

ORDINANCE NO. 830

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE CLACKAMAS COUNTY EXCLUSIVE FARM USE (EFU) ZONE TO THE VILLAGE (V) ZONE ON APPROXIMATELY 25.69 ACRES IN THE NORTH CENTRAL PORTION OF VILLEBOIS FROM 110TH AVENUE TO CALAIS EAST SUBDIVISION, SOUTH OF TOOZE ROAD TO BERLIN AVENUE; THE LAND IS MORE PARTICULARLY DESCRIBED AS TAX LOTS 7200, 7290, 7300, 7400, 7500, AND 7600, SECTION 15AB, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CLACKAMAS COUNTY, OREGON. POLYGON WLH LLC, APPLICANT.

WHEREAS, certain real property described in **Attachment 1** attached hereto and incorporated herein (“Property”) is within the Villebois Village Master Plan area; and

WHEREAS, the City of Wilsonville desires to have the Property zoned consistent with the Wilsonville Comprehensive Plan Map designation of “Residential-Village” rather than maintain the current Clackamas County zoning designations, as has been done for the rest of the land as it developed within the Villebois Village Master Plan area; and

WHEREAS, the City of Wilsonville Planning Staff analyzed the Zone Map Amendment request and prepared a staff report for the Development Review Board, finding that the application met the requirements for a Zone Map Amendment and recommending approval of the Zone Map Amendment, which staff report was presented to the Development Review Board on November 26, 2018; and

WHEREAS, the Development Review Board Panel 'B' held a public hearing on the application for a Zone Map Amendment, among other requests, on November 28, 2018, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 359 attached hereto and incorporated herein as **Attachment 3**, which recommends City Council approval of the Zone Map Amendment request (Case File DB18-0049) and adopts the staff report with findings and recommendation, all as placed on the record at the hearing; and

WHEREAS, on December 17, 2018, the Wilsonville City Council held a public hearing regarding the above described matter, wherein the City Council considered the full public record made before the Development Review Board, including the Development Review Board and City Council staff reports; took public testimony; and, upon deliberation, concluded that the proposed Zone Map Amendment meets the applicable approval criteria under the City of Wilsonville Development Code;

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

1. The City Council adopts, as findings and conclusions, the forgoing Recitals and the Zone Map Amendment Findings in **Attachment 2**, as if fully set forth herein.
2. The official City of Wilsonville Zone Map is hereby amended by Zoning Order DB18-0049, attached hereto as Attachment 1, from the Clackamas County Exclusive Farm Use (EFU) Zone to the Village (V) Zone.

SUBMITTED to the Wilsonville City Council and read for the first time at a regular meeting thereof on the 17th day of December, 2018, and scheduled for a second reading at a regular meeting of the Council on the 7th day of January, 2019, commencing at the hour of 7:00 P.M. at Wilsonville City Hall.

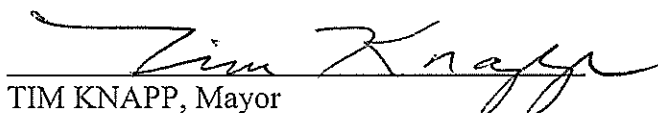

Kimberly Veliz, City Recorder

ENACTED by the City Council on the 7th day of January, 2019 by the following votes:

Yes: 3 No: 0


Kimberly Veliz, City Recorder

DATED and signed by the Mayor this 3 day of January, 2019.


TIM KNAPP, Mayor

SUMMARY OF VOTES:

Mayor Knapp	Yes
Councilor Stevens	Excused
Councilor Lehan	Yes
Councilor Akervall	Yes
Councilor West	Abstain

Attachments:

1. Attachment 1 – Zoning Order DB18-0049 including legal description and sketch depicting zone map amendment
2. Attachment 2 – Zone Map Amendment Findings
3. Attachment 3 – DRB Resolution No. 359 recommending approval of Zone Map Amendment

Ordinance No. 830 Attachment 1

BEFORE THE CITY COUNCIL OF
THE CITY OF WILSONVILLE,
OREGON

In the Matter of the Application of)
Polygon WLH LLC)
for a Rezoning of Land and Amendment) **ZONING ORDER DB18-0049**
of the City of Wilsonville Zoning Map)
Incorporated in Section 4.102 of the)
Wilsonville Code.)

The above-entitled matter is before the Council to consider the application of DB18-0049, for a Zone Map Amendment and an Order, amending the official Zoning Map as incorporated in Section 4.102 of the Wilsonville Code.

The Council finds that the subject property ("Property"), legally described and shown on the attached legal description and sketch, has heretofore appeared on the Clackamas County zoning map Exclusive Farm Use (EFU).

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

THEREFORE IT IS HEREBY ORDERED that The Property, consisting of approximately 16 acres on the north side of Boeckman Road just west of Stafford Road comprising tax lots 7200, 7290, 7300, 7400, 7500, and 7600, Section 15AB, as more particularly shown and described in the attached legal description and sketch, is hereby rezoned to Village (V), subject to conditions detailed in this Order's adopting Ordinance. The foregoing rezoning is hereby declared an amendment to the Wilsonville Zoning Map (Section 4.102 WC) and shall appear as such from and after entry of this Order.

Dated: This 17th day of December, 2018.


TIM KNAPP, MAYOR

APPROVED AS TO FORM:


Barbara A. Jacobson, City Attorney

Ordinance No. 830 Attachment 1

ATTEST:



Kimberly Veliz, City Recorder

Attachment: Legal Description and Sketch Depicting Land/Territory to be Rezone

EXHIBIT A



LEGAL DESCRIPTION

Zone Change

Clermont

3 1 W 15AB 7200, 7290, 7300, 7400, 7500, and 7600

Parcels I, II, and III, of the land described in Document Nos. 91-08202 and 91-08203, Clackamas County Deed Records, in the Northeast Quarter of Section 15, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, State of Oregon, more particularly described as follows:

BEGINNING at the North quarter-corner of said Section 15;

thence along the North line of Samuel B. Franklin Donation Land Claim No. 50, South 88° 35' 17" East, a distance of 1226.19 feet to the northeast corner of said Samuel B. Franklin Donation Land Claim No. 50;

thence along the East line of said Samuel B. Franklin Donation Land Claim No. 50, South 01° 35' 01" West, a distance of 909.38 feet to a point on the northerly plat line of "Tonquin Meadows";

thence along the northerly plat line of "Tonquin Woods at Villebois No. 6", "Tonquin Meadows", "Fir Terrace", and "Calais East at Villebois", North 88° 34' 00" West, a distance of 1235.31 feet to a point on the easterly plat line of "Calais East at Villebois";

thence along said easterly plat line, and its extension, North 02° 09' 29" East, a distance of 909.00 feet to the POINT OF BEGINNING.

Containing 25.687 acres, more or less.

Basis of bearings being plat of "Calais East at Villebois", Clackamas County Plat Records.

Property Vested in:

Victor C. Chang et al.

3 1 W 15AB 7200, 7290, 7300, 7400, 7500, and 7600

REGISTERED
PROFESSIONAL
LAND SURVEYOR

A handwritten signature in blue ink, appearing to read "T. Jansen".

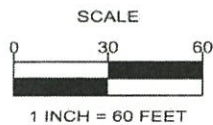
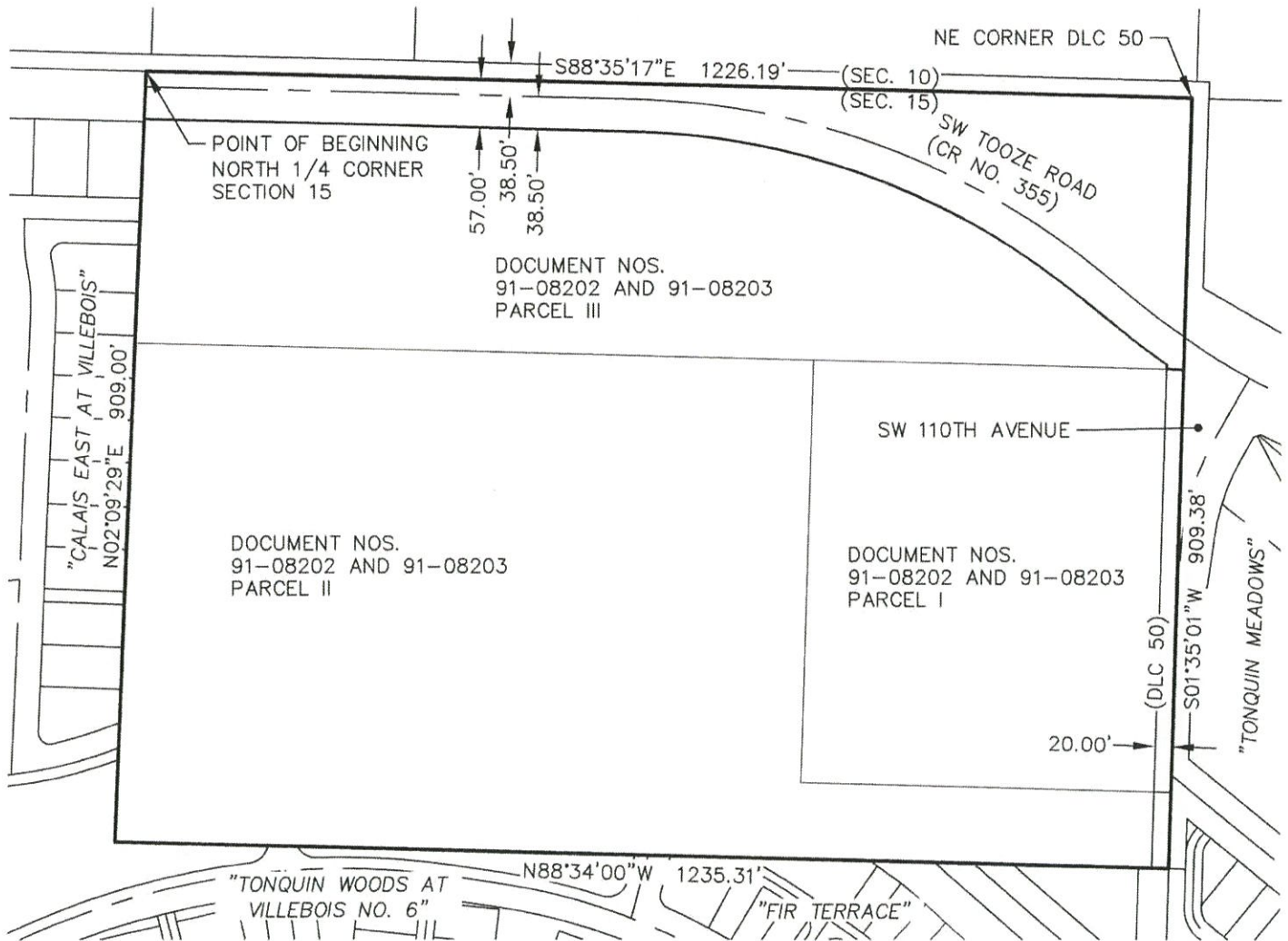
OREGON
JULY 9, 2002
TRAVIS C. JANSEN
57751

RENEWS: 6/30/2019

EXHIBIT B



SKETCH TO ACCOMPANY LEGAL DESCRIPTION ZONE CHANGE CLERMONT 3 1 W 15AB 7200, 7290, 7300, 7400, 7500, AND 7600



Property Vested in:
VICTOR C. CHANG ET AL.
3 1 W 15AB 7200, 7290, 7300, 7400, 7500, AND 7600

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 9, 2002
TRAVIS C. JANSEN
57751

RENEWS: 6/30/2019



Ordinance No. 830 Attachment 2
Zone Map Amendment Findings

Polygon Homes- Clermont Single-family Subdivision
& Regional Park 6
Villebois Phase 5 North

City Council
Quasi-Judicial Public Hearing

Hearing Date: December 17, 2018

Date of Report: December 3, 2018

Application No.: DB18-0049 Zone Map Amendment

Request: The request before the City Council is a Zone Map Amendment for approximately 25.69 acres.

Location: North central portion of Villebois between from 110th Avenue to Calais East Subdivision, south of Tooze Road to Berlin Avenue. The property described as Tax Lots 0543, 7000, 7200, 7290, 7300, 7400, 7500, 7600, 8130, and City of Wilsonville right-of-way between Tax Lots 0543 and 8130, Section 15AB, City of Wilsonville right-of-way (SW 110th Avenue) between Section AB and Section AA, Tax Lot 16400, Section AA, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon.

Owners: Victor C. Chang, Allen Y. Chang, City of Wilsonville

/Applicant: Jason Baker, Polygon WLH, LLC

Applicant's Rep.: Stacy Connery AICP, Pacific Community Design, Inc.

Comprehensive Plan Designation: Residential Village

Zone Map Classification (Current): EFU (Exclusive Farm Use)

Zone Map Classification (Proposed): V (Village)

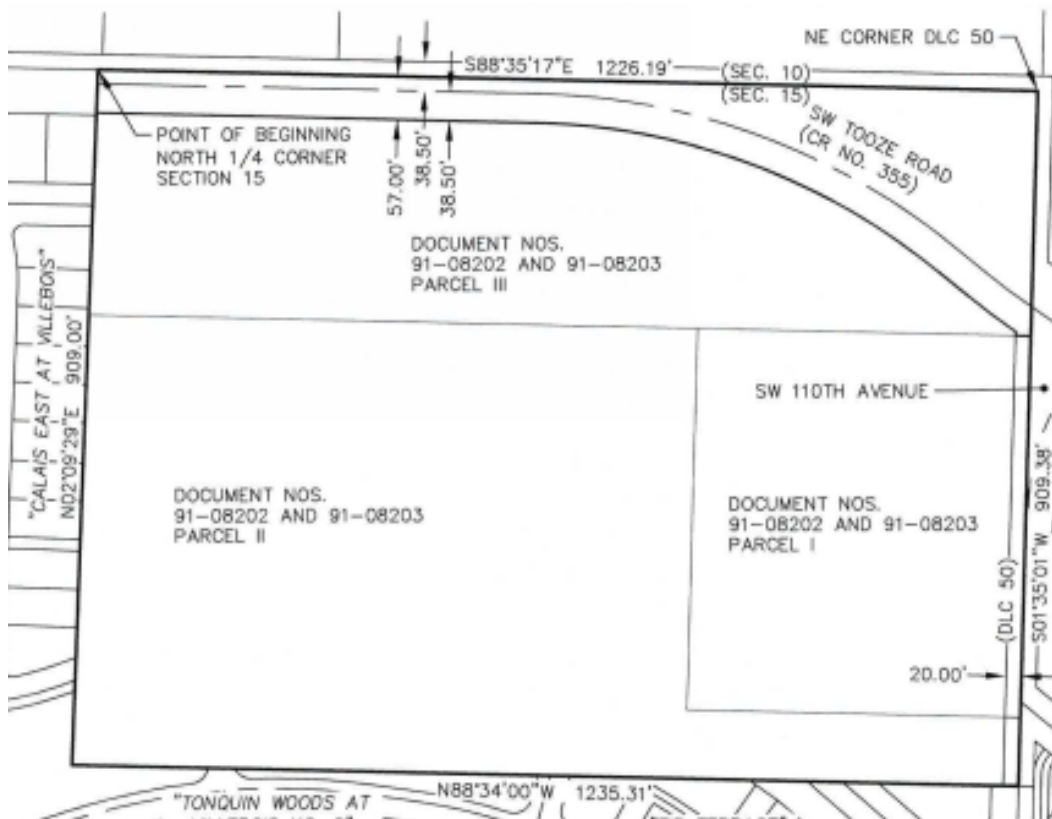
Staff Reviewers: Daniel Pauly AICP, Senior Planner

Staff/DRB Recommendation: Adopt the requested Zone Map Amendment.

Applicable Review Criteria:

Development Code:	
Section 4.110	Zones
Section 4.127	Residential Neighborhood (RN) Zone
Section 4.197	Zone Changes
Comprehensive Plan and Sub-elements:	
Citizen Involvement	
Urban Growth Management	
Public Facilities and Services	
Land Use and Development	
Plan Map	
Area of Special Concern L	
Transportation Systems Plan	
Villebois Village Master Plan	
Regional and State Law and Planning Documents	
Statewide Planning Goals	

Vicinity Map



Summary:

Zone Map Amendment (DB18-0049)

The applicant requests to change the portions of the project area with the current Clackamas County zoning designation of Exclusive Farm Use (EFU) to the City of Wilsonville zoning designation of Village (V). The Village zone is the zone designated for the areas with the Residential-Village Comprehensive Plan Map designation as they develop.

Findings:

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

General Information

Application Procedures-In General

Section 4.008

The City's processing of the application is in accordance with the applicable general procedures of this Section.

Initiating Application

Section 4.009

The owners of all property included in the application signed the application forms. West Hills Development initiated the application with their approval.

Request: DB18-0049 Zone Map Amendment

As described in the Findings below, the request meets the applicable criteria.

Comprehensive Plan

Development in “Residential Village” Applicable Plans and Code
Implementation Measure 4.1.6.a. and c.

- A1.** The review of the proposed developed includes reviewing and applying applicable portions of the Villebois Village Concept Plan, Villebois Village Master Plan, the Comprehensive Plan, and the Development Code. Rezoning the property to “Village” will allow application of the Village Zone standards created to implement these plans, policies, and codes.

Contents of Villebois Village Master Plan
Implementation Measure 4.1.6.b.

- A2.** The concurrent proposal for a preliminary development plan implements the procedures as outlined by the Villebois Village Master Plan, as previously approved.

Applying “Village” Zone to Residential-Village Comprehensive Plan Designation
Implementation Measure 4.1.6.c.

- A3.** The request is to apply the Village Zone to an area designated as Residential-Village in the Comprehensive Plan.

Wide Range of Uses in “Village” Zone
Implementation Measure 4.1.6.d.

- A4.** The proposed residential uses as well as parks and open space use are amongst the wide range of uses allowed in the Village Zone.

Development Code

Zoning Concurrent with Planned Development Approval
Section 4.029

- A5.** The applicant is applying for a zone change concurrently with a Preliminary Development Plan, which is equivalent to a Stage II Final Plan for a planned development.

Base Zoning Designations
Subsection 4.110 (.01)

- A6.** The requested zoning designation of Village “V” is among the base zones identified in this subsection.

Village Zone Purpose
Subsection 4.125 (.01)

- A7.** Consistent with the Village Zone purpose, the proposal is for land designated Residential-Village on the Comprehensive Plan map and within the Villebois Village Master Plan area to receive the zoning designation of Village “V”.

Village Zone Permitted Uses
Subsection 4.125 (.02)

- A8.** The proposed residential and park uses are consistent with the uses permitted in Village Zone and Villebois Village Master Plan.

Zone Change Concurrent with PDP Approval
Subsection 4.125 (.18) B. 2.

- A9.** The requested zone map amendment is concurrent with a request for PDP approval. See Request C.

Zone Change Procedures
Subsection 4.197 (.02) A.

- A10.** The applicant submitted the request for a zone map amendment as set forth in the applicable code sections.

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

- A11.** The proposed zone map amendment is consistent with the Comprehensive Map designation of Residential-Village and as shown in Findings A1 through A4 comply with applicable Comprehensive Plan text.

Residential Designated Lands-Housing Variety
Subsection 4.197 (.02) C.

- A12.** Implementation Measures 4.1.4. b, d, e, q, and x require a variety of housing. The proposed zone map amendment allows for furthering of these implementation measures by permitting development of the diverse housing types called for in the Villebois Village Master Plan, which development on the subject property must conform.

Public Facility Concurrency
Subsection 4.197 (.02) D.

- A13.** The Preliminary Development Plan compliance report and the plan sheets demonstrate that the existing primary public facilities are available or the developer can provide in conjunction with the project. Section IIIC of the applicant’s notebook, Exhibit B1, as well as Sheet 6 of Exhibit B3, and Exhibit B7 include supporting utility and drainage information. Exhibit B5 is a Trip Generation Memo confirming traffic concurrency.

Impact on SROZ Areas
Subsection 4.197 (.02) E.

A14. No SROZ is within the area to be rezoned.

Development within 2 Years
Subsection 4.197 (.02) F.

A15. Related land use approvals for PDP 5 North expire after 2 years, so requesting the land use approvals assumes development would commence within two (2) years. However, in the scenario where the applicant or their successors do not commence development within two (2) years allowing related land use approvals to expire, the zone change shall remain in effect.

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

A16. As can be found in the findings for the accompanying requests, the applicable development standards will be met either as proposed or as a condition of approval.

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 359**

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF A ZONE MAP AMENDMENT FROM EXCLUSIVE FARM USE (EFU) ZONE TO VILLAGE (V) ZONE, AND ADOPTING FINDINGS AND CONDITIONS APPROVING SPECIFIC AREA PLAN – NORTH AMENDMENT, PRELIMINARY DEVELOPMENT PLAN, FINAL DEVELOPMENT PLAN FOR PARKS AND OPEN SPACE, TENTATIVE SUBDIVISION PLAT, TYPE C TREE PLAN AND ABBREVIATED SRIR REVIEW FOR DEVELOPMENT OF AN 89-LOT SINGLE-FAMILY SUBDIVISION AND VILLEBOIS REGIONAL PARK COMPONENT 6 AND A MODIFICATION OF THE EASTERN PORTION OF REGIONAL PARK COMPONENT 5 “TROCADERO PARK” AND ASSOCIATED IMPROVEMENTS IN VILLEBOIS SAP NORTH PHASE 5. THE SUBJECT PROPERTY IS LOCATED ON TAX LOTS 0543, 7700, 7200, 7290, 7300, 7400, 7500, 7600, 8130 AND CITY OF WILSONVILLE RIGHT-OF-WAY BETWEEN TAX LOTS 0543 AND 8130 OF SECTION 15AB, CITY OF WILSONVILLE RIGHT-OF-WAY (SW 110TH AVENUE) BETWEEN SECTION AB AND SECTION AA, TAX LOT 16400 OF SECTION AA, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON. STACY CONNERY, AICP, PACIFIC COMMUNITY DESIGN, INC. – REPRESENTATIVE FOR POLYGON WLH, LLC – APPLICANT AND VICTOR C. CHANG, ALLEN Y. CHANG, CITY OF WILSONVILLE, POLYGON AT VILLEBOIS III, LLC AND SPARROW CREEK LLC – OWNERS.

