



Oregon
Theodore R. Kubongoski, Governor

Department of Land Conservation and Development
635 Capitol Street, Suite 150
Salem, OR 97301-2540
(503) 373-0050
Fax (503) 378-5518
www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

07/24/2013

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Wilsonville Plan Amendment
DLCD File Number 003-13

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Wednesday, August 07, 2013

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Daniel Pauly, City of Wilsonville
Gordon Howard, DLCD Urban Planning Specialist
Jennifer Donnelly, DLCD Regional Representative

<paa> YA



FORM 2

DLCD

Notice of Adoption

In person electronic mailed

DATE
JUL 19 2013
STAMP
LAND CONSERVATION AND DEVELOPMENT
For Office Use Only

This Form 2 must be mailed to DLCD within **20-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Wilsonville**

Local file number: **DB13-0016**

Date of Adoption: **7/15/2013**

Date Mailed: **7/18/2013**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: **5/2/2013**

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Rezone land from PF (Public Facility) to V (Village) concurrently with other required land use approvals to develop a single-family subdivision and associated improvements. Comprehensive Plan designates land as Residential-Village, for which (V) Village is the only zoning option for this comprehensive plan designation at time of development.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from:

to:

Zone Map Changed from: **PF**

to: **V**

Location: **no situs 3S1W15_2919 and portion of 2916**

Acres Involved: **6**

Specify Density: Previous: **None**

New: **20 du/ac**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

See attached list

Local Contact: **Daniel Pauly AICP, Associate Planner** Phone: (503) 682-4960 Extension:
Address: **29799 SW Town Center Loop East** Fax Number: **503-682-7025**
City: **Wilsonville** Zip: **97070-** E-mail Address: **pauly@ci.wilsonville.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 20 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

Affected State or Federal Agencies, Local Governments or Special Districts

Name	Company	Address	City	State	Zip
Columbia Cable of Oregon		14200 SW Brigadoon Ct.	Beaverton	OR	97005
Mike McCallister	Clackamas Cty Planning Manager	150 Beaver creek Road	Oregon City	OR	97045
Wendy Buck	Portland General Electric	121 SW Salmon 1 WTC3	Portland	OR	97204
Tom Simpson	NW Natural Gas	220 NW 2nd Avenue	Portland	OR	97209
Oregon Dept of Environ Quality		811 SW Sixth Avenue	Portland	OR	97204
Ray Valone	Metro	600 NE Grand Avenue	Portland	OR	97232
Manager, Community Development	Growth Management Services Metro	600 NE Grand Avenue	Portland	OR	97232
Attn: Development Review	ODOT	123 NW Flanders Street	Portland	OR	97209
John Lilly	Department of State Lands	775 Summer Street, NE	Salem	OR	97301-1279
Bill Ferber, Region Manager	Oregon Water Resources Department	725 Summer Street, NE	Salem	OR	97301
Bill Rhoades	West Linn/Wilsonville School District 3JT	22210 SW Stafford Rd.	Tualatin	OR	97062
Brian Tietsort	Republic Services	10295 SW Ridder Road	Wilsonville	OR	97070
Brian Moore	Portland General Electric	9540 SW Bocckman Road	Wilsonville	OR	97070
Tualatin Valley Fire and Rescue	South Division	7401 SW Washo Court	Tualatin	OR	97062-8350
Tualatin Valley Fire and Rescue		29875 SW Kinsman Road	Wilsonville	OR	97070

ORDINANCE NO. 721

AN ORDINANCE OF THE CITY OF WILSONVILLE APPROVING A ZONE MAP AMENDMENT FROM THE PUBLIC FACILITY (PF) ZONE TO THE VILLAGE (V) ZONE ON APPROXIMATELY 6.83 - ACRES COMPRISING TAX LOT 2919 AND PORTIONS OF TAX LOT 2916 OF SECTION 15, T3S, R1W, CLACKAMAS COUNTY, OREGON, POLYGON AT VILLEBOIS III, LLC APPLICANT.

RECITALS

WHEREAS, Polygon at Villebois III ("Applicant"), as owner of the real property legally described and shown on Exhibits A and B, attached hereto and incorporated by reference herein ("Property") has made a development application requesting, among other things, a Zone Map Amendment of the Property; and

WHEREAS, the City of Wilsonville Planning Staff analyzed the 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 June 10, 2013;

WHEREAS, the Development Review Board Panel 'A' held a public hearing on the application for a Zone Map Amendment on June 10, 2013, and after taking public testimony and giving full consideration to the matter, adopted Resolution No. 258 which recommends that the City Council approve a request for a Zone Map Amendment (Case File DB13-0016), adopts the staff report with modified findings and recommendation, all as placed on the record at the hearing, contingent on City Council approval of the Zone Map Amendment and authorizes the Planning Director to issue approvals to the Applicant consistent with the amended staff report, as adopted by DRB Panel A; and

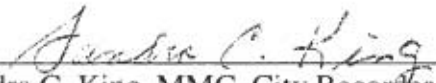
WHEREAS, on June 17, 2013, the Wilsonville City Council held a public hearing regarding the above described matter, wherein the City Council considered the full public record made before the Development Review Board, including the Development Review Board and City Council staff reports; took public testimony; and, upon deliberation, concluded that the proposed Zone Map Amendment meets the applicable approval criteria under the City of Wilsonville Development Code;

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

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

Section 2. Order. The official City of Wilsonville Zone Map is hereby amended by Zoning Order DB13-0016, attached hereto as Exhibit A, from the Public Facility (PF) Zone to the Village (V) Zone.

SUBMITTED to the Wilsonville City Council and read the first time at a meeting thereof on the 17th day of June 2013, and scheduled for the second and final reading on July 15, 2013, commencing at the hour of 7 p.m. at the Wilsonville City Hall, 29799 SW Town Center Loop East, Wilsonville, OR.


Sandra C. King, MMC, City Recorder

ENACTED by the City Council on the 15th day of July, 2013, by the following

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


Sandra C. King, MMC, City Recorder

DATED and signed by the Mayor this 16th day of July, 2013.


Tim Knapp, MAYOR

SUMMARY OF VOTES:

Mayor Knapp	Yes
Council President Starr	Yes
Councilor Goddard	Excused
Councilor Fitzgerald	Yes
Councilor Stevens	Yes

Attachments:

Exhibit A, Zoning Order DB13-0016.

Attachment 1, Legal Description

Attachment 2, Map Depicting Zone Amendment

Exhibit B Zone Map Amendment Findings, June 17, 2013.

Exhibit C DRB Resolution No. 258

**BEFORE THE CITY COUNCIL OF THE
CITY OF WILSONVILLE, OREGON
POLYGON AT VILLEBOIS III, LLC**

In the Matter of the Application of)
Pacific Community Design, Inc.,)
Agent for the Applicant,)
Polygon at Villebois III, LLC)
for a Rezoning of Land and Amendment)
of the City of Wilsonville)
Zoning Map Incorporated in Section 4.102)
of the Wilsonville Code.)

ZONING ORDER DB13-0016

The above-entitled matter is before the Council to consider the application of DB13-0016, 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 Exhibits 1 and 2, has heretofore appeared on the City of Wilsonville Zoning Map as Public Facility (PF).

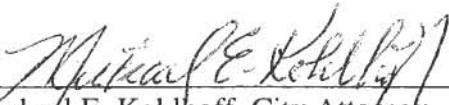
The Council having heard and considered all matters relevant to the application for a Zone Map Amendment, including the Development Review Board record and recommendation, finds that the application should be approved.

THEREFORE IT IS HEREBY ORDERED that The Property, consisting of approximately 6.83 acres comprising Tax Lots 2919 and portions of Tax Lot 2916 Section 15, as more particularly shown in the Zone Map Amendment Map, Exhibit 1 and described in Exhibit 2 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 15th day of July, 2013.


TIM KNAPP, MAYOR

APPROVED AS TO FORM:



Michael E. Kohlhoff, City Attorney

ATTEST:



Sandra C. King, MMC, City Recorder

Attachment 1: Legal Description
Attachment 2: Map depicting Zone Map Amendment

EXHIBIT "A"

April 9, 2013

LEGAL DESCRIPTION

Job No. 395-008

Two tracts of land being portions of Parcel 3 of Partition Plat No. 2007-127 and Parcel 2 of Partition Plat No. 2010-046, Clackamas County Plat Records, situated in the Northwest and Northeast Quarters of Section 15, Township 3 South, Range 1 West, Willamette Meridian, Clackamas County, Oregon, more particularly described as follows:

Tract 1

BEGINNING at the most southerly corner of Parcel 3, Partition Plat No. 2007-127;

thence along the southerly line of said Parcel 3, North 43°36'51" West, a distance of 160.98 feet;

thence continuing along said line, on a 207.00 foot radius non-tangential curve, concave northeasterly, with a radius point bearing North 47°03'28" East, arc length of 128.16 feet, central angle of 35°28'22", chord bearing of North 25°12'21" West, and chord distance of 126.12 feet;

thence continuing along said line, North 07°28'09" West, a distance of 53.01 feet;

thence continuing along said line, on a 590.00 foot radius non-tangential curve, concave southeasterly, with a radius point bearing South 04°33'28" East, arc length of 423.75 feet, central angle of 41°09'04", chord bearing of South 64°52'00" West, and chord distance of 414.70 feet to the southwest corner of said Parcel 3;

thence continuing along said line, North 45°15'25" West, a distance of 48.20 feet;

thence leaving said line, on a 638.00 foot radius non-tangential curve, concave southerly, with a radius point bearing South 45°40'27" East, arc length of 872.67 feet, central angle of 78°22'13", chord bearing of North 83°30'40" East, and chord distance of 806.21 feet;

thence North 34°32'15" East, a distance of 263.51 feet;

thence South 54°57'30" East, a distance of 19.36 feet;

thence along a 172.50 foot radius tangential curve to the right, arc length of 21.36 feet, central angle of 07°05'37", chord bearing of South 51°24'42" East, and chord distance of 21.34 feet;

thence South 47°51'53" East, a distance of 75.71 feet to an angle point on the southerly line of said Parcel 3;

thence along the southerly line of said Parcel 3, South 34°32'15" West, a distance of 255.92 feet;

thence continuing along said line, South 31°30'05" West, a distance of 67.17 feet;

thence continuing along said line, South 41°14'03" West, a distance of 118.86 feet;

thence continuing along said line, North 47°50'26" West, a distance of 127.82 feet;

thence continuing along said line, South 45°36'51" West, a distance of 146.27 feet to the POINT OF BEGINNING.

Containing 3.486 acres, more or less.

Tract 2

BEGINNING at the northwest corner of Parcel 2, Partition Plat No. 2010-046;

thence along the northerly line of said Parcel 2, North 72°02'29" East, a distance of 217.00 feet;

thence continuing along said northerly line, North 63°29'14" East, a distance of 61.38 feet;

thence continuing along said northerly line, North 45°34'29" East, a distance of 278.00 feet to the northwest corner of said Parcel 2;

thence along the westerly right-of-way line of SW 110th Avenue, South 01°35'01" West, a distance of 68.95 feet;

thence leaving said right-of-way line, South 46°43'10" West, a distance of 69.57 feet;

thence along a 15.00 foot radius tangential curve to the left, arc length of 13.72 feet, central angle of 52°24'38", chord bearing of South 20°30'51" West, and chord distance of 13.25 feet;

thence along a 85.00 foot radius reverse curve to the right, arc length of 44.28 feet, central angle of 29°50'47", chord bearing of South 09°13'56" West, and chord distance of 43.78 feet;

thence along a 15.00 foot radius reverse curve to the left, arc length of 14.38 feet, central angle of 54°54'58", chord bearing of South 03°18'09" East, and chord distance of 13.83 feet;

thence along a 788.00 foot radius reverse curve to the right, arc length of 125.05 feet, central angle of 09°05'33", chord bearing of South 26°12'52" East, and chord distance of 124.92 feet to a point on the westerly right-of-way line of SW 110th Avenue;

thence along said right-of-way line, South 01°35'01" West, a distance of 235.23 feet to the southwest corner of said Parcel 2;

thence along the southerly line of said Parcel 2, North 88°24'59" West, a distance of 16.05 feet;

thence continuing along said line, on a 15.00 foot radius non-tangential curve, concave northwesterly, with a radius point bearing South 85°28'04" West, arc length of 23.89 feet, central angle of 91°15'24", chord bearing of South 41°05'46" West, and chord distance of 21.44 feet;

thence continuing along said line, South 86°43'28" West, a distance of 237.49 feet;

thence continuing along said line, on a 10.00 foot radius tangential curve to the right, arc length of 14.06 feet, central angle of 80°32'26", chord bearing of North 53°00'19" West, and chord distance of 12.93 feet;

thence along a 568.00 foot radius reverse curve to the left, arc length of 2.42 feet, central angle of 00°14'37", chord bearing of North 12°51'25" West, and chord distance of 2.42 feet;

thence South 77°08'47" West, a distance of 31.36 feet to the southwest corner of said Parcel 2;

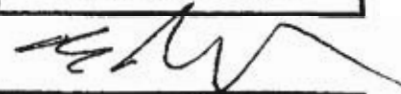
thence along the westerly line of said Parcel 2, on a 535.50 foot radius non-tangential curve, concave southwesterly, with a radius point bearing South 77°08'46" West, arc length of 187.86 feet, central angle of 20°06'00", chord bearing of North 22°54'13" West, and chord distance of 186.90 feet;

thence continuing along said line, North 32°57'13" West, a distance of 117.17 feet to the POINT OF BEGINNING.

Containing 3.177 acres, more or less.

