPOSAL SUMMARY & CONCLUSION

This Supporting Compliance Report demonstrates compliance with the applicable requirements of the City of Wilsonville Planning & Land Development Ordinance for the requested Zone Change. Therefore, the applicant requests approval of this application.

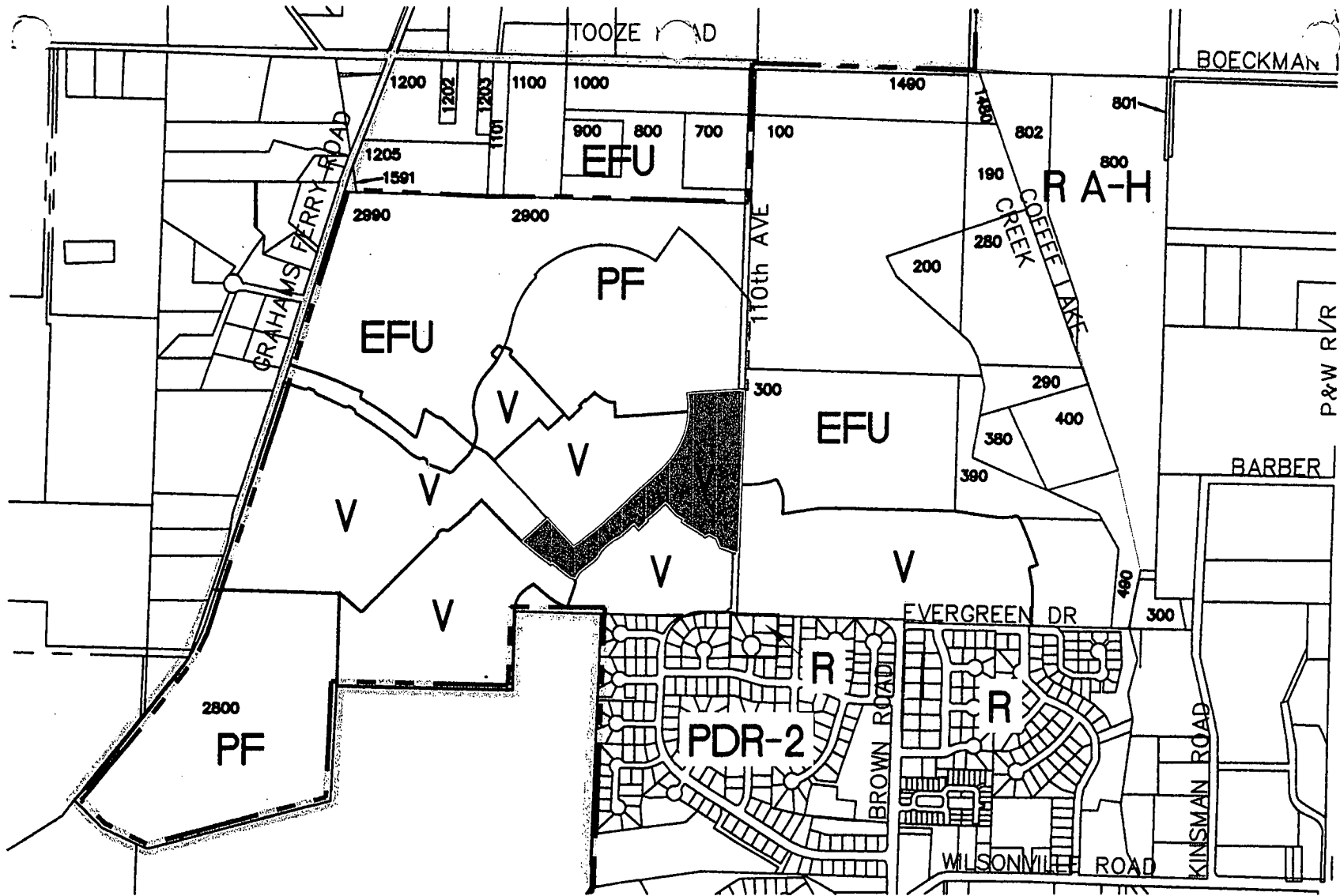


EXHIBIT B2  
SECTION 1VB

**LEGEND**

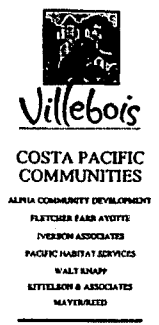
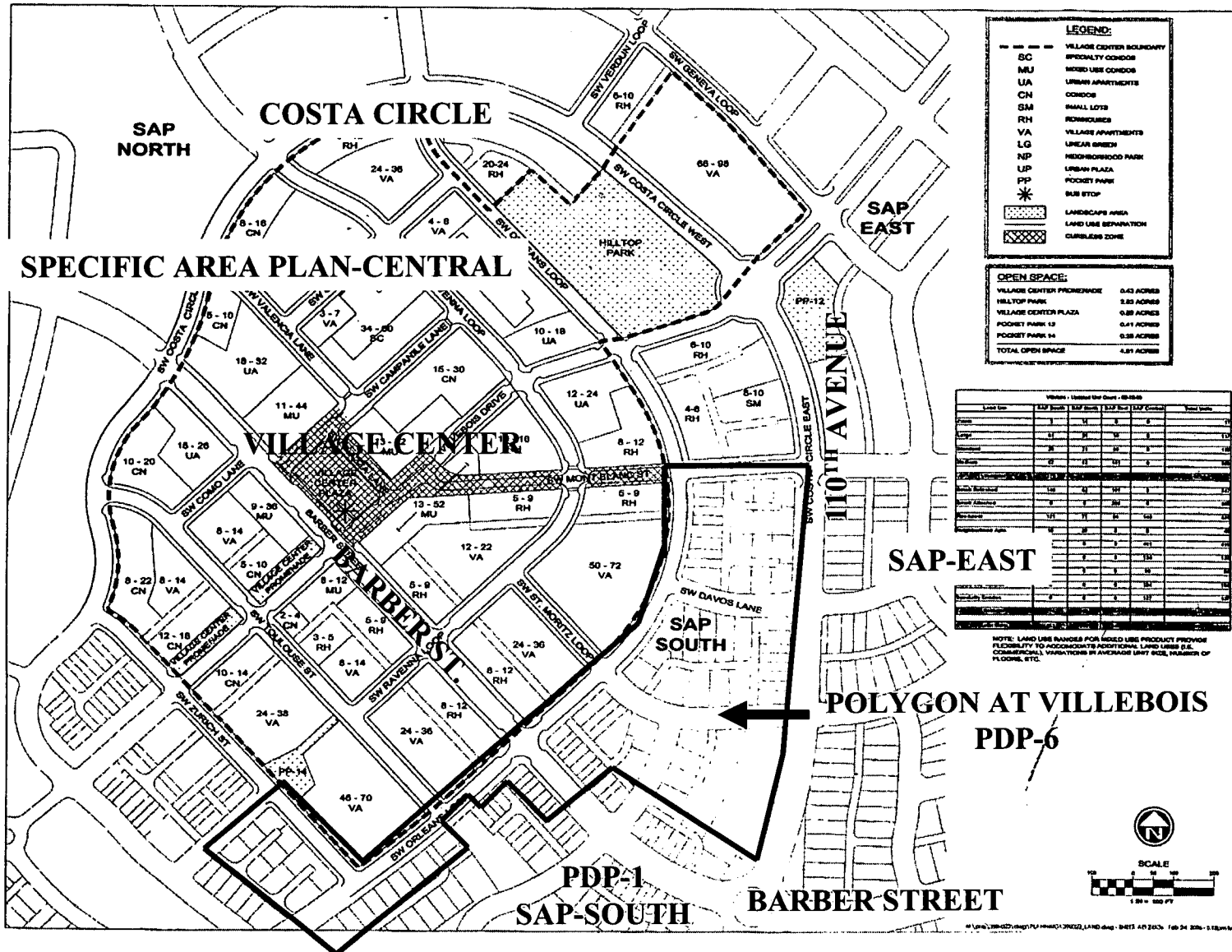
- SUBJECT AREA - PROPOSED VILLAGE (V) ZONE (6.25 AC)
- ZONE LINE
- EXISTING UGB
- EXISTING CITY BOUNDARY
- PF** EXISTING ZONING DESIGNATION



1" = 1000'