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared staff report on the above-captioned subject dated November 19, 2018, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel B at a scheduled meeting conducted on November 26, 2018, at which time exhibits, together with findings and public testimony were entered into the public record, and

WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and

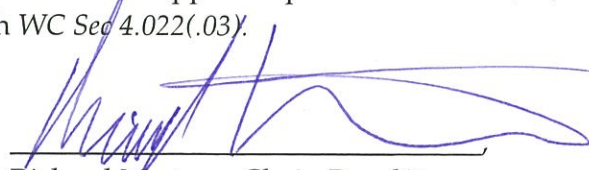
WHEREAS, interested parties, if any, have had an opportunity to be heard on the subject.

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report dated November 19, 2016, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations, subject to approval of the Zone Map Amendment Request (DB18-0049) for:

DB18-0050 through DB18-0054, SI18-0005 Specific Area Plan Amendment, Preliminary Development Plan, Final Development Plan, Tentative Subdivision Plat, and Type C Tree Plan for a 89-lot residential subdivision, regional park, and associated improvements.

Ordinance No. 830 Attachment 3

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 26th day of November, 2018 and filed with the Planning Administrative Assistant on Nov. 27, 2018. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per *WC Sec 4.022(.09)* unless appealed per *WC Sec 4.022(.02)* or called up for review by the council in accordance with *WC Sec 4.022(.03)*.



Richard Martens, Chair, Panel B
Wilsonville Development Review Board

Attest:



Shelley White, Planning Administrative Assistant



VIA: Certified Mail, Return Receipt Requested

November 27, 2018

Jason Baker
 Polygon WLH, LLC
 703 Broadway St., Suite 510
 Vancouver, WA 98660

Re: Villebois Phase 5 North "Clermont"

Case Files:	Request A:	DB18-0049	Zone Map Amendment
	Request B:	DB18-0050	SAP North Amendment
	Request C:	DB18-0051	SAP North PDP5, Preliminary Development Plan
	Request D:	DB18-0052	Final Development Plan for Parks and Open Space
	Request E:	DB18-0053	Tentative Subdivision Plat
	Request F:	DB18-0054	Type C Tree Plan
	Request G:	SI18-0005	Abbreviated SRIR Review

Two copies of the Development Review Board's decision on your referenced project, including conditions of approval rendered are attached. *Please note that these approvals are contingent upon the City Council's approval of the Zone Map Amendment, which is scheduled for a hearing on December 17, 2018.*

Please note that your signature acknowledging receipt and acceptance of the Conditions of Approval is required to be returned to the Planning Office before the decision is effective. One copy is provided for this purpose. Please sign and return to the undersigned. Thank you.

Thank you.

Shelley White
 Planning Administrative Assistant

CC: Stacy Connery – Pacific Community Design

CC via E-mail:

Eric Wonderly
Teresa Denney
Nicole Jackson
Sarah Ochs
Shelley Parker
Orlando Ferrer
Joseph Tucker
Steve Gaschler
Betsy Imholt
Craig Eggers
Pauline
Adam Hill
Herman Walter
Austen Rustrum
R. Michael Healey

Justin Guadagni
Jim Newton
Judy Newton
Brooke Fossati
Paolo Petines
Mary Steele
Chad Marley
Carol E. Hill
Julie Fitzgerald
Bill & Pat McConnell
Rey Torres
Sheryl Rhoades
Paul Lazatin

November 27, 2018

DEVELOPMENT REVIEW BOARD PANEL B

**DEVELOPMENT REVIEW BOARD NOTICE OF DECISION AND
RECOMMENDATION TO CITY COUNCIL**

Project Name: Villebois Phase 5 North "Clermont"

Case Files:	Request A:	DB18-0049	Zone Map Amendment
	Request B:	DB18-0050	SAP North Amendment
	Request C:	DB18-0051	SAP North PDP5, Preliminary Development Plan
	Request D:	DB18-0052	Final Development Plan for Parks and Open Space
	Request E:	DB18-0053	Tentative Subdivision Plat
	Request F:	DB18-0054	Type C Tree Plan
	Request G:	SI18-0005	Abbreviated SRIR Review

Owners: Victor C. Chang, Allen Y. Chang, City of Wilsonville,
Polygon at Villebois III LLC, Sparrow Creek LLC

Applicant: Jason Baker, Polygon WLH LLC

**Applicant's
Representative:** Stacy Connery, AICP – Pacific Community Design, Inc.

**Property
Description:** Tax Lots 0543, 7000, 7200, 7290, 7300, 7400, 7500, 7600, 8130 and City of Wilsonville right-of-way between Tax Lots 0543 and 8130, Section 15AB, City of Wilsonville right-of-way (SW 110th Avenue) between Section AB and Section AA, Tax Lot 16400, Section AA; T3S R1W; Clackamas County; Wilsonville, Oregon.

Location: Phase 5 of SAP-North, Villebois

On November 26, 2018 at the meeting of the Development Review Board Panel B, the following action was taken on the above-referenced proposed development applications:

Request A: The DRB has forwarded a recommendation of approval to the City Council. *A Council hearing date is scheduled for Monday, December 17, 2018 to hear this item.*

Requests B, C, D, E, F and G:

Approved with conditions of approval.
These approvals are contingent upon City Council's approval of Request A.

An appeal of Requests B, C, D, E, F and G to the City Council by anyone who is adversely affected or aggrieved, and who has participated in this hearing, orally or in writing, must be filed with the City Recorder within fourteen (14) calendar days of the mailing of this Notice of Decision. *WC Sec. 4.022(.02)*. A person who has been mailed this written notice of decision cannot appeal the decision directly to the Land Use Board of Appeals under *ORS 197.830*.

This decision has been finalized in written form and placed on file in the City records at the Wilsonville City Hall this 27th day of November 2018 and is available for public inspection. The decision regarding Requests B, C, D, E, F and G shall become final and effective on the fifteenth (15th) calendar day after the postmarked date of this written Notice of Decision, unless appealed or called up for review by the Council in accordance with *WC Sec. 4.022(.09)*.

Written decision is attached

For further information, please contact the Wilsonville Planning Division at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, Oregon 97070 or phone 503-682-4960

Attachments: DRB Resolution No. 359, including adopted staff report with conditions of approval.

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 359**

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL TO CITY COUNCIL OF A ZONE MAP AMENDMENT FROM EXCLUSIVE FARM USE (EFU) ZONE TO VILLAGE (V) ZONE, AND ADOPTING FINDINGS AND CONDITIONS APPROVING SPECIFIC AREA PLAN – NORTH AMENDMENT, PRELIMINARY DEVELOPMENT PLAN, FINAL DEVELOPMENT PLAN FOR PARKS AND OPEN SPACE, TENTATIVE SUBDIVISION PLAT, TYPE C TREE PLAN AND ABBREVIATED SRIR REVIEW FOR DEVELOPMENT OF AN 89-LOT SINGLE-FAMILY SUBDIVISION AND VILLEBOIS REGIONAL PARK COMPONENT 6 AND A MODIFICATION OF THE EASTERN PORTION OF REGIONAL PARK COMPONENT 5 “TROCADERO PARK” AND ASSOCIATED IMPROVEMENTS IN VILLEBOIS SAP NORTH PHASE 5. THE SUBJECT PROPERTY IS LOCATED ON TAX LOTS 0543, 7700, 7200, 7290, 7300, 7400, 7500, 7600, 8130 AND CITY OF WILSONVILLE RIGHT-OF-WAY BETWEEN TAX LOTS 0543 AND 8130 OF SECTION 15AB, CITY OF WILSONVILLE RIGHT-OF-WAY (SW 110TH AVENUE) BETWEEN SECTION AB AND SECTION AA, TAX LOT 16400 OF SECTION AA, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON. STACY CONNERY, AICP, PACIFIC COMMUNITY DESIGN, INC. – REPRESENTATIVE FOR POLYGON WLH, LLC – APPLICANT AND VICTOR C. CHANG, ALLEN Y. CHANG, CITY OF WILSONVILLE, POLYGON AT VILLEBOIS III, LLC AND SPARROW CREEK LLC – OWNERS.

WHEREAS, an application, together with planning exhibits for the above-captioned development, has been submitted in accordance with the procedures set forth in Section 4.008 of the Wilsonville Code, and

WHEREAS, the Planning Staff has prepared staff report on the above-captioned subject dated November 19, 2018, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel B at a scheduled meeting conducted on November 26, 2018, at which time exhibits, together with findings and public testimony were entered into the public record, and

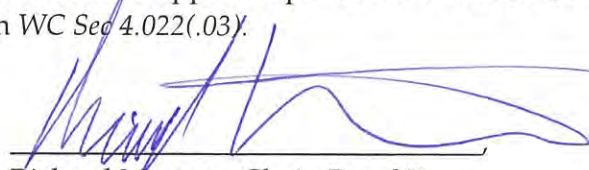
WHEREAS, the Development Review Board considered the subject and the recommendations contained in the staff report, and

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

NOW, THEREFORE, BE IT RESOLVED that the Development Review Board of the City of Wilsonville does hereby adopt the staff report dated November 19, 2016, attached hereto as Exhibit A1, with findings and recommendations contained therein, and authorizes the Planning Director to issue permits consistent with said recommendations, subject to approval of the Zone Map Amendment Request (DB18-0049) for:

DB18-0050 through DB18-0054, SI18-0005 Specific Area Plan Amendment, Preliminary Development Plan, Final Development Plan, Tentative Subdivision Plat, and Type C Tree Plan for a 89-lot residential subdivision, regional park, and associated improvements.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 26th day of November, 2018 and filed with the Planning Administrative Assistant on Nov. 27, 2018. This resolution is final on the 15th calendar day after the postmarked date of the written notice of decision per *WC Sec 4.022(.09)* unless appealed per *WC Sec 4.022(.02)* or called up for review by the council in accordance with *WC Sec 4.022(.03)*.



Richard Martens, Chair, Panel B
Wilsonville Development Review Board

Attest:



Shelley White, Planning Administrative Assistant

Exhibit A1
Staff Report Wilsonville Planning Division

Polygon Homes- Clermont Single-family Subdivision & Regional Park 6
Villebois Phase 5 North

Development Review Board Panel 'B'
Quasi-Judicial Public Hearing
Added language ***bold italics underline***
Removed Language ~~struck through~~

Hearing Date:	November 26, 2018
Date of Report:	November 19, 2018

Application Nos.:

- DB18-0049 Zone Map Amendment
- DB18-0050 SAP-North Amendment
- DB18-0051 SAP-North PDP 5, Preliminary Development Plan
- DB18-0052 Final Development Plan for Parks and Open Space
- DB18-0053 Tentative Subdivision Plat
- DB18-0054 Type C Tree Plan
- SI18-0005 Significant Resource Impact Review

Request/Summary The requests before the Development Review Board include a Zone Map Amendment, Villebois Specific Area Plan North Amendment, Preliminary Development Plan, Final Development Plan, Tentative Subdivision Plat, and a Type C Tree Plan, for an 89-lot residential subdivision, Villebois Regional Park Component 6 and modification of Component 5, and associated improvements.

Location: North central portion of Villebois between from 110th Avenue to Calais East Subdivision, south of Tooze Road to Berlin Avenue. The property described as Tax Lots 0543, 7000, 7200, 7290, 7300, 7400, 7500, 7600, 8130, and City of Wilsonville right-of-way between Tax Lots 0543 and 8130, Section 15AB, City of Wilsonville right-of-way (SW 110th Avenue) between Section AB and Section AA, Tax Lot 16400, Section AA, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon.

Owners: Victor C. Chang, Allen Y. Chang, City of Wilsonville, Polygon at Villebois III LLC, Sparrow Creek LLC

Applicant: Jason Baker, Polygon WLH, LLC

Applicant's Rep.: Stacy Connery AICP, Pacific Community Design, Inc.

Comprehensive Plan Map Designation: Residential-Village

Zone Map Classification: Chang Property: EFU (Clackamas County Exclusive Farm Use),
Other: V (Village)

Development Review Board Panel 'B' Staff Report November 19, 2018

Exhibit A1

Polygon Homes-Villebois Phase 5 North Clermont

Amended and Adopted November 26, 2018

Page 1 of 79

Staff Reviewers: Daniel Pauly AICP, Senior Planner
 Steve Adams PE, Development Engineering Manager
 Kerry Rappold, Natural Resource Program Manager

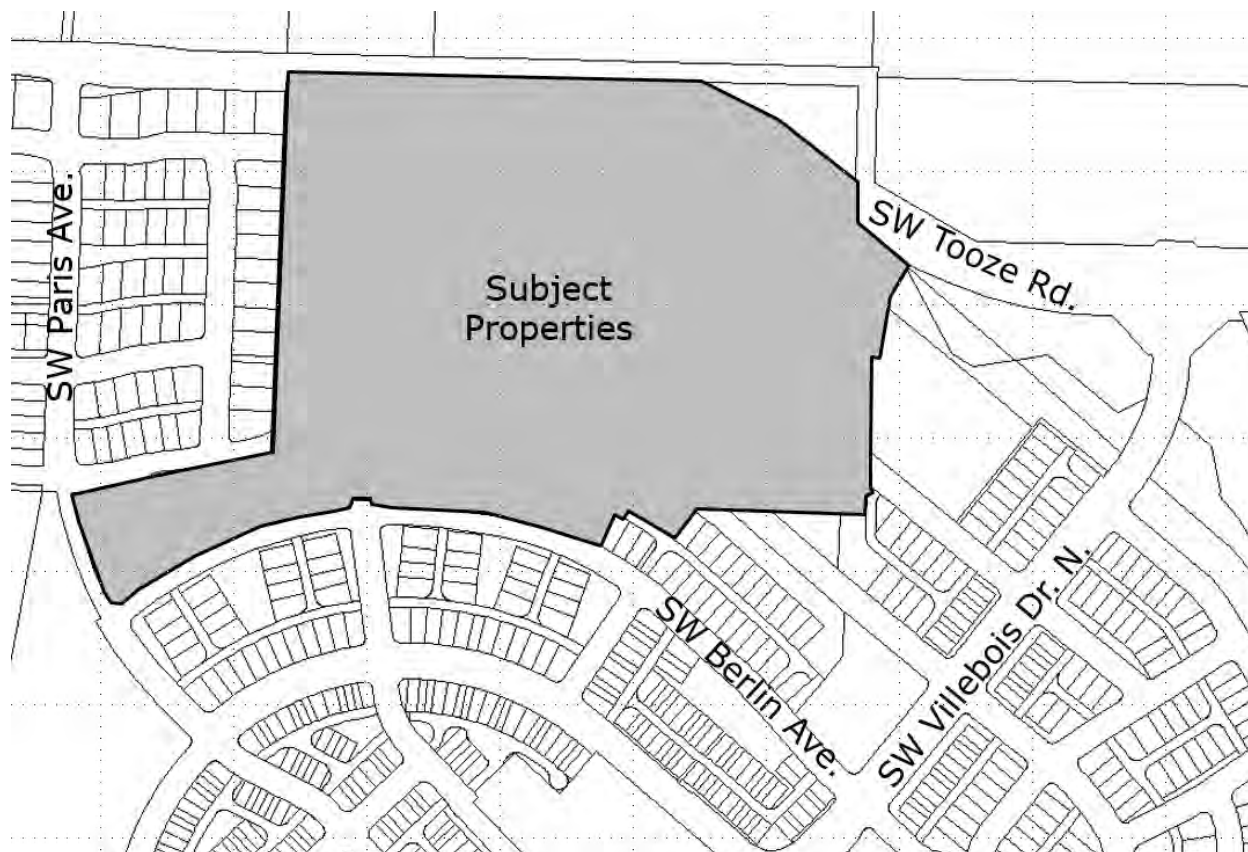
Staff Recommendations: Approve with conditions the requested SAP Amendment, Preliminary Development Plan, Final Development Plan, Tentative Subdivision Plat, Tree Removal Plan, and Significant Resource Impact Report. Recommend approval of the requested Zone Map Amendment to City Council.

Applicable Review Criteria

Development Code	
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.031	Authority of the Development Review Board
Section 4.033	Authority of City Council
Subsection 4.035 (.04)	Site Development Permit Application
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.113	Residential Development in Any Zone
Section 4.125	V-Village Zone
Section 4.139.00 thru 4.139.11	Significant Resource Overlay Zone
Section 4.154	Bicycle, Pedestrian, and Transit Facilities
Section 4.155	Parking, Loading, and Bicycle Parking
Section 4.167	Access, Ingress, and Egress
Section 4.169	General Regulations-Double Frontage Lots
Section 4.171	Protection of Natural Features and Other Resources
Section 4.175	Public Safety and Crime Prevention
Section 4.176	Landscaping, Screening, and Buffering
Section 4.177	Street Improvement Standards
Section 4.197	Zone Changes and Amendments to Development Code-Procedures
Sections 4.200 through 4.220	Land Divisions
Sections 4.236 through 4.270	Land Division Standards
Sections 4.300 through 4.320	Underground Utilities
Sections 4.400 through 4.440 as applicable	Site Design Review
Sections 4.600 through 4.640.20 as applicable	Tree Preservation and Protection
Other City Planning Documents	
Comprehensive Plan	
Villebois Village Master Plan	

SAP North Approval Documents	
Regional and State Planning Documents	
Statewide Planning Goals	

Vicinity Map



Background/Summary:

Zone Map Amendment (DB18-0049)

The applicant requests to change the portions of the project area with the current Clackamas County zoning designation of Exclusive Farm Use (EFU) to the City of Wilsonville zoning designation of Village (V). The Village zone is the zone designated for the areas with the Residential-Village Comprehensive Plan Map designation as they develop.

SAP North Amendment (DB18-0050)

The proposed SAP Amendment adopts two SAP Elements, a Historic and Cultural Resource Inventory and Tree Inventory, for the subject property not previously approved with the last applicable SAP North Amendment. The City adopted the last SAP North wide Amendments with

Phase 3 North in 2014 (Case File DB14-0013). The City adopted SAP North Amendments specific to Phase 4 in February 2016. In addition to adopting the not yet adopted SAP elements for Phase 5, the proposed SAP North Amendment requests a number of changes to the previously approved SAP and related Villebois Village Master Plan refinements including street network, parks, trail, and open space, utilities and storm water, and land use and density. The effort to maximize protection and retention of good and important trees drives most the refinements.

The property has been part of the Villebois Master Plan from the beginning. The Villebois Master Plan acknowledged the existence of the trees on the property. However, at the time of the Master Planning the property owner did not grant access for an arborist to inspect, inventory, and get a better understanding of the trees, so the Master Plan park layout was done without full information about trees on the site.

The Villebois Master Plan states a primary purpose of Regional Park 6 is to preserve “several large groves of trees”. In addition, City Code in general requires a maximum regard be given to tree preservation in site design, but does allow for tree removal when retention is not viable due to (1) tree condition or (2) construction impacts when tree preservation has been appropriately weighed with other design considerations.

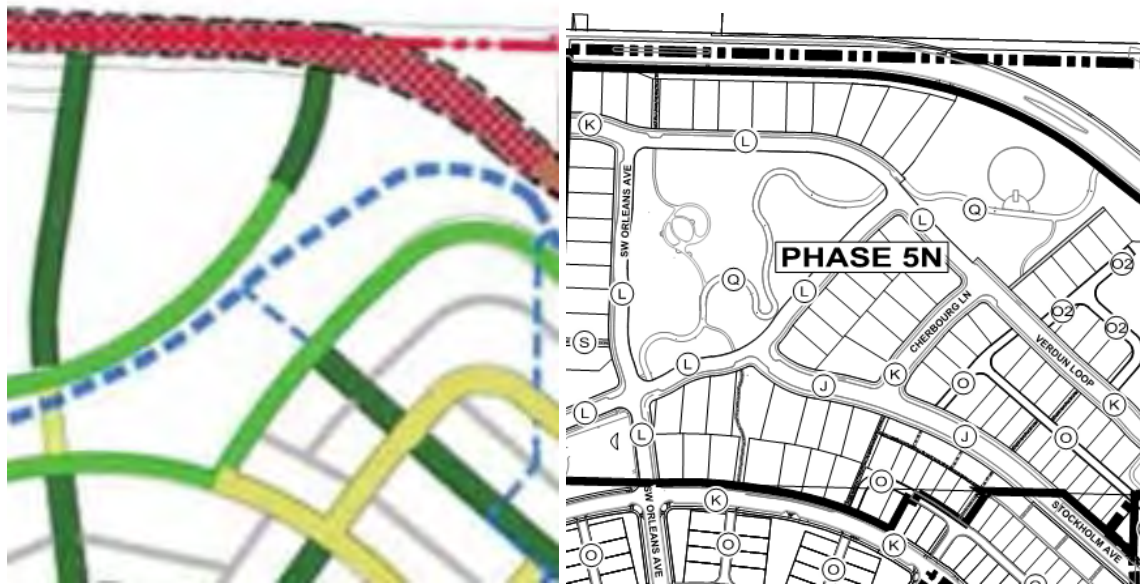
Recently the property owners granted access for an arborist to do a detailed inventory of size, type, and health of the individual trees. Information from the recent arborist report showed the most significant tree groves and individual trees were not where the park is shown in the Master Plan. Polygon and their design consultants worked closely with City staff to move the park and design it to maximize preservation of significant tree groves and individual trees. The proposed park relocation and design preserves the forested high point that is a focal point throughout much Villebois. Moving the park opened other areas previously shown as park but without trees or without significant trees to house development. The number of homes and mix of home types remains consistent with the Villebois Master Plan. Placement of different lot types seeks to match and complement adjoining lots.

The paragraphs below describe each individual refinement requested

Street Network

The Master Plan showed two connections at the northern edge of the site connecting with SW Tooze Road. The City has since evaluated planned improvements for Tooze Road and determined to limit to one access point which exists in PDP 4N. Therefore, the previously shown street connection to Tooze Road in PDP 5N has been eliminated. There are now no vehicular connections to Tooze Road within Phase 5. Additionally, when Tonquin Meadows was reviewed (Phase 3 East), the extension of Coffee Lake Drive across Villebois Drive was eliminated in order to retain an existing wetland area along the eastern portion of the property. This has resulted in some minor changes to the residential streets in these intervening areas. Verdun loop and Stockholm Avenue now provide the connections from Tonquin Meadows across Villebois Drive into the site and both streets extend west to meet SW Palermo Street at RP-6. The proposed street

alignment seeks to preserve as many healthy trees as possible. RP-6 shifted to the western portion of the site where the bulk of the trees are located. Local streets (Barcelona, Orleans, and Palermo) surround RP-6 and the applicant proposes linear greens to both preserve important trees and to provide better pedestrian and cyclist circulation. Specifically, the applicant proposes a linear green between SW Palermo Street and SW Berlin Avenue to preserve three important trees. A second linear green has replaced the street segment between Cherbourg Lane and Berlin Avenue due to the steepness of the terrain and to minimize grading and thereby enable more tree preservation. The design provides a pedestrian and cyclist accessway between SW Barcelona Street and Tooze Road and pedestrian/cyclist connections throughout RP-6, which abuts and connects to Tooze Road.