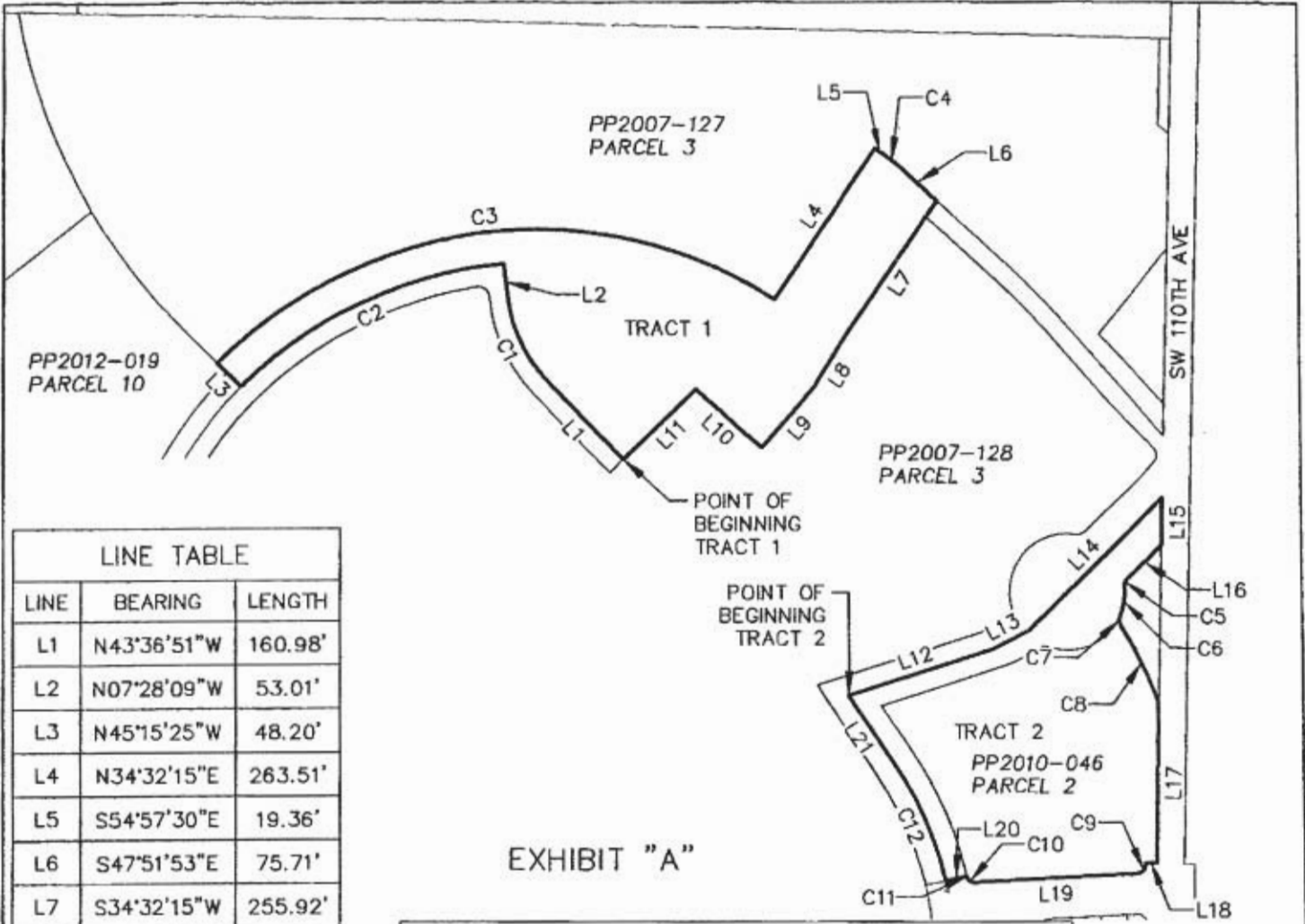
Basis of bearings per Partition Plat No. 2007-127, Clackamas County Plat Records.

REGISTERED
PROFESSIONAL
LAND SURVEYOR



OREGON
JULY 9, 2002
TRAVIS C. JANSEN
57751

RENEWS: 6/30/2013



LINE TABLE

LINE	BEARING	LENGTH
L1	N43°36'51"W	160.98'
L2	N07°28'09"W	53.01'
L3	N45°15'25"W	48.20'
L4	N34°32'15"E	263.51'
L5	S54°57'30"E	19.36'
L6	S47°51'53"E	75.71'
L7	S34°32'15"W	255.92'
L8	S31°30'05"W	67.17'
L9	S41°14'03"W	118.86'
L10	N47°50'26"W	127.82'
L11	S45°36'51"W	146.27'
L12	N72°02'29"E	217.00'
L13	N63°29'14"E	61.38'
L14	N45°34'29"E	278.00'
L15	S01°35'01"W	68.95'
L16	S46°43'10"W	69.57'
L17	S01°35'01"W	235.23'
L18	N88°24'59"W	16.05'
L19	S86°43'28"W	237.49'
L20	S77°08'47"W	31.36'
L21	N32°57'13"W	117.17'

EXHIBIT "A"

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD	BEARING
C1	207.00'	128.16'	35°28'22"	126.12'	N25°12'21"W
C2	590.00'	423.75'	41°09'04"	414.70'	S64°52'00"W
C3	638.00'	872.67'	78°22'13"	806.21'	N83°30'40"E
C4	172.50'	21.36'	7°05'37"	21.34'	S51°24'42"E
C5	15.00'	13.72'	52°24'38"	13.25'	S20°30'51"W
C6	85.00'	44.28'	29°50'47"	43.78'	S09°13'56"W
C7	15.00'	14.38'	54°54'58"	13.83'	S03°18'09"E
C8	788.00'	125.05'	9°05'33"	124.92'	S26°12'52"E
C9	15.00'	23.89'	91°15'24"	21.44'	S41°05'46"W
C10	10.00'	14.06'	80°32'26"	12.93'	N53°00'19"W
C11	568.00'	2.42'	0°14'37"	2.42'	N12°51'25"W
C12	535.50'	187.86'	20°06'00"	186.90'	N22°54'13"W



DRAWN BY: CLL DATE: 4/9/13
 REVIEWED BY: TCJ DATE: 4/9/13
 PROJECT NO.: 395-008
 SCALE: 1" = 250'
 Ordinance No. 721
 PAGE 4 OF 4



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

**STAFF REPORT
WILSONVILLE PLANNING DIVISION**

*Polygon at Villebois III, LLC- Villebois PDP 4 Central
“Polygon Northwest at Villebois No. 2”
& “Tonquin Wood at Villebois No. 5”
Zone map amendment*

**CITY COUNCIL
QUASI-JUDICIAL PUBLIC HEARING**

HEARING DATE June 17, 2013

APPLICATION NOS.: DB13-0016 Zone Map Amendment

REQUEST/SUMMARY: The Development Review Board is being asked to review a Zone Map Amendment that will enable the development of a 57-lot residential subdivision, and associated parks and open space and other improvements.

LOCATION: East of 110th Avenue, north of Barber Street and former Dammasch State Hospital site and north of Mont Blanc Street. The property is specifically known as Tax Lot 2919 and portions of Tax Lot 2916, Section 15, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon.

**PROPERTY OWNER/
APPLICANT:**

Fred Gast
Polygon at Villebois III, LLC

APPLICANT’S REP.: Stacy Connery, AICP
Pacific Community Design, Inc.

COMPREHENSIVE PLAN MAP DESIGNATION: Residential-Village

ZONE MAP CLASSIFICATIONS: PF (Public Facility)

STAFF REVIEWERS: Daniel Pauly AICP, Associate Planner

DRB RECOMMENDATIONS: **Approve** the requested Zone Map Amendment.

APPLICABLE REVIEW CRITERIA

<u>DEVELOPMENT CODE</u>	
Section 4.008	Application Procedures-In General
Section 4.009	Who May Initiate Application
Section 4.010	How to Apply
Section 4.011	How Applications are Processed
Section 4.014	Burden of Proof
Section 4.033	Authority of City Council
Subsection 4.035 (.05)	Complete Submittal Requirement
Section 4.110	Zones
Section 4.125	V-Village Zone
Sections 4.139.00 through 4.139.11 as applicable	Significant Resource Overlay Zone (SROZ)
Section 4.177	Street Improvement Standards
Section 4.197	Zone Changes and Amendments to Development Code-Procedures
<u>COMPREHENSIVE PLAN</u>	
Implementation Measure 4.1.6.a.	
Implementation Measure 4.1.6.b.	
Implementation Measure 4.1.6.c.	
Implementation Measure 4.1.6.d.	
<u>OTHER PLANNING DOCUMENTS</u>	
Villebois Village Master Plan	
SAP Central Approval Documents	

Vicinity Map



BACKGROUND/SUMMARY:

PDP 4C Preliminary Development Plan (DB13-0013)

The proposed Preliminary Development Plan (PDP) 4 of Specific Area Plan Central (also known as PDP 4C) comprises approximately 6.83 acres. The applicant proposes a variety of housing: smaller single-family houses, 17 units and row houses, 40 units, totaling 57 units, 0.84 acres of park/open space areas, and associated infrastructure improvements. All of the homes in the development will back up to alleys. The front of all the homes will face tree lined streets, parks and green spaces.

Proposed Housing Type	Number of Units
Small Single Family	8
Small Cottage Single Family	9
Row House	40
Total	57

Zone Map Amendment (DB13-0016)

The primary proposal is to change the current Public Facility (PF) zone to the Village (V) zone. The proposed residential and park uses are permitted under Wilsonville Code Section 4.125. The proposed Zone Map Amendment would enable the development permitting process for this area of Villebois.

CONCLUSION AND CONDITIONS OF APPROVAL:

Staff and the DRB have reviewed the applicant’s analysis of compliance with the applicable criteria. This Staff report adopts the applicant’s responses as Findings of Fact except as noted in the Findings.

FINDINGS OF FACT:

- 1. The statutory 120-day time limit applies to this application. The application was received on April 15, 2013. On May 15, 2013, staff issued a notice that the application was incomplete within the statutorily allowed 30-day review period. The applicant has submitted a number of additional materials since the original submission, the last of which was submitted May 17, 2013. On May 17, 2013 the application was deemed complete. The City must render a final decision for the request, including any appeals, by September 14, 2013
- 2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	--	Unincorporated Rural Residential
East:	V	Phase 3 East Villebois (approved/unbuilt)
South:	PF/V	Phase 6 South Undeveloped portions of SAP Central
West:	PF	Undeveloped portions of SAP Central Future Phase 2 North (proposed)

- 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)

Quasi Judicial:

- DB06-0005 – SAP-Central

- 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.

GENERAL INFORMATION

Section 4.008 Application Procedures-In General

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

Finding: These criteria are met.

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

Section 4.009 Who May Initiate Application

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

Finding: This criterion is satisfied.

Details of Finding: The application has been submitted on behalf of the property owner. Polygon at Villebois III, LLC. The application form is signed by Fred Gast, President.

Subsection 4.010 (.02) Pre-Application Conference

Review Criteria: This section lists the pre-application process

Finding: These criteria are satisfied.

Details of Finding: A pre-application conference was held on March 28, 2013 in accordance with this subsection.

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

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

Finding: This criterion is satisfied.

Details of Finding: No applicable liens exist for the subject property. The application can thus move forward. Section IIID of the applicant's notebook, Exhibit B1, includes a copy of certification of assessments and liens.

Section 4.014 Burden of Proof is on the Applicant

Review Criterion: "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. In the case of an appeal, the burden of proof rests with the appellant."

Finding: This criterion is satisfied.

Details of Finding: The applicant has provided the necessary findings of fact for approval with conditions of the requested development applications in accordance with this Section.

Subsection 4.035 (.04) A. General Site Development Permit Submission Requirements

Review Criteria: "An application for a Site Development Permit shall consist of the materials specified as follows, plus any other materials required by this Code." Listed 1. through 6. j.

Finding: These criteria are satisfied.

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

Section 4.110 Zoning-Generally

Review Criteria: "The use of any building or premises or the construction of any development shall be in conformity with the regulations set forth in this Code for each Zoning District in which it is located, except as provided in Sections 4.189 through 4.192." "The General Regulations listed in Sections 4.150 through 4.199 shall apply to all zones unless the text indicates otherwise."

Finding: These criteria are satisfied.

Details of Finding: This proposed development is in conformity with the applicable zoning district and general development regulations listed in Sections 4.150 through 4.199 have been applied in accordance with this Section.

CONCLUSIONARY FINDINGS, REQUEST D: DB13-0016 ZONE MAP AMENDMENT

The applicant's findings in Section IVA of their notebook, Exhibit B1, respond to the majority of the applicable criteria.

Comprehensive Plan

Compact Urban Development-Implementation Measures

Implementation Measure 4.1.6.a

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

Finding: These criteria are satisfied.

Details of Finding: The subject area is within SAP-Central, which was previously approved and found to be in accordance with the Villebois Village Master Plan and the Wilsonville Planning and Land Development Ordinance.

Implementation Measure 4.1.6.b.

2. **Review Criteria:** This implementation measure identifies the elements the Villebois Village Master Plan must contain.

Finding: These criteria are not applicable

Details of Finding: The current proposal is for a preliminary development plan implementing the procedures as outlined by the Villebois Village Master Plan, as previously approved.

Implementation Measure 4.1.6.c.

3. **Review Criterion:** “The “Village” Zone District shall be applied in all areas that carry the Residential-Village Plan Map Designation.”
Finding: This criterion is satisfied.
Details of Finding: The Village Zone zoning district is being applied to an area designated as Residential-Village in the Comprehensive Plan.

Implementation Measure 4.1.6.d.

4. **Review Criterion:** “The “Village” Zone District shall allow a wide range of uses that befit and support an “urban village,” including conversion of existing structures in the core area to provide flexibility for changing needs of service, institutional, governmental and employment uses.”
Finding: This criterion is satisfied.
Details of Finding: The area covered by the proposed zone change is proposed for residential uses, parks, and open space as shown in the Villebois Village Master Plan.

Planning and Land Development Ordinance

Section 4.029 Zoning to be Consistent with Comprehensive Plan

5. **Review Criterion:** “If a development, other than a short-term temporary use, is proposed on a parcel or lot which is not zoned in accordance with the Comprehensive Plan, the applicant must receive approval of a zone change prior to, or concurrently with the approval of an application for a Planned Development.”
Finding: This criterion is satisfied.
Details of Finding: The applicant is applying for a zone change concurrently with other land use applications for the development as required by this section.

Subsection 4.110 (.01) Base Zones

6. **Review Criterion:** This subsection identifies the base zones established for the City, including the Village Zone.
Finding: This criterion is satisfied.
Details of Finding: The requested zoning designation of Village “V” is among the base zones identified in this subsection.

Subsection 4.125 (.01) Village Zone Purpose

7. **Review Criteria:** “The Village (V) zone is applied to lands within the Residential Village Comprehensive Plan Map designation. The Village zone is the principal implementing tool for the Residential Village Comprehensive Plan designation. It is applied in accordance with the Villebois Village Master Plan and the Residential Village Comprehensive Plan Map designation as described in the Comprehensive Plan.”
Finding: These criteria are satisfied.
Details of Finding: The subject lands are designated Residential-Village on the Comprehensive Plan map and are within the Villebois Village Master Plan area and the zoning designation thus being applied is the Village “V”.

Subsection 4.125 (.02) Village Zone Permitted Uses

8. **Review Criteria:** This subsection lists the uses permitted in the Village Zone.
Finding: These criteria are satisfied.
Details of Finding: The proposed residential, park, and open space uses are consistent with the Village Zone designation and Villebois Village Master Plan.

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

9. **Review Criterion:** "... Application for a zone change shall be made concurrently with an application for PDP approval..."
Finding: This criterion is satisfied.
Details of Finding: A zone map amendment is being requested concurrently with a request for PDP approval.

Subsection 4.197 (.02) Zone Change Review

Subsection 4.197 (.02) A. Zone Change Procedures

10. **Review Criteria:** "That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008, Section 4.125(.18)(B)(2), or, in the case of a Planned Development, Section 4.140;"
Finding: These criteria are satisfied.
Details of Finding: The request for a zone map amendment has been submitted as set forth in the applicable code sections.

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

11. **Review Criteria:** "That the proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with the applicable goals, policies and objectives, set forth in the Comprehensive Plan text;"
Finding: These criteria are satisfied.
Details of Finding: The proposed zone map amendment is consistent with the Comprehensive Map designation of Residential-Village and as shown in Findings 1 through 4 substantially comply with applicable Comprehensive Plan text.

Subsection 4.197 (.02) C. Zone Change: Specific Findings Regarding Residential Designated Lands

12. **Review Criteria:** "In the event that the subject property, or any portion thereof, is designated as "Residential" on the City's Comprehensive Plan Map; specific findings shall be made addressing substantial compliance with Implementation Measure 4.1.4.b, d, e, q, and x of Wilsonville's Comprehensive Plan text;"
Finding: These criteria are satisfied.
Details of Finding: Implementation Measure 4.1.6.c. states the "Village" Zone District shall be applied in all areas that carry the Residential-Village Plan Map Designation. Since the Village Zone must be applied to areas designated "Residential Village" on the Comprehensive Plan Map and is the only zone that may be applied to these areas, its application is consistent with the Comprehensive Plan.