PROPOSED ZONE MAP  
AMENDMENT

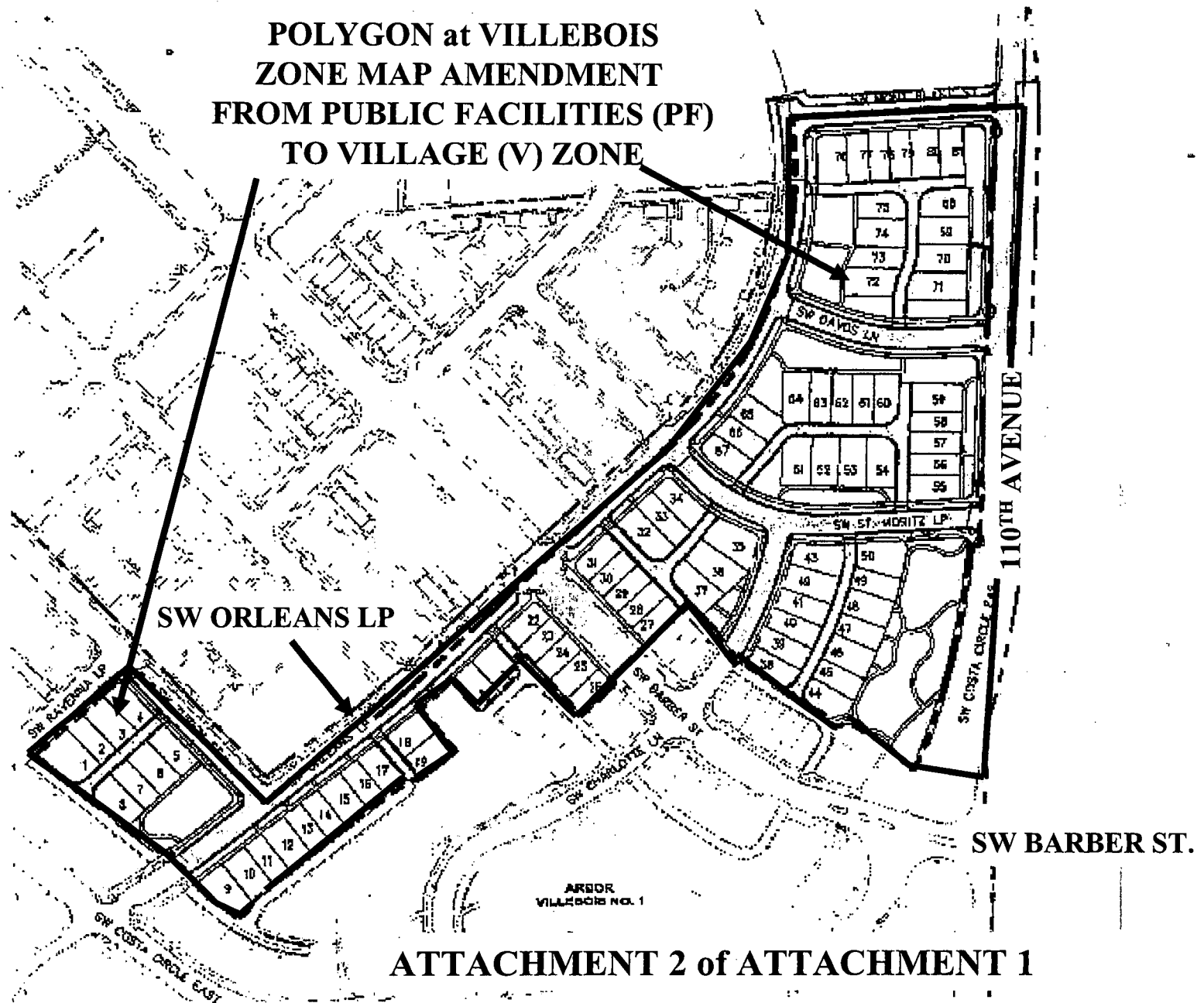
# VICINITY MAP



VILLEBOIS  
 Specific Area Plan  
 Central  
 Land Use Plan  
 DATE: 02/90

DRB EXHIBIT A2  
 POWER POINT SLIDES

**POLYGON at VILLEBOIS  
ZONE MAP AMENDMENT  
FROM PUBLIC FACILITIES (PF)  
TO VILLAGE (V) ZONE**



**ATTACHMENT 2 of ATTACHMENT 1**

EXHIBIT A2



**VILLEBOIS  
VILLAGE CENTER**



**SW ORLEANS LP**

**110TH AVENUE**

**CEDAR PARK**

**ARBOR VILLEBOIS NO. 1**

**SW BARBER ST.**





Villebois



POLYGON NW COMPANY

PACIFIC COMMODITY DESIGN, INC.  
OPTIM LANDSCAPE ARCHITECTS, INC.