Master Plan

With Proposed Refinements

Parks, Trails, and Open Spaces

The table below offers a side-by-side look at the Parks Master Plan and the proposed plan. A brief description of the refinements follows the individual table, explaining how the proposed design meets the goal for the Villebois Village Parks Master Plan.

Master Plan	Proposed Plan
RP-6	
5.93 Acres in size	6.42 Acres in size
Stormwater/Rainwater Features: Cell	Stormwater/Rainwater Features: Swale
Minor Water Feature: 1	Dog Bowl Fountain / Minor Water Feature
Benches	Benches
Picnic Tables	Picnic Tables

Child Play Structure: 1	Play Area - Totlot
Sport Court: 2 Tennis Courts	Moved to RP-5
Dog Park	Dog Park
RP-5	
No Special Features Provided	1 Tennis Court (2+ pickle ball courts)
LG-15	
0.35 Acres in size	0.05 Acres in size (plus 0.25 in Tonquin Meadows)
Lawn Play: 0.11 Acres (30' x 80') (40' x 50')	Lawn Play (7,207 square feet or 0.17 acres)
LG-16	
0.19 Acres in size	0.36 Acres in size (plus area in Right-of-Way)
Lawn Play: 0.2 Acres (60' x 70') (60' x 70')	Lawn Play (22,557 square feet or 0.52 acres)
PP-9	
0.21 Acres in size	0.13 Acres in size (plus 0.04 in Tonquin Meadows and Right-of-Way)
Child Creative Play: 1	Child Creative Play: 1

The proposed RP-6 will retain multiple healthy trees that are currently existing on the subject site. This park is split into two halves by SW Barcelona Street with the western portion accessible by SW Barcelona Street, SW Orleans Avenue, and SW Palermo Street. The other half of the park is located in the northeastern quadrant of the subject site and is accessible by Tooze Road, SW Barcelona Street and Verdun Loop. RP-5, which is in the southwestern quadrant of the subject site will be completed with this development. The proposed parks in Phase 5 each have an asphalt trail system that connects to the wider Tonquin Trail, a regional trail that meanders through the Villebois development. These hard trail systems allow for the ability to recreate in all seasons of the year (Implementation Measure 7) and they allow for an improved pedestrian network. The trail also provides loops of varying lengths for running, walking, and roller blading (Policy 2). The proposed RP-6 park system provides a play structure in the left half and a dog park in the right while the proposed portion of RP- 5 that is to be completed with this development will include two tennis courts. LG- 15, LG-16 and PP-9 were partially constructed with the Tonquin Meadows development to the east and will include additions of a Lawn Play area and a Child Creative Play

area, respectively, with the proposed development. These proposed uses add potential layers of social interaction to the park system (Policy 5) and encourage a juxtaposition of various age-oriented facilities and activities, while maintaining adequate areas of calm (Policy 3, Implementation Measure 15). The location of the dog park in RP-6 has moved closer to SW Tooze/Boeckman Road than was shown in the Master Plan, but the use and the availability of the dog park is not hindered by the new location. The dog park has been moved to the northeastern

end of RP-6 so that it can be accessed by SW Tooze/Boeckman Road and be near the small parking lot along the northeastern border of the subject site. Additionally, the applicant is proposing to construct a Rainwater Swale instead of a Rainwater Cell as shown on the Master Plan, which will be located in the western portion of RP-6. These parks will be relatively similar in size to that are shown in the Master Plan.

Utilities and Storm Water Facilities

The Master Plan for the subject area shows Onsite Water Quality along Tooze Road and a larger area reserved for Rainwater Management. Tooze Road improvements affect the location and space of onsite stormwater and rainwater facilities. Water quality facilities have been moved off-site and retrofitted to meet Tooze Road improvements. The refinements to rainwater management within PDP 5N include street trees and bio-retention cells located in planter strips in rights-of-way, as shown within the attached utility plans (see applicant's notebook, Exhibit B1, Section IVC), in order to utilize the space available

Land Use and Density

The Master Plan for the subject area shows estate, large, standard, medium, small, and row houses within the Phase 5 area. PDP 5N proposes 89 single family detached dwellings – 32 small lots, 9 medium lots, 41 standard lots, and 7 large lots. The refinements to the Master Plan include a change in mix and unit counts. The refinement removes estate lots but introduces single-level homes in the large and standard-sized lots. The transition from standards and larges moving toward the Villebois Greenway, then south of the Greenway with smalls and mediums, increasing in density and massing toward the core of the Village Center is consistent with the Master Plan.

The submitted plans illustrate that SAP North provides a mix of housing types generally consistent with the Master Plan. Phase 5 provides a mix of housing types to the greatest extent possible, ranging from small to large, while also providing a similar land use pattern to the other edges of Villebois. Additionally, this request adds single-level homes to the range of housing options.

	Currently Approved Count in SAP N	Proposed Unit Count in SAP N	% Change
Medium/Standard/Large/Estate	179	197	10%
Small Detached/Small Cottage/Row Homes/Neighborhood Apt.	246	271	10%
Total	425	468	10%

The table above shows that the proposed refinements do not exceed the 10% standard. This proposal results in a total of 2,558 units within Villebois. This is above the density of 2,300 units required to be obtained across Villebois, meeting the refinement criteria.

- Rowhouses
- Small Lot Attached
- Small Lot Single Family
- Medium Lot Single Family
- Standard Lot Single Family
- Large Lot Single Family
- Estate Lot Single Family



Master Plan

Proposed with Refinement

PDP 5 North Preliminary Development Plan (DB18-0051)

The proposed Preliminary Development Plan 5 of Specific Area Plan North (also known as Clermont) comprises 26.65 acres. The applicant proposes a variety of single-family housing types totaling 89 units, 8.63 acres of parks and open space, 7.71 acres of public streets, and associated infrastructure improvements. The front of all the houses will face tree lined streets, parks and green spaces.



Proposed Housing Type	Number of Units
Large Size Single Family	7
Standard Size Single Family	41
Medium Size Single Family	9
Small Size Single Family	32
Total	89

Final Development Plan for Parks and Open Space (DB18-0052)

Submitted plans provide details all the parks and open space matching the requirements of the Community Elements Book. Street trees, curb extensions, street lights, and mail kiosks are also shown conforming to the Community Elements Book or are required to by condition of approval. In particular, the plans show the details of the design of Regional Park 6 and a portion of Regional Park 5 consistent with the requested Villebois Master Plan refinement.

Tentative Subdivision Plat (DB18-0053)

The applicant is proposing the subdivision of the properties into 89 residential lots, along with alleys, park areas, and street rights-of-way consistent with the requested Preliminary Development Plan. The name of the proposed subdivision approved by Clackamas County is "Clermont."

Type C Tree Plan (DB18-0054)

The applicant worked closely with City staff and the project arborist to understand the trees on the site, look at development alternatives, and design the proposed park, streets, and lot layouts to maximize protection of existing trees, particularly trees rated good and important by the arborist. Specific measures taken include siting Regional Park 6 to include the maximum number of good and important trees and minimizing grading within the park area with preserved trees; adding a linear green to preserve additional important trees; and designing grading to preserve important trees in rear yards where possible. Trees proposed for removal are due to tree conditions and unavoidable construction impacts. 64.3% of the trees on the site are Douglas-fir, other species can be seen in the table below.

Table 1. Count of Trees by Species – Villebois PDP 5N Clermont.

Common Name	Species Name	Total	%
apple	<i>Malus spp.</i>	1	0.2%
Atlas cedar	<i>Cedrus atlantica</i>	1	0.2%
bigleaf maple	<i>Acer macrophyllum</i>	62	11.4%
black hawthorn	<i>Crataegus douglasii</i>	42	7.7%
cascara	<i>Rhamnus purshiana</i>	1	0.2%
cherry	<i>Prunus spp.</i>	5	0.9%
Douglas-fir	<i>Pseudotsuga menziesii</i>	349	64.3%
English hawthorn	<i>Crataegus monogyna</i>	12	2.2%
madrone	<i>Arbutus menziesii</i>	1	0.2%
pear	<i>Pyrus spp.</i>	1	0.2%
plum	<i>Prunus spp.</i>	1	0.2%
red oak	<i>Quercus rubra</i>	1	0.2%
saucer magnolia	<i>Magnolia × soulangeana</i>	1	0.2%
Scouler's willow	<i>Salix scouleriana</i>	3	0.6%
sweet cherry	<i>Prunus avium</i>	60	11.0%
sweetgum	<i>Liquidambar styraciflua</i>	2	0.4%
Total		543	100%

Figure 1. Count of Trees by Species and Condition Rating – Villebois PDP 5N Clermont.

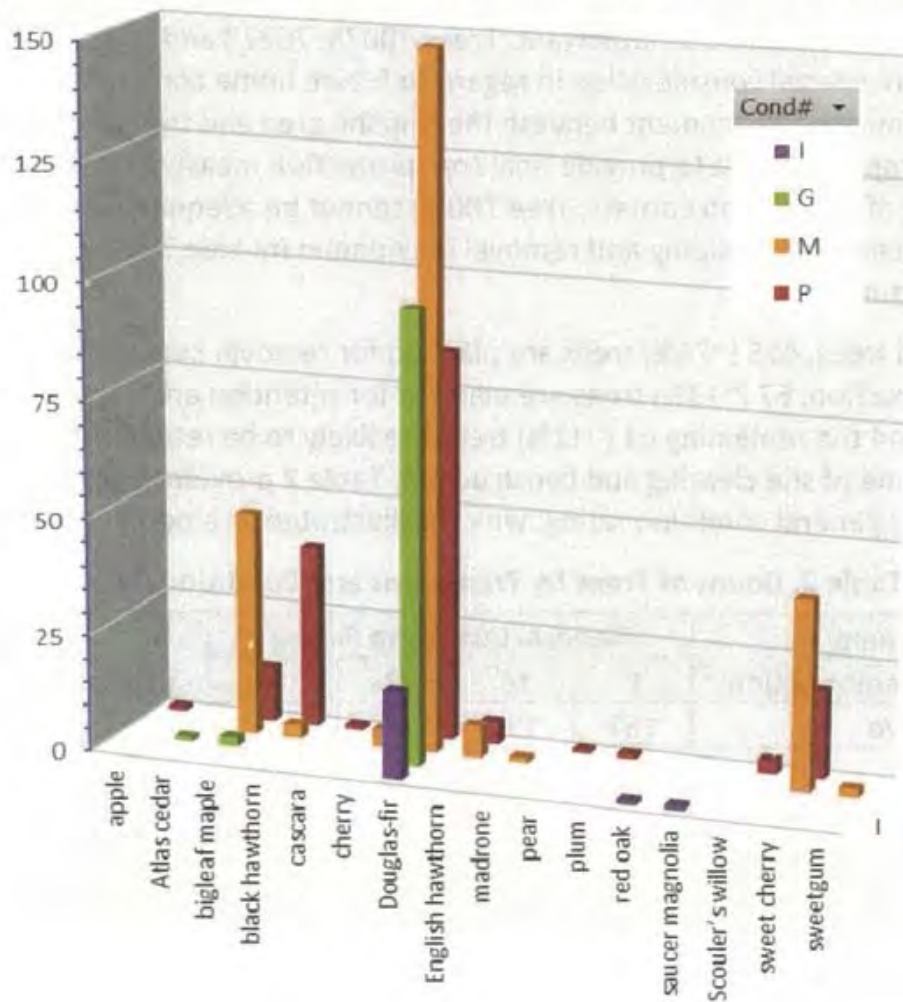


Table 2. Count of Trees by Treatment and Condition Rating.

Treatment Recommendation	General Condition Rating				Total	%
	P	M	G	I		
Remove	167	196	45	7	415	76%
Retain	-	12	44	11	67	13%
Likely to Retain	-	47	11	3	61	11%
Total	167	255	100	21	543	100%
Percent	31%	47%	18%	4%		

Abbreviated SRIR Review (SI 18-0005)

Wetlands A and B, which are associated with a drainage ditch, are classified as palustrine emergent (PEM). Whereas, Wetland C is classified as a palustrine scrub-shrub (PSS) and

PEM/slope. Wetlands A is located in a horse pasture and Wetland B is primarily non-native reed canary grass. Wetland C is a combination of reed canary grass and native Sitka willow. The primary source of hydrology for the wetlands is surface runoff and groundwater. The applicant has provided a wetland delineation that provides substantially more detail, which brings into question the inclusion of the wetlands in the SROZ. Due to their size (both are less than the minimum 0.5-acre requirement) and isolated location, hydrologically and physically, in regards to the Coffee Lake wetlands/floodplain complex, they do not qualify as locally significant wetlands. Therefore, staff concurs with the applicant and authorizes an amendment to the SROZ.

Traffic Impact

The City's traffic consultants have previously studied the transportation impacts for Specific Area Plan (SAP) North, including the project area. Exhibit B5 is a memorandum comparing the proposal with the previously approved traffic generation for SAP North. As proposed the development will generate 23 additional p.m. peak hour trips from the previous planned traffic impact for SAP North. Existing and planned transportation infrastructure adequately accommodates the additional trips while meeting or exceeding Level of Service D, as required by City Code.

Public Comments and Responses:

Tennis Courts

Concerns raised include the amount of the existing open green space the tennis courts take up, blocking a planned Mt. Hood View, increased noise, and parking impacts. The design team examined different options the location in Regional Park 5 remains the preferred alternative due to the flat open location away from trees, and proximity to other amenities including the restrooms. To help mitigate many of the concerns, the applicant proposes a single tennis court instead of the two listed in the Master Plan. One commenter asks about eliminating the tennis courts all together. No public tennis courts exist on the west side of Wilsonville and it an amenity park user groups desire both of tennis and pickle ball. Removing the tennis courts all together would remove an amenity requested by the racquet-sport user groups in recent park master planning discussions.

Change/Removal of Open Space, Maintaining Enough Green Space

Some misunderstandings appear to exist in the community about the nature of the request in regards to open space. The proposal is not to remove open space, but rather to relocate open space to better accommodate health tree groves and individual trees. The proposed size of Regional Park 6 is approximately 0.5 acres larger than shown in the Villebois Village Master Plan. The applicant proposes another smaller open space not shown in the Villebois Village Master Plan to preserve an important group of trees.

Keeping Some Non-Treed Open Space

With all the effort to move the park location to accommodate the best trees on the property, one nearby resident expresses a desire for some of the non-treed area to be left as open space as well. The Villebois Village Master Plan describes Regional Park Component 6 as follows: “Regional Park component 6 preserves several large groves of trees while also providing active and passive recreation opportunities. The park includes a two tennis court facility, a child play structure, a dog park, picnic tables, benches, a minor water feature and may include stormwater/rainwater features.” Many of the other Regional Park components include “open lawn play” providing ample opportunities throughout Villebois. A large open lawn area will be built in Regional Park 8 along Coffee Lake Drive. The design of the subject park is not focused on the open non-treed park amenities due to its topography and treed nature of the subject property.

Removal of Estate Lots, Possibility to Preserve Trees with Estate Lots

The Villebois Village Master Plan shows “Estate sized” lots on a portion of the property. The Village Zone allows flexibility in the type of lot within one of two categories, one being medium sized lots and larger. The applicant proposed large and standard sized lots rather than estate lots. Tree preservation works best in parks and open space rather than private yards. The level of preservation in the area the park is located would not be possible with homes and streets to access them. For the remainder of the site the topography is not supportive of creating feasible and accessible lots with preserved trees. The proposed mix of standard and large lots is similar to other edges of Villebois including the subdivisions to the west along the south side of Tooze Road.

Removal of Trees along Tooze Road

Many of the trees in the area just south of Tooze Road are in poor health. In addition, removing part of a grove in poor health often opens the remaining moderate condition trees to wind throw. In the area proposed for lots between Barcelona Avenue and Tooze Road only one tree is rated in good condition or better.

Burden on Transportation

As discussed above, the traffic generated by the project will be allow the continued meeting of the City’s Level of Service.

Streets Too Narrow, Not Enough Parking

The street design follows the remainder of Villebois. The design team and City’s Engineering team did examine and design additional on-street parking, particularly to serve park uses that are likely to attract vehicle traffic including the dog run and tennis court.

~~Abbreviated SRIR Review (SI18-0001)~~

~~The applicant is requesting approval of a Significant Resource Impact Report (SRIR) for exempt development that is located within the Significant Resource Overlay Zone and its associated 25-foot Impact Area. The impacts to the SROZ are necessary for the construction of the road network and stormwater infrastructure.~~

~~Proposed exempt development in the SROZ and its associated 25 foot Impact Area include the following:~~

- ~~1) Street A—minor grading for the construction of curbs and sidewalks.~~
- ~~2) Street C—a proposed crossing incorporating a concrete box culvert and retaining wall on the downstream side.~~
- ~~3) Boeckman Road—frontage improvements.~~
- ~~4) Stormwater Outfalls—installation of pipe and outfall structures.~~

Parks and Recreation Advisory Board Recommendation

During their October 11 meeting, the Parks and Recreation Advisory Board (Parks Board) received a presentation on the proposed changes to the park layout from the Villebois Village Master Plan and the reasons behind it. After the discussion, the Parks Board forwarded a recommendation for approval to the Development Review Board.

Conclusion and Conditions of Approval

Staff reviewed the applicant’s analysis of compliance with the applicable criteria. Based on the 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 applications (DB18-0050, DB18-0051, DB18-0052, DB18-0053, and DB18-0054) and recommend approval of the zone map amendment to City Council (DB18-0049) with the following conditions:

The Developer is working with the City to reach agreement on the apportionment of fair and equitable exactions for the subject applications through a Development Agreement. Such agreement is subject to approval by the City Council by resolution.

Planning Division Conditions:

Request A: DB18-0049 Zone Map Amendment

This action recommends adoption of the Zone Map Amendment to the City Council. Case files DB18-0050, DB18-0051, DB18-0052, and DB18-0053 are contingent upon City Council’s action on the Zone Map Amendment request.

Request B: DB18-0050 SAP-North Amendment and Master Plan Refinements

PDB 1.	Approval of DB18-0050, SAP North Amendment and Master Plan Refinements, is contingent upon City Council approval of the Zone Map Amendment (Case File DB18-0049).
PDB 2.	Curb extensions shall be provided in the locations and orientations shown in the SAP North Community Elements Book. See Findings B29 and B52.
PDB 3.	Applicant shall modify plans and construct additional paved pedestrian and bicycle connections at least 5 feet wide at the following locations:

	<ul style="list-style-type: none"> • From the Verdun Loop sidewalk immediately east of the Tract J alley connection to Verdun Loop connecting to the northeast to the trail running north-south in Linear Green 16. • From the Barcelona Street Sidewalk to the Tooze Road sidewalk east of Orleans Avenue and west of Palermo Street ensuring spacing between pedestrian/bicycle connection of no more than 330 feet. <p>Final approval of location and design shall be approved by the Planning Division through a Class I Administrative Review process. See Finding B43.</p>
PDB 4.	The applicant shall gain final approval of any street grades between 8% and 12% from the City Engineer. See Finding B53.

Request C: DB18-0051 SAP-North PDP 5, Preliminary Development Plan

PDC 1.	Approval of DB18-0051 SAP-North PDP 5, Preliminary Development Plan is contingent on City Council approval of the Zone Map Amendment (Case File DB18-0049).
PDC 2.	Street lighting types and spacing and site furnishings shall be as shown in the Community Elements Book. See Findings C28 and D9.
PDC 3.	All park and open space improvements approved by the Development Review Board shall be completed prior the issuance of the 45th house permit for PDP 5 North. If weather or other special circumstances prohibit completion, bonding for the improvements will be permitted. See Finding C54.
PDC 4.	The applicant/owner shall enter into an Operations and Maintenance Agreement for the subdivision that clearly identifies ownership and maintenance for parks, open space, and paths. Such agreement shall ensure maintenance in perpetuity and shall be recorded with the subdivision for 'Clermont.' Such agreement shall be reviewed and approved by the City Attorney prior to recordation. See also Finding D4.
PDC 5.	The applicant/owner shall install courtyard fencing in the front yard of no less than thirty percent (30%) of the houses, which is 27 of the 89 houses. The applicant/owner is especially encouraged to place the courtyards in the front yard of homes facing the open space or linear greens and that do not have a porch as well as alley loaded homes. The design and placement of the required courtyard fencing shall be consistent with the Architectural Pattern Book and the architectural style of the house. The courtyard area enclosed by the fence shall not exceed a 5 percent slope from front building line of the house to the point of the courtyard closest to the front lot line or between the points of the courtyard closest to opposite side lot lines. Where necessary, the applicant shall install dry stack rock or brick wall along the front or side of the lot to ensure a 5 percent or less slope is maintained. See Finding C25.
PDC 6.	Where a building foundation is exposed in the public view shed more than would be typical on a level lot, the foundation shall have a brick or stone façade matching the design of the house.

Request D: DB18-0052 Final Development Plan for Parks and Open Space

PDD 1.	Approval of DB18-0052 Final Development Plan is contingent on City Council approval of the Zone Map Amendment (Case File DB18-0049).
PDD 2.	All plant materials shall be installed consistent with current industry standards. See Finding D24.
PDD 3.	All construction, site development, and landscaping of the parks shall be carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. Minor alterations may be approved by the Planning Division through the Class I Administrative Review process. See Finding D29.
PDD 4.	All retaining walls within the public view shed shall be a decorative stone or brick construction or veneer. Final color and material for the retaining walls shall be approved by the Planning Division through the Class I Administrative Review Process. See Finding D34.
PDD 5.	All hand rails, if any, within the parks and open space shall be of a design similar to the approved courtyard fencing shown in the Architectural Pattern Book. Final design of any hand rails in parks and open space shall be approved by the Planning Division through the Class I Administrative Review Process. See Finding D34.
PDD 6.	All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Development Review Board. See Finding D38 through D40.
PDD 7.	The applicant shall submit final parks, landscaping and irrigation plans to the City prior to construction of parks. The irrigation plan must be consistent with the requirements of Section 4.176(.07)C.
PDD 8.	Prior to occupancy of each house 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.
PDD 9.	No street trees shall be planted where their growth would interfere with preserved trees. Street trees shall be appropriately placed between curb cuts.
PDD 10.	Street trees shall be planted as each house or park is built.
PDD 11.	The street tree plan shall be revised as necessary, based on construction drawings, to comply with the spacing requirements of Public Works Standards Detail Drawing RD-1240 "Street Tree Location and Clearances."