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

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

Finding: These criteria are satisfied.

Details of Finding: The Preliminary Development Plan compliance report and the plan sheets demonstrate that the existing primary public facilities are available or can be provided in conjunction with the project. Section IIC of the applicant’s notebook, Exhibit B1, includes supporting utility and drainage reports. In addition, the applicant has provided a Traffic Impact Analysis, which is in Section IID of the applicant’s notebook, Exhibit B1.

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

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

Finding: These criteria are satisfied.

Details of Finding: No portion of the property is within the Significant Resource Overlay Zone.

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

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

Finding: This criterion is satisfied.

Details of Finding: The applicant has provided information stating they reasonably expect to commence development within two (2) years of the approval of the zone change. However, in the scenario where the applicant or their successors due not commence development within two (2) years allow related land use approvals to expire, the zone change shall remain in effect.

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

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

Finding: These criteria are satisfied.

Details of Finding: 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.

Ordinance No. 721

Additional Development Review Board materials from the June 10, 2013 DRB meeting:

4. Council Exhibit C: Development Review Board's Recommendation to Council and Decision and Resolution No. 258.
5. Council Exhibit D: DRB adopted staff report (Exhibit A1) digital sent and on compact disk.

June 11, 2013

DEVELOPMENT REVIEW BOARD PANEL A

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

Project Name: Villebois PDP -4 Central

Case Files: Request A: DB13-0013 SAP-Central PDP-4C Preliminary Development Plan
Request B: DB13-0014 SAP-Central Refinements
Request C: DB13-0015 SAP-Central Amendments
Request D: DB13-0016 Zone Map Amendment
Request E: DB13-0017 Tentative Subdivision Plat
Request F: DB13-0018 Type C Tree Plan
Request G: DB13-0019 Final Development Plan for Parks and Open Space

Applicants/

Owners: Fred Gast – Polygon at Villebois II, LLC/Polygon at Villebois III, LLC

Applicant's

Representative: Stacy Connery – Pacific Community Design

Property

Description: Tax Lot 2919 and portions of Tax Lots 2916 and 2922 in Section 15;
T3S R1W; Clackamas County; Wilsonville, Oregon.

Location: Villebois Phase 4 Central

On June 10, 2013, at the meeting of the Development Review Board Panel A, the following action was taken on the above-referenced proposed development applications:

Request D: The DRB has forwarded a recommendation of approval to the City Council. *A Council hearing date is scheduled for Monday, June 17, 2013 to hear this item. .*

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

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

An appeal of Requests A, B, C, 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 11th day of June 2013 and is available for public inspection. The decision regarding Requests A, B, C, 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. 258, including adopted staff report with conditions of approval.

**DEVELOPMENT REVIEW BOARD
RESOLUTION NO. 258**

A RESOLUTION ADOPTING FINDINGS RECOMMENDING APPROVAL OF A ZONE MAP AMENDMENT FROM PUBLIC FACILITIES (PF) TO VILLAGE (V) AND ADOPTING FINDINGS AND CONDITIONS APPROVING A PRELIMINARY DEVELOPMENT PLAN, SAP REFINEMENTS, SAP AMENDMENTS, TENTATIVE SUBDIVISION PLAT, TYPE C TREE PLAN AND FINAL DEVELOPMENT PLAN FOR PARKS AND OPEN SPACE FOR A 57-LOT RESIDENTIAL SUBDIVISION AND ASSOCIATED IMPROVEMENTS IN VILLEBOIS PDP-4 CENTRAL. PROPERTIES INVOLVED ARE TAX LOT 2919 AND PORTIONS OF TAX LOTS 2916 AND 2922, SECTION 15, TOWNSHIP 3 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF WILSONVILLE, CLACKAMAS COUNTY, OREGON. STACY CONNERY, AICP, PACIFIC COMMUNITY DESIGN, INC. - REPRESENTATIVE FOR FRED GAST, POLYGON NW COMPANY- APPLICANT.

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 June 3, 2013, and

WHEREAS, said planning exhibits and staff report were duly considered by the Development Review Board Panel A at a scheduled meeting conducted on June 10, 2013, 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 June 3, 2013, 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 City Council approval of the Zone Map Amendment Request (DB13-0016), for:

DB13-0013 through DB13-0015, and DB13-0017 through DB13-0019 Preliminary Development Plan, SAP Refinements, SAP Amendments, Tentative Subdivision Plat, Type C Tree Plan, and Final Development Plan for a 57-lot residential subdivision, and associated parks and open space and other improvements.

ADOPTED by the Development Review Board of the City of Wilsonville at a regular meeting thereof this 10th day of June, 2013 and filed with the Planning Administrative Assistant on June 11, 2013. 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)*.


Mary Fierros Bower Chair, Panel A
Wilsonville Development Review Board

Attest:


Shelley White, Planning Administrative Assistant

Exhibit A1
STAFF REPORT
WILSONVILLE PLANNING DIVISION

Polygon Homes- Villebois Phase 4 Central
"Polygon Northwest at Villebois No. 2" and
Tonquin Woods at Villebois No. 5"
and SAP Central Amendments

DEVELOPMENT REVIEW BOARD PANEL 'A'
QUASI-JUDICIAL PUBLIC HEARING
STAFF REPORT
AMENDED AND ADOPTED JUNE 10, 2013

Added Language identified in **Bold, Italics, Underlined**
Deleted Language is ~~struck through~~

HEARING DATE June 10, 2013
DATE OF REPORT: June 3, 2013

APPLICATION NOS.: DB13-0013 SAP-Central PDP-4C, Preliminary Development Plan
DB13-0014 SAP-Central Refinements
DB13-0015 SAP-Central Amendments
DB13-0016 Zone Map Amendment
DB13-0017 Tentative Subdivision Plat
DB13-0018 Type C Tree Plan
DB13-0019 Final Development Plan for Parks and Open Space

REQUEST/SUMMARY: The Development Review Board is being asked to review a Preliminary Development Plan, SAP Refinements, SAP Amendments, Zone Map Amendment, Tentative Subdivision Plat, Type C Tree Plan, and Final Development Plan for a 57-lot residential subdivision, and associated parks and open space and other improvements.

LOCATION: West of 110th Avenue, north of Mont Blanc Street, north of former Dammasch State Hospital. Tax Lots 2919, portions of Tax Lot 2916 and 2922, Section 15, Township 3 South, Range 1 West, Willamette Meridian, City of Wilsonville, Clackamas County, Oregon.

PROPERTY OWNER: Polygon at Villebois II LLC, Polygon at Villebois III LLC

APPLICANT: Fred Gast, Polygon NW Company

APPLICANT'S REP.: Stacy Connery, AICP, Pacific Community Design, Inc.

COMPREHENSIVE PLAN MAP DESIGNATION: Residential-Residential-Village

ZONE MAP CLASSIFICATIONS: PF (Public Facility)

STAFF REVIEWERS: Daniel Pauly AICP, Associate Planner

Steve Adams PE, Development Engineering Manager
 Don Walters, Building Plans Examiner
 Kerry Rappold, Natural Resources Program Manager

STAFF RECOMMENDATIONS: Approve with conditions the requested Preliminary Development Plan, SAP Refinements, SAP Amendments, Tentative Subdivision Plat, Tree Removal Plan, and Final Development Plan for Parks and Open Space. 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 4.125	V-Village 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 4.178	Sidewalk and Pathway Standards
Section 4.197	Zone Changes and Amendments to Development Code-Procedures
Sections 4.199.20 through 4.199.60	Outdoor Lighting
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
COMPREHENSIVE PLAN	
Implementation Measure 4.1.6.a.	
Implementation Measure 4.1.6.b.	
Implementation Measure 4.1.6.c.	
Implementation Measure 4.1.6.d.	
OTHER PLANNING DOCUMENTS	

Villebois Village Master Plan	
SAP Central Approval Documents	

Vicinity Map



BACKGROUND/SUMMARY:

PDP 4C Preliminary Development Plan (DB13-0013)

The proposed Preliminary Development Plan 4 of Specific Area Plan Central (also known as PDP 4C) comprises approximately 6.83 acres. The applicant proposes a variety of housing, including 17 small and small cottage detached single-family houses and 40 attached row houses, totaling 57 units. Also proposed are associated infrastructure improvements and 0.84 acres of parks/open spaces. All of the houses will back up to alleys. The front of the houses will face tree lined streets, parks and green spaces.

Proposed Housing Type	Number of Units
Small Detached Single Family	8
Small Cottage Detached Single Family	9
Attached Row House	40
Total	57

Refinements to SAP Central (DB13-0014)

When submitting a Preliminary Development Plan the Development Code allows applicants to request “refinements” to the previously approved Specific Area Plan (SAP) and Villebois Village

Master Plan. “Refinements” are specifically defined changes not significant in a quantifiable or qualitative sense as defined in the code. Refinements are required to equally or better implement relevant goals, policies, and implementation measures of the Villebois Village Master Plan as well as not have a detrimental effect on natural and scenic resources, or preclude adjoining areas from developing according to the Villebois Village Master Plan.

In concurrence with their PDP request, the applicant is requesting three refinements, parks and trails, location and mix of land uses, and density. Notable drivers of the refinements include adding linear greens and changing the product types to reflect developer preferences, as the SAP was requested by a different developer.

As demonstrated by the findings under Request B the requested refinements are not significant changes as defined by code and equally or better meet the applicable components of the Villebois Village Master Plan.

Amendments to SAP Central (DB13-0015)

Amendment to Phasing Plan

The phasing for SAP Central was set during the review of previous phases. The requested phasing amendment reflects Polygon’s desire to develop the portions they own in concert with neighboring areas in SAP North and East.

Amendments to SAP Central-Pattern Book

The SAP Central Architectural Pattern Book applies only to the subject phase. The remainder of SAP Central is subject to the Village Center Architectural Standards (VCAS).

Polygon has a product type “Small Cottage Detached” which has been approved by the DRB to be added to the SAP North, SAP South, and SAP East Architectural Pattern Books. The request is to similarly add the “Small Cottage Detached” to the SAP Central Pattern Book.

The applicant has provided a “redlined” mock-up of the proposed pattern book in Section VIIB of their submitted notebook, Exhibit B1. Condition of Approval PDC 2 requires the applicant submit copies of the final pattern book to the City for use in reviewing development covered by the book.

Zone Map Amendment (DB13-0016)

The zoning proposal is to change the current PF zone, a remnant of the former Dammasch State Hospital use, to the Village (V) zone. The proposed residential and park uses are permitted under Wilsonville Code Section 4.125. The proposed Zone Map Amendment would enable the development permitting process for this area of Villebois.

Tentative Subdivision Plat (DB13-0017)

The applicant is proposing the subdivision of the properties into 57 residential lots, along with alleys, parks areas, and associated site improvements. Tentative plats are requested for two

subdivisions. The subdivision on what is now Tax Lot 2919 will be “Polygon Northwest at Villebois No. 2” and what is now a portion of Tax Lot 2916 will be “Tonquin Woods at Villebois No. 5.”

Type C Tree Plan (DB12-0047)

Five (5) will be removed as part of the PDP 4 Central development and mitigated with street trees and trees in parks and open spaces.

Final Development Plan for Parks and Open Space (DB12-0048)

The most significant park shown in this area in the Villebois Village Master Plan is Pocket Park 12. However, this park was approved as part of neighboring PDP 3 East. What remains to be reviewed as part of the subject Final Development Plan are proposed new linear green areas around some of the houses.

No fixtures, such as benches or play structures, are proposed or required for the park areas. The proposed landscape palette is consistent with the Community Elements Book. To ensure consistency with the high design standards of the Community Elements Book and Architectural Pattern Book, specific requirements are being placed on the materials for any retaining walls within the public view shed and any hand rails.

Signs will be placed at the Villebois Drive/Costa Circle round-a-bout matching the Master Sign and Wayfinding Plan.

DISCUSSION TOPICS:

Timing of Development with Adjacent Portions of SAP East and SAP North

While the subject areas are part of SAP Central they are more closely related to and will be developed concurrently with portions of SAP East and SAP North. The proposed block bounded by Mont Blanc Street, Costa Circle East, Villebois Drive South, and Orleans Loop (Phase 2 of the PDP) will be developed concurrently with a phase of PDP 3 East. A large portion of the improvements on current Tax Lot 2919 were actually approved with PDP 3 East and the associated development agreement addendum. This includes the portion of Pocket Park 12 on the property as well as the Costa Circle and Villebois Drive improvements on the property. Because development of lots in this block are so closely related to these improvements associated with PDP 3 East a Condition of Approval requires the block to be developed after or concurrently with the development of the improvements in the area related to PDP 3 East.

The portions of the PDP along and including Costa Circle, Dundee Lane, and Geneva Loop are planned to be developed at the same time as the development across these streets in PDP 2 North which is being reviewed concurrently with this application. These streets form the SAP boundaries, but in reality both sides of the street will be developed at the same time.

Exhibit B4 and B5 illustrate the phasing plans across SAP boundaries.

Adjacent Street Dedications

As shown in Exhibit B6 a number of street dedications ~~and~~ have been recorded from the parcel owned by Villebois LLC adjacent to the proposed PDP 4 Central owned by Polygon. The appropriate public utility easements have also been recorded on the Villebois LLC property. These street dedication areas are currently zoned Public Facility, which is appropriate for the proposed street use they are thus not being rezoned at this time. These dedications allow the following streets adjacent to and associated with PDP 4C to be fully built with this development:

- Costa Circle from Barber Street to Orleans Loop
- Orleans Loop from Costa Circle to edge of PDP at future Hilltop Park and from Villebois Drive South to Mont Blanc Street
- Villebois Drive North and South from Geneva Loop to Orleans Loop, including round-about at Costa Circle.

These off site improvements are illustrated in Exhibit B4.

Proposed Right-of-way Improvements and Development Impacts

The developer is currently proposing right-of-way improvement beyond what may be proportionally required based on the proposed development. These additional improvements are voluntary by the developer based on working with SDC credits and other mechanisms in order to bring amenities and function earlier than they would come otherwise in order to assist in marketing and provide immediate amenities to home buyers in the area.

Courtyard Fencing

In order to increase consistency with the Architectural Pattern Book and other development elsewhere in Villebois a condition of approval requires courtyard fencing consistent with the pattern book and the architectural style of the home ~~for all but the standard lots~~ for all row houses. In addition, courtyards are required for no less than thirty percent (30%) of the detached single-family houses. Courtyards are especially encouraged when the house faces a linear green or pocket park and there is no front porch. Where necessary, this courtyard installation includes installation of up to forty-eight inch (48") dry stack rock or brick wall along the front of the lot or side of a lot to create a fairly level and usable front yard outdoor living area (5% maximum slope) enclosed by the courtyard fencing. ~~The applicant/owner can install a greater than forty-eight inch (48") wall, but if maintaining the required five (5) percent slope requires greater than a forty-eight inch (48") wall the applicant/owner can request an exception from the courtyard wall and courtyard slope requirements as part of building plan review.~~

Retaining Walls and Potential Hand Rails

The applicant aims at grading and designing stairs in the pocket parks and linear greens to avoid the need of retaining walls and hand rails. While staff understands this intent, a possibility remains construction will necessitate either or both retaining walls and hand rails. For this reason a Condition of Approval requires any of these elements built to be appropriately enhanced to be consistent with the Architectural Pattern Book.