POLYGON  
AT  
VILLEBOIS

Phase 6 South  
Preliminary  
Development Plan

Aerial Photograph

DATE: 4/22/2010

3



SCALE  
0 30 60  
1 INCH = 60 FEET

Saving more trees

Cedar Park

PROJECT SITE

VILLEBOIS  
VILLAGE  
CENTER NO. 1

LEGEND AT  
VILLEBOIS  
NO. 1

ARBOR  
VILLEBOIS NO. 1

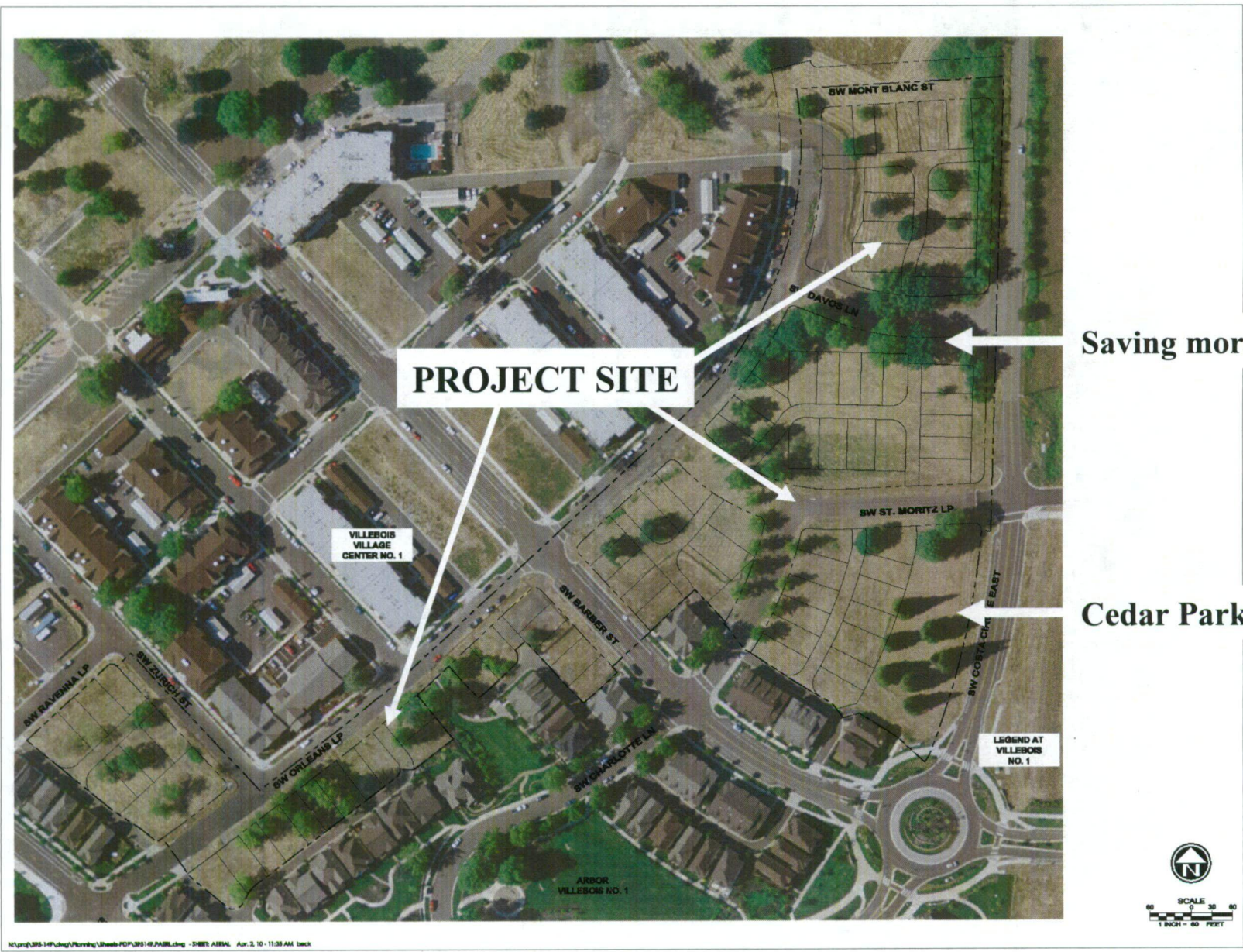
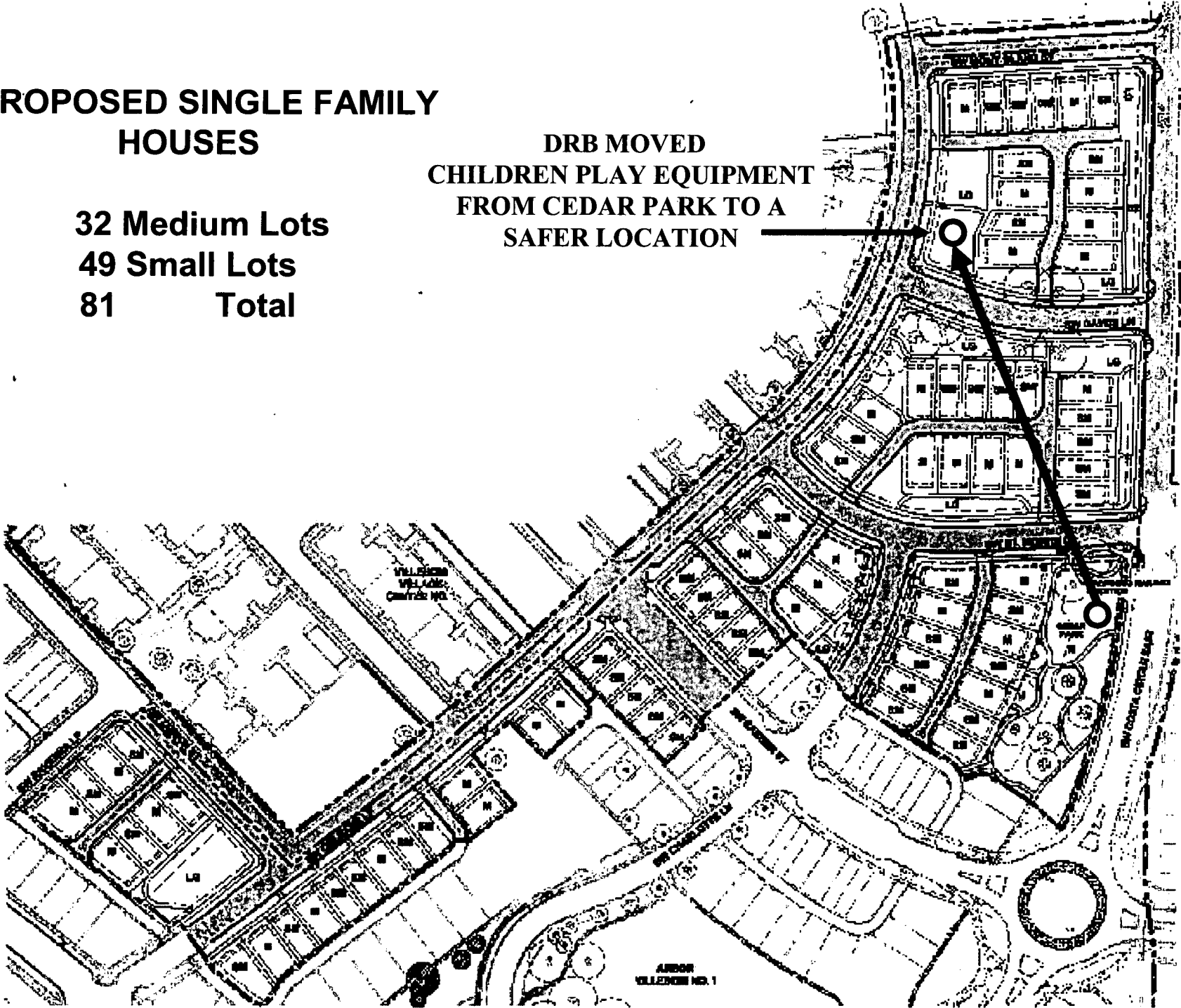