Request E DB18-0053 Tentative Subdivision Plat

PDE 1.	Approval of DB18-0053 Tentative Subdivision Plat is contingent on City Council approval of the Zone Map Amendment (Case File DB18-0049).
PDE 2.	Any necessary easements or dedications shall be identified on the Final Subdivision Plat.
PDE 3.	Alleyways shall remain in private ownership and be maintained by the Homeowner's Association established by the subdivision's CC&Rs. The CC&Rs shall be reviewed and approved by the City Attorney prior to recordation.

PDE 4.	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-5N or the Tentative Plat.
PDE 5.	A non-access reservation strip shall be applied on the final plat to those lots with access to a public street and an alley. All lots with access to a public street and an alley must take vehicular access from the alley to a garage or parking area. A plat note effectuating that same result can be used in the alternative. The applicant shall work with the County Surveyor and City Staff regarding appropriate language. See Finding E2.
PDE 6.	All reserve strips and street plugs shall be detailed on the Final Subdivision Plat. See Finding E2.
PDE 7.	All tracts shall, except those indicated for future home development, shall include a public access easement across their entirety.
PDE 8.	The applicant/owner shall submit subdivision bylaws, covenants, and agreements to the City Attorney prior to recordation. See Finding E4.
PDE 9.	The applicant/owner shall record with Clackamas County Recorder's Office a waiver of remonstrance against formation of a local improvement district as part of the recordation of the final plat.
PDE 10.	Easements for sanitary or storm sewers, drainage, water mains, or other public utilities shall be dedicated wherever necessary consistent with the City's Public Works Standards. This includes over park and open space and alley tracts with public utilities beneath them. See Finding E26.

Request F: DB18-0054 Type C Tree Plan

PDF 1.	Approval of DB18-0054 Type C Tree Plan is contingent on City Council approval of the Zone Map Amendment (Case File DB18-0049).
PDF 2.	Trees planted as replacement of removed trees shall be, state Department of Agriculture Nursery Grade No. 1. or better, shall meet the requirements of the American Association of Nursery Men (AAN) American Standards for Nursery Stock (ANSI Z60.1) for top grade, shall 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. A "guaranteed" tree that dies or becomes diseased during that time shall be replaced. See Findings F21 and F22.
PDF 3.	Solvents, building material, construction equipment, soil, or irrigated landscaping, shall not be placed within the drip line of any preserved tree, 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. See Finding F24.
PDF 4.	In order to ensure proper preservation and clear responsibility for maintenance and due to their good or important rating, the applicant/owner shall grant a tree protection and maintenance easement to the City over the area of private lots within the drip line of preserved trees rated good or important in the arborist report. The easements shall be shown on the Final Plat. The applicant/owner shall enter into an

<p>easement agreement regarding this tree preservation easement which, among other provisions typical of such agreements, shall include the following provisions:</p> <ul style="list-style-type: none"> • City and HOA access to inspect health of trees and condition of area within easement and perform any necessary activity to preserve the tree and maintain appropriate landscaping within the easement area. • Limit landscaping within the tree protection easements to understory plantings compatible with the preserved trees. • Require temporary and permanent drainage and irrigation be designed around easement area to optimize the amount of water in the root zone of the tree to support its health. • Establish that if the tree dies or structurally fails beyond preservation, that an additional tree of the same species is planted in its place. • Establish HOA responsibility for tree maintenance within the easement area and replacement, if needed. <p>See Finding F3.</p>
<p>PDF 5. A five foot access easement shall be provided between the street adjoining the front lot line of lots subject to tree protection and maintenance easements required by Condition of Approval PDF 4 and the tree protection and maintenance easement area. Such easement shall allow for access by the authorized representatives and contractors for the HOA or City to reach the tree preservation and maintenance easement area. Such easement shall be shown on the final plat with a plat note defining the scope of the easement. No other obstructions other than a fence with an unlocked gate shall be allowed within the easement area. See Finding F3.</p>
<p>PDF 6. Before and during development, land clearing, filling or any land alteration the applicant shall erect and maintain suitable tree protective barriers which shall include the following:</p> <ul style="list-style-type: none"> • 6' high fence set at tree drip lines. • Fence materials shall consist of 2 inch mesh chain links secured to a minimum of 1 ½ inch diameter steel or aluminum line posts. • Posts shall be set to a depth of no less than 2 feet in native soil. • Protective barriers shall remain in place until the City authorizes their removal or issues a final certificate of occupancy, whichever occurs first. • Tree protection fences shall be maintained in a full upright position. <p>See Findings F24.</p>
<p>PDF 7. Prior to issuance of any public works permits or building permits the applicant shall obtain a Type C Tree Removal Permit from the City.</p>
<p>PDF 8. Prior to issuance of Type C Tree Removal Permit for the project the applicant shall provide a final accounting of the number of trees planned for removal and planting. For each tree planned for removal not mitigated on a one to one basis by planned planting prior to Type C Tree Removal Permit issuance the applicant shall pay \$300 into the City's tree fund or other amount approved by the Planning Director in writing as representing the cost of replacement trees meeting City standards,</p>

	installed.
PDF 9.	Prior to approval of occupancy of the final home in the subdivision or City acceptance of Regional Park, whichever is later, the applicant shall provide a full accounting of the number of trees actually planted. Based on this accounting, the applicant will receive a refund of \$300 for each tree over the amount determined per Condition of Approval PDF 8, or will pay an additional \$300 for each tree less than the amount determined per Condition of Approval PDF 8 planted prior to approval of occupancy or park acceptance, as applicable. In See Finding G24.

The following Conditions of Approval are provided by the Engineering, Natural Resources, or Building Divisions of the City’s Community Development Department or Tualatin Valley Fire and Rescue, all of which have authority over development approval. A number of these Conditions of Approval are not related to land use regulations under the authority of the Development Review Board or Planning Director. Only those Conditions of Approval related to criteria in Chapter 4 of Wilsonville Code and the Comprehensive Plan, including but not limited to those related to traffic level of service, site vision clearance, recording of plats, and concurrency, are subject to the Land Use review and appeal process defined in Wilsonville Code and Oregon Revised Statutes and Administrative Rules. Other Conditions of Approval are based on City Code chapters other than Chapter 4, state law, federal law, or other agency rules and regulations. Questions or requests about the applicability, appeal, exemption or non-compliance related to these other Conditions of Approval should be directed to the City Department, Division, or non-City agency with authority over the relevant portion of the development approval.

Engineering Division Conditions:

Request C: DB18-0051 Preliminary Development Plan

PFC 1.	Public Works Plans and Public Improvements shall conform to the “Public Works Plan Submittal Requirements and Other Engineering Requirements” in Exhibit C1.
PFC 2.	Applicant shall enter into a Development Agreement with the City that clarifies the responsibilities, reimbursements and/or estimated costs for construction of Regional Park (RP-6), city sanitary sewer main between Tooze Road and Verdun Loop, and street improvements or modifications.
PFC 3.	Recent traffic analysis reports done for Villebois have indicated that the intersection of Grahams Ferry Road and Tooze Road would operate at LOS F with the build-out of this and other approved Villebois subdivisions. Improvements to this intersection have been underway with CIP 4146 and construction work is anticipated to be completed by the end of 2018.
PFC 4.	In the 2013 Transportation Systems Plan Tooze Road is identified as a Minor Arterial. Sufficient right-of-way exists to accommodate Tooze Road and no additional right-of-way dedication is required.
PFC 5.	With completion of this development, 110 th Avenue will be closed. Applicant shall submit the required exhibits and work with the City to abandon or transfer the

	existing right-of-way and create easements for the underground private and/or public utilities that remain.
PFC 6.	City staff have worked with the applicant in redesigning the proposed Regional Park (RP-6) location and the street layout. The street pattern in plans dated 9/28/2018 is approved by engineering.
PFC 7.	With previous development a stub of Cherbourg Lane was constructed off the north side of Berlin Avenue. Applicant shall submit the required exhibits and work with the City to abandon or transfer the existing right-of-way, demolish the roadway and reconstruct the north edge of Berlin Avenue with curb & gutter, sidewalk, landscape and irrigation.
PFC 8.	A majority of the paved 110 th Avenue will be demolished. However, a small remnant section of pavement near Tooze Road will be kept and restriped for a minimum 6-space parking area. Access from the parking area to Tooze Road shall be reduced to a 24-ft width and Applicant shall reconstruct the south side curb & gutter, landscaping and irrigation in this area to match existing.
PFC 9.	Public access to SAP North PDP 5 development shall be via the constructed streets, alleys and intersections as shown on submitted plans dated 9/28/2018. Outside of the parking area noted in PF 8 no other direct vehicle access from the development to Tooze Road shall be allowed.
PFC 10.	Applicant shall abandon and demolish the current private driveway access to Tooze Road, construct curb & gutter and add landscaping and irrigation to match existing.
PFC 11.	On the section of Orleans Avenue adjacent to proposed lots 5, 6, and 7, the cross-section of the street is allowed an exception to use street type L2 in order to have less impact on existing trees in the proposed RP-6.
PFC 12.	On the section of Verdun Loop at Cherbourg Lane, approximately 80 feet adjacent to RP-6, the cross-section of the street is allowed an exception to use street type K to allow additional on-street parking.
PFC 13.	A section of Berlin Avenue adjacent to the proposed development lacks sufficient width for parking on both sides of the roadway. Applicant shall dedicate an additional 14.5 feet of right-of-way on the north side of Berlin Avenue from Orleans Avenue to the proposed alley and reconstruct the street to match street type K.
PFC 14.	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.
PFC 15.	On Berlin Avenue, opposite from proposed lot 85 there is an existing curb extension and ADA ramp. With the north side of the street switching from park use to residential this ADA ramp is no longer needed. Applicant shall remove this curb extension and ADA ramp and reconstruct the south side curb & gutter, landscaping and irrigation in this area to match existing.
PFC 16.	Adjacent to the proposed lot 88 and the alley on Tract T there are existing paired ADA ramps. Applicant shows the north side ADA ramp being eliminated (plans

	dated 9/28/2018). Applicant shall remove the south side ADA ramp and reconstruct the curb & gutter, landscaping and irrigation in this area.
PFC 17.	With RP-6 shifting to the north side of Palermo Street it creates a diagonal connection to RP-5. To enhance pedestrian safety Applicant shall construct the intersection of Palermo Street and Orleans Avenue as a platform intersection with 4-way stop.
PFC 18.	The applicant shall provide two perpendicular directional pedestrian ramps at intersection curb returns (outside of the raised intersection of Palermo Street and Orleans Avenue).
PFC 19.	Applicant shall complete the pedestrian connection to the SAP North PDP 4 development (shown on Tract C, plans dated 9/28/2018).
PFC 20.	Applicant shall add a pedestrian connection from Barcelona Street to Tooze Road (shown on Tract E, plans dated 9/28/2018).
PFC 21.	Where the proposed minor pathway crosses Verdun Loop and Stockholm Avenue, Applicant shall install curb extensions to provide for better pedestrian safety.
PFC 22.	All internal streets shall be lighted with approved Westbrooke style street lights per the Villebois street lighting master plan.
PFC 23.	City records show an existing street light on the stub to Cherbourg Lane; Applicant shall have a photometric analysis done at this location. If sufficient lighting exists such that this street light is not needed, Applicant shall salvage the street light and provide it to the City. If insufficient lighting is found here, then Applicant shall reinstall the street light adjacent to Berlin Avenue.
PFC 24.	Applicant shall connect to the existing storm line located in Stockholm Avenue or the alley in Fir Terrace. For that portion of the subdivision that naturally released into the wetlands east of 110 th Avenue, stormwater shall continue to be directed there, after receiving water quality treatment in conformance with City Standards.
PFC 25.	The proposed subdivision lies within the Coffee Lake storm basin which is exempt from stormwater detention requirements as established per City Ordinance No. 608.
PFC 26.	Rainwater management components will be allowed to be located in the public right-of-way, however such components shall be maintained by the Applicant, or subsequent HOA, and this shall be included in the Ownership and Maintenance agreement per Exhibit C1, Item 26.
PFC 27.	City records show an existing storm line from the stub to Cherbourg Lane running east to tie into another storm system. This existing line underlies several proposed tax lots and homes. Applicant shall reroute this storm line to an approved location and properly abandon the pipe per a City approved recommendation from a Registered Geotechnical Engineer. City records indicate this storm line to be abandoned could underlie lots 52, 53, 54, 55, 56, 57, 88 and 89.
PFC 28.	Applicant shall connect to the existing 8" public water main lines located in Barcelona Street, Palermo Street, Stockholm Avenue and Verdun Loop.
PFC 29.	City records show an existing water line and fire hydrant on the stub to Cherbourg Lane. Applicant shall remove the water line, fire hydrant and 8" valve (salvage fire

	hydrant and valve and provide to City), and install a blind flange on the north arm of the tee in Berlin Avenue.
PFC 30.	With the adjacent Fir Terrace subdivision (SAP North PDP 2), lots 1, 2, 3, and 4 were allowed to connect to a bank of water meters located adjacent to lot 5, with the understanding that these water services would be relocated with the extension of Stockholm Avenue, and installed in conformance to City Standards.
PFC 31.	The City has a dry sanitary sewer line in Tooze Road. Applicant shall work with the City in adding a manhole at the 10" stub-out and determining the best location to run this sanitary sewer line and connect to the proposed sanitary sewer line in Verdun Loop. Cost of this work is SDC creditable/reimbursable and will be included in the development agreement.
PFC 32.	Applicant shall connect to the existing public sanitary sewer lines located in Stockholm Avenue, Verdun Loop and the alley in Fir Terrace.
PFC 33.	The subdivision is located within a sanitary sewer reimbursement district adopted with Resolution No. 2350 and is subject to the requirements established by this resolution.
PFC 34.	Construction of the proposed RP-6 will include installing a segment of the Ice Age Tonquin Trail; applicant shall work with city staff with final location of this trail and meeting U.S. Access Board accessibility requirements.
PFC 35.	Applicant shall provide sufficient mail box units for this proposed phasing plan; applicant shall construct mail kiosk at locations coordinated with City staff and the Wilsonville U.S. Postmaster.

Request E: DB18-0053 Tentative Subdivision Plat

PFE 1.	The existing Public Utility Easement (PUE) along Tooze Road does not meet current City Standards. The Applicant shall dedicate an additional four feet of easement to provide a total PUE width of 10 feet.
PFE 2.	Subdivision or Partition Plats: Paper copies of all proposed subdivision/partition plats shall be provided to the City for review. Once the subdivision/partition plat is approved, applicant shall have the documents recorded at the appropriate County office. Once recording is completed by the County, the applicant shall be required to provide the City with a 3 mil Mylar copy of the recorded subdivision/partition plat.
PFE 3.	Subdivision or Partition Plats: All newly created easements shown on a subdivision or partition plat shall also be accompanied by the City's appropriate Easement document (on City approved forms) with accompanying survey exhibits that shall be recorded immediately after the subdivision or partition plat.

Natural Resources Division Conditions:

No conditions

Building Division Conditions:

All Requests

BD1. Construction documents and a schedule for demolition of the existing structures shall be submitted to the building department when application is made for a Demolition Permit. At the same time an application for a Utility Permit shall be made if the site contains wells, septic tanks or piping to be removed. Section 3303.1, 2017 OPSC.

Master Exhibit List:

The entry of the following exhibits into the public record by the Development Review Board confirms its consideration of the application as submitted. The exhibit list below includes exhibits for Planning Case File DB18-0049 through DB18-0054. The exhibit list below reflects the electronic record posted on the City's website and retained as part of the City's permanent electronic record. Any inconsistencies between printed or other electronic versions of the same Exhibits are inadvertent and the version on the City's website and retained as part of the City's permanent electronic record shall be controlling for all purposes.

- A1.** Staff report and findings (this document)
- A2.** Slides and notes for Staff's Public Hearing Presentation (*available at Public Hearing*)
- B1.** Applicant's Notebook for PDP/Tentative Plat/Zone Change/Tree Removal Plan/Final Development Plan: *Under separate cover*
 - Section I: General Information
 - IA) Introductory Narrative
 - IB) Form/Ownership Documentation *See Exhibit B6*
 - IC) Fee Calculation
 - ID) Mailing List *This information has been revised*
 - Section II: SAP Amendment (Master Plan Refinements)
 - IIA) Supporting Compliance Report
 - IIB) Reduced Drawings *Note: see PDP/FDP Drawings for updated location and layouts of tennis court and dog run*
 - IIC) Updated Master Plan and SAP Unit Counts
 - IID) Historic/Cultural Resource Inventory
 - IIE) Tree Report
 - IIF) Community Elements Book Amendments (Maps Only)
 - IIG) Architectural Pattern Book Amendments (Maps Only)
 - IIH) Master Signage and Wayfinding Plan Amendment (Maps Only)
 - Section III: Preliminary Development Plan
 - IIIA) Supporting Compliance Report
 - IIIB) Reduced Drawings *See Exhibit B3*
 - IIIC) Utility & Drainage Reports

- IIID) Traffic Analysis
- IIIE) Tree Report
- IIIF) Conceptual Elevations
- Section IV: Tentative Subdivision Plat
 - IVA) Supporting Compliance Report
 - IVB) Tentative Plat
 - IVC) Draft CC&R's
 - IVD) Copy of Certification of Assessments and Liens
 - IVE) Subdivision Name Approval
- Section V: Zone Change
 - VA) Supporting Compliance Report
 - VB) Zone Change Map
 - VC) Legal Description & Sketch
- Section VI: Tree Removal Plan
 - VIA) Supporting Compliance Report
 - VIB) Tree Report
 - VIC) Tree Preservation Plan
- Section VII: Final Development Plan
 - VIIA) Supporting Compliance Report
 - VIIIB) Reduced Plans
- B2.** Applicant's SAP Large Format Plans (Smaller 11x17 plans included in Sections IIB of the applicant's notebook Exhibit B1.) *Under separate cover. Note: see PDP/FDP Drawings for updated location and layouts of tennis court and dog run.*
 - Sheet 1 Cover Sheet
 - Sheet 2 Phasing Plan
 - Sheet 3 Existing Conditions
 - Sheet 4 Aerial Photograph
 - Sheet 5 Land Use Key
 - Sheet 6 Land Use Plan
 - Sheet 7 Circulation Plan
 - Sheet 8 Street Sections
 - Sheet 9 Park/Open Space/Pathways Plan
 - Sheet 10 SROZ Plan
 - Sheet 11 Street Tree Plan
 - Sheet 12.1 Tree Preservation Plan
 - Sheet 12.2 Tree Preservation Plan Phase 5N
 - Sheet 13 Grading Plan
 - Sheet 14 Utility Plan
- B3.** Applicant's Large Format Plans PDP/Tentative Plat/Tree Plan (Smaller 11x17 plans included in Sections IIIB of the applicant's notebook Exhibit B1.) *Under separate cover.*
 - Sheet 1 Cover Sheet
 - Sheet 2 Existing Conditions

- Sheet 3 Site Plan/Land Use Plan
- Sheet 4 Preliminary Plat
- Sheet 5 Preliminary Grading & Erosion Control Plan
- Sheet 6 Composite Utility Plan
- Sheet 7 Circulation Plan & Street Sections
- Sheet 8 Parking Plan
- Sheet 9.1 Tree Preservation Plan
- Sheet 9.2 Tree Preservation Plan
- Sheet 9.3 Tree Preservation Plan
- Sheet 9.4 Tree Preservation Plan
- Sheet 9.5 Tree Preservation Plan
- Sheet 10 Street Tree/Lighting Plan
- B4.** Applicant's Large Format Plans Final Development Plan (Smaller 11x17 plans included in Section VIIB of the applicant's notebook, Exhibit B1.) *Under separate cover.*
 - Sheet 1 Cover Sheet
 - Sheet L1 Street Tree Planting Plan
 - Sheet L2 Planting Legend & Details
 - Sheet L3 Cavallo (RP-6) Park Layout Plan
 - Sheet L4 Cavallo (RP-6) Park Planting Plan
 - Sheet L5 Open Space Planting Plan
 - Sheet L6 Open Space Planting Plan
 - Sheet L7 Open Space Planting Plan
 - Sheet L8 Details
 - Sheet L9 Details
- B5.** DKS Trip Generation Memorandum
- B6.** Signed Application Forms
- B7.** Utility Memorandum
- C1.** Comments and Conditions from Engineering Division
- D1.** Email Correspondence with Eric Wonderly
- D2.** Email Correspondence with Teresa Denney
- D3.** Email Correspondence with Nicole Jackson
- D4.** Email Correspondence with Sarah Ochs
- D5.** Email Correspondence with Shelley Parker
- D6.** Email Correspondence with Orlando Ferrer
- D7.** Email Correspondence with Joseph Tucker
- D8.** Email Correspondence with Steve Gaschler
- D9.** Email Correspondence with Betsy Imholt
- D10.** Letter from and Email Correspondence with Craig Eggers
- D11.** *Email Correspondence with Pauline*
- D12.** *Materials submitted during November 26 hearing by Betsy Imholt*

Findings of Fact:

1. The statutory 120-day time limit applies to this application. The City received the application on July 30, 2018. On August 29, 2018, staff conducted a completeness review within the statutorily allowed 30-day review period and found the application to be incomplete. The applicant submitted additional material, including on October 8, 2018. On November 2, 2018 the City determined the application was complete. The City must render a final decision for the request, including any appeals, by March 2, 2018.
2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	Clackamas County EFU	Agriculture
East:	V	Residential
South:	V	Residential
West:	V	Residential

3. Prior land use actions include:

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)
 LP10-0001 – Amendment to Villebois Village Master Plan (School Relocation from SAP North to SAP East)
 LP13-0005 – Amendment to Villebois Village Master Plan (Future Study Area)

Quasi Judicial:

DB07-0054 et seq – SAP-North
 DB07-0087 et seq – PDP-1N, Arbor at Villebois
 DB11-0024 et seq – PDP-1N Modification, SAP North Amendment Polygon NW
 DB12-0066 et seq – PDP-1N Modification, SAP North Amendment Polygon NW
 DB13-0020 et seq – PDP-2N, SAP North Amendment Polygon NW
 DB14-0009 et seq – PDP-3N, SAP North Amendment Polygon NW
 DB15-0084 et seq – PDP 4N, SAP North Amendment Polygon NW

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.