CONCLUSION AND CONDITIONS OF APPROVAL:

Staff has reviewed the applicant’s analysis of compliance with the applicable criteria. This Staff report adopts the applicant’s responses as Findings of Fact except as noted in the Findings. Based on the Findings of Fact and information included in this Staff Report, and information received from a duly advertised public hearing, staff recommends that the Development Review Board approve the proposed applications (DB113-0013 through DB13-0015 and DB13-0017 through DB13-0019) and recommend approval of the zone map amendment to City Council (DB13-0016) with the following conditions:

The Developer is proposing improvements consistent with past agreements between the City’s and preceding owners and past City approvals.

REQUEST A: DB13-0013 SAP-Central PDP-4C, Preliminary Development Plan

Planning Division Conditions:	
PDA 1.	Approval of DB13-0013 SAP-Central PDP-4C, Preliminary Development Plan is contingent upon City Council approval of the Zone Map Amendment from Public Facility (PF) to Village (V) (Case File DB13-0016).
PDA 2.	The lots that will be on current Tax Lot 2919 shall not be developed unless adjacent improvements for Costa Circle and Villebois Drive and utility improvements occur prior to or in conjunction with the development. See Findings A21 and E15.
PDA 3.	All landscaping, and park improvements approved by the Development Review Board and Engineering Division Public Works Permit punch list items for the specific phase of the PDP shall be completed before 50% of the homes are occupied <u>issued building permits</u> for the PDP unless weather or other special circumstances prohibit completion, which case bonding for the improvements is permitted. See Finding A59.
PDA 4.	Street lighting types and spacing shall be as shown in the Community Elements Book. See Finding A30.
PDA 5.	The developer shall enter into an Operations and Maintenance Agreement for ‘Polygon Northwest at Villebois No. 2’ and ‘Tonquin Woods at Villebois No. 5’ subdivisions that clearly identify ownership and maintenance for all pocket parks and linear greens and paths. Such agreements shall ensure maintenance in perpetuity and shall be recorded with the subdivisions. Such agreement shall be reviewed and approved by the City Attorney prior to recordation. See also Findings E6. and G4.
PDA 6.	The applicant/owner shall install courtyard fencing in the front yard of all <i>row</i> houses. <u>In addition the applicant/owner shall install courtyard fencing in the front yard of no less than thirty percent (30%) of the single-family houses, which is rounded to five (5) of the seventeen (17) single-family houses. The applicant/owner is especially encouraged to place the courtyards in the front yard of homes facing linear greens and pocket parks that do not have a porch. The design and placement of the required courtyard fencing shall be</u> consistent with the Architectural Pattern Book and the architectural style of the house. The courtyard area enclosed by the fence shall not exceed a five (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 five (5) percent or less slope is maintained. Where the topography of a lot would require a greater than forty eight inch (48") wall to maintain a five (5) percent slope for the courtyard the applicant/owner can request an exception from the courtyard fencing and courtyard slope requirements as part of the building permit review. See Finding A27.

PDA 7. Prior to the City issuing any building permits for single-family houses in PDP 4 Central the applicant/owner shall provide a map showing where the courtyards required by Condition of Approval PDA 6 will be installed. If the applicant/owner later desires to not place a courtyard in a location shown on the submitted placement map, the change can be requested as part of building permit review as long as a suitable replacement location for the courtyard within the PDP is indicated.

REQUEST B: DB13-0014 SAP-Central Refinements

Planning Division Conditions:

PDB 1. Approval of DB13-0014 SAP-Central Refinements is contingent upon City Council approval of the Zone Map Amendment from Public Facility (PF) to Village (V) (Case File DB13-0016).

REQUEST C DB13-0015 SAP-Central Amendments

Planning Division Conditions:

PDC 1. Approval of DB13-0015 SAP-Central Amendments is contingent upon City Council approval of the Zone Map Amendment from Public Facility (PF) to Village (V) (Case File DB13-0016).

PDC 2. Prior to approval of the Final Plat of 'Polygon Northwest at Villebois No. 2' or 'Tonquin Woods at Villebois No. 5' by the City, the applicant shall cause three (3) bound copies of the new pattern book be printed and given to the City. Such copies shall be in substantial conformance with the Development Review Board approval including all lot dimensions and sizes. See Finding C6.

REQUEST D: DB13-0016 Zone Map Amendment

Planning Division Conditions: No Conditions of Approval Proposed for This Request

This action recommends adoption of the Zone Map Amendment to the City Council for the subject properties. Case files DB13-0013, DB13-0014, DB13-0015, DB13-0017, DB13-0018, and DB13-0019 are contingent upon City Council's action on the Zone Map Amendment request.

REQUEST E: DB13-0017 Tentative Subdivision Plat

Planning Division Conditions:

PDE 1. Approval of DB13-0017 Tentative Subdivision Plat is contingent upon City Council approval of the Zone Map Amendment from Public Facility (PF) to Village (V) (Case File DB13-0016).

PDE 2. Any necessary easements or dedications shall be identified on the Final Subdivision Plat.

PDE 3. Alleyways, parking lots and drives shall remain in private ownership and be maintained by the Homeowner's Association established by the subdivision's CC&Rs. The CC&R's 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-4C or the related Tentative Plats.
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 E3.
PDE 6.	All reserve strips and street plugs shall be detailed on the Final Subdivision Plat. See Finding E29.
PDE 7.	All tracts shall, except those indicated for future home development, shall include a public access easement across their entirety.

REQUEST F: DB13-0018 Type C Tree Plan

Planning Division Conditions:

PDF 1.	Approval of DB13-0018 Type C Tree Plan is contingent upon City Council approval of the Zone Map Amendment from Public Facility (PF) to Village (V) (Case File DB13-0016).
PDF 2.	The property owner/applicant or their successors in interest shall grant access to the property for authorized City representatives as needed to verify the tree related information provided, to observe tree related site conditions, and to verify, once a removal permit is granted, that the terms and conditions of the permit are followed. See Finding F1.
PDF 3.	Prior to granting a Tree Removal Permit in accordance with the proposed Tree Removal Plan the permit grantee shall file with the City a cash or corporate surety bond or irrevocable bank letter of credit in an amount determined by the City to ensure compliance with the Tree Removal Permit conditions and the requirements of the Tree Preservation and Protection Ordinance. See Finding F5.
PDF 4.	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 F11 and F12.
PDF 5.	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 F14.
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: <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. See Finding F14.

REQUEST G: DB13-0019 Final Development Plan for Parks and Open Space

Planning Division Conditions:

PDG 1. Approval of DB13-0019 Final Development Plan for Parks and Open Space is contingent upon City Council approval of the Zone Map Amendment from Public Facility (PF) to Village (V) (Case File DB13-0016).

PDG 2. All plant materials shall be installed consistent with current industry standards.

PDG 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 G32.

PDG 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 G37.

PDG 5. All hand rails 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 G37.

PDG 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 G 42.

PDG 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.

PDG 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.

PDG 9. Street trees, as shown on the approved landscape plans, shall be planted as each house or park is built.

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.

REQUEST A: DB13-0013 SAP-Central PDP-4C, Preliminary Development Plan

REQUEST E: DB13-0017 Tentative Subdivision Plat

Engineering Division Conditions:

Standard Comments:

PFA 1. All construction or improvements to public works facilities shall be in conformance to the City of Wilsonville Public Works Standards.

PFA 2. Applicant shall submit insurance requirements to the City of Wilsonville in the following amounts:

<i>Coverage (Aggregate, accept where noted)</i>	<i>Limit</i>
Commercial General Liability	
General Aggregate (per project)	\$ 2,000,000
Fire Damage (any one fire)	\$ 50,000
Medical Expense (any one person)	\$ 10,000
Business Automobile Liability Insurance	
Each Occurrence	\$ 1,000,000
Aggregate	\$ 2,000,000
Workers Compensation Insurance	\$ 500,000

PFA 3. No construction of, or connection to, any existing or proposed public utility/improvements will be permitted until all plans are approved by Staff, all fees have been paid, all necessary permits, right-of-way and easements have been obtained and Staff is notified a minimum of 24 hours in advance.

PFA 4. All public utility/improvement plans submitted for review shall be based upon a 22"x 34" format and shall be prepared in accordance with the City of Wilsonville Public Work's Standards.

PFA 5. Plans submitted for review shall meet the following general criteria:

- a. Utility improvements that shall be maintained by the public and are not contained within a public right-of-way shall be provided a maintenance access acceptable to the City. The public utility improvements shall be centered in a minimum 15-ft. wide public easement for single utilities and a minimum 20-ft wide public easement for two parallel utilities and shall be conveyed to the City on its dedication forms.
- b. Design of any public utility improvements shall be approved at the time of the issuance of a Public Works Permit. Private utility improvements are subject to review and approval by the City Building Department.
- c. In the plan set for the Public Works Permit, existing utilities and features, and proposed new private utilities shall be shown in a lighter, grey print. Proposed public improvements shall be shown in bolder, black print.
- d. All elevations on design plans and record drawings shall be based on NAVD 88 Datum.
- e. All proposed on and off-site public/private utility improvements shall comply

with the State of Oregon and the City of Wilsonville requirements and any other applicable codes.

- f. Design plans shall identify locations for street lighting, gas service, power lines, telephone poles, cable television, mailboxes and any other public or private utility within the general construction area.
- g. As per City of Wilsonville Ordinance No. 615, all new gas, telephone, cable, fiber-optic and electric improvements etc. shall be installed underground. Existing overhead utilities shall be undergrounded wherever reasonably possible.
- h. Any final site landscaping and signing shall not impede any proposed or existing driveway or interior maneuvering sight distance.
- i. Erosion Control Plan that conforms to City of Wilsonville Ordinance No. 482.
- j. Existing/proposed right-of-way, easements and adjacent driveways shall be identified.
- k. All engineering plans shall be stamped by a Professional Engineer registered in the State of Oregon.

PFA 6. Submit plans in the following general format and order for all public works construction to be maintained by the City:

- a. Cover sheet
- b. City of Wilsonville construction note sheet
- c. General construction note sheet
- d. Existing conditions plan.
- e. Erosion control and tree protection plan.
- f. Site plan. Include property line boundaries, water quality pond boundaries, sidewalk improvements, right-of-way (existing/proposed), easements (existing/proposed), and sidewalk and road connections to adjoining properties.
- g. Grading plan, with 1-foot contours.
- h. Composite utility plan; identify storm, sanitary, and water lines; identify storm and sanitary manholes.
- i. Detailed plans; show plan view and either profile view or provide i.e.'s at all utility crossings; include laterals in profile view or provide table with i.e.'s at crossings; vertical scale 1"= 5', horizontal scale 1"= 20' or 1"= 30'.
- j. Street plans.
- k. Storm sewer/drainage plans; number all lines, manholes, catch basins, and cleanouts for easier reference
- l. Water and sanitary sewer plans; plan; number all lines, manholes, and cleanouts for easier reference.
- m. Detailed plan for storm water detention facility (both plan and profile views), including water quality orifice diameter and manhole rim elevations. Provide detail of inlet structure and energy dissipation device. Provide details of drain inlets, structures, and piping for outfall structure. Note that although storm water detention facilities are typically privately maintained they will be inspected by engineering, and the plans must be part of the Public Works Permit set.
- n. Detailed plan for water quality facility (both plan and profile views). Note that although storm water quality facilities are typically privately maintained they will be inspected by Natural Resources, and the plans must be part of the Public

	<p>Works Permit set.</p> <ul style="list-style-type: none"> o. Composite franchise utility plan. p. City of Wilsonville detail drawings. q. Illumination plan. r. Striping and signage plan. s. Landscape plan.
PFA 7.	Prior to manhole and sewer line testing, design engineer shall coordinate with the City and update the sanitary and stormwater sewer systems to reflect the City's numbering system. Video testing and sanitary manhole testing will refer to the updated numbering system. Design engineer shall also show the updated numbering system on As-Built drawings submitted to the City.
PFA 8.	The applicant shall install, operate and maintain adequate erosion control measures in conformance with the standards adopted by the City of Wilsonville Ordinance No. 482 during the construction of any public/private utility and building improvements until such time as approved permanent vegetative materials have been installed.
PFA 9.	Applicant shall work with City's Natural Resources office before disturbing any soil on the respective site. If 5 or more acres of the site will be disturbed applicant shall obtain a 1200-C permit from the Oregon Department of Environmental Quality. If 1 to less than 5 acres of the site will be disturbed a 1200-CN permit from the City of Wilsonville is required.
PFA 10.	To lessen the impact of the proposed project on the downstream storm drain system, and adjacent properties, project run-off from the site shall be detained and limited to the difference between a developed 25-year storm and an undeveloped 25-year storm. The detention and outfall facilities shall be designed and constructed in conformance with the Public Works Standards.
PFA 11.	A storm water analysis prepared by a Professional Engineer registered in the State of Oregon shall be submitted for review and approval by the City to address appropriate pipe and detention facility sizing.
PFA 12.	The applicant shall be in conformance with all water quality requirements for the proposed development per the Public Works Standards. If a mechanical water quality system is used, prior to City acceptance of the project the applicant shall provide a letter from the system manufacturer stating that the system was installed per specifications and is functioning as designed.
PFA 13.	Storm water quality facilities shall have approved landscape planted and/or some other erosion control method installed and approved by the City of Wilsonville prior to streets and/or alleys being paved.
PFA 14.	The applicant shall provide the City with a Stormwater Maintenance and Access Easement (on City approved forms) for City inspection of those portions of the storm system to be privately maintained. Applicant shall maintain all LID storm water components and private conventional storm water facilities located within medians and from the back of curb onto and including the project site.
PFA 15.	Fire hydrants shall be located in compliance with TVF&R fire prevention ordinance and approval of TVF&R.
PFA 16.	The applicant shall contact the Oregon Water Resources Department and inform them of any existing wells located on the subject site. Any existing well shall be limited to irrigation purposes only. Proper separation, in conformance with applicable State

	standards, shall be maintained between irrigation systems, public water systems, and public sanitary systems. Should the project abandon any existing wells, they shall be properly abandoned in conformance with State standards.
PFA 17.	All survey monuments on the subject site, or that may be subject to disturbance within the construction area, or the construction of any off-site improvements shall be adequately referenced and protected prior to commencement of any construction activity. If the survey monuments are disturbed, moved, relocated or destroyed as a result of any construction, the project shall, at its cost, retain the services of a registered professional land surveyor in the State of Oregon to restore the monument to its original condition and file the necessary surveys as required by Oregon State law. A copy of any recorded survey shall be submitted to Staff.
PFA 18.	Sidewalks, crosswalks and pedestrian linkages in the public right-of-way shall be in compliance with the requirements of the U.S. Access Board.
PFA 19.	No surcharging of sanitary or storm water manholes is allowed.
PFA 20.	The project shall connect to an existing manhole or install a manhole at each connection point to the public storm system and sanitary sewer system.
PFA 21.	A City approved energy dissipation device shall be installed at all proposed storm system outfalls. Storm outfall facilities shall be designed and constructed in conformance with the Public Works Standards.
PFA 22.	The applicant shall provide a 'stamped' engineering plan and supporting information that shows the proposed street light locations meet the appropriate AASHTO lighting standards for all proposed streets and pedestrian alleyways.
PFA 23.	All required pavement markings, in conformance with the Transportation Systems Plan and the Bike and Pedestrian Master Plan, shall be completed in conjunction with any conditioned street improvements.
PFA 24.	Street and traffic signs shall have a hi-intensity prismatic finish meeting ASTM 4956 Spec Type 4 standards.
PFA 25.	The applicant shall provide adequate sight distance at all project driveways by driveway placement or vegetation control. Specific designs to be submitted and approved by the City Engineer. Coordinate and align proposed driveways with driveways on the opposite side of the proposed project site.
PFA 26.	Access requirements, including sight distance, shall conform to the City's Transportation Systems Plan (TSP) or as approved by the City Engineer. Landscaping plantings shall be low enough to provide adequate sight distance at all street intersections and alley/street intersections.
PFA 27.	Applicant shall design interior streets and alleys to meet specifications of Tualatin Valley Fire & Rescue and Allied Waste Management (United Disposal) for access and use of their vehicles.
PFA 28.	Applicant shall prepare an Ownership and Maintenance agreement between the City and the Owner. Stormwater or rainwater facilities may be located within the public right-of-way upon approval of the City Engineer. The Ownership and Maintenance agreement shall specify that the rainwater and stormwater facilities shall be privately maintained by the Applicant; maintenance shall transfer to the respective homeowners association when it is formed.
PFA 29.	The applicant shall "loop" proposed waterlines by connecting to the existing City