EXHIBIT A2

**PROPOSED SINGLE FAMILY  
HOUSES**

**32 Medium Lots  
49 Small Lots  
81 Total**

**DRB MOVED  
CHILDREN PLAY EQUIPMENT  
FROM CEDAR PARK TO A  
SAFER LOCATION**







## TYPE 'C' TREE PLAN

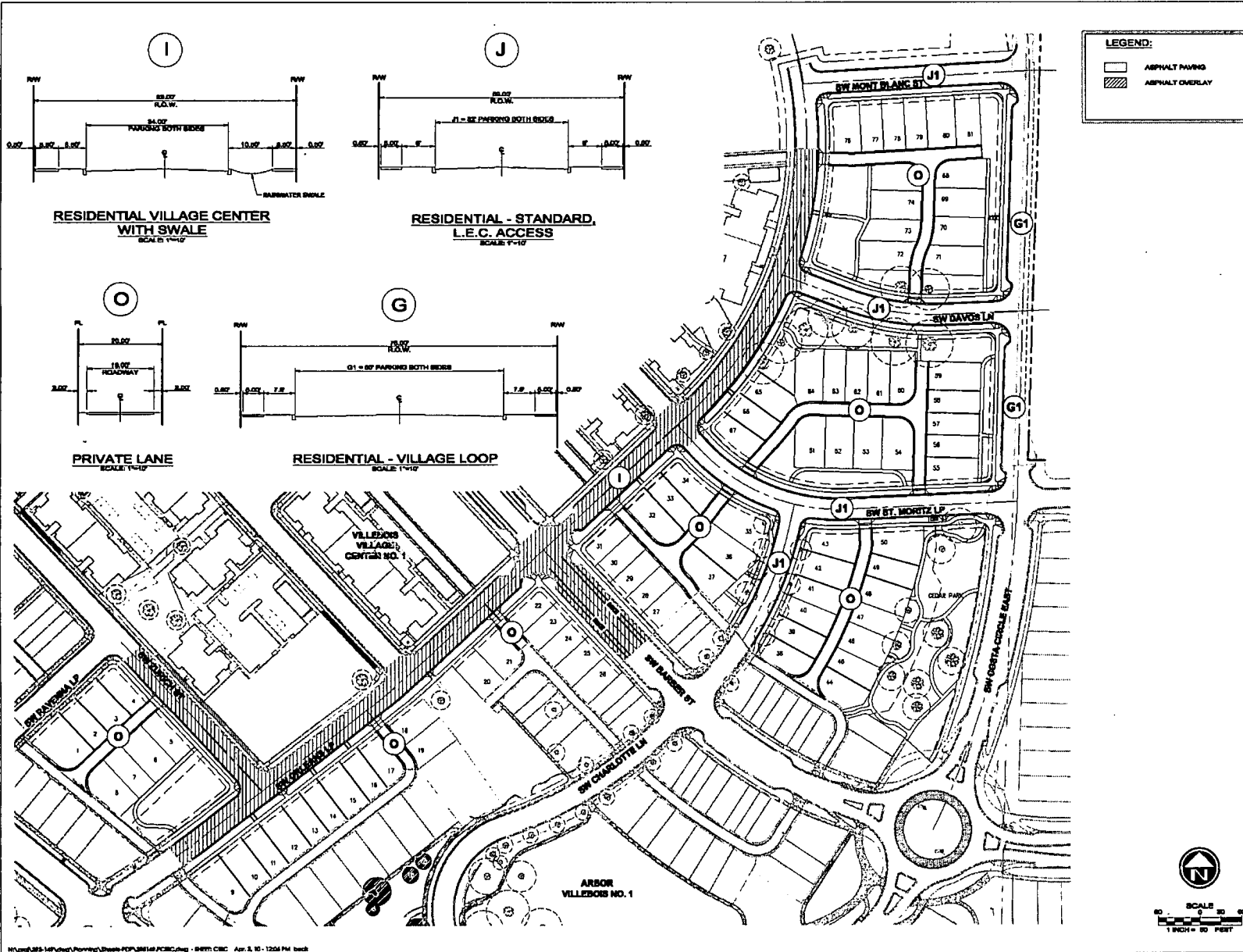
| Rating        | Number of Trees |
|---------------|-----------------|
| I - Important | 6%              |
| G - Good      | 55%             |
| M - Moderate  | 0%              |
| P - Poor      | 39%             |
| D - Dead      | 0%              |
| <b>Total</b>  | <b>100%</b>     |