Conclusionary Findings

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

General Information

Application Procedures-In General

Section 4.008

The City's processing of the application is in accordance with the applicable general procedures of this Section.

Who May Initiate Application

Section 4.009

The owners of all property included in the application signed the application forms. Polygon Northwest initiated the application with their approval.

Pre-Application Conference

Subsection 4.010 (.02)

Following a request from the applicant, the City held a pre-application conference for the proposal (PA18-0004) in accordance with this subsection.

Lien Payment before Application Approval

Subsection 4.011 (.02) B.

No applicable liens exist for the subject property. The application can thus move forward.

General Site Development Permit Submission Requirements

Subsection 4.035 (.04) A.

The applicant has provided all of the applicable general submission requirements contained in this subsection.

Zoning-Generally

Section 4.110

This proposed development is in conformity with the applicable zoning district and general development regulations listed in Sections 4.150 through 4.199, applied in accordance with this Section.

Request A: DB18-0049 Zone Map Amendment

As described in the Findings below, the request meets the applicable criteria.

Comprehensive Plan

Development in “Residential Village” Applicable Plans and Code
Implementation Measure 4.1.6.a. and c.

- A1.** The review of the proposed developed includes reviewing and applying applicable portions of the Villebois Village Concept Plan, Villebois Village Master Plan, the Comprehensive Plan, and the Development Code. Rezoning the property to “Village” will allow application of the Village Zone standards created to implement these plans, policies, and codes.

Contents of Villebois Village Master Plan
Implementation Measure 4.1.6.b.

- A2.** The concurrent proposal for a preliminary development plan implements the procedures as outlined by the Villebois Village Master Plan, as previously approved.

Applying “Village” Zone to Residential-Village Comprehensive Plan Designation
Implementation Measure 4.1.6.c.

- A3.** The request is to apply the Village Zone to an area designated as Residential-Village in the Comprehensive Plan.

Wide Range of Uses in “Village” Zone
Implementation Measure 4.1.6.d.

- A4.** The proposed residential uses as well as parks and open space use are amongst the wide range of uses allowed in the Village Zone.

Development Code

Zoning Concurrent with Planned Development Approval
Section 4.029

- A5.** The applicant is applying for a zone change concurrently with a Preliminary Development Plan, which is equivalent to a Stage II Final Plan for a planned development.

Base Zoning Designations
Subsection 4.110 (.01)

- A6.** The requested zoning designation of Village “V” is among the base zones identified in this subsection.

Village Zone Purpose

Subsection 4.125 (.01)

- A7.** Consistent with the Village Zone purpose, the proposal is for land designated Residential-Village on the Comprehensive Plan map and within the Villebois Village Master Plan area to receive the zoning designation of Village “V”.

Village Zone Permitted Uses

Subsection 4.125 (.02)

- A8.** The proposed residential and park uses are consistent with the uses permitted in Village Zone and Villebois Village Master Plan.

Zone Change Concurrent with PDP Approval

Subsection 4.125 (.18) B. 2.

- A9.** The requested zone map amendment is concurrent with a request for PDP approval. See Request C.

Zone Change Procedures

Subsection 4.197 (.02) A.

- A10.** The applicant submitted the request for a zone map amendment as set forth in the applicable code sections.

Conformance with Comprehensive Plan Map, etc.

Subsection 4.197 (.02) B.

- A11.** The proposed zone map amendment is consistent with the Comprehensive Map designation of Residential-Village and as shown in Findings A1 through A4 comply with applicable Comprehensive Plan text.

Residential Designated Lands-Housing Variety

Subsection 4.197 (.02) C.

- A12.** Implementation Measures 4.1.4. b, d, e, q, and x require a variety of housing. The proposed zone map amendment allows for furthering of these implementation measures by permitting development of the diverse housing types called for in the Villebois Village Master Plan, which development on the subject property must conform.

Public Facility Concurrency

Subsection 4.197 (.02) D.

- A13.** The Preliminary Development Plan compliance report and the plan sheets demonstrate that the existing primary public facilities are available or the developer can provide in conjunction with the project. Section IIIC of the applicant’s notebook, Exhibit B1, as well as

Sheet 6 of Exhibit B3, and Exhibit B7 include supporting utility and drainage information. Exhibit B5 is a Trip Generation Memo confirming traffic concurrency.

Impact on SROZ Areas
Subsection 4.197 (.02) E.

A14. No SROZ is within the area to be rezoned.

Development within 2 Years
Subsection 4.197 (.02) F.

A15. Related land use approvals for PDP 5 North expire after 2 years, so requesting the land use approvals assumes development would commence within two (2) years. However, in the scenario where the applicant or their successors do not commence development within two (2) years allowing related land use approvals to expire, the zone change shall remain in effect.

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

A16. As can be found in the findings for the accompanying requests, the applicable development standards will be met either as proposed or as a condition of approval.

**Request B: DB18-0050 SAP-North Amendment and Master Plan
Refinements**

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

Wilsonville Comprehensive Plan

**Development in the "Residential-Village" Map Area Directed by Concept Plan
Implementation Measure 4.1.6.a.**

B1. As found in this report, the applicant proposes development consistent with the Villebois Village Master Plan and the "Village" Zone District. See Findings B3 through C75.

**Application of the "Village" Zone District to All Residential-Village Designated Land
Implementation Measure 4.1.6.c.**

B2. The entire project area has the Comprehensive Plan designation of Residential-Village. The applicant proposes applying the "Village" Zone to the portions of the project not previously rezoned to "Village". See Request A.

Villebois Village Master Plan General- Land Use Plan

Complete Community/Range of Choices General-Land Use Plan Policy 1

- B3.** The proposed SAP amendment continues the provision of a mix of types and densities resulting in a minimum of 2,300 dwelling units within the Villebois area. Commercial areas continue to be concentrated around the Village Center.

Compliance with Figure 1 – Land Use Plan or SAP Master Plan Refinements General-Land Use Plan Policy 2

- B4.** The proposed SAP Amendment further defines the residential uses in the subject area and other components are in the general configuration shown in the Master Plan as proposed for refinement. As can be seen on Sheet 6 Land Use Plan of the applicant's submitted plan set, Exhibit B3, the residential uses include large, standard, medium, and small detached single-family. They are arranged as a similar pattern as other areas in Villebois with large lots on the edges with a mix of lot sizes on the interior of the site. See Findings B94 through B99 regarding Master Plan land use mix and density refinements as part of the SAP Amendment request.

Civic, Recreational, Educational, and Open Space Opportunities General-Land Use Plan Policy 3

- B5.** The Master Plan shows a portion of Regional Park 5 (Trocadero Park) and Regional Park (6) with Phase 5 North affected by the SAP Amendment. The applicant proposes the park and recreational uses consistent with the Master Plan as proposed for refinement.

Full Public Services Including Transportation, Rainwater Management, Water, Etc. General-Land Use Plan Policy 4

- B6.** The proposal demonstrates the availability of all the listed public services including transportation; rainwater management; water; sanitary sewer; fire and police services; recreation, parks and open spaces; education; and transit, consistent with the Master Plan as proposed for refinement.

Development Guided by Finance Plan and CIP, Concurrency General-Land Use Plan Policy 5

- B7.** All city requirements for concurrency and Development Agreements remain in effect and will be applied, including concurrency requirements with the PDP approval. See Request C.

Unique Planning and Regulatory Tools Including SAP, Pattern Books, Community Elements Book

General-Land Use Plan Implementation Measure 1

- B8.** The proposal utilizes all the tools, including the Pattern Book and Community Element Book as used throughout previous phases of SAP North and other Villebois SAP’.

Master Plan Refinements Anticipated and Allowed with Specific Area Plans

General-Land Use Plan Implementation Measure 3

- B9.** The applicant proposes refinements to the Master Plan concurrent with an amended Specific Area Plan.

General-Land Use Plan Implementation Measure 4 Coordinating Finance Plan and Development Agreements, Concurrency.

- B10.** All city requirements for concurrency and Development Agreements remain in effect and will be applied, including concurrency requirements with the PDP approval. See Request C.

Villebois Village Master Plan Residential Neighborhood Housing

Variety of Housing Options

Residential Neighborhood Housing Policy 1

- B11.** The proposed mix of housing for the subject area is consistent with the Villebois Village Master Plan and allowed refinements.

Affordable Rental and Ownership Opportunities

Residential Neighborhood Housing Policy 2

- B12.** Affordable rental and home ownership opportunities at the level shown in the adopted Master Plan remain.

Average Density Requirement

Residential Neighborhood Housing Policy 3

- B13.** The proposed development helps maintain an overall average density in Villebois of more than 10 dwellings units per net residential acre with the type of residential development shown in Figure 1 of the Villebois Village Master Plan.

Minimum Total Dwelling Units for Villebois 2,300

Residential Neighborhood Housing Policy 4

- B14.** With the proposal, Villebois will continue to exceed the 2300 dwelling unit minimum.

Mix of Housing Types in Neighborhoods
Residential Neighborhood Housing Policy 5

B15. The applicant proposes a variety of housing types in Phase 5 North consistent with Figure 1 of the Villebois Village Master Plan and allowed refinements.

Community Housing Requirements-Retention of 10 Acres
Residential Neighborhood Housing Policy 5

B16. None of the designated 10 acres are within Phase 5 North.

Consistency with Governor's Livability Initiative
Residential Neighborhood Housing Policy 7

B17. As further explained by the applicant on page 6 of their supporting compliance report for amendment to Specific Area Plan-North (Section IIA of Exhibit B1) the Specific Area Plan is consistent with the objectives and initiative referenced in this subsection.

Increasing Transportation Options, Bike and Pedestrian Friendly
Residential Neighborhood Housing Policy 8

B18. The proposed SAP amendment continues to show paths, bike facilities, block lengths, etc. to be pedestrian friendly and increase transportation options.

Incorporating Natural Features
Residential Neighborhood Housing Policy 10

B19. The applicant has taken care to incorporate the most important trees on the site to preserve the forested look of the much of the property visible from a broad area. The additional information about and desire to preserve the natural features of the site drive much of the proposed Master Plan refinements.

Compact, Pedestrian Oriented Character
Residential Neighborhood Housing Implementation Measure 1

B20. Development standards and a Pattern Book for SAP North ensure the required design and scale of dwellings.

Pattern Books
Residential Neighborhood Housing Implementation Measure 2

B21. The adopted Architectural Pattern Book used for the entirety of SAP North has only minor changes proposed for consistency with the updated layout and plan for Phase 5 North..

Villebois Village Master Plan Parks & Open Space

Incorporating Existing Trees, Planting Shade Trees Parks and Open Spaces Policy 1

B22. The applicant has taken great care to incorporate the most important trees on the site to preserve the forested look of the much of the property visible from a broad area. The additional information about and desire to preserve the natural features of the site drive much of the proposed Master Plan refinements, including the change of location and shape of Regional Park 6.

Sanitary Sewer Goal, Policy, and Implementation Measures

B23. The Composite Utility Plan, Sheet 6 of Exhibit B3, shows the approved sanitary system. The sanitary system within Phase 5 of SAP North will comply with Policies 1 through 7 of the City of Wilsonville Wastewater Master Plan, as demonstrated by the Utility Plan, see Exhibit B7. No refinements to sanitary sewer are proposed.

Water System Goal, Policy, and Implementation Measures

B24. The Utility Plan, Sheet 6 of Exhibit B3, shows the water system for SAP North, reflecting the proposed water system for Phase 5. The proposed water system will comply with Policies 1 through 7 of the Water System Master Plan.

Storm Water Goal

Meeting Stormwater Master Plan and Public Works Standards Storm Water Policy 1

B25. The Utility Plan, Sheet 14 of Exhibit B2, shows the stormwater system for SAP North, reflecting the proposed stormwater system for Phase 5. A supporting Utility and Drainage Report is included in Notebook (Exhibit B1) Section IIIC, which demonstrates that the stormwater system will meet the necessary requirements of the City of Wilsonville Stormwater Master Plan and Public Works Standards.

Minimizing Development "Footprint" on Hydrological Cycle, Rainwater Management Storm Water Policy 2 and 3

B26. The submitted plans show Rainwater Management Systems integrated into parks and open space areas. See Sheet 9 of Exhibit B2. The applicant proposed a minor refinement to water quality/stormwater/rainwater facilities. See Findings B88 through B93.

Stormwater Facility Maintenance
Storm Water Implementation Measure 11

- B27.** Ownership and maintenance of stormwater conveyance facilities in SAP North Phase 5 and other future phases will be addressed through the Ownership & Maintenance Agreement prepared with Final Plat Review.

Circulation System Goal

Encourage Alternative Modes, Accommodate All Modes
Circulation System Policy 1

- B28.** The applicant proposes transportation facilities including streets, sidewalks, and trails consistent with the Master Plan, as proposed for refinement, accommodating different travel modes.

Curb Extensions
Circulation System Implementation Measure 5

- B29.** The Condition of Approval PDC 2 requires curb extensions in locations shown in the Community Elements Book, as amended, and meeting the minimum 20 foot curb to curb width.

Statewide Planning Goals

Citizen Involvement
Goal 1

- B30.** The adoption process for the proposed SAP amendment includes duly noticed public hearings before the Development Review Board. The current process was preceded by a Master Plan adoption and SAP North review processes found compliant with Goal 1.

Land Use Planning
Goal 2

- B31.** The City is currently in compliance with Goal 2 because it has an acknowledged Comprehensive Plan and regulations implementing the plan. The Villebois Village Master Plan was adopted consistent with the planning policies in the Comprehensive Plan. The Villebois Village Master Plan was found to be consistent with Goal 2 because it creates a more specific plan for a portion of the City that provides additional guidance for future regulations. The proposed SAP amendment does not alter these circumstances. No additional needed connections beyond what is proposed by the applicant in Phase 5 North have been identified.

Natural Resources, Scenic and Historic Areas, and Open Spaces

Goal 5

- B32.** The proposed SAP amendment complies with local and regional policies and requirements to implement this goal.

Air, Water and Land Resource Quality

Goal 6

- B33.** The Villebois Village Master Plan is consistent with the air, water and land resources policies of the Comprehensive Plan. The Villebois Village Master Plan protects water and land resources by providing protection for natural resource areas and limiting development to areas that have less impact on natural resources. The Master Plan does not propose any residential structures within the 100-year floodplain. The Plan also calls for measures to use environmentally sensitive techniques for storm drainage. The Plan provides for a mixed-use, compact, interconnected Village that will provide transportation benefits by reducing the need for lengthy vehicle trips and increase the opportunity for bicycle and pedestrian transportation. The proposed SAP amendment does not alter these conditions as it remains consistent with the Master Plan in this regard.

Areas Prone to Natural Disasters and Hazards

Goal 7

- B34.** No areas prone to floods, erosion, landslides, wildfire, etc. have been identified in the area affected by the SAP Amendment.

Recreational Needs

Goal 8

- B35.** Consistent with the Master Plan the applicant proposes a number of parks and open spaces within Phase 5 North to provide for the recreational needs of residents.

Housing

Goal 10

- B36.** The Villebois Village Master Plan complies with local and regional policies and requirements to implement this goal. The housing density and number goals for Villebois continue to be met with the number units and type of housing proposed for SAP North, including Phase 5.

Public Facilities and Services

Goal 11

- B37.** The Villebois Village Master Plan is consistent with the applicable provisions of the City's various utility plans (see Chapter 4 – Utilities of the Master Plan). It proposes to coordinate future development with the provision of the public facility infrastructure in the area (Figure 6 – Conceptual Composite Utilities Plan). The proposed SAP amendment does not change the overall approach to planned utilities as shown in the Master Plan.

Transportation

Goal 12

B38. The Villebois Village Master Plan provides plans (Figure 7 – Street Plan and Figure 8 – Proposed Arterial/Collectors Street System) for a transportation system that is integrated with the transportation system existing and proposed for the City and surrounding areas of Clackamas County. Street sections (Figures 9A and 9B – Street and Trail Sections) are designed to slow traffic, encourage walking and bicycling, and create a pleasant environment. The proposed SAP amendment remains consistent with the transportation components of the Villebois Village Master Plan, as proposed for refinement, and thus this goal.

Energy Conservation

Goal 13

B39. The Comprehensive Plan has been acknowledged to be consistent with Goal 13, and the Villebois Village Master Plan is consistent with Comprehensive Plan energy conservation policies. The Villebois Village Master Plan provides for a compact mixed-use development that will conserve energy by reducing the amount of and length of vehicle trips by making bicycle and pedestrian transportation viable alternatives for many trips. The proposed SAP amendment remains consistent with the Villebois Village Master Plan in this regard, and thus Goal 13.

Urbanization

Goal 14

B40. The Villebois Village Master Plan is consistent with Comprehensive Plan urbanization policies and the Residential – Village Land Use designation. The proposed SAP amendment for SAP North continues to comply with and further the intent of Goal 14 by providing a coordinated plan for urbanization of the Master Plan area that coordinates development of the area with development of public facilities, including the transportation system, and protects natural resources. The SAP amendment continues to provide more detailed plans for the urbanization of an area already determined to be within the City’s urban growth boundary.

Village Zone Generally

Permitted Uses in Village Zone

Subsection 4.125 (.02)

B41. The uses proposed includes the Village Zone permitted single-family homes and parks and open space.

Villebois Block, Alley, Pedestrian and Bicycle Standards:

Maximum Block Perimeter (1800 ft)

Subsection 4.125 (.05) A. 1.

B42. The following blocks are less than the maximum block perimeter (blocks are described beginning with the southern most street then moving to the east, north, and west):

- Block bounded by Palermo Street, Orleans Avenue, Barcelona Street, Amsterdam Avenue
- Park block bounded by Palermo Street, Barcelona Street, Orleans Avenue
- Block bounded by Stockholm Avenue, Cherbourg Lane, Verdun Loop, Palermo Street

The following blocks exceed the maximum block perimeter but barriers, as described, permit approval as proposed.

- Block bounded by Barcelona Street/Verdun Loop, Villebois Drive North, Tooze Road, Paris Avenue. Circulation patterns within Phase 5 of SAP North are dictated by the 600-foot access spacing standard along SW Tooze Road, located along the northern site boundary (City of Wilsonville Transportation System Plan requirement for a minor arterial) and by the planned locations for the Villebois Greenway as well as existing street patterns west, east and south of Phase 5. The City has preferred that the applicant reduce the number of vehicular connections to Tooze Road and because of this decision, no connection to Tooze Road is proposed with PDP 5N. The spacing between the Tooze Road Connection in Phase 4 and the connection to Tooze Road in Tonquin Meadows exceeds the City's spacing requirements.
- Block bounded by Stockholm Avenue, Villebois Drive North, Verdun Loop, Cherbourg Lane. While this block doesn't have specific barriers preventing an additional street both the blocks to the northeast and southwest have barriers for the street continue preventing a street in this block from having significant connectivity value. See barrier discussion for adjacent blocks.
- Block bounded by Berlin Avenue, Villebois Drive North, Stockholm Avenue, Palermo Street, Orleans Avenue. Looking at a plan two-dimensional view a couple street connections look possible to break up this block, continuation of Dundee Lane from the south or Cherbourg Lane from the north. However, both connections have topographic barriers making them infeasible. In addition, the Dundee Lane connection would impact existing buildings. As discussed below, the applicant proposes mid-block pedestrian connections in alignment with Dundee Lane and Chergourg Lane.

Maximum Spacing Between Streets (530 ft)

Subsection 4.125 (.05) A. 2.

B43. In conjunction with the longer block perimeters discussed in Finding B42 above, a number of streets exceed the maximum 530 feet spacing for local access. As shown in the submitted plans, the required intervening pedestrian and bicycle access is provided with the required maximum of 330 feet except as listed below. Exceptions to the spacing requirements due to barriers are noted, otherwise Conditions of Approval require additional connections.

Between Verdun Loop and Tooze Road from current 110th right-of-way to path aligned with southeast side of Cherbourg Lane connecting with Tonquin trail in northern portion of Regional Park 6.

Between Barcelona Street and from the Tonquin Trail in the northern portion of Regional Park 6 to the connection just east of Orleans Avenue. Currently the spacing is approximately 533 feet.

Condition of Approval PDB 3 requires a pedestrian/bicycle connection immediately east of the Tract J alley connection to Verdun Loop adjacent to Linear Green 16 to intersection with the main path in Linear Green 16. This will provide a 318 foot spacing. The Condition of Approval additionally requires an additional pedestrian between Barcelona Street and the Tooze Road east of Orleans Avenue and west of Palermo Street.

Access

Subsection 4.125 (.05) B.

B44. The design of the subdivision shown in the SAP allows access from the alley where required.

Fences

Subsection 4.125 (.05) D.

B45. The City previously approved a Master Fencing Plan for the SAP, which the applicant proposes to follow as it pertains to special fence treatments.

Parks & Open Space

Subsection 4.125 (.08)

B46. Figure 5 – Parks & Open Space Plan of the Villebois Village Master Plan indicates that approximately 33% of Villebois is in Parks and Open Space. This SAP amendment continues to meet the open space requirements for Villebois.

Villebois Street Alignment and Access Improvements

Conformity with Master Plan, etc.

Subsection 4.125 (.09) A. 1. a.

B47. The street alignments are generally consistent with those shown in the Villebois Village Master Plan, as proposed for refinement. See Findings B76 through B81.

Conformity with Public Works Standards and Continuation of Streets

Subsection 4.125 (.09) A. 1. a. i.

B48. The proposed street network will enable conformance with the Public Work Standards. As the final single-family subdivision within Villebois, adjoining properties have street to which this subdivision will connect.

Streets Developed According to Master Plan

Subsection 4.125 (.09) A. 1. a. ii.

B49. The submitted plans show all streets developed with cross sections shown in the Master Plan except as noted in the Conditions of Approval from Engineering.

Intersections Angles

Subsection 4.125 (.09) A. 2. a. and b.

B50. The applicant's drawings in Exhibits B2 and B3 show all proposed streets are developed consistent with these standards.