	waterlines where applicable.
PFA 30.	All water lines that are to be temporary dead-end lines due to the phasing of construction shall have a valved tee with fire-hydrant assembly installed at the end of the line.
PFA 31.	Applicant shall provide a minimum 6-foot Public Utility Easement on lot frontages to all public right-of-ways. An 8-foot PUE shall be provided along Minor and Major Collectors. A 10-ft PUE shall be provided along Minor and Major Arterials.
PFA 32.	For any new public easements created with the project the Applicant shall be required to produce the specific survey exhibits establishing the easement and shall provide the City with the appropriate Easement document (on City approved forms).
PFA 33.	<p>Mylar Record Drawings:</p> <p>At the completion of the installation of any required public improvements, and before a 'punch list' inspection is scheduled, the Engineer shall perform a record survey. Said survey shall be the basis for the preparation of 'record drawings' which will serve as the physical record of those changes made to the plans and/or specifications, originally approved by Staff, that occurred during construction. Using the record survey as a guide, the appropriate changes will be made to the construction plans and/or specifications and a complete revised 'set' shall be submitted. The 'set' shall consist of drawings on 3 mil. Mylar and an electronic copy in AutoCAD, current version, and a digitally signed PDF.</p>
PFA 34.	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.
PFA 35.	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.
PFA 36.	The applicant shall work with the other developers of Villebois and the City to develop an equitable storm water and parks maintenance fee or a maintenance memorandum of understanding prior to any final plat approval.
Specific Comments:	
PFA 37.	<p>At the request of Staff, DKS Associates completed a Transportation Review dated May 17, 2013. The project is hereby limited to no more than the following impacts.</p> <p>Estimated New PM Peak Hour Trips 38 Estimated Weekday PM Peak Hour Trips 12 Through Wilsonville Road Interchange Area</p>
PFA 38.	<p>The initial approval of SAP Central consisted of 9 single family units, 500 townhome/condo units, and 501 apartment units for a total of 1,010 residential units, along with 20,000 sq. ft. of commercial space. Based on assumed trip generation rates, these land uses were estimated to generate 616 p.m. peak hour trips.</p> <p>The currently proposed land use includes 49 single family units, 459</p>

townhome/condo units, and 501 apartment units for a total of 1,009 residential units, along with 33,000 of commercial space. Based on these counts, it is estimated that SAP Central will generate 659 p.m. peak hour trips. This is 43 p.m. peak hour trips above what was initially approved for SAP Central.

Many of the changes from townhome/condo units to single family units occur with this proposed development. The applicant may be required to pay Street SDC fees for these additional 43 PM Peak Hour Trips, unless applicant can show evidence of other arrangements with the City having been made.

PFA 39. All construction traffic shall access the site via Grahams Ferry Road to Barber Street or via 110th Avenue. No construction traffic will be allowed on Brown Road or Barber Street east of Costa Circle West.

PFA 40. Applicant shall construct full street improvements for the extension of Costa Circle West from the edge of the proposed development, Orleans Loop, southward to connect with Barber Street as shown on plans dated 04/15/2013, ~~and shall provide service lines to those undeveloped properties lying to the east and south of Costa Circle West~~ except as shown on Exhibit F of Exhibit B7 dated June 7, 2013, where this segment of Costa Circle will be allowed to be designed for a 5" section of asphalt and paved with a single 3" baselift; toplift to be completed by adjacent development when it occurs.

PFA 41. Applicant shall be required to complete full design and construction through the far right-of-way and all intersections through the far corner radii of all planned streets bordering the development except as shown on Exhibit G of Exhibit B7- 'Temporary Intersection Design Exhibit' dated June 6, 2013, where the applicant will construct temporary improvements through the future intersections of Costa Circle and Valencia Lane, Costa Circle and Ravenna Loop, Orleans Loop and Collina Lane, and Villebois Drive and Orleans Loop. Also, except as shown on Exhibit F of Exhibit B7- 'Pedestrian Route Exhibit' dated June 7, 2013, segments of Costa Circle will be allowed to be designed for a 5" section of asphalt; segments of Ravenna Loop and Orleans Loop will be allowed to be designed for a 4½" section of asphalt; all segments paved with a single 3" base lift; top lift to be completed by adjacent development when it occurs. Streets shall be designed in conformance to the applicable street type as shown in the Villebois Village Master Plan.

PFA 42. The applicant shall provide 'stamped' engineering details with dimensions for intersection sight distance verification and AutoTURN layouts for all proposed intersections, including alley/street connections. Adequate clearance shall be provided at all intersections and alleyways. The sight distance point for exiting vehicles shall be located 14.4 feet from the edge of the traveled way.

At a minimum, the applicant shall provide 'stamped' engineering AutoTURN layouts for fire trucks and buses (WB-60) that show the overhang and/or mirrors of the vehicle as opposed to the wheel paths. Turning vehicles may use the width of the minor street to start the appropriate turn. The vehicle must however, stay within the appropriate receiving (inside) lane of the major street. Additionally, the turning vehicle must not intrude onto the wheel chair ramp on the inside of the turning

	movement.
PFA 43.	The larger portion of the proposed subdivision, lying on tax lot 31W15 02916, lacks direct sidewalk access to Villebois SAP South PDP 6 or SAP East PDP 1 and to the Lowrie Primary School. Applicant shall construct a temporary sidewalk, and provide the necessary easements, linking the proposed development to existing sidewalks and/or crosswalks to provide a safe route to Lowrie Primary School <u>temporary sidewalks from Geneva Loop to Mount Blanc as shown on Exhibit F of Exhibit B7 – ‘Pedestrian School Route Exhibit’ dated June 7, 2013 to provide pedestrian linkages to the existing sidewalks providing connections to Lowrie Primary School.</u>
PFA 44.	Pedestrian Links- sidewalk connections shall be provided between alleys and roadways where alleys do not intersect with the local road network. City of Wilsonville guidelines recommend that the distance between pedestrian access points along a roadway not exceed 300 feet.
PFA 45.	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.
PFA 46.	At the time of plan submittal for a Public Works Permit, the applicant shall provide to the City a copy of correspondence showing that the plans have also been distributed to the franchise utilities. Prior to issuance of a Public Works Permit, the applicant shall have coordinated the proposed locations and associated infrastructure design for the franchise utilities. Should permanent/construction easements or right-of-way be required to construct the public improvements or to relocate a franchised utility, the applicant shall provide a copy of the recorded documents. Should the construction of public improvements impact existing utilities within the general area, the applicant shall obtain written approval from the appropriate utility prior to commencing any construction.
PFA 47.	The proposed subdivision straddles the division line for street lighting type. All street lighting on Costa Circle and streets lying within the boundary of Costa Circle shall be lighted with approved Acorn style lights. All street lying north and outside of Costa Circle shall be lighted with approved Westbrooke style lights.
PFA 48.	Bus stop locations have been previously identified along Costa Circle East @ Mont Blanc Lane. Applicant shall coordinate with SMART in locating and constructing necessary transit facilities.
PFA 49.	Applicant shall provide sufficient mail box units for the proposed phasing plan; applicant shall construct mail pick-up facilities at locations coordinated with City staff and the Wilsonville U.S. Postmaster.
PFA 50.	If the adjacent segment of Costa Circle East has not yet been constructed, then that portion of the proposed subdivision on tax lot 31W15 02919 shall be required to construct full street improvements to the adjacent segment of Costa Circle East concurrently with the project.
PFA 51.	Plans show several water, storm and sanitary lines lying outside of the project boundaries. Applicant shall construct SAP Central PDP 4 concurrently with SAP North PDP 2. Applicant shall provide a complete utility system capable of servicing all proposed lots in compliance with Public Works Standards. For proposed lines lying outside of planned right-of-ways, applicant shall provide the City with construction easement(s) and permanent pipeline easement(s) prior to the City issuing a Public Works Permit for their construction. Pipeline easements lying within

	planned street right-of-ways shall expire at time of future street dedication.
PFA 52.	The project site appears to straddle both the Arrowhead Creek basin and the Coffee Lake Creek basins. Applicant shall direct stormwater runoff to the correct basin; no interbasin transfer of stormwater is allowed.
PFA 53.	Detention of stormwater flows within the Arrowhead Creek basin have already been accounted for in existing stormwater detention features. No additional detention is required.
PFA 54.	Much of the proposed development lies within the Coffee Lake Creek basin. Per City Ord. 608, detention is not required for areas of Villebois that drain directly to the Coffee Lake Wetlands; however, until the stormwater system is completed east of 110th Avenue (Costa Circle), applicant shall be in conformance with PFA 10 and PFA 11 for this portion of the development.
PFA 55.	With the Villebois SAP South PDP 6 development, a temporary stormwater detention and water quality facility was constructed at the northwest corner of Costa Circle East & Mont Blanc Street. When this area is developed, this detention and water quality facility will need to be relocated, unless a direct stormwater connection has been made to the Coffee Lake Wetlands and an appropriately sized water quality facility has been constructed.
PFA 56.	Storm water is shown on sheet 5 (dated 4/15/2013) as being temporarily detained by Villebois Phase 2 North. If storm water is detained or treated by Phase 2 North, agreements between PDP 2 North and PDP 4 Central must be signed and recorded with Clackamas County for the detention and/or treatment of storm water as applicable.
PFA 57.	Applicant shall connect to existing sanitary line at Barber & Costa Circle West and extend the line to service the undeveloped properties east of Costa Circle West and South of Ravenna Loop.
PFA 58.	Applicant shall be required to build the off-site sanitary sewer line prior to or concurrently with this project. This off-site line runs from near the intersection of 110th Ave. and Stockholm Ave. to the existing main line in the future Coffee Lake Drive.
PFA 59.	In accordance with the Public Works Standards, sewer lines entering manholes must be greater than 90 degrees from the line out to minimize turbidity within the manhole.
PFA 60.	Applicant shall install a 12" water main in Villebois Drive per the approved Villebois Master plan.
PFA 61.	Both Northwest Natural Gas line and Kinder Morgan have existing gas/fuel lines located on the west side of the existing 110th Avenue right-of-way. No obstruction can be placed within, adjacent or across the pipelines that will impede access to the pipelines or easement. Applicant's contractor shall contact representatives from both Northwest Natural Gas line and Kinder Morgan prior to commencing any work within 10 feet of the lines.
PFA 62.	Applicant shall be required to reimburse the City for their share of a sanitary sewer reimbursement fee established per Res. 2350 for tax lot 31W15 02919 and for their corresponding share of tax lot 31W15 02916 at time of issuance of a Public Works Permit.
PFA 63.	SAP Central PDP 4 consists of 57 lots. All construction work in association with the

Public Works Permit and Project Corrections List shall be completed prior to the City Building Division issuing a certificate of occupancy, or a building permit for the housing unit(s) in excess of 50% of total (29th lot).

REQUEST A: DB13-0013 SAP-Central PDP-4C, Preliminary Development Plan

Building Division Conditions:

BD 1. FIRE HYDRANTS shall be provided along required fire apparatus access roads and adjacent public streets with locations approved by the fire marshal. (2010 OFC C102.1)

BD 2. SW ORLEANS LOOP appears to temporarily end near proposed Lot 16. Dead-end fire apparatus access roads in excess of 150' [or a little longer because of the home fire sprinkler systems] shall be provided with width and turn-around provisions in accordance with Table D103.4 of the fire code. (OFC D103.4) An approved fire department turn-around or temporary roadway meeting fire access roadway requirements allowing fire vehicles to access adjacent streets, or other means meeting the approval of the fire marshal may be required here. Please contact the fire marshal, Drew Dubois, at 503.259.1404 for additional discussion.

REQUEST A: DB13-0013 SAP-Central PDP-4C, Preliminary Development Plan

REQUEST G: DB13-0019 Final Development Plan for Parks and Open Space

Natural Resources Division Conditions:

This memorandum includes staff conditions of approval. The conditions are based on the preliminary and final development plans for PDP 4. The conditions of approval apply to the applicant's submittal of construction plans (i.e. engineering drawings).

Rainwater Management Plan:

NR 1. Pursuant to the City of Wilsonville Public Works Standards, access should be provided for the entire perimeter of the rainwater management components. At a minimum, at least one access shall be provided for maintenance and inspection.

NR 2. All Rainwater Management Components and associated infrastructure located in public areas shall be designed to the Public Works Standards. Rainwater Management Components in private areas shall comply with the plumbing code.

NR 3. Plantings in Rainwater Management Components located in public areas shall comply with the Public Works Standards. Plantings in Rainwater Management Components located in private areas shall comply with the Plant List in the Rainwater Management Program or Community Elements Plan.

NR 4. The rainwater management components shall comply with the requirements of the Oregon DEQ UIC (Underground Injection Control) Program.

Stormwater Management:

NR 5. Provide profiles, plan views and specifications for the proposed water quality treatment facilities consistent with the requirements of the City of Wilsonville's Public Works Standards.

NR 6. Pursuant to the Public Works Standards, the applicant shall submit a maintenance plan (including the City's stormwater maintenance covenant) for the proposed stormwater facilities, inclusive of the rainwater management components, prior to approval for occupancy of the associated development.

MASTER EXHIBIT LIST:

The following exhibits are hereby entered into the public record by the Development Review Board as confirmation of its consideration of the application as submitted. This is the exhibit list that includes exhibits for Planning Case File DB13-0013 through DB13-0019.