| Category                    | No. of Trees |
|-----------------------------|--------------|
| Live Trees on site          | 77           |
| Trees to be retained        | 33           |
| Trees subject to mitigation | 44           |

| Mitigation Category                                  |     |
|--|-----|
| Street trees to be planted                           | 106 |
| Trees planted in park areas and open space           | 4   |
| Total trees to be planted                            | 110 |
| Trees to be removed, subject to mitigation (table 2) | 51  |

**Surplus tree mitigation**

**59**



POLYGON NW COMPANY  
 PROJECT COMMUNITY DESIGN, INC  
 CIVIL LANDSCAPE ARCHITECTURE, INC

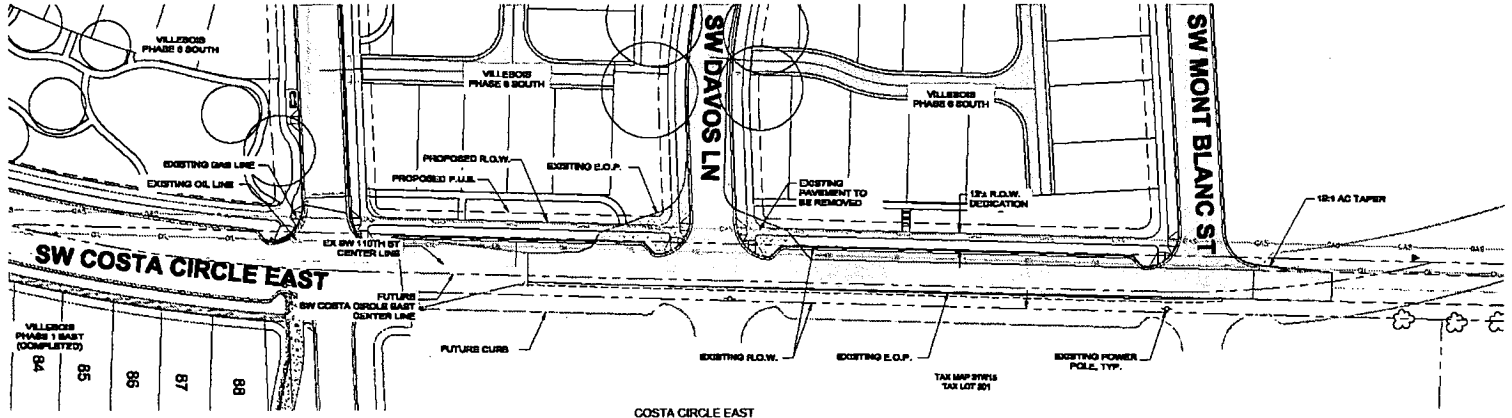
POLYGON AT VILLOBOIS

Phase 6 South Preliminary Development Plan

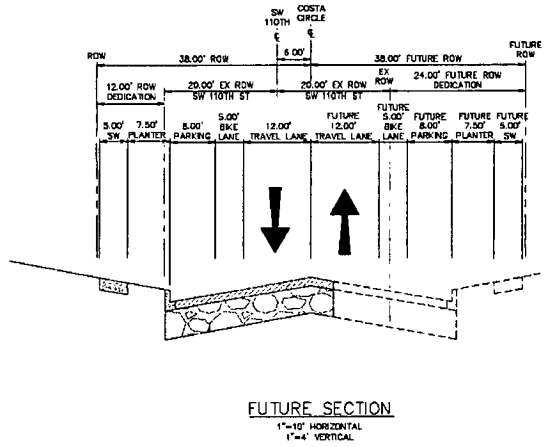
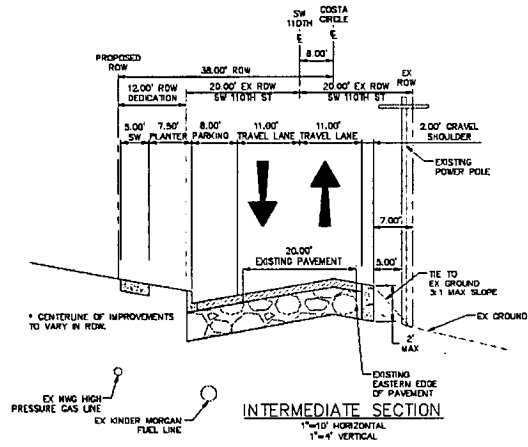
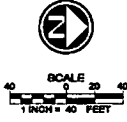
Circulation Plan

DATE: 4/02/10

EXHIBIT A2



COSTA CIRCLE EAST  
SCALE: 1" = 40'