Intersection Offsets

Subsection 4.15 (.09) A. 2. c.

B51. Proposed intersection meet the defined offsets.

Curb Extensions

Subsection 4.125 (.09) A. 2. d.

B52. Condition of Approval PDC 2 requires curb extensions consistent with the Community Elements Book, as amended, and the proposed curb to curb width will be at least 20 feet.

Street Grades 8% Maximum on Local Street, Up to 12% for Short Distances

Subsection 4.125 (.09) A. 3.

B53. The applicant proposes a number of street grades between 8% and 12% due to the relatively steep natural contours of the site. The City Engineer continues to review the exact slope of these street segments. Condition of Approval PDB 4 requires final approval of any street grades between 8% and 12% by the City Engineer.

Centerline Radius Street Curves

Subsection 4.125 (.09) A. 4.

B54. The submitted plan sheets, see Exhibits B2 and B3, show all street curves meet these standards.

Rights-of-way

Subsection 4.125 (.09) A. 5.

B55. Proposed rights-of-way are shown on the applicant's plan sheets, Exhibits B2 and B3. Rights-of-way will also be reviewed as part of the Preliminary Development Plan and Tentative Plat to ensure compliance. 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 a final plat in accordance with Section 4.177.

Access Drives

Subsection 4.125 (.09) A. 6.

B56. The applicant states in the narrative in Exhibit B1, "Access drives (alleys) will be paved at least 16-feet in width within a 20-foot tract, as shown on the Circulation Plan. 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."

Clear Vision Areas

Subsection 4.125 (.09) A. 7.

B57. The applicant states that clear vision areas will be provided and maintained in compliance with the Section 4.177.

Vertical Clearance

Subsection 4.125 (.09) A. 8.

B58. The applicant states that Vertical clearance will be provided and maintained in compliance with the Section 4.177.

Sidewalk and Pathway Improvement Standards

Subsection 4.125 (.10)

B59. The applicant states, "All sidewalks and pathways within SAP SAP North Phase 5 will be constructed in accordance with the standards of Section 4.178 and the Villebois Village Master Plan." Sidewalks and pathways are shown in the circulation plan and street cross-sections (Sheets 7 and 8, Exhibit B2).

Other Village Zone Standards

Landscaping, Screening and Buffering, Street Trees Match Community Elements Book

Subsection 4.125 (.11)

B60. The submitted plans show the appropriate landscaping. Review of the Preliminary Development Plan and Final Development Plan will ensure street trees match the Community Elements Book.

Signage and Wayfinding

Subsection 4.125 (.12)

B61. The City previously adopted a Master Signage and Wayfinding Program for SAP North and the proposed development will remain consistent with the previous approval including signage at the SW Paris Avenue entrance to Villebois.

Village Zone Design Principles
Subsection 4.125 (.13)

B62. The SAP Drawings, Exhibit B2, the Architectural Pattern Book, and the Community Elements Book are intended to guide the Preliminary Development Plan and Final Development Plan applications to achieve a built environment that reflects the fundamental concepts and objectives of the Master Plan. The Design Principles of Section (.13) have driven the development of the SAP Drawings, the Architectural Pattern Book and the Community Elements Book, which the City previously approved for SAP North and will work in concert to assure that the vision of Villebois in Phase 5 of SAP North.

Design Standards: Flag Lots
Subsection 4.125 (.14) A. 1. a.

B63. No flag lots are proposed.

Building and Site Design Requirements
Subsection 4.125 (.14) A. 2. a. - e. and h. - k.

B64. The Architectural Pattern Book and Community Elements Book ensure compliance with these standards and consistency with surrounding development.

Lighting and Site Furnishings
Subsection 4.125 (.14) A. 3.

B65. The SAP North Architectural Pattern Book and Community Elements Books ensure compliance with these criteria.

Building Systems Requirements
Subsection 4.125 (.14) A. 4.

B66. Subsequent Building Permit applications will review proposed buildings for consistency with the criteria of Table V-3 and the Architectural Pattern Book for SAP North.

Villebois Specific Area Plan Approval

Specific Area Plan Purpose-Advance Design of the Villebois Village Master Plan
Subsection 4.125 (.18) C. 1.

B67. As shown in Findings B3 through B66 above, the proposed SAP amendment is advancing the design of the Villebois Village Master Plan.

Who Can Initiate a SAP Application
Subsection 4.125 (.18) C. 2.-3.

B68. The Master Planner previously submitted SAP North, which included the approval of many SAP elements. Some elements were not defined because they were not yet known. A subsequent SAP amendment defined the additional components for Phases 2 through 4.

With Phase 3 approval was granted for SAP Components for future additional phases that did not require access to the properties, including definition of street alignment and land uses consistent with the Master Plan. This request provides the required additional details for Phase 5, and has been signed by the property owners of Phase 5.

SAP Submittal Requirements: Existing Conditions
Subsection 4.125 (.18) D 1.

B69. The applicant submitted all the required existing condition information. See Sheet 3 of Exhibit B2.

SAP Submittal Requirements: Development Information
Subsection 4.125 (.18) D. 2.

B70. The applicant's submittal, particularly the SAP plan set, provides all the required information. See Exhibit B2.

SAP Submittal Requirements: Architectural Pattern Book, Community Elements Book, Rainwater Management Program, and Master Signage and Wayfinding
Subsection 4.125 (.18) D. 3.-6.

B71. The City previously approved the SAP North Architectural Pattern Book, Community Elements Book, Rainwater Management Program, and Master Signage and Wayfinding program for the entirety of SAP North, including Phase 5. The only proposed changes relate to correctly showing the lot types, street orientation, and park locations proposed with this application.

SAP Submittal Requirements: SAP Narrative Statement
Subsection 4.125 (.18) D. 8.

B72. The applicant submitted the required narrative. See Exhibit B1.

SAP Elements Consistent with Villebois Village Master Plan
Subsection 4.125 (.18) E. 1. b. i.

B73. Findings B3 through B66 above demonstrate compliance of proposed SAP amendment with the Villebois Village Master Plan.

SAP Phasing Reasonable
Subsection 4.125 (.18) E. 1. b. i.

B74. Proposed Phase 5 is the final phase of SAP North and is contiguous with the previously approved phases of SAP North and SAP East following long anticipated phasing.

DRB Modification of SAP to Ensure Compliance with Master Plan, Etc.
Subsection 4.125 (.18) E. 1. b. iii.

B75. Staff does not recommend any modifications pursuant to this subsection.

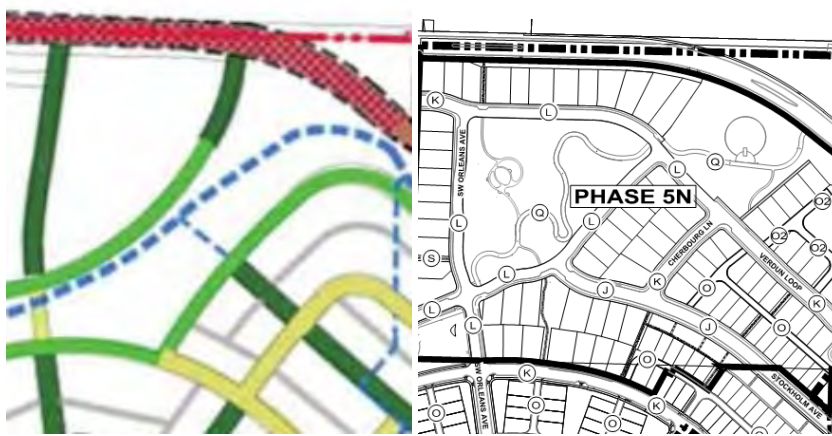
SAP Refinements to Villebois Village Master Plan

Refinement 1 Street Network

Refinements to the Master Plan: Streets

Subsection 4.125 (.18) F. 1. a. i.

B76. As stated by the applicant, “A comparison of the Circulation Plan from the proposed SAP North Amendment for Phase 5 and the Circulation Plan from the Master Plan shows updates to the circulation system. The Master Plan showed two connections at the northern edge of the site connecting with SW Tooze Road. The City has since evaluated planned improvements for Tooze Road and determined to limit to one access point which exists in PDP 4N. Therefore, the previously shown street connection to Tooze Road in PDP 5N has been eliminated. There are now no vehicular connections to Tooze Road within Phase 5. Additionally, when Tonquin Meadows was reviewed (Phase 3 East), the extension of Coffee Lake Drive across Villebois Drive was eliminated in order to retain an existing wetland area along the eastern portion of the property. This has resulted in some minor changes to the residential streets in these intervening areas. Verdun loop and Stockholm Avenue now provide the connections from Tonquin Meadows across Villebois Drive into the site and both streets extend west to meet SW Palermo Street at RP-6. The proposed street alignment was chosen in order to preserve as many healthy trees as possible. RP-6 has been moved to the western portion of the site where the bulk of the trees are located. Local streets (Barcelona, Orleans, and Palermo) surround RP-6 and linear greens have been proposed to both preserve important trees and to provide better pedestrian and cyclist circulation. Specifically, a linear green is proposed between SW Palermo Street and SW Berlin Avenue to preserve three important trees. A second linear green has replaced the street segment between Cherbourg Lane and Berlin Avenue due to the steepness of the terrain and to minimize grading and thereby enable more tree preservation. A pedestrian and cyclist accessway is provided between SW Barcelona Street and Tooze Road and pedestrian/cyclist connections are provided throughout RP-6, which abuts and connects to Tooze Road.



Master Plan

With Proposed Refinements

Refinements: Definition of Significant-Quantitative

Subsection 4.125 (.18) F. 1. b. i. and a. vi.

B77. Quantifiable measures related to this refinement request include circulation system function and connectivity. Level of Service (LOS) is the quantifiable performance measure related to circulation system function for motor vehicles. No data is available nor practical to obtain regarding the circulation system function for bicycles and pedestrians. Pedestrian and bicycle connections will be maintained or increased. Vehicle connectivity to SW Tooze has been balanced with the desired through function of SW Tooze Road. While the number of connection points to arterials in an quantifiable matter, and the small number of connection points would make this proposed change significant. In addition, the overall change in street layout would be significant. However, the changes are necessary to substantially improve the function of SW Tooze Road, an arterial, and necessary to preserve the greatest amount of important and good trees, an important community resource, as possible thus allowed as a refinement. While the traffic study did not compare LOS as various intersections with and without the proposed refinements, LOS of service continues to be met with the proposed changes.

Refinements: Definition of Significant-Qualitative

Subsection 4.125 (.18) F. 1. B. ii.

B78. This subsection does not provide clear definition of what an important qualitative feature might be. Absent details in this subsection, staff interprets the primary qualitative factors to consider being the three guiding design principles of the Villebois Village Master Plan: Connectivity, Diversity, and Sustainability. The three guiding design principles are further defined by the goals, policies, and implementation measures of the Master Plan. By virtue of better or equally implementing the goals, policies, and implementation measures of the Villebois Village Master Plan, as described in Finding B79 below, the proposed refinements do not negatively affect qualitative features of the street network.

Refinements: Equally or Better Meeting Master Plan

Subsection 4.125 (.18) F. 2. a.

B79. The following are the relevant goals and policies from the Villebois Village Master Plan followed by discussion of how the refinements better or equally meet them:

Circulation System Goal: The Villebois Village shall provide for a circulation system that is designed to reflect the principles of smart growth.

The refinement better meets the smart growth principle of preserving open space and natural features by allowing preservation of important and good trees better than the previously planned transportation networks. The preservation of trees also better reflects the principle of distinctive, attractive communities as the preserved trees at a high point in the topography is the primary existing identity of the subject properties. The refinements

provide a similar function as the previously contemplated network equally meeting the principles of walkable neighborhoods and a variety of transportation choices.

Circulations System Policy 1: The Villebois Village shall encourage alternatives to the automobile, while accommodating all travel modes, including passenger cars, trucks, buses, bicycles and pedestrians.

There will continue to be access to all homes and destinations from a variety of travel modes.

Refinements: Avoiding Detrimental Impacts on Resources
 Subsection 4.125 (.18) F. 2. b.

B80. Among the refinement’s primary purposes is avoiding detrimental impacts to the natural and scenic resource of important and good trees at a high point of Villebois’s topography.

Refinements: Relation to Adjoining Areas’ Ability to Develop Per Master Plan
 Subsection 4.125 (.18) F. 2. c.

B81. All adjoining SAP areas are developed consistent with the Master Plan, thus the refinement does not preclude their development consistent with the Master Plan.

Refinement 2 Parks, Trails, and Open Spaces

Refinements to the Master Plan: Parks, Trails, and Open Space
 Subsection 4.125 (.18) F. 1. a. ii.

B82. As stated by the applicant, “ The proposed refinements to RP-6, LG-15 & 16, and PP-9 do not significantly reduce function, usability, connectivity, or overall distribution or availability of these park uses in the PDP. The table below offers a side-by-side look at the Parks Master Plan and the proposed plan. Changes are highlighted in bold font. A brief description of the refinements follows the individual table, explaining how the proposed design meets the goal for the Villebois Village Parks Master Plan. Relevant policies and implementation measures from the Villebois Village Master Plan are noted in parentheses in the following descriptions:

Master Plan	Proposed Plan
RP-6	
5.93 Acres in size	6.42 Acres in size
Stormwater/Rainwater Features: Cell	Stormwater/Rainwater Features: Swale
Minor Water Feature: 1	Dog Bowl Fountain / Minor Water Feature
Benches	Benches
Picnic Tables	Picnic Tables

Child Play Structure: 1	Play Area - Totlot
Sport Court: 2 Tennis Courts	Moved to RP-5
Dog Park	Dog Park
RP-5	
No Special Features Provided	2 Tennis Courts
LG-15	
0.35 Acres in size	0.05 Acres in size (plus 0.25 in Tonquin Meadows)
Lawn Play: 0.11 Acres (30' x 80') (40' x 50')	Lawn Play (7,207 square feet or 0.17 acres)
LG-16	
0.19 Acres in size	0.36 Acres in size (plus area in Right-of-Way)
Lawn Play: 0.2 Acres (60' x 70') (60' x 70')	Lawn Play (22,557 square feet or 0.52 acres)
PP-9	
0.21 Acres in size	0.13 Acres in size (plus 0.04 in Tonquin Meadows and Right-of-Way)
Child Creative Play: 1	Child Creative Play: 1

The proposed RP-6 will retain multiple healthy trees that are currently existing on the subject site. This park is split into two halves by SW Barcelona Street with the western portion accessible by SW Barcelona Street, SW Orleans Avenue, and SW Palermo Street. The other half of the park is located in the northeastern quadrant of the subject site and is accessible by Tooze Road, SW Barcelona Street and Verdun Loop. RP-5, which is in the southwestern quadrant of the subject site will be completed with this development. The proposed parks in Phase 5 each have an asphalt trail system that connects to the wider Tonquin Trail, a regional trail that meanders through the Villebois development. These hard trail systems allow for the ability to recreate in all seasons of the year (Implementation Measure 7) and they allow for an improved pedestrian network. The trail also provides loops of varying lengths for running, walking, and roller blading (Policy 2). The proposed RP-6 park system provides a play structure in the left half and a dog park in the right while the proposed portion of RP- 5 that is to be completed with this development will include two tennis courts. LG- 15, LG-16 and PP-9 were partially constructed with the Tonquin Meadows development to the east and will include additions of a Lawn Play area and a Child Creative Play area, respectively, with the proposed development. These proposed uses add potential layers of social interaction to the park system (Policy 5) and encourage a juxtaposition of various age-oriented facilities and activities, while maintaining adequate areas of calm (Policy 3, Implementation Measure 15). The location of the dog park in RP-6 has moved closer to SW Tooze/Boeckman Road than was shown in the Master Plan, but the use and the availability of the dog park is not hindered by the new location. The dog park

has been moved to the northeastern end of RP-6 so that it can be accessed by SW Tooze/Boeckman Road and be near the small parking lot along the northeastern border of the subject site. Additionally, the applicant is proposing to construct a Rainwater Swale instead of a Rainwater Cell as shown on the Master Plan, which will be located in the western portion of RP-6. These parks will be relatively similar in size to that are shown in the Master Plan.

Refinements: Definition of Significant-Quantitative

Subsection 4.125 (.18) F. 1. b. i.

B83. As shown in Finding B82 above, the refined Parks and Open space maintain significantly the same nature and features as Master Planned parks.

Refinements: Definition of Significant-Qualitative

Subsection 4.125 (.18) F. 1. B. ii.

B84. This subsection does not provide clear definition of what an important qualitative feature might be. Absent details in this subsection, staff interprets the primary qualitative factors to consider being the three guiding design principles of the Villebois Village Master Plan: Connectivity, Diversity, and Sustainability. The three guiding design principles are further defined by the goals, policies, and implementation measures of the Master Plan. By virtue of better or equally implementing the goals, policies, and implementation measures of the Villebois Village Master Plan, as described in Finding B85 below, the proposed refinements do not negatively affect qualitative features of the parks, trails, and open space.

Refinements: Equally or Better Meeting Master Plan

Subsection 4.125 (.18) F. 2. a.

B85. By maintaining significantly the same park and open space nature and features, the refinement equally meets parks related goals, policies, and implementation measures of the Villebois Village Master Plan.

Refinements: Impact on Resources

Subsection 4.125 (.18) F. 2. b.

B86. Among the refinement's primary purposes is avoiding detrimental impacts to the natural and scenic resource of important and good trees at a high point of Villebois's topography.

Refinements: Relation to Adjoining Areas

Subsection 4.125 (.18) F. 2. c.

B87. All adjoining SAP areas are developed consistent with the Master Plan, thus the refinement does not preclude their development consistent with the Master Plan.

Refinement 3 Utilities and Storm Water Facilities

Refinements to Utilities and Storm Water Facilities

Subsection 4.125 (.18) F. 1. a. iii.

B88. The Master Plan for the subject area shows Onsite Water Quality along Tooze Road and a larger area reserved for Rainwater Management. Tooze Road improvements affect the location and space of onsite stormwater and rainwater facilities. Water quality facilities have been moved off-site and retrofitted to meet Tooze Road improvements. The refinements to rainwater management within PDP 5N include street trees and bio-retention cells located in planter strips in rights-of-way, as shown within the attached utility plans (see Exhibit B1 section IIIC and Exhibit B7), in order to utilize the space available.

Refinements: Definition of Significant-Quantitative

Subsection 4.125 (.18) F. 1. b. i.

B89. The performance measures, etc. being measured for the purpose of this refinement are the reduction of service and function of the utility or facility. The service or function is not being reduced.

Refinements: Definition of Significant-Qualitative

Subsection 4.125 (.18) F. 1. B. ii.

B90. This subsection does not provide clear definition of what an important qualitative feature might be. Absent details in this subsection, staff interprets the primary qualitative factors to consider being the three guiding design principles of the Villebois Village Master Plan: Connectivity, Diversity, and Sustainability. The three guiding design principles are further defined by the goals, policies, and implementation measures of the Master Plan. By virtue of better or equally implementing the goals, policies, and implementation measures of the Villebois Village Master Plan, as described in Finding B91 below, the proposed refinements do not negatively affect qualitative features of the parks, trails, and open space.

Refinements: Equally or Better Meeting Master Plan

Subsection 4.125 (.18) F. 2. a.

B91. Keeping the similar level of service and function will equally meet the Master Plan.

Refinements: Impact on Resources

Subsection 4.125 (.18) F. 2. b.

B92. No evidence has been provided that changes will have a negative impact on the environment or natural or scenic resources.

Refinements: Relation to Adjoining Areas

Subsection 4.125 (.18) F. 2. c.

B93. The proposed refinements do not impact the surrounding areas.

Refinement 4 Land Use and Density

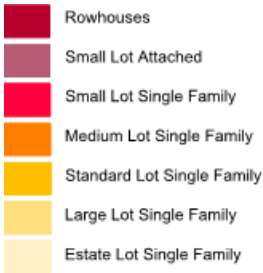
Refinements to the Master Plan: Mix of Land Uses and Density
Subsection 4.125 (.18) F. 1. a. iv. and v.

B94. The Master Plan for the subject area shows large, standard, medium, small, and neighborhood apartment uses within the Phase 5 area. PDP 5N proposes 89 single family detached dwellings – 32 small lots, 9 medium lots, 41 standard lots, and 7 large lots. The refinements to the Master Plan include a change in mix and unit counts. The refinement removes estate lots but introduces single-level homes in the large and standard-sized lots. The transition from standards and larges moving toward the Villebois Greenway, then south of the Greenway with smalls and mediums, increasing in density and massing toward the core of the Village Center is consistent with the Master Plan.

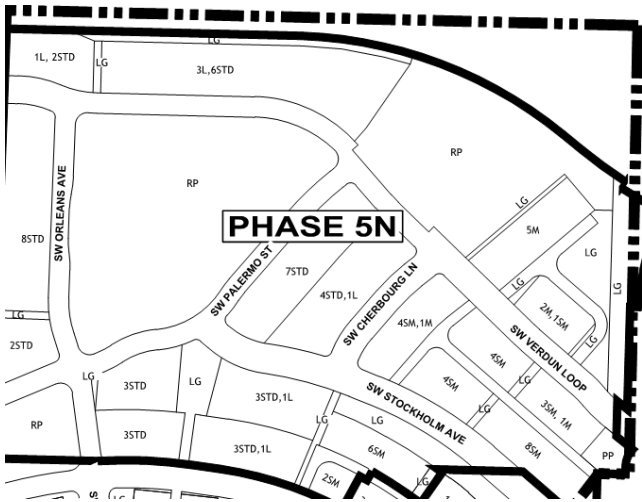
The attached plans (see Notebook Section IIB) illustrate that SAP North provides a mix of housing types generally consistent with the Master Plan. Phase 5 provides a mix of housing types to the greatest extent possible, ranging from small to large, while also providing a similar land use pattern to the other edges of Villebois. Additionally, this request adds single-level homes to the range of housing options through a minor refinement to the Master Plan.

	Currently Approved Count in SAP N	Proposed Unit Count in SAP N	% Change
Medium/Standard/Large/Estate	179	197	10%
Small Detached/Small Cottage/Row Homes/Neighborhood Apt.	246	271	10%
Total	425	468	10%

Table A shows that the proposed refinements do not exceed the 10% standard. This proposal results in a total of 2,558 units within Villebois. This is above the density of 2,300 units required to be obtained across Villebois, meeting the refinement criteria.