- A1. Staff report and findings (this document)
- A2. Slides and notes for Staff's Public Hearing Presentation (*available at Public Hearing*)
- A3. *Planning Division Memorandum dated June 7, 2013 RE: Edits and Proposed Corrections to Staff Reports for DB13-0013 et. seq. (PDP 4C) and DB13-0020 et. seq. (PDP 2N)***
- A4. *Planning Division Memorandum dated June 10, 2013 RE: Changes to Conditions and Approval, Discussion Topics, and Findings Related to Courtyards for DB13-0013 et. seq. (PDP 4C) and DB13-00230 et. seq. (PDP 2N)***
- B1. Applicant's Notebook: *Under separate cover.*
 - Section I: General Information
 - IA) Introductory Narrative
 - IB) Form/Ownership Documentation
 - IC) Fee Calculation
 - ID) Mailing List *Staff Note: This information has been revised*
 - IE) Updated SAP Central Phasing + Unit Counts
 - Section II: Preliminary Development Plan (Includes Phasing Amendment and Refinements)
 - IIA) Supporting Compliance Report
 - IIB) Reduced Drawings
 - IIC) Utility & Drainage Reports
 - IID) Traffic Analysis
 - IIE) Tree Report
 - IIF) Conceptual Elevations
 - Section III: Tentative Plat
 - IIIA) Supporting Compliance Report
 - IIIB) Tentative Plat
 - IIIC) Draft CC&R's
 - IIID) Copy of Certification of Assessments and Liens
 - IIIE) Subdivision Name Approval
 - Section IV: Zone Change
 - IVA) Supporting Compliance Report
 - IVB) Zone Change Map
 - IVC) Legal Description and Sketch
 - Section V: Tree Removal Plan
 - VA) Supporting Compliance Report
 - VB) Tree Report
 - VC) Tree Preservation Plan
 - Section VI: Final Development Plan
 - VIA) Supporting Compliance Report

VIB) Reduced Drawings
Section VII: SAP Amendment for Pattern Book
VIIA) Supporting Compliance Report
VIIB) Proposed Pattern Book Amendments

- B2.** Applicant's Large Format Plans (Smaller 11x17 plans included in Sections IIB and IIIB of the applicant's notebook Exhibit B1.) *Under separate cover*
Sheet 1 Cover Sheet
Sheet 2 Existing Conditions
Sheet 3 Aerial Photograph
Sheet 4.1 Tentative Plat
Sheet 4.2 Tentative Plat
Sheet 5 Grading and Erosion Control
Sheet 6 Composite Utility Plan
Sheet 7.1 Circulation Plan
Sheet 7.2 Street Sections
Sheet 8.1 Site/Land Use Plan
Sheet 8.2 Typical Lot Pattern
Sheet 9 Tree Preservation Plan
Sheet 10 Street Tree/Lighting Plan
Sheet 11 PDP Phasing Plan
- B3.** Final Develop Plan Large Format Plans (Smaller 11x17 plans included in Section VIB of the applicant's notebook, Exhibit B1.) *Under separate cover*
Sheet 1 Cover Sheet (Landscape Plans)
Sheet L 1.0 Landscape Plan
Sheet L 2.0 Landscape Plan
Sheet L 3.0 Landscape Details
- B4.** EX1 Reference Diagram, Including Phasing, for PDP 4 Central and PDP 2 North
- B5.** EX2 Phasing Diagram for PDP 4 Central and PDP 2 North
- B6.** Documentation of dedication of adjacent right-of-way for street improvements associated with proposed development.
- B7.** Memorandum from Stacy Connery Dated June 9, 2013 RE: DB13-0013 thru DB13-0013; PDP 4 Central (Revision 1) with attached Exhibits F and G. Staff Note: PDA 6 further modified as discussed in Exhibit A4.
- B8.** Same as Exhibit B7 above.
- C1.** Comments and Conditions from Engineering Division
- C2.** Comments and Conditions from Building Division
- C3.** Comments and Conditions from Natural Resources

FINDINGS OF FACT:

1. The statutory 120-day time limit applies to this application. The application was received on April 15, 2013. On May 15, 2013, staff conducted a completeness review within the statutorily allowed 30-day review period, and, on April 30, May 3, and May 17, 2013, the Applicant submitted new materials. On May 17, 2013 the application was deemed complete. The City must render a final decision for the request, including any appeals, by ~~February 2, 2013~~ September 14, 2013.

2. Surrounding land uses are as follows:

Compass Direction	Zone:	Existing Use:
North:	<u>-PF</u>	Unincorporated Rural Residential <u>Phase 2 North (proposed)</u> <u>Undeveloped portions of SAP Central</u>
East:	<u>PF/V</u>	Phase 3 East Villebois (approved/unbuilt) <u>Undeveloped portions of SAP Central</u>
South:	PF/V	Phase 1 North Villebois (under construction) <u>6 South</u> Future Phase 3 Central (proposed) Undeveloped portions of SAP Central
West:	<u>-PF</u>	Unincorporated Rural Residential <u>Phase 2 North (proposed)</u> <u>Undeveloped portions of SAP Central</u>

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)

Quasi Judicial:

- DB06-0005 – SAP-Central

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

Section 4.008 Application Procedures-In General

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

Finding: These criteria are met.

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

Section 4.009 Who May Initiate Application

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

Finding: This criterion is satisfied.

Details of Finding: The application has been submitted on behalf of the property owner, Polygon at Villebois II, LLC and Polygon at Villebois III, LLC.

Subsection 4.010 (.02) Pre-Application Conference

Review Criteria: This section lists the pre-application process

Finding: These criteria are satisfied.

Details of Finding: A pre-application conference was held on March 28, 2013 in accordance with this subsection.

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

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

Finding: This criterion is satisfied.

Details of Finding: No applicable liens exist for the subject property. The application can thus move forward. Section IIID of the applicant's notebook, Exhibit B1, includes a copy of certification of assessments and liens.

Subsection 4.035 (.04) A. General Site Development Permit Submission Requirements

Review Criteria: "An application for a Site Development Permit shall consist of the materials specified as follows, plus any other materials required by this Code." Listed 1. through 6. j.

Finding: These criteria are satisfied.

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

Section 4.110 Zoning-Generally

Review Criteria: “The use of any building or premises or the construction of any development shall be in conformity with the regulations set forth in this Code for each Zoning District in which it is located, except as provided in Sections 4.189 through 4.192.” “The General Regulations listed in Sections 4.150 through 4.199 shall apply to all zones unless the text indicates otherwise.”

Finding: These criteria are satisfied.

Details of Finding: This proposed development is in conformity with the applicable zoning district and general development regulations listed in Sections 4.150 through 4.199 have been applied in accordance with this Section.

REQUEST A: DB13-0013 SAP-CENTRAL PDP-4C, PRELIMINARY DEVELOPMENT PLAN

The applicant's findings in Section IIA of their notebook, Exhibit B1, respond to the majority of the applicable criteria.

Village Zone

Subsection 4.125 (.02) Permitted Uses in Village Zone

A1. **Review Criteria:** This subsection lists the uses typically permitted in the Village Zone, including single-family detached dwellings, row houses, and non-commercial parks, playgrounds, and recreational facilities.

Finding: These criteria are satisfied.

Details of Finding: The uses proposed include row homes, single-family homes, and parks.

Subsection 4.125 (.05) Development Standards Applying to All Development in the Village Zone

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

Subsection 4.125 (.05) A. 1. Block, Alley, Pedestrian and Bicycle Standards: Maximum Block Perimeter

A2. **Review Criteria:** "Maximums Block Perimeter: 1,800 feet, unless the Development Review Board makes a finding that barriers such as existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent a block perimeter from meeting this standard.

Finding: These criteria are satisfied.

Details of Finding: The maximum block perimeter will be met when the adjacent area of the Village Center is developed according to the Master Plan and SAP approvals.

Subsection 4.125 (.05) A. 2. Block, Alley, Pedestrian and Bicycle Standards: Maximum Spacing Between Streets for Local Access

A3. **Review Criteria:** "If the maximum spacing for streets for local access exceeds 530 feet, intervening pedestrian and bicycle access shall be provided, with a maximum spacing of 330 feet from those local streets, unless the Development Review Board makes a finding that barriers such as existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent pedestrian and bicycle facility extensions from meeting this standard."

Finding: These criteria are satisfied.

Details of Finding: The maximum street spacing will be met when the adjacent area of the Village Center is developed according to the Master Plan and SAP approvals.

Subsection 4.125 (.05) A. 2. Block, Alley, Pedestrian and Bicycle Standards: Intervening Pedestrian and Bicycle Access

A4. **Review Criteria:** “If the maximum spacing for streets for local access exceeds 530 feet, intervening pedestrian and bicycle access shall be provided, with a maximum spacing of 330 feet from those local streets, unless the Development Review Board makes a finding that barriers such as existing buildings, topographic variations, or designated Significant Resource Overlay Zone areas will prevent pedestrian and bicycle facility extensions from meeting this standard.”

Finding: These criteria are satisfied.

Details of Finding: The maximum street spacing will be met when the adjacent area of the Village Center is developed according to the Master Plan and SAP approvals. No intervening pedestrian and bicycle access is required.

Subsection 4.125 (.05) B. Access

A5. **Review Criterion:** “All lots with access to a public street, and an alley, shall take vehicular access from the alley to a garage or parking area, except as determined by the City Engineer.”

Finding: This criterion is satisfied.

Details of Finding: All of the lots within the proposed PDP that have frontage on a public street and an alley will take vehicular access from an alley to a garage or parking area. See also Finding E3 and Condition of Approval PDE 5.

Table V-1, Development Standards

A6. **Review Criteria:**

Building Type	Min. Lot Size (sq.ft.)	Min. Lot Width (ft.)	Min. Lot Depth (ft.)	Max. Lot Coverage (ratio)	Min. Frontage Width (ft.) ¹²	Max. Bldg Height (ft.) ¹³	Setbacks ^{14, 15, 16}				Alley-Loaded Garage (ratio)	Street-Loaded Garage (ratio)	
							Front Min. (ft.)	Front Max. (ft.)	Rear Min. (ft.)	Side Min. (ft.)			
Commercial Buildings - Village Center ¹⁷	NR	NR	NR	1	90	60	NR ⁷	5	NR	NR	NR	NR	NA
Hotels - Village Center ¹⁸	NR	NR	NR	1	80	60	NR ⁷	15	NR	NR	NR	NR	NA
Mixed Use Buildings - Village Center ¹⁹	NR	NR	NR	1	90	60	NR ⁷	5	NR	NR	NR	NR	NA
Multi-Family Dwellings - Village Center ²⁰	NR	NR	NR	1	80	45	5 ¹	15	NR	NR	NR	NR	NA
Row Houses ²¹ - Village Center ¹⁴	NR	NR	NR	1	80	45	5 ¹	10	NR	NR	NR	NR	NA
Commercial Buildings	NR	NR	NR	1	80	45	NR	15	NR	NR	NR	NR	NA
Mixed Use Buildings	NR	NR	NR	1	80	45	NR	15	NR	NR	NR	NR	NA
Multi-Family Dwellings	NR	NR	NR	1	80	45	5 ¹	15	NR	NR	NR	NR	NA
Row Houses ²¹	NR	15	50	1	80	45	5 ¹	15	NR	NR	NR	NR	NA
Duplexes	4,000	43	70	1	60 ¹⁰	35	15 ¹¹	20 ¹	5	5 ¹²	5	5 ¹³	15 ¹⁴
Single-Family Dwellings	7,500	55	50	1	60 ¹⁰	35	15 ¹¹	20 ¹	5	5 ¹²	5	5 ¹³	15 ¹⁴

Notes: NR - No Requirement
 NA - Not Allowed
 1 Lot: 8000sqf NR; Lot: 8000sqf 80% (Max. Lot Coverage)
 2 Small lots: 75', Medium Lots: 65', Standard and Large Lots: 55', Estate Lots: 45', Maximum Lot Coverage
 On lots where detached accessory buildings are built, maximum lot coverage may be increased by 10%.
 3 Bay windows, balconies, and other structural building projections above 5 ft. may encroach up to 5 ft. into the Public Way; canopies, awnings, and other non-structural projections may encroach up to 8 ft. into the Public Way.
 4 Porches, stairs, stoops, decks, canopies, balconies, bay windows, chimneys, awnings, and other building projections may encroach up to the Public Way.
 5 Porches, stoops, decks, canopies, bay windows, chimneys, awnings, and other building projections may encroach to within 5 ft. of the Public Way. Stairs may encroach to the Public Way.
 6 For Standard or Large Lots on Collector Avenues, front setbacks are 20 ft. min. (15' setback to porch); side street setbacks are 15' (8' setback to porch). Pie-shaped lots or lots with significant trees or grade banks at frontage have no maximum front setback.
 7 The garage setback from alley shall be between 5 and 5 feet or, when an optional parking space is located between the garage and the alley, shall be 10 ft. minimum. Lots with important trees as identified in the Master Plan, or grade differences at the alley, affecting garage location shall be exempt from this requirement.
 8 Street-loaded garages shall be a minimum 20 ft. front setback to face of garage, and located a minimum of 5 ft. behind main facade of the associated dwelling unit.
 9 Vertical encroachments are allowed up to ten additional feet, for up to 10% of the building footprint. Vertical encroachments shall not be habitable space.
 10 For Village Center buildings with lots fronting two or more streets, at least two facades shall be subject to the minimum frontage width and front setback requirements.
 11 Row Houses are typically attached, but may be detached within the Village Center Boundary. When attached, no more than ten units shall be contiguous along a street edge. When row houses are detached, the Minimum Frontage Width is 65'. The Minimum Frontage Width for detached row houses may be less than 65' on corner lots or to accommodate the curve radius of street.
 12 Frontage, public utility easements, important trees, grade differences, public open space requirements, or as otherwise approved by the DRB.
 13 See Definitions (4.1.2.1) for measurement of Maximum Frontage Width.
 14 Front Setback is measured as the offset of the front lot line or a vehicular or pedestrian access easement line. On lots with alleys, Rear Setback shall be measured from the rear lot line abutting the alley.
 15 See Figure 2A - Village Center Boundary & Land Use Plan in the Villebois Village Master Plan for areas included within the Village Center.
 16 On Estate Lots and Large Lots with frontage 70 ft. or wider, the minimum combined side yard setbacks shall total 15 ft. with a minimum of 5 ft. On Small and Medium Lots, minimum side setback shall be 0 ft. or as required by Building Code.
 17 For cluster housing with lots arranged on a courtyard, frontage shall be measured at the front door face of the building adjacent to a public right of way or a public pedestrian access easement lining the courtyard with the Public Way.
 18 Dwellings on lots without alley access shall be at least 36 feet wide.
 19 Duplexes with front-loaded garages are limited to one shared standard-sized driveway apron.
 20 Maximum setbacks may be increased as necessary to accommodate deeper porches, building code, public utility easements or public open space requirements.
 21 Lots are categorized as small, medium, standard, large or estate as shown in the Pattern Book. (Table V-1 amended by Ord. 667 on 8/17/09; Ord. 682 9/9/10)

Finding: These criteria are satisfied.

Details of Finding: In previous PDP's it has consistently been interpreted to allow the lot width and lot sizes to be governed by the Pattern Book. With the proposed SAP

Amendments to the Pattern Book all lot dimensions will be consistent with the Pattern Book.