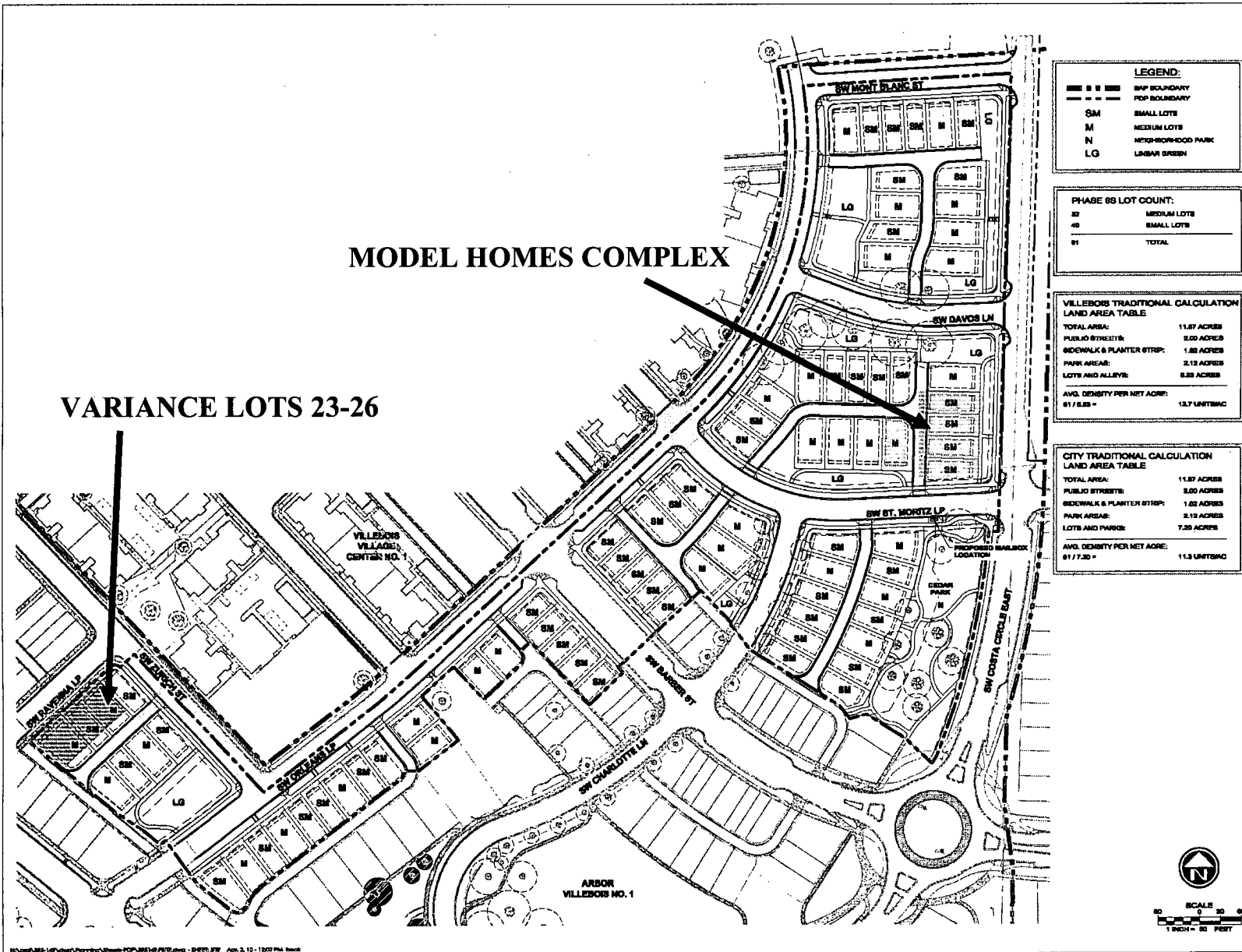


**Villebois**  
POLYGON NORTHWEST CO  
*Pacific Community Design*  
(71) 503-941-9404 (71) 503-941-9485

**VILLEBOIS**  
PDP 6S  
COSTA CIRCLE  
CROSS-SECTION  
PRELIMINARY  
DESIGN

DATE: 5/17/2019





**POLYGON NW COMPANY**  
 PACIFIC COMMUNITY DESIGN, INC  
 OYER LANDSCAPE ARCHITECTURE, INC