Master Plan



Proposed with Refinement

Refinements: Definition of Significant-Quantitative Subsection 4.125 (.18) F. 1. b. i.

B95. Quantifiable measures related to this refinement include number of units within the aggregate land use category, which, as shown in the table, is being reduced within the allowable 10% limit for the SAP. The resulting unit count for Villebois is 2,558.

	Currently Approved Count in SAP N	Proposed Unit Count in SAP N	% Change
Medium/Standard/Large/Estate	179	197	10%
Small Detached/Small Cottage/Row Homes/Neighborhood Apt.	246	271	10%
Total	425	468	10%

Refinements: Definition of Significant-Qualitative

Subsection 4.125 (.18) F. 1. B. ii

B96. This subsection does not provide clear definition of what an important qualitative feature might be. Absent details in this subsection, staff interprets the primary qualitative factors to consider being the three guiding design principles of the Villebois Village Master Plan: Connectivity, Diversity, and Sustainability. The three guiding design principles are further defined by the goals, policies, and implementation measures of the Master Plan. By virtue of better or equally implementing the goals, policies, and implementation measures of the Villebois Village Master Plan, as described in Finding B97 below, the proposed refinements do not negatively affect qualitative features of the street network.

Refinements: Equally or Better Meeting Master Plan

Subsection 4.125 (.18) F. 2. a.

B97. As further explained by the applicant on pages 43-44 of their supporting compliance report for the SAP Amendment (Exhibit B1), the change in housing products in Phase 5 equally or better meets the Villebois Village Master Plan

Refinements: Impact on Resources

Subsection 4.125 (.18) F. 2. b.

B98. Among the refinement's primary purposes is avoiding detrimental impacts to the natural and scenic resource of important and good trees at a high point of Villebois's topography.

Refinements: Relation to Adjoining Areas

Subsection 4.125 (.18) F. 2. c.

B99. All adjoining SAP areas are developed consistent with the Master Plan, thus the refinement does not preclude their development consistent with the Master Plan.

Protection of Natural Features & Other Resources

General Terrain Preparation

Subsection 4.171 (.02)

B100. The applicant's proposal maximizes preservation of important and good trees and works with the natural contours of the site to do so. Grading will be required to follow the Uniform Building Code, as will be reviewed for grading permits for the site.

Trees and Wooded Area

Subsection 4.171 (.04)

B101. The applicant and the City have carefully worked together to maximize retention of important and good trees as well as other trees on the site. The layout of the park space for Regional Park 6, for which preservation of trees is a major Master Plan focus, other open space, streets, and lots focuses on tree preservation. With additional information

concerning the location and other details of trees on the site the applicant proposes a number of refinements to support maximizing retention as a major design tenant of the parks, open space, and subdivision.

Historic Protection

Subsection 4.171 (.09)

B102. A cultural resource inventory has been performed. See Section IID of Exhibit B1. According to a professionally preferred historic inventory of the subject site, no resources exist worthy for preservation or listing, and no further research or inventory is needed.

Request C: DB18-0051 SAP-North PDP 5, Preliminary Development Plan

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

Village Zone

Permitted Uses in Village Zone

Subsection 4.125 (.02)

C1. The uses proposed include the Village Zone permitted uses of single-family homes and parks and open space.

Block, Alley, Pedestrian, and Bicycle Standards

Subsection 4.125 (.05) A.

C2. The Preliminary Development Plan drawings, Exhibit B4, shows blocks, alleys, pedestrian, and bicycle paths consistent with this subsection and the SAP, as proposed for amendment.

Vehicle Access Via Alley When Available

Subsection 4.125 (.05) B.

C3. A condition of approval for the Tentative Subdivision Plat will ensures vehicle access to lots via an alley when available.

Development Standards in the Village Zone

Table V-1

C4. In previous PDP's it has consistently been interpreted to allow the lot width and lot sizes to be governed by the Pattern Book. All lot dimensions and sizes meet the standards established in the SAP North Pattern Book with allowed variations for block shapes, street alignment and topography.

Off-Street Parking, Loading & Bicycle Parking
Subsection 4.125 (.07) Table V-2

- C5. The applicant proposes at least two (2) vehicle parking spaces for each home, exceeding the minimum of one (1).

Parks & Open Space
Subsection 4.125 (.08)

- C6. Figure 5 Parks & Open Space Plan of the Villebois Village Master Plan states that there are a total of 159.73 acres within Villebois, which is approximately 33% of Villebois. As described in the Parks, Trails, and Open Space refinement as part of the SAP Amendment, Request B, provides for the continued provision of the required open space. See Findings B82 through B87.

Street Alignment and Access Improvements

Conformity with Master Plan, etc.
Subsection 4.125 (.09) A. 1. a.

- C7. The street alignments and access improvements conform with SAP North plans, as proposed for amendment, which have been found to be in compliance with the Villebois Village Master Plans. See Request B Findings B76 through B81.

Conformity with Public Works Standards and Continuation of Streets
Subsection 4.125 (.09) A. 1. a. i.

- C8. All street improvements within this PDP will comply with the applicable Public Works Standards and make the connections to adjoining properties as shown in the Villebois Village Master Plan, as refined in Request B.

Streets Developed According to Master Plan
Subsection 4.125 (.09) A. 1. a. ii.

- C9. The applicant will develop all streets within this PDP with curbs, landscape strips, sidewalks, and bikeways or pedestrian pathways as depicted on the Circulation Plan and Street Sections, Sheet 7 of Exhibit B4, , which are consistent with the cross sections shown in the Master Plan and as approved by the City Engineer.

Intersections of Streets: Angles and Intersections
Subsection 4.125 (.09) A. 2. a. & b.

- C10. The Circulation Plan, Sheet 7 of Exhibit B4, demonstrates intersections designed for street to intersect at 90 degrees.

Intersection of Streets: Offsets

Subsection 4.15 (.09) A. 2. c.

C11. Circulation Plan, Sheet 7 of the applicant's plan set, demonstrates that opposing intersections on public streets are offset, as appropriate, so that no danger to the traveling public is created.

Curb Extensions as Shown in SAP and Maintain 20 foot wide clearance

Subsection 4.125 (.09) A. 2. d.

C12. The Circulation Plan, Sheet 7 of the applicant's plan set, shows curb extensions as shown in the SAP, as proposed for amendment. Curb extensions will not obstruct bicycle lanes on collector streets. The plan sheets illustrate that all local street intersections will have a minimum 20 foot wide clear distance between curb extensions.

Street Grades: 8% Max, Up to 12% for Short Distances approved by City Engineer

Subsection 4.125 (.09) A. 3.

C13. Due to the natural topography of the site a number of street grades exceed 8%. Condition of Approval PDB 4 ensures the City Engineer approves street grades exceeding 8%. See also Finding B53.

Centerline Radius Street Curves

Subsection 4.125 (.09) A. 4.

C14. Compliance is shown on the Circulation Plan, Sheet 7 of the applicant's plan set.

Rights-of-way, Waiver of Remonstrance to Local Improvement District

Subsection 4.125 (.09) A. 5.

C15. The applicant's plan set shows the proposed rights-of-way, including Sheet 4, Preliminary Plat. The applicant will dedicate rights-of-way and will record a waiver of remonstrance against the formation of a local improvement district with recordation of a final plat in accordance with Section 4.177.

Access Drives Width, Carrying Load, and Other Standards

Subsection 4.125 (.09) A. 6.

C16. The applicant states, "Access drives (alleys) will be paved at least 16-feet in width within a 20-foot tract, as shown on the Circulation Plan. 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."

Clear Vision Areas

Subsection 4.125 (.09) A. 7.

C17. The applicant states that clear vision areas will be provided and maintained in compliance with the Section 4.177.

Vertical Clearance

Subsection 4.125 (.09) A. 8.

C18. The applicant states that Vertical clearance will be provided and maintained in compliance with the Section 4.177.

Interim Improvement Standards

Subsection 4.125 (.09) A. 9.

C19. The applicant does not propose any interim improvement standards.

Sidewalk and Pathway Improvement Standards

Subsection 4.125 (.10)

C20. All sidewalks and pathways within PDP 5 North will be constructed in accordance with the standards of Section 4.154 (which replaced 4.178) and the Villebois Village Master Plan. Sidewalks and pathways are shown in the Circulation Plan and Street Cross-sections, Sheet 7 of the applicant's plan set.

Landscaping, Screening and Buffering: Match Community Elements Book

Subsection 4.125 (.11)

C21. The appropriate landscaping is provided. The proposed street trees are among the choices provided in the Community Elements Book.

Signage and Wayfinding Plan Conformance

Subsection 4.125 (.12)

C22. The applicant will install signage consistent with the SAP North Signage & Wayfinding Plan.

Design Principles Applying to the Village Zone

Subsection 4.125 (.13)

C23. The Architectural Pattern Book and Community Elements Book ensure the design meets the fundamental design concepts and support the objectives of the Villebois Village Master Plan. By complying with an Architectural Pattern Book and Community Elements Book, the design of the PDP will satisfy these criteria. See also Final Development Plan, Request D.

Design Standards: Flag Lots

Subsection 4.125 (.14) A. 1. a.

C24. The applicant does not propose flag lots.

Building and Site Design Requirements

Subsection 4.125 (.14) A. 2. a. - e. and h. - k.

C25. The application requests PDP approval for single family detached houses. Conformance with the Pattern Book and Community Elements Book will assure consistency with the Design Standards of subsection (.14). Conformance with the Architectural Pattern Book will be reviewed at the issuance of each building permit. Conceptual front elevations of the planned homes are provided. See Section IIIIF of Exhibit B1. Compliance with the Community Elements Book is being reviewed as part of Request D Final Development Plan. In order to increase consistency with the Architectural Pattern Book and other development elsewhere in Villebois Condition of Approval PDC 5 requires courtyard fencing consistent with the pattern book and the architectural style of the home for at least 30% of the homes with usable courtyards not exceeding a 5% slope.

Landscape Plans

Subsection 4.125 (.14) A. 2. g.

C26. The appropriate landscape plans have been provided. See Final Develop Plan plan set.

Protection of Significant Trees

Subsection 4.125 (.14) A. 2. f.

C27. The applicant provides tree protection information. See also Request F.

Lighting and Site Furnishings Comply with Community Elements Book

Subsection 4.125 (.14) A. 3.

C28. Condition of Approval PDD 2 ensures lighting and site furnishings comply with the Community Elements Book for SAP North.

Building Systems

Subsection 4.125 (.14) A. 4.

C29. Subsequent Building Permit applications will review proposed buildings for consistency with the criteria of Table V-3 and the Architectural Pattern Book.

Preliminary Development Plan Approval

Submission Timing

Subsection 4.125 (.18) G. 1. a.

C30. This PDP addresses Phase 5 on the SAP North Phasing Plan approved with Phase 4 North.

Owners' Consent

Subsection 4.125 (.18) G. 1. b.

C31. This application is made by Jason Baker of Polygon Homes. The PDP application has been signed by owners Victor C. Chang, Allen Y. Chang, City of Wilsonville, Polygon at Villebois III LLC, and Sparrow Creek LLC.

Proper Form & Fees

Subsection 4.125 (.18) G. 1. c.

C32. The applicant used the prescribed form and paid the required application fees.

Professional Coordinator Required for Professional Design Team

Subsection 4.125 (.18) G. 1. d.

C33. A professional design team is working on the project with Stacy Connery AICP from Pacific Community Design as the professional coordinator.

Mixed Uses

Subsection 4.125 (.18) G. 1. e.

C34. The proposed PDP includes only residential and park uses with supporting amenities and utilities.

Land Division Concurrent with Preliminary Development Plan

Subsection 4.125 (.18) G. 1. f.

C35. The applicant submitted a preliminary subdivision plat concurrently with this request. See Request E.

Zone Map Amendment Concurrent with Preliminary Development Plan

Subsection 4.125 (.18) G. 1. g.

C36. For portions of the subject properties not previously rezoned to Village, the applicant requests a zone map amendment concurrently with this request. See Request A.

Information Required

Subsection 4.125 (.18) G. 2. a. – c.

C37. The applicant provided the required information including a boundary survey, topographic information, SROZ information. See applicant's submitted plan sets.

Land Area Tabulation

Subsection 4.125 (.18) G. 2. d.

C38. Following is a tabulation of land area devoted to the various uses and a calculation of net residential density:

Approx. Gross Acreage	26.65 Acres
Parks and Open Space	8.63 Acres
Public Streets	7.71 Acres
Lots and Alleys	10.31 Acres

Net Residential Density: 89 lots / 10.31 Acres = 8.63 units per net acre

Streets, Alleys, and Trees

Subsection 4.125 (.18) G. 2. e.

C39. Information on planned alleys and streets are provided or the information is readily available. Easements, sidewalks, bike routes and bikeways, trails, and other relevant features are shown. The required trees are shown. See applicant's submitted plan sets.

Building Drawings

Subsection 4.125 (.18) G. 2. f.

C40. The proposed PDP includes Large, Standard, Medium, and Small detached single-family housing products. Conceptual elevations have been provided. See Section III F of Exhibit B1.

Utility Plan

Subsection 4.125 (.18) G. 2. g.

C41. Sheet 6 of the applicant's plan set provides the required composite utility plan.

Phasing Sequence

Subsection 4.125 (.18) G. 2. h.

C42. The applicant proposes executing the PDP in a single phase.

Security for Capital Improvements

Subsection 4.125 (.18) G. 2. i.

C43. The applicant states "the applicant will provide a performance bond or other acceptable security for the capital improvements required by the project."

Traffic Report

Subsection 4.125 (.18) G. 2. j. and H. 2.

C44. Exhibit B5 is the required trip generation memorandum from DKS Associates.

PDP Submittal Requirements

Matching SAP and General PDP Submission Requirements

Subsection 4.125 (.18) H. 1.

C45. The PDP matches the requested approval of the SAP North, as requested to be amended in Request B, and the application includes all of the requested information including location of utilities, conceptual building and landscape plans, the general type and location of signs, specified topographic information, plans showing all uses, and a grading and erosion control plan.

Level of Detail

Subsection 4.125 (.18) H. 3.

C46. The submitted plans show the required level of detail similar to other PDP's approved throughout Villebois.

Copies of Legal Documents

Subsection 4.125 (.18) H. 4.

C47. The applicant provided the required legal documents for review.

PDP Approval Procedures

Subsection 4.125 (.18) I.

C48. The review of the request follows the defined procedure including public notice, a public hearing, and a determination by the Development Review Board.

PDP Approval Criteria

PDP Consistent with Standards of Section 4.125

Subsection 4.125 (.18) K. 1. a.

C49. As shown elsewhere in this request, the proposed Preliminary Development Plan is consistent with the standards of Section 4.125.

PDP Complies with the Planning and Land Development Ordinance

Subsection 4.125 (.18) K. 1. b.

C50. Findings are provided showing compliance with applicable standards of the Planning and Land Development Ordinance. Specifically Findings C56 through C58 address Subsections 4.140 (.09) J. 1. through 3.

PDP Consistent with Approved SAP

Subsection 4.125 (.18) K. 1. c.

C51. The requested PDP approval is consistent with the SAP, as requested to be amended by Request B.

PDP Consistent with Approved Pattern Book

Subsection 4.125 (.18) K. 1. d.

C52. The proposed conceptual drawings have been found by the consultant architect to be consistent with the Architectural Pattern Book. The proposed lots are of sizes enabling conformance with the Architectural Pattern Book.

Reasonable Phasing Schedule

Subsection 4.125 (.18) K. 2.

C53. The applicant proposes completion of the PDP in a single phase.

Parks Concurrency: Parks Completion Prior to Occupancy of 50% of Homes

Subsection 4.125 (.18) K. 3.

C54. Condition of Approval PDD 3 ensures the completion of parks within PDP 5 North prior to occupancy of 50% of the housing units of the phase or bonding if special circumstances prevent completion. Specifically, park improvement shown must be completed prior to the granting of the building permit for the 45th house in the PDP.

DRB Conditions

Subsection 4.125 (.18) K. 5.

C55. Staff does not recommend any additional conditions of approval to ensure compliance.

Planned Development Regulations

Consistency with Comprehensive Plan and Other Plans, Ordinances

Subsection 4.140 (.09) J. 1.

C56. The applicant's findings demonstrate the location, design, size, and uses proposed with the PDP are both separately and as a whole consistent with SAP North as proposed for amendment in Request B, and thus the Villebois Village Master Plan, the City's Comprehensive Plan designation of Residential – Village for the area, and any other applicable ordinance of which staff is aware.

Meeting Traffic Level of Service D

Subsection 4.140 (.09) J. 2.

C57. The location, design, size and uses are such that traffic generated within the PDP at the most heavily used intersection(s) can be accommodated safely and without congestion in excess of Level of Service D. The proposed uses and the circulation system are consistent with SAP North, as requested to be amended in Request B. Exhibit B5 is the required traffic generation memorandum.

Concurrency for Other Facilities and Services Including Utilities
Subsection 4.140 (.09) J. 3.

C58. As shown in the Utility and Drainage Report, Section IIIC of the applicant's notebook, Exhibit B1 and Exhibit B7, and the applicant's Composite Utility Plan, Sheet 6 of Exhibit B4, adequate or immediately planned facilities and services are sufficient to serve the planned development.

Protection of Natural Features & Other Resources

General Terrain Preparation
Subsection 4.171 (.02)

C59. The City worked carefully with the applicant to ensure the proposed developments is designed, constructed and maintained with maximum regard to natural terrain features and topography, including the many mature healthy trees and steep terrain of the subject site. The review process changes the layout of the park, streets and lots, were adjusted from that shown in the Villebois Village Master Plan, subject to the provided refinement process, to maximize the regard given.

Hillsides
Subsection 4.171 (.03)

C60. No development is proposed on such slopes.

Trees and Wooded Area
Subsection 4.171 (.04)

C61. The applicant worked closely with City staff and the project arborist to understand the trees on the site, look at development alternatives, and design the proposed park, streets, and lot layouts to maximize protection of existing trees, particularly trees rated good and important by the arborist. Specific measures taken include: siting Regional Park 6 to include the maximum number of good and important trees and minimizing grading within the park area with preserved trees; adding a linear green to preserve additional important trees; and designing grading to preserve important trees in rear yards where possible.

High Voltage Power Lines
Subsection 4.171 (.05)

C62. The development area and surrounding area are not around high voltage power lines.

Safety Hazards
Subsection 4.171 (.06)

C63. The applicant states that development of the subject area will occur in a manner that minimizes potential hazards to safety.

Earth Movement Hazard Areas

Subsection 4.171 (.07)

C64. No areas of land movement, slump, earth flow, or mud or debris flow have been identified in the project area.

Standards for Soil Hazard Areas

Subsection 4.171 (.08)

C65. No soil hazard areas have been identified within the subject area.

Historic Protection

Subsection 4.171 (.09)

C66. The PDP matches the SAP North approvals, as requested to be amended in Request B and found to meet the requirements of this subsection.

Landscaping, Screening, and Buffering

Section 4.176

C67. Landscaping will be provided in accordance with the standards in Section 4.176. The Street Tree/Lighting Plan depicts street trees along rights-of-way within the subject Preliminary Development Plan area. The plan has been developed in conformance with the *Community Elements Book* and the applicable standards of Section 4.176. Landscaping in the parks and linear green areas will be reviewed with Request D, Final Development Plan.

Street Improvement Standards

Section 4.177

C68. The PDP matches the SAP North approvals, as requested to be amended in Request B and found to meet the requirements of this subsection.

Request D: DB15-0090 Final Development Plan for Parks and Open Space

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

Parks and Open Space in the Village Zone-Amount Required

Subsection 4.125 (.08) A.

D1. The applicant proposes parks and open space consistent with the PDP found to meet the required amount of parks and open space.

Parks and Open Space in the Village Zone-Ownership

Subsection 4.125 (.08) B.

D2. Ownership will be by the homeowners association with the Regional Park being turned to the City after a 5-year period of homeowner association ownership and maintenance.

Parks and Open Space in the Village Zone-Protection and Maintenance
Subsection 4.125 (.08) C.

- D3.** Protection and maintenance of the open space and recreational areas are covered in the CCR's being reviewed by the City, and Operation and Maintenance Agreements between the developer and the City.

Landscaping Screening and Buffering
Subsection 4.125 (.11)

- D4.** Findings D15 through D26 pertain to Section 4.176. Plans show street trees consistent with the Community Elements Book.

Signs Compliance with Master Sign and Wayfinding Plan for SAP
Section 4.125 (.12) A.

- D5.** The Master Signage and Wayfinding Plan does not require any signs subject to the Final Development Plan within the subject development and the applicant does not propose any.

Design Standards Applying to the Village Zone

Details to Match Architectural Pattern Book and Community Elements Book
Subsection 4.125 (.14) A. 2. b.

- D6.** The Architectural Pattern Book is not applicable to the parks except that any retaining walls within the public view shed must be consistent with the materials in the Architectural Pattern Book and the Master Fencing shown in the pattern book. Proposed plant materials are consistent with the Community Elements Book.

Protection of Significant Trees
Subsection 4.125 (.14) A. 2. f.

- D7.** The applicant proposes protecting significant trees. See Request F, particularly Finding F6.

Landscape Plan
Subsection 4.125 (.14) A. 2. g.

- D8.** The applicant's plan set includes landscape plans providing the required information.

Lighting and Site Furnishings to Match Community Elements Book, Etc.
Subsection 4.125 (.14) C.

- D9.** Condition of Approval PDC 2 requires the lighting and site furnishings to be consistent with the Community Elements Book.

Final Development Plan Approval Procedures
Subsection 4.125 (.18) L.

- D10.** The proposal is subject to the applicable procedures set out in this subsection for approval of a FDP.

Final Development Plan Submittal Requirements
Subsection 4.125 (.18) M.

D11. The applicant submitted the necessary materials review of the FDP.

Final Development Plans Subject to Site Design Review Criteria
Subsections 4.125 (.18) N. and P. 1.

D12. The proposal is subject to the provisions of Section 4.421 as criteria in the review of the FDP.
See Findings D30 through D34.

Refinements to Preliminary Development Plan as part of Final Development Plan
Subsection 4.125 (.18) O.

D13. The applicant does not request any refinements as part of the requested FDP.

Final Development Plan Compliance with Architectural Pattern Book, Community Elements Book, and PDP Conditions of Approval
Subsection 4.125 (.18) P.2.