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

A7. Review Criteria:

Table V-2: Off Street Parking Requirements				
Permitted or Conditional Use	Min. Vehicle Spaces	Max. Vehicle Spaces	Bicycle Short-term (Spaces)	Bicycle Long-term (Spaces)
Permitted Uses				
Single-Family Detached Dwellings	1.0/DU	NR	NR	NR
Single-Family Accessory Dwelling Units*	1.0/DU	NR	NR	NR
Duplex	1.0/DU	NR	NR	NR
Row Houses	1.0/DU	NR	NR	NR
Multi-Family Dwellings	1.0/1 Bdr 1.5/2 Bdr 1.75/3 Bdr	NR	1 per 20 units Min. of 2	1 per 4 units Min. of 2
Community Housing	1 per 4 residents	1 per unit	None	1 per 8 residents Min. of 2
Commercial Uses				
Convenience Store	2/1000 sf	5/1000 sf	1 per 5000 sf Min. of 2	1 per 12,000 sf Min. of 2
Restaurant/Pub	2/1000 sf	10/1000 sf	1 per 5000 sf Min. of 2	1 per 12,000 sf Min. of 2
Child Day Care	0.2 per student/staff	0.3 per student/staff	None	1 per 10,000 sf Min. of 2
Medical/Dental	3/1000 sf	4/1000 sf	1 per 40,000 sf Min. of 2	1 per 70,000 sf Min. of 2
All other commercial uses	2/1000 sf	4/1000 sf	1 per 10,000 sf Min. of 2	1 per 40,000 sf Min. of 2
Conditional Uses				
Schools	0.2 per student/staff	0.3 per student/staff	0.3 per student/staff	0.2 per classroom
Recreational Facilities	3/1000 sf ¹	5/1000 sf ¹	1 per 3,000 sf Min. of 4	1 per 3000 sf Min. of 4
Conference Center	0.3 per seat	0.5 per seat	1 per 15 seats Min. of 2	1 per 40 seats Min. of 10
Library/Museum	2/1000 sf	4/1000 sf	1 per 1000 sf Min. of 6	1 per 1000 sf Min. of 6
Religious Institution	.25 per seat	.5 per seat	1 per 2,000 sf Min. of 2	1 per 4,000 sf Min. of 2
Theater	.25 per seat	.5 per seat	1 per 20 seats Min. of 2	1 per 50 seats Min. of 4
Overnight Lodging Facility	1 per room	1.5 per room	1 per 20 rooms Min. of 2	1 per 20 rooms Min. of 2
Light Manufacturing/Research and Development	2/1000 sf	4/1000 sf	1 per 10,000 sf Min. of 2	1 per 40,000 sf Min. of 2
All other Conditional Uses	2/1000 sf	4/1000 sf	1 per 10,000 sf Min. of 2	1 per 40,000 sf Min. of 2

Notes: ¹ 1/1000 sf min. for court facilities
 NR No requirement
 * See WC Section 4.113(.11) Assessorly Dwelling Units

[Table 4-2 amended by Ord. 677, 3/1/10]

Finding: These criteria are satisfied.

Details of Finding: At least one (1) parking space is provided for each dwelling unit.

Subsection 4.125 (.08) Parks & Open Space

A8. **Review Criteria:** This subsection prescribes the open space requirement for development in the Village Zone.

Finding: These criteria are satisfied.

Details of Finding: The applicant states the following regarding these requirements, “The Parks Master Plan for Villebois states that there are 57.87 acres of parks and 101.46 acres of open space for a total of 159.33 acres within Villebois, approximately 33%. SAP Central includes parks and open space areas consistent with the Master Plan.” PDP 4C does not include any parks shown in the Villebois Village Master Plan. Additional linear greens are added increasing park and open space area.

Subsection 4.125 (.09) Street Alignment and Access Improvements

Subsection 4.125 (.09) A. 1. a. Street Alignment and Access Improvements Conformity with Master Plan, etc.

A9. **Review Criterion:** “All street alignment and access improvements shall conform to the Villebois Village Master Plan, or as refined in the Specific Area Plan, Preliminary Development Plan, or Final Development Plan . . .”

Finding: This criterion is satisfied.

Details of Finding: The street alignments and access improvements within this PDP are generally consistent with those approved in the Villebois Village Master Plan and SAP Central.

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

A10. **Review Criteria:** “All street improvements shall conform to the Public Works Standards and shall provide for the continuation of streets through proposed developments to adjoining properties or subdivisions, according to the Master Plan.”

Finding: These criteria are satisfied.

Details of Finding: All street improvements within this PDP will comply with the applicable Public Works Standards, which will be verified during the Engineering Division review of the Public Works Permits. The street system within this PDP is designed to provide for the continuation of streets within Villebois and to adjoining properties or subdivisions according to the Master Plan.

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

A11. **Review Criterion:** “All streets shall be developed according to the Master Plan.”

Finding: This criterion is satisfied.

Details of Finding: All streets within this PDP will be developed with curbs, landscape strips, sidewalks, and bikeways or pedestrian pathways as depicted on the Circulation Plan, applicant’s sheet 7.1 in Exhibit B2, and in accordance with the Master Plan.

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

A12. Review Criteria:

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

Finding: These criteria are satisfied.

Details of Finding: The Circulation Plan, applicant’s sheet 7.1 in Exhibit B2, demonstrates that all proposed streets will intersect at angles consistent with the above standards.

Subsection 4.125 (.09) A. 2. c. Intersection of Streets: Offsets

A13. Review Criterion: “Offsets: Opposing intersections shall be designed so that no offset dangerous to the traveling public is created. Intersections shall be separated by at least:

- 1000 ft. for major arterials
- 600 ft. for minor arterials
- 100 ft. for major collector
- 50 ft. for minor collector”

Finding: These criteria are satisfied.

Details of Finding: The plan sheets demonstrate that opposing intersections on public streets are offset, as appropriate, so that no danger to the traveling public is created.

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

A14. Review Criteria: “Curb extensions at intersections shall be shown on the Specific Area Plans required in subsection 4.125(.18)(C) through (F) below, and shall:

- Not obstruct bicycle lanes on collector streets.
- Provide a minimum 20 foot wide clear distance between curb extensions at all local residential street intersections shall have, shall meet minimum turning radius requirements of the Public Works Standards, and shall facilitate fire truck turning movements as required by the Fire District.”

Finding: These criteria are satisfied.

Details of Finding: Curb extensions are shown on the Circulation Plan, sheet 7.1 in Exhibit B2. No curb extensions on collectors are proposed as part of this PDP. The plan sheets illustrate that all local street intersections will have a minimum 20 foot wide clear distance between curb extensions.

Subsection 4.125 (.09) A. 3. Street Grades

A15. Review Criteria: “Street grades shall be a maximum of 6% on arterials and 8% for collector and local streets. Where topographic conditions dictate, grades in excess of 8%, but not more than 12%, may be permitted for short distances, as approved by the City Engineer, where topographic conditions or existing improvements warrant modification of these standards.”

Finding: These criteria are satisfied.

Details of Finding: The Grading & Erosion Control Plan, sheet 5 Exhibit B2, demonstrates that proposed streets comply with this standard. SW Dundee Lane has an approximately 11.87% grade, which has been approved by the City Engineer.

Subsection 4.125 (.09) A. 4. Centerline Radius Street Curves

A16. **Review Criterion:** “The minimum centerline radius street curves shall be as follows:

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

Finding: These criteria are satisfied.

Details of Finding: Compliance is shown on the plan sheets.

Subsection 4.125 (.09) A. 5. Rights-of-way

A17. **Review Criteria:** Pursuant to subsection (.09) A. above, the provisions of 4.177 apply for rights-of-way as no other provisions are noted.

Finding: These criteria are satisfied.

Details of Finding: Proposed rights-of-way are shown on the applicant’s plan sheets, including sheets 4.1 and 4.2, Tentative Subdivision Plat, in Exhibit B2. 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.

Subsection 4.125 (.09) A. 6. Access Drives

A18. **Review Criteria:** Access drives are required to be 16 feet for two-way traffic. Otherwise, pursuant to subsection (.09) A. above, the provisions of 4.177 apply for access drives as no other provisions are noted.

Finding: These criteria are satisfied.

Details of Finding: 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.”

Subsection 4.125 (.09) A. 7. Clear Vision Areas

A19. **Review Criteria:** Pursuant to subsection (.09) A. above, the provisions of 4.177 apply for clear vision areas as no other provisions are noted.

Finding: These criteria are satisfied.

Details of Finding: The applicant states that clear vision areas will be provided and maintained in compliance with the Section 4.177.

Subsection 4.125 (.09) A. 8. Vertical Clearance

A20. **Review Criteria:** Pursuant to subsection (.09) A. above, the provisions of 4.177 apply for vertical clearance as no other provisions are noted.

Finding: These criteria are satisfied.

Details of Finding: The applicant states that vertical clearance will be provided and maintained in compliance with the Section 4.177.

Subsection 4.125 (.09) A. 9. Interim Improvement Standards

A21. **Review Criteria:** Pursuant to subsection (.09) A. above, the provisions of 4.177 apply for interim improvement standards as no other provisions are noted.

Finding: These criteria will be satisfied by Condition of Approval PDA 2.

Details of Finding: The condition of approval requires certain improvements approved with PDP 3 East be built prior to development on Tax Lot 2919 in order to avoid need for interim improvements.

Subsection 4.125 (.10) Sidewalk and Pathway Improvement Standards

A22. **Review Criteria:** “The provisions of Section 4.178 shall apply within the Village zone.”

Finding: These criteria are satisfied.

Details of Finding: The applicant states, “All sidewalks and pathways within SAP Central 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 street cross-sections on the *Circulation Plan*.” See applicant’s sheet 7.2, Exhibit B2.

Subsection 4.125 (.11) Landscaping, Screening and Buffering

A23. **Review Criteria:** “Except as noted below, the provisions of Section 4.176 shall apply in the Village zone:

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

Finding: These criteria are satisfied.

Details of Finding: The appropriate landscaping is provided. The proposed street trees are among the choices provided in the Community Elements Book.

Subsection 4.125 (.12) Signage and Wayfinding

A24. **Review Criteria:** “Except as this subsection may otherwise be amended, or until such time as a Signage and Wayfinding Plan is approved as required by Section 4.125(.18)(D)(2)(f), signs within the Village zone shall be subject to provisions of Section 4.156.”

Finding: These criteria are satisfied.

Details of Finding: The SAP Central Signage & Wayfinding Plan indicates the provision of ‘Internal Site Identifiers’ on each corner of the Villebois Drive and Costa Circle intersection. The applicant has indicated these will be provided and they are shown on the proposed landscape plan.

Subsection 4.125 (.13) Design Principles Applying to the Village Zone

A25. **Review Criteria:** “The following design principles reflect the fundamental concepts, and support the objectives of the Villebois Village Master Plan, and guide the fundamental qualities of the built environment within the Village zone.

- The design of landscape, streets, public places and buildings shall create a place of distinct character.
- The landscape, streets, public places and buildings within individual development projects shall be considered related and connected components of the Villebois Village Master Plan.
- The design of streets and public spaces shall provide for and promote pedestrian safety, connectivity and activity.
- The design of exterior lighting shall minimize off-site impacts, yet enable functionality.”

Finding: These criteria are satisfied.

Details of Finding: 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 approved Architectural Pattern Book and Community Elements Book the design of the PDP will satisfy these criteria. See also Final Development Plan, Request G.

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

A26. **Review Criterion:** “Flag lots are not permitted.”

Finding: This criterion is satisfied.

Details of Finding: No flag lots are proposed.

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

A27. **Review Criteria:** “Building and site design shall include:

- Proportions and massing of architectural elements consistent with those established in an approved Architectural Pattern Book or Village Center Architectural Standards.
- Materials, colors and architectural details executed in a manner consistent with the methods included in an approved Architectural Pattern Book, Community Elements Book or approved Village Center Architectural Standards.
- Protective overhangs or recesses at windows and doors.
- Raised stoops, terraces or porches at single-family dwellings.
- Exposed gutters, scuppers, and downspouts, or approved equivalent.
- Building elevations of block complexes shall not repeat an elevation found on an adjacent block.
- Building elevations of detached buildings shall not repeat an elevation found on buildings on adjacent lots.
- A porch shall have no more than three walls.
- A garage shall provide enclosure for the storage of no more than three motor vehicles, as described in the definition of Parking Space.”

Finding: These criteria are satisfied or will be satisfied by Conditions of Approval.

Details of Finding: The application requests PDP approval for single family detached homes, including small, small cottage, and row house product types. Conformance with the Pattern Book and Community Elements Book will assure consistency with the Design

Standards of subsection (.14). Architectural plans will be approved by the City's architectural consultant prior to the City issuing building permits, which will ensure conformance of these different housing types with the Architectural Pattern Book. In order to increase consistency with the Architectural Pattern Book and other development elsewhere in Villebois, Condition of Approval PDA 6 requires courtyard fencing consistent with the pattern book and the architectural style of the home for all row houses. Similarly, courtyards are required for no less than thirty percent (30%) of the detached single-family houses. Courtyards are especially encouraged when the house faces a linear green or pocket park. This Courtyard installation includes installation of up to forty-eight inch (48") dry stack rock or brick wall along the front of the lot or side of a lot to create a fairly level and usable front yard outdoor living area enclosed by the courtyard fencing. ~~The applicant/owner can install a greater than forty eight inch (48") wall, but if maintaining the required five (5) percent slope requires greater than a forty eight inch (48") wall the applicant/owner can request an exception from the courtyard wall and courtyard slope requirements as part of building plan review.~~ Condition of Approval PDA 7 requires building foundations exposed to the public view shed due to elevation differences on the lot to receive brick or stone facades consistent with the architectural pattern book.

Specific Findings on Courtyard During Field Research

The courtyard requirement is being placed to increase conformance with the Architectural Pattern Books and be consistent with how it has been applied elsewhere in Villebois. In order to further support the stated purpose of the requirement Planning staff has reviewed where courtyards have been constructed in Phases of Villebois constructed by Arbor Homes and Legend Homes and found the following:

With the exception of a couple areas in PDP 1 South staff found all single-family houses facing a Pocket Park or Linear Green had a courtyard. These courtyards serve an important function in these continuous green areas to divide between the outdoor space with public access and semi-private outdoor space. For this reason staff especially encourages courtyards for homes without a porch facing Linear Greens and Pocket Parks.

Staff found variation in courtyards and no courtyards in alley-loaded single-family houses directly facing a street. Where houses are closer to the street they tend not to have a courtyard. Where they are set further back they tend to have courtyards. For this reason, staff supports the applicant having significant flexibility in whether or not courtyards are placed in this situation.

Staff also found, attached row houses, besides the most urban near the Village Center, have courtyards. This is especially important as many row houses have limited or no other private or semi-private outdoor space. The row houses without courtyards have porches/balconies which provide a semi-private outdoor space similar to a courtyard. Staff is recommending all 40 row houses in SAP Central PDP 4 have courtyards.

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

A28. **Review Criterion:** “Building and site design shall include:

- A landscape plan in compliance with Sections 4.125(.07) and (.11), above.”

Finding: This criterion is satisfied.

Details of Finding: The appropriate landscape plans have been provided. See Landscape Plans, Exhibit B3.

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

A29. **Review Criterion:** “Building and site design shall include:

- The protection of existing significant trees as identified in an approved Community Elements Book.”

Finding: This criterion is satisfied.

Details of Finding: No existing significant trees exist on the subject property.

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

A30. **Review Criteria:** “Lighting and site furnishings shall be in compliance with the approved Architectural Pattern Book, Community Elements Book, or approved Village Center Architectural Standards.”

Finding: These criteria are satisfied or will be required to do so by Condition of Approval PDA 4.

Details of Finding: No site furnishings are shown that would be subject to the Community Elements Book. A condition of approval ensures street lights type and spacing is according to the Community Elements Book.

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

A31. **Review Criteria:** “Building systems, as noted in Tables V-3 and V-4 (Permitted Materials and Configurations), below, shall comply with the materials, applications and configurations required therein. Design creativity is encouraged. The LEED Building Certification Program of the U.S. Green Building Council may be used as a guide in this regard.”

Finding: These criteria are satisfied.

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

Subsection 4.125 (.18) G. Preliminary Development Plan Approval Process

Subsection 4.125 (.18) G. 1. a. Preliminary Development Plan: Submission Timing

A32. **Review Criterion:** “An application for approval of a Preliminary Development Plan for a development in an approved SAP shall be filed with the City Planning Division for the entire SAP, or when submission of the SAP in phases has been authorized by the Development Review Board, for a phase in the approved sequence.”

Finding: This criterion is satisfied.