**POLYGON AT VILLEBOIS**

Phase 6 South Preliminary Development Plan

Site and Land Use Plan

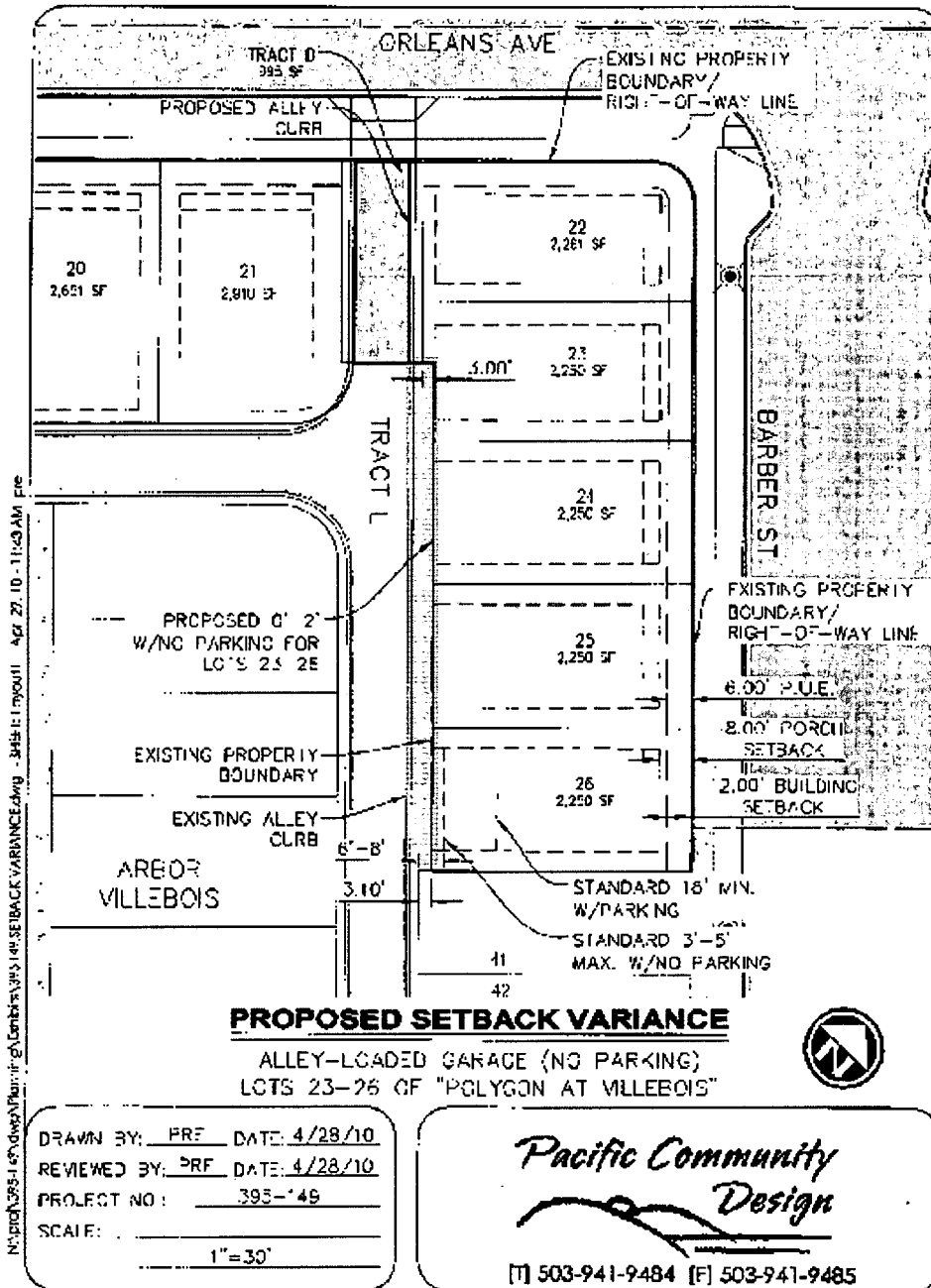
DATE: 4/02/2010

8

EXHIBIT A2







DRAWN BY: PRF DATE: 4/28/10  
 REVIEWED BY: PRF DATE: 4/28/10  
 PROJECT NO: 395-49  
 SCALE: 1"=30'

*Pacific Community Design*

(T) 503-941-9484 (F) 503-941-9485



DRB EXHIBIT  
B2-1





B2.2