D14. Overall, as demonstrated by Finding D6 above, the FDP demonstrates compliance with the SAP North Community Elements Book. The proposed landscaping is in conformance with the Community Elements Book. There are no relevant portions of the Architectural Pattern Book, or Conditions of Approval for a previously approved PDP to which to demonstrate compliance.

Landscape Standards

Landscape Standards and Compliance with Code
Subsection 4.176 (.02) B.

D15. The applicant has not requested for any waivers or variances to landscape standards. Thus all landscaping and screening must comply with standards of this section.

Landscape at least 15% of Site Area and Landscape Locations Spread Through Site
Subsection 4.176 (.03)

D16. Landscaping or vegetation covers the majority of the proposed parks.

Buffering and Screening
Subsection 4.176 (.04)

D17. No conditions requiring buffering and screening are within the area covered by the subject FDP request.

Plant Materials-Shrubs and Groundcover

Subsection 4.176 (.06) A.

D18. Applicant's sheet L2 in their FDP plan set, Exhibit B4, indicates the requirements established by this subsection will be met by the proposed plantings.

Plant Materials-Trees

Subsection 4.176 (.06) B.

D19. Applicant's Sheet L1 and L2 in their FDP plan set, Exhibit B4, indicates the requirements established by this subsection will be met by the proposed plantings.

Plant Materials-Street Trees

Subsection 4.176 (.06) D.

D20. Applicant's Sheets L2 in Exhibit B4, indicate the requirements established by this subsection as well as the Community Elements Book are generally met.

Types of Plant Species

Subsection 4.176 (.06) E.

D21. The allowed plant materials are governed by the Community Elements Book. All proposed plant materials will be consistent with the SAP North Community Elements Book.

Tree Credit

Subsection 4.176 (.06) F.

D22. The applicant is not requesting any of the preserved trees be counted as tree credits pursuant to this subsection.

Exceeding Plant Material Standards

Subsection 4.176 (.06) G.

D23. The selected landscape materials do not violate any height or visions clearance requirements.

Installation and Maintenance of Landscaping

Subsection 4.176 (.07)

D24. Installation and maintenance standards are or will be met by Condition of Approval PDD 2 as follows:

- Plant materials are required to be installed to current industry standards and be properly staked to ensure survival
- Plants that die are required to be replaced in kind, within one growing season, unless appropriate substitute species are approved by the City.
- A note on the applicant's Sheet L2 in their FDP plan set, Exhibit B4, indicates "coordinate landscape installation with installation of underground sprinkler and drainage systems."

Landscape Plans

Subsection 4.176 (.09)

D25. The applicant's plan set includes landscape plans with the required information. See Exhibit B4.

Completion of Landscaping

Subsection 4.176 (.10)

D26. As a condition of PDP approval the parks for the PDP or PDP phase must be completed prior to fifty percent (50%) of the house permits are issued unless certain conditions exist, similar to what is described in this subsection, in which case a bond can be posted. See Finding C54 and Condition of Approval PDC 3.

Site Design Review

Excessive Uniformity, Inappropriateness of Design, Etc.

Subsection 4.400 (.01)

D27. *Excessive Uniformity:* A variety of parks with a variety of features and amenities are provided consistent with the diversity of park uses described in the Villebois Village Master Plan avoiding excessive uniformity in park and open space design.

Inappropriate or Poor Design of the Exterior Appearance of Structures: No structures are proposed in the parks.

Inappropriate or Poor Design of Signs: Signs within parks and open spaces are required to be consistent with the Master Sign and Wayfinding program which is a comprehensive signage package that ensures signs in parks and open spaces, like elsewhere in Villebois, are of a quality design and appropriate for the Villebois context.

Lack of Proper Attention to Site Development: The appropriate professional services have been used to design the park and open spaces incorporating unique features of the site including natural features, demonstrating appropriate attention being given to site development.

Lack of Proper Attention to Landscaping: Landscaping has been professionally designed by a landscape architect, and includes a variety of plant materials, all demonstrating appropriate attention being given to landscaping.

Purposes of Objectives of Site Design Review

Subsection 4.400 (.02)

D28. It is staff's professional opinion that the applicant has provided sufficient information demonstrating compliance with the purposes and objectives of site design review. In addition, site features are consistent with the Community Element Book, which has previously been reviewed to ensure consistency with the Villebois Village Master Plan which has similar purposes and objectives as site design review.

Site Design Review-Jurisdiction and Power of the Board
Section 4.420

D29. Condition of Approval PDD 3 ensures construction, site development, and landscaping are carried out in substantial accord with the Development Review Board approved plans, drawings, sketches, and other documents. No grading or other permits will be granted prior to development review board approval. No variances are requested from site development requirements.

Site Design Review-Design Standards
Subsection 4.421 (.01)

D30. The scope of design standards refers only to the parks and open spaces, as the single-family homes are not subject to site design review. The park elements are appropriate for the topography of the site by working with the existing slopes. Surface water drainage has been thoroughly reviewed consistent with the Villebois Village Master Plan and the Rainwater Master Plan for SAP North.

Applicability of Design Standards to Various Site Features
Subsection 4.421 (.02)

D31. All applicable site features, which does not include single-family homes, are subject to design standards.

Objectives of Section 4.400 Serve as Additional Criteria and Standards
Subsection 4.421 (.03)

D32. The purposes and objectives in Section 4.400 are being used as additional criteria and standards. See Finding D28 above.

Site Design Review-Conditions of Approval for Proper and Efficient Site Function
Subsection 4.421 (.05)

D33. Staff does not recommend any additional conditions of approval pursuant to this subjection.

Color or Materials Requirements
Subsection 4.421 (.06)

D34. Conditions of Approval PDD 4 and PDD 5 require specific materials for any retaining walls or hand rails to ensure a quality of design consistent with the Architectural Pattern Book.

Site Design Review-Procedures, Required Materials
Section 4.440

D35. The applicant submitted the applicable required materials.

Time Limit on Approval
Section 4.442

D36. It is understood that the approval will expire after 2 years if a building permit hasn't been issued unless an extension has been granted by the board.

Landscape Installation or Bonding

Subsection 4.450 (.01)

D37. As a condition of PDP approval the parks for the PDP or PDP phase must be completed prior to fifty percent (50%) of the house permits being issued. See Finding C54 in Request C and Condition of Approval PDC 3.

Approved Landscape Plan Binding

Subsection 4.450 (.02)

D38. Condition of Approval PDD 6 provides ongoing assurance the approved landscaping plan is binding upon the applicant.

Landscape Maintenance and Watering

Subsection 4.450 (.03)

D39. Condition of Approval PDD 6 will ensure landscaping is continually maintained and watered in accordance with this subsection.

Addition and Modifications of Landscaping

Subsection 4.450 (.04)

D40. Condition of Approval PDD 6 prevents modification or removal of landscaping without the appropriate City review.

Request E: DB18-0053 Tentative Subdivision Plat

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

Development Standards Applying to All Development in Village Zone

Block, Alley, Pedestrian, and Bicycle Standards

Subsection 4.125 (.05) A.

E1. The tentative subdivision plat shows blocks, alleys, pedestrian, and bicycle paths consistent with this subsection and the proposed PDP.

Access Standards: Access Required Via Alley Where Available

Subsection 4.125 (.05) B.

E2. Condition of Approval PDE 5 requires a non-access reservation strip on the street side of lots with alley access.

Development Standards in the Village Zone

Table V-1

- E3.** As been consistently interpreted for PDP approvals in Villebois, lot dimensions in the Architectural Pattern Book can govern such things as lot width and size even when it is not consistent with the table. The proposed lots facilitate the construction that meets relevant standards of the table and the Architectural Pattern Book for SAP North.

Open Space Requirements

Subsection 4.125 (.08)

- E4.** The tentative subdivision plat shows open space consistent with the requirements of the Village Zone and the proposed PDP. Consistent with the requirements of (.08) C. Condition of Approval PDE 8 requires the City Attorney to review and approve pertinent bylaws, covenants, or agreements prior to recordation.

Street and Improvement Standards:

General Provisions

Subsection 4.125 (.09) A. 1.

- E5.** The tentative subdivision plat shows street alignments, improvements, and access improvements consistent with the proposed PDP and SAP found, with proposed refinements, to be consistent with the Master Plan and Transportation Systems Plan.

Intersection of Streets

Subsection 4.125 (.09) A. 2.

- E6.** The tentative subdivision plat shows street intersections as proposed in the proposed PDP consistent with these standards.

Centerline Radius Street Curves

Subsection 4.125 (.09) A. 4.

- E7.** The tentative subdivision plat shows streets found to meet these standards under Requests B and C.

Street and Improvement Standards: Rights-of-way, Waiver of Remonstrance

Subsections 4.125 (.09) A. 5. and 4.177 (.01) C.

- E8.** As stated by the applicant, "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 a final plat in accordance with Section 4.177." Condition of Approval PDE 9 requires the waiver of remonstrance.

Plat Review Process

Plats Reviewed by Planning Director or DRB
Subsection 4.202 (.01) through (.03)

E9. The tentative subdivision plat is subject to review by the Development Review Board according to this subsection. The final plat is subject to review by the Planning Division under the authority of the Planning Director to ensure compliance with the DRB review of the tentative subdivision plat.

Legal Creation of Lots Prior to Selling Land
Subsection 4.202 (.04) A.

E10. It is understood that no lots will be sold until the final plat has been approved by the Planning Director and recorded.

Undersized Lots
Subsection 4.202 (.04) B.

E11. No lots will be divided into a size smaller than allowed.

Pre-Application Conference
Subsection 4.210 (.01)

E12. A pre-application conference was held in accordance with this subsection.

Preparation and Submission of Tentative Plat
Subsection 4.210 (.01) A. and B.

E13. Sheet 4 of Exhibit B3, as shown revised in Exhibit B6, is a tentative subdivision plat prepared by a licensed surveyor and including the required information.

Land Division Phases to Be Shown
Subsection 4.210 (.01) D.

E14. The applicant indicates a plan to subdivide and develop the land in a single phase.

Remainder Tracts
Subsection 4.210 (.01) E.

E15. The proposed tentative plat incorporates all affected property.

Conformity to the Master Plan or Map
Subsection 4.236 (.01)

E16. The tentative subdivision plat is consistent with applicable plans including the Transportation Systems Plan and Villebois Village Master Plan as requested to be refined.

Relation to Adjoining Street System

Subsection 4.236 (.02)

E17. The tentative subdivision plat shows streets meeting connecting to the adjoining existing streets consistent with the proposed PDP.

Streets: Conformity to Standards Elsewhere in the Code

Subsection 4.236 (.03)

E18. The tentative subdivision plat shows streets consistent with the proposed Master Plan refinement, SAP Amendment, and PDP and meeting Section 4.177 and the block requirements of the zone.

Creation of Easements for Future Land Divisions

Subsection 4.236 (.04)

E19. The applicant proposes no specific easements pursuant to this subsection.

Topography

Subsection 4.236 (.05)

E20. The tentative subdivision plat shows street alignments recognizing topographic conditions consistent with the requested PDP.

Reserve Strips Controlling Street Access for Specific Purposes

Subsection 4.236 (.06)

E21. No reserve strips are being required for the reasons listed in this subsection. However, reserve strips are being required by Condition of Approval PDE 5 to prevent access to the front side of lots served by an alley. See also Findings E2.

Future Expansion of Street

Subsection 4.236 (.07)

E22. Adjoining land is all developed, no future street extensions are planned. The proposed streets connect with street stubs created in previous adjoining subdivisions.

Additional Right-of-Way for Existing Streets

Subsection 4.236 (.08)

E23. The applicant proposes to dedicate any necessary right-of-way.

Street Names

Subsection 4.236 (.09)

E24. Street names will be reviewed by Engineering staff and be subject to approval by the City Engineer consistent with this subsection.

Blocks

Subsection 4.237 (.01)

E25. The tentative subdivision plat shows blocks consistent with those proposed Preliminary Development Plan. See Request C.

Easements

Subsection 4.237 (.02)

E26. Condition of Approval PDE 10 requires the necessary easements for utility lines.

Mid-block Pedestrian and Bicycle Pathways

Subsection 4.237 (.03)

E27. The submitted plans show pathways consistent with the proposed PDP.

Tree Planting & Tree Access Easements

Subsection 4.237 (.04)

E28. The proposed street trees are within the proposed public right-of-way.

Lot Size and Shape

Subsection 4.237 (.05)

E29. Proposed lot sizes, widths, shapes and orientations are appropriate for the proposed development and are in conformance with the Village Zone requirements as discussed under Requests B and C.

Access, Minimum Frontage

Subsection 4.237 (.06)

E30. Each lot has the minimum frontage on a street or greenbelt, as allowed in the Architectural Pattern Book.

Through Lots

Subsection 4.237 (.07)

E31. While certain lots front both SW Tooze Road and SW Barcelona Street, no access will be allowed directly from SW Tooze Road.

Lot Side Lines

Subsection 4.237 (.08)

E32. Generally side lot lines are at right angles with the front lot line. Where they do not, they run at the closest possible angle to 90 degrees as allowed by block shape, adjacent lot shape, and required alley orientation.

Large Lot Land Divisions
Subsection 4.237 (.09)

E33. Staff does not anticipate any future divisions of the lots included in the tentative subdivision plat.

Building Line and Built-to Line
Subsection 4.237 (.10) and (.11)

E34. No building lines or built-to lines are proposed or recommended.

Land Reserved for Public Acquisition
Subsection 4.237 (.12)

E35. No property reservation is recommended as described in this subsection.

Corner Lots
Subsection 4.237 (.13)

E36. All proposed corner lots meet the minimum corner radius of ten (10) feet.

Lots of Record
Section 4.250

E37. The parcels and tracts being divided are of record, and the resulting subdivision lots will be lots of record.

Request F: DB15-0089 Type C Tree Plan

As described in the Findings below, the request meets the applicable criteria or will by Conditions of Approval.

Access to Site for Tree Related Observation
Subsection 4.600.50 (.03) A.

F1. The ability for the City to inspect tree conditions on the site is understood.

Type C Tree Removal Review Authority
Subsection 4.610.00 (.03) B.

F2. The requested tree removal is connected to site plan review by the Development Review Board for the proposed development. The tree removal is thus being reviewed by the DRB.

Conditions to Minimize Damage to and Encroachment
Subsection 4.610.00 (.06) A.

F3. Staff recommends two additional conditions pursuant to this subsection. A number of good and important trees have root zones/drip lines partially or entirely on individual lots. In consideration of the health and value of the tree Conditions of Approval PDF 4 and PDF 5

impose reasonable conditions to encourage proper long-term preservation and maintenance as well as clearly identify maintenance responsibility. Condition of Approval PDF 4 requires a tree preservation and maintenance easement and associated easement agreement allowing for inspection of the tree condition and assigning tree maintenance responsibility to the homeowners association as well as limiting plantings and irrigation that could damage the health of the tree. As a practical matter, Condition of Approval PDF 5 requires access easements on affected lots to allow necessary access for inspection and maintenance activities.

Completion of Operation in Reasonable Time Frame

Subsection 4.610.00 (.06) B.

- F4.** It is understood the tree removal will be completed by the time construction of all homes, parks, and other improvements in the PDP are completed, which is a reasonable time frame for tree removal.

Security for Tree Removal

Subsection 4.610.00 (.06) C.

- F5.** As allowed by Subsection 1 the bonding requirement is being waived as the application is required to comply with WC 4.264(1).

Standards for Tree Removal, Relocation or Replacement, Residential Development

Standards for Preservation and Conservation and Development Alternatives

Subsection 4.610.10 (.01) B., C., and E.

- F6.** The applicant worked closely with City staff and the project arborist to understand the trees on the site, look at development alternatives, and design the proposed park, streets, and lot layouts to maximize protection of existing trees, particularly trees rated good and important by the arborist. Specific measures taken include: siting Regional Park 6 to include the maximum number of good and important trees and minimizing grading within the park area with preserved trees; adding a linear green to preserve additional important trees; and designing grading to preserve important trees in rear yards where possible. Trees proposed for removal are due to tree conditions and unavoidable construction impacts.

Standards for Land Clearing

Subsection 4.610.10 (.01) D.

- F7.** This standard is being followed as shown in the applicant's plan set, Exhibit B3.

Standards for Compliance with Statutes and Ordinances

Subsection 4.610.10 (.01) F.

- F8.** This standard is broad and duplicative. As found elsewhere in this report, the applicable standards are being applied.

Standards for Relocation and Replacement

Subsection 4.610.10 (.01) G.

- F9.** The proposed tree activity is being reviewed in accordance to the referenced sections related to replacement and protection.

Limitation on Tree Removal

Subsection 4.610.10 (.01) H.

- F10.** The proposed tree removal is either necessary for construction or is due to the health and condition of the trees.

Additional Standards for Type C Permits: Tree Survey and Maintenance and Protection Plan

Subsection 4.610.10 (.01) I. 1.-2., Section 4.610.40 (.02)

- F11.** The applicant's submitted materials include the required Tree Maintenance and Protection Plan has been submitted. See Section VIC of Exhibit B1.

Additional Standards for Type C Permits: Tree and Utility Conflicts

Subsection 4.610.10 (.01) I. 3.

- F12.** The Composite Utility Plan, Sheet 6 of Exhibit B2, shows little potential for environmental adverse consequences of utility placement. Utility placement in relation to the preserved tree will be further reviewed during review of construction drawings and utility easement placement on the final plat.

Type C Tree Plan Reviewed with Stage II Final Plan

Subsection 4.610.40 (.01)

- F13.** The proposed Type C Tree Plan is subject to review concurrently with the Preliminary Development Plan, which is the equivalent of a Stage II Final Plan in the Village Zone.

Tree Replacement Requirement

Subsection 4.620.00 (.01)

- F14.** Conditions of Approval PDF 8 and 9 ensures tree mitigation requirements are met by either replanting street trees and landscaping trees or paying into the tree fund an amount determined by the City based on the cost of replacement trees.

Basis for Determining Replacement

Subsection 4.620.00 (.02)

- F15.** Conditions of Approval PDF 8 and 9 requires tree mitigation on a basis of one tree mitigated for one tree removed. Each planted tree, including street trees and trees in parks and linear greens will meet the minimum diameter requirement.

Replacement Tree Requirements

Subsection 4.620.00 (.03)-(.04)

- F16.** Replacement trees will be appropriate for the site by conforming the Community Elements Book. Condition of Approval PDF 2 ensures trees have the proper staking and care and will be of the required quality. The Condition of Approval further ensures the replacement of planted trees that dies or becomes diseased.

Replacement Trees Locations

Subsection 4.620.00 (.05)

- F17.** The applicant proposes planting trees on site and in the appropriate locations for the proposed development meeting spacing in the Community Elements Book and avoiding utility and other conflicts.

Tree Protection During Construction

Section 4.620.10

- F18.** Conditions of Approval PDF 3 and PDF 6 ensures protection of trees during development consistent with the requirements of this section..

Request G: SI 18-0005 Abbreviated SRIR Review/SROZ Map Refinement

As described in the Findings below, the request meets the applicable criteria.

Findings of Fact:

1. Pursuant to Section 4.139.05 (Significant Resource Overlay Zone Map Verification), the map verification requirements shall be met at the time an applicant requests a land use decision. The applicant conducted a detailed site analysis consistent with code requirements, which the Natural Resources Manager reviewed and approved.
2. The delineated wetlands, identified as Wetlands A-C, are located in the project area. Wetlands A and B were included in the City's Natural Resources Inventory and were deemed locally significant due to their connectivity to the Coffee Lake wetlands/floodplain complex. Wetland C was not included in the Natural Resources Inventory due to its size (i.e., less than 0.5 acre). Wetlands A-C are likely jurisdictional and subject to regulation by the Oregon Department of State Lands and the U.S. Army Corps of Engineers.
3. Wetlands A and B, which are associated with a drainage ditch, are classified as palustrine emergent (PEM). Whereas, Wetland C is classified as a palustrine scrub-shrub (PSS) and PEM/slope. Wetlands A is located in a horse pasture and Wetland B is primarily non-native reed canary grass. Wetland C is a combination of reed canary grass and native Sitka willow. The primary source of hydrology for the wetlands is surface runoff and groundwater. The total size of the wetlands is 0.15 acres.

4. The Significant Resource Overlay Zone ordinance prescribes regulations for development within the SROZ and its associated 25-foot Impact Area. Setbacks from significant natural resources implement the requirements of Metro Title 3 Water Quality Resource Areas, Metro Title 13 Nature in Neighborhoods, and Statewide Planning Goal 5. All significant natural resources have an Impact Area. Development or other alteration activities may be permitted within the SROZ and its associated Impact Area through the review of a Significant Resource Impact Report (SRIR). The primary purpose of the Impact Area is to insure that development does not encroach into the SROZ.
5. Pursuant to the city's SROZ ordinance, development is only allowed within the Area of Limited Conflicting Use (ALCU). The ALCU is located between the riparian corridor boundary, riparian impact area or the Metro Title 3 Water Quality Resource Area boundary, whichever is furthest from the wetland or stream, and the outside edge of the SROZ, or an isolated significant wildlife habitat (upland forest) resource site.
6. The applicant's Significant Resource Impact Report delineated specific resource boundaries. The applicant's SRIR contained the required information, including an analysis of the natural resource conditions.

Amendment to SROZ Boundary

Amending SROZ Boundary Based on Whether Land is a Significant Resource
Subsection 4.139.10 (.01) D. 4. and (.02)

- G1. Wetlands A and B were included in the City's Natural Resources Inventory and SROZ map. The inventory relied on a wetland determination with little in the way of specific information. The applicant has provided a wetland delineation that provides substantially more detail, which brings into question the inclusion of the wetlands in the SROZ. Due to their size (both are less than the minimum 0.5-acre requirement) and isolated location, hydrologically and physically, in regards to the Coffee Lake wetlands/floodplain complex, they do not qualify as locally significant wetlands. Therefore, staff concurs with the applicant and authorizes an amendment to the SROZ.
- G2. ~~Wetlands A and B were included in the City's Natural Resources Inventory and SROZ map. The inventory relied on a wetland determination with little in the way of specific information. The applicant has provided a wetland delineation that provides substantially more detail, which brings into question the inclusion of the wetlands in the SROZ. Due to their size (both are less than the minimum 0.5 acre requirement) and isolated location, hydrologically and physically, in regards to the Coffee Lake wetlands/floodplain complex, they do not qualify as locally significant wetlands. Therefore, staff concurs with the applicant and authorizes an amendment to the SROZ~~