Details of Finding: As stated by the applicant, “this PDP addresses Phase 4 on the amended SAP Central Phasing Plan. This PDP includes a request to amend the SAP Central Phasing.” See Request C.

Subsection 4.125 (.18) G. 1. b. Preliminary Development Plan: Owners' Consent

A33. **Review Criterion:** "An application for approval of a Preliminary Development Plan for a development in an approved SAP shall be made by the owner of all affected property or the owner's authorized agent;"

Finding: This criterion is satisfied.

Details of Finding: This application is made by Polygon at Villebois II LLC and Polygon at Villebois III LLC, the owners of the property. The vesting deeds can be found in Section IB of the applicant's notebook, Exhibit B1.

Subsection 4.125 (.18) G. 1. c. Preliminary Development Plan Permit Process: Proper Form & Fees

A34. **Review Criterion:** "An application for approval of a Preliminary Development Plan for a development in an approved SAP shall be filed on a form prescribed by the City Planning Division and filed with said division and accompanied by such fee as the City Council may prescribe by resolution;"

Finding: These criteria are satisfied.

Details of Finding: The applicant has used the prescribed form and paid the required application fees.

Subsection 4.125 (.18) G. 1. d. Preliminary Development Plan Permit Process: Professional Coordinator

A35. **Review Criterion:** "An application for approval of a Preliminary Development Plan for a development in an approved SAP shall set forth the professional coordinator and professional design team for the project;"

Finding: This criterion is satisfied.

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

Subsection 4.125 (.18) G. 1. e. Preliminary Development Plan Permit Process: Mixed Uses

A36. **Review Criterion:** "An application for approval of a Preliminary Development Plan for a development in an approved SAP shall state whether the development will include mixed land uses, and if so, what uses and in what proportions and locations."

Finding: This criterion is satisfied.

Details of Finding: The proposed PDP includes only residential uses with supporting park amenities.

Subsection 4.125 (.18) G. 1. f. Preliminary Development Plan Permit Process: Land Division

A37. **Review Criterion:** "An application for approval of a Preliminary Development Plan for a development in an approved SAP shall include a preliminary land division (concurrently) per Section 4.400, as applicable."

Finding: This criterion is satisfied.

Details of Finding: A preliminary subdivision plat has been submitted concurrently with this request. See Request E.

Subsection 4.125 (.18) G. 1. g. Preliminary Development Plan Permit Process: Zone Map Amendment

A38. **Review Criterion:** “An application for approval of a Preliminary Development Plan for a development in an approved SAP shall include a concurrent application for a Zone Map Amendment (i.e., Zone Change) for the subject phase.”

Finding: This criterion is satisfied.

Details of Finding: A zone change request has been submitted concurrently with this request. See Request D.

Subsection 4.125 (.18) G. 2. a. – c. Preliminary Development Plan Permit Process: Information Required

A39. **Review Criteria:** “The application for Preliminary Development Plan approval shall include conceptual and quantitatively accurate representations of the entire development sufficient to demonstrate conformance with the approved SAP and to judge the scope, size and impact of the development on the community and shall be accompanied by the following information:

- A boundary survey or a certified boundary description by a surveyor licensed in the State of Oregon.
- Topographic information sufficient to determine direction and percentage of slopes, drainage patterns, and in environmentally sensitive areas, (e.g., flood plain, wetlands, forested areas, steep slopes or adjacent to stream banks). Contour lines shall relate to North American Vertical Datum of 1988 and be at minimum intervals as follows:
 - One (1) foot contours for slopes of up to five percent (5%);
 - Two (2) foot contours for slopes from six percent (6%) to twelve (12%);
 - Five (5) foot contours for slopes from twelve percent (12%) to twenty percent (20%). These slopes shall be clearly identified, and
 - Ten (10) foot contours for slopes exceeding twenty percent (20%).
- The location of areas designated Significant Resource Overlay Zone (SROZ), and associated 25-foot Impact Areas, within the PDP and within 50 feet of the PDP boundary, as required by Section 4.139.

Finding: These criteria are satisfied.

Details of Finding: A certified boundary description by a surveyor licensed in the State of Oregon is provided as the legal description and sketch for the zone map amendment (see Section IVC of the applicant’s notebook, Exhibit B1). Topographic information in accordance with Section 4.125(.18)G.2.b. is shown on the Existing Conditions, located in Section IIB of the applicant’s notebook, Exhibit B1. The site does not include any designated SROZ areas.

Subsection 4.125 (.18) G. 2. d. Preliminary Development Plan Permit Process: Land Area Tabulation

A40. **Review Criteria:** “A tabulation of the land area to be devoted to various uses, and a calculation of the average residential density per net acre.”

Finding: These criteria are satisfied.

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

Approx. Gross Acreage (all properties) 6.83 Acres
Parks 0.84 Acres
Public Streets 3.14 Acres
Lots and Alleys 2.85 Acres

Net Residential Density: 57 lots / 2.85 Acres = 20 units per net acre

Subsection 4.125 (.18) G. 2. e. Preliminary Development Plan Permit Process: Streets, Alleys, and Trees

A41. **Review Criteria:** “The location, dimensions and names, as appropriate, of existing and platted streets and alleys on and within 50 feet of the perimeter of the PDP, together with the location of existing and planned easements, sidewalks, bike routes and bikeways, trails, and the location of other important features such as section lines, section corners, and City boundary lines. The plan shall also identify all trees 6 inches and greater d.b.h. on the project site only.”

Finding: These criteria are satisfied.

Details of Finding: 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.

Subsection 4.125 (.18) G. 2. f. Preliminary Development Plan Permit Process: Building Drawings

A42. **Review Criteria:** “Conceptual drawings, illustrations and building elevations for each of the listed housing products and typical non-residential and mixed-use buildings to be constructed within the Preliminary Development Plan boundary, as identified in the approved SAP, and where required, the approved Village Center Design.”

Finding: This criterion is satisfied.

Details of Finding: The proposed PDP includes Small Detached, Small Cottage, and Row House housing products, along with a number of variations within these product types. Conceptual elevations have been provided. Final building elevations will be reviewed by the City’s architectural consultant prior to issuing building permits.

Subsection 4.125 (.18) G. 2. g. Preliminary Development Plan Permit Process: Utility Plan

A43. **Review Criterion:** “A composite utility plan illustrating existing and proposed water, sanitary sewer, and storm drainage facilities necessary to serve the SAP.”

Finding: This criterion is satisfied.

Details of Finding: A composite utility plan has been provided. See applicant’s sheet 6 in Exhibit B1.

Subsection 4.125 (.18) G. 2. h. Preliminary Development Plan Permit Process: Phasing Sequence

A44. **Review Criterion:** “If it is proposed that the Preliminary Development Plan will be executed in Phases, the sequence thereof shall be provided.”

Finding: This criterion is satisfied.

Details of Finding: The PDP is proposed to be executed in two phases. The proposed phases of the subject PDP are shown on the PDP Phasing Plan. The phasing is based on

coordinating construction with adjacent portions of PDP 3 East and PDP 2 North. See applicant's sheet 11 in Exhibit B1 as well as Exhibit B4 and B5.

Subsection 4.125 (.18) G. 2. i. Preliminary Development Plan Permit Process: Security for Capital Improvements

A45. **Review Criterion:** "A commitment by the applicant to provide a performance bond or other acceptable security for the capital improvements required by the project."

Finding: This criterion is satisfied.

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

Subsection 4.125 (.18) G. 2. j. Preliminary Development Plan Permit Process: Traffic Report

A46. **Review Criterion:** "At the applicant's expense, the City shall have a Traffic Impact Analysis prepared, as required by Section 4.030(.02)(B), to review the anticipated traffic impacts of the proposed development. This traffic report shall include an analysis of the impact of the SAP on the local street and road network, and shall specify the maximum projected average daily trips and maximum parking demand associated with buildout of the entire SAP, and it shall meet Subsection 4.140(.09)(J)(2)."

Finding: This criterion is satisfied.

Details of Finding: The required traffic report has been provided, and can be found in Section IID of the applicant's notebook, Exhibit B1.

Subsection 4.125 (.18) H. PDP Application Submittal Requirements

Subsection 4.125 (.18) H. 1. PDP Application Submittal Requirements: General

A47. **Review Criteria:** "The Preliminary Development Plan shall conform with the approved Specific Area Plan, and shall include all information required by (.18)(D)(1) and (2), plus the following:

- The location of water, sewerage and drainage facilities;
- Conceptual building and landscape plans and elevations, sufficient to indicate the general character of the development;
- The general type and location of signs;
- Topographic information as set forth in Section 4.035;
- A map indicating the types and locations of all proposed uses; and
- A grading and erosion control plan illustrating existing and proposed contours as prescribed previously in this section."

Finding: These criteria are satisfied.

Details of Finding: The proposed PDP generally conforms to the approved SAP Central, with the proposed refinements. See Request B. The PDP application includes all information required by 4.125(.18)(D)(1) and (2), as applicable to a PDP. The required plans are can be found in Exhibit B2. The *Existing Conditions*, sheet 2, shows the existing site features, including topographic features. Proposed lots to be created for development are shown on the *Tentative Plat*, sheets 4.1 and 4.2. The *Grading and Erosion Control Plan*, sheet 5, shows the location of drainage facilities, topographic information, and a grading and erosion control facilities. The *Composite Utility Plan*, sheet 6, indicates the proposed location of water and sanitary sewer lines and drainage facilities. The *Site/Land*

Use Plan, sheet 8.1, indicates the types and locations of all proposed uses in the Preliminary Development Plan.

Subsection 4.125 (.18) H. 2. PDP Application Submittal Requirements: Traffic Report

A48. **Review Criteria:** “In addition to this information, and unless waived by the City’s Community Development Director as enabled by Section 4.008(.02)(B), at the applicant’s expense, the City shall have a Traffic Impact Analysis prepared, as required by Section 4.030(.02)(B), to review the anticipated traffic impacts of the proposed development. This traffic report shall include an analysis of the impact of the PDP on the local street and road network, and shall specify the maximum projected average daily trips and maximum parking demand associated with buildout of the entire PDP, and it shall meet Subsection 4.140(.09)(J)(2) for the full development of all five SAPs.”

Finding: These criteria are satisfied.

Details of Finding: The required traffic report is included in Section IID of the applicant’s notebook, Exhibit B1.

Subsection 4.125 (.18) H. 3. PDP Application Submittal Requirements: Level of Detail

A49. **Review Criterion:** “The Preliminary Development Plan shall be sufficiently detailed to indicate fully the ultimate operation and appearance of the phase of development. However, approval of a Final Development Plan is a separate and more detailed review of proposed design features, subject to the standards of Section 4.125(.18)(L) through (P), and Section 4.400 through Section 4.450.”

Finding: This criterion is satisfied.

Details of Finding: As stated by the applicant, “the plan sheets for the proposed Preliminary Development Plan provide sufficient detail to show the ultimate operation and appearance of the subject phase of development. The FDP application for design of the included park areas within the PDP area is submitted concurrent with this application.” See Request G.

Subsection 4.125 (.18) H. 4. PDP Application Submittal Requirements: Copies of Legal Documents

A50. **Review Criterion:** “Copies of legal documents required by the Development Review Board for dedication or reservation of public facilities, or for the creation of a non-profit homeowner’s association, shall also be submitted.”

Finding: This criterion is satisfied.

Details of Finding: The required legal documents for review have been provided. See Section IIIC in the applicant’s notebook, Exhibit B1.

Subsection 4.125 (.18) I. PDP Approval Procedures

A51. **Review Criteria:** “An application for PDP approval shall be reviewed using the following procedures:

- Notice of a public hearing before the Development Review Board regarding a proposed PDP shall be made in accordance with the procedures contained in Section 4.012.
- A public hearing shall be held on each such application as provided in Section 4.013.

- After such hearing, the Development Review Board shall determine whether the proposal conforms to the permit criteria set forth in this Code, and shall approve, conditionally approve, or disapprove the application.”

Finding: These criteria are satisfied.

Details of Finding: The request is being reviewed according to this subsection.

Subsection 4.125 (.18) J. PDP Refinements to Approved SAP

Subsection 4.125 (.18) J. 1. a. ii. Refinements to the SAP: Parks, Trails, and Open Space

A52. **Review Criterion:** “Changes to the nature or location of park types, trails or open space that do not significantly reduce function, usability, connectivity, or overall distribution or availability of these uses in the Specific Area Plan.”

Finding: This criterion is satisfied.

Details of Finding: Concurrently with this PDP request refinements to the parks, by adding linear green spaces, are being requested that meet the applicable criteria. See Request B.

Subsections 4.125 (.18) J. 1. a. iv. and v. Refinements to the SAP: Mix of Land Uses and Density

A53. **Review Criteria:**

- “Changes to the location or mix of land uses that do not significantly alter the overall distribution or availability of uses in the Preliminary Development Plan.
- A change in density that does not exceed ten percent, provided such density change has not already been approved as a refinement to the underlying SAP or PDP, and does not result in fewer than 2,300 dwelling units in the Village.”

Finding: These criteria are satisfied.

Details of Finding: Concurrently with this PDP request refinements to the location and mix of land uses and density are being requested that meet the applicable criteria. See Request B.

Subsection 4.125 (.18) K. PDP Approval Criteria

Subsection 4.125 (.18) K. 1. a. PDP Approval Criteria: Consistent with Standards of Section 4.125

A54. **Review Criteria:** “Is consistent with the standards identified in this section.”

Finding: These criteria are satisfied.

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

Subsection 4.125 (.18) K. 1. b. PDP Approval Criteria: Complies with the Planning and Land Development Ordinance

A55. **Review Criterion:** “Complies with the applicable standards of the Planning and Land Development Ordinance, including Section 4.140(.09)(J)(1)-(3).”

Finding: This criterion is satisfied.

Details of Finding: Findings are provided showing compliance with applicable standards of the Planning and Land Development Ordinance. Specifically Findings A61 through A63 address Subsections 4.140 (.09) J. 1. through 3.

Subsection 4.125 (.18) K. 1. c. PDP Approval Criteria: Consistent with Approved SAP

A56. **Review Criterion:** "Is consistent with the approved Specific Area Plan in which it is located."

Finding: This criterion is satisfied.

Details of Finding: Together with the proposed refinements and amendments, the PDP is consistent with the approved SAP.

Subsection 4.125 (.18) K. 1. d. PDP Approval Criteria: Consistent with Approved Pattern Book

A57. **Review Criterion:** "Is consistent with the approved Pattern Book and, where required, the approved Village Center Architectural Standards."

Finding: This criterion is satisfied.

Details of Finding: As stated by the applicant, "No buildings are proposed with this Preliminary Development Plan. Subsequent Building Permit applications for residential buildings in this Preliminary Development Plan will document compliance with the Architectural Pattern Book. However, proposed lots are sized to accommodate proposed uses in a manner consistent with Table V-1 and the Architectural Pattern Book."

Subsection 4.125 (.18) K. 2. PDP Approval Criteria: Reasonable Phasing Schedule

A58. **Review Criterion:** "If the PDP is to be phased, that the phasing schedule is reasonable and does not exceed two years between commencement of development of the first, and completion of the last phase, unless otherwise authorized by the Development Review Board."

Finding: This criterion is satisfied.

Details of Finding: The PDP is proposed to be phased. Phase 1, which includes the row houses along Costa Circle West, Dundee Lane, on a portion of current Tax Lot 2916, is planned to be built in Summer/Fall 2013. Phase 2, which includes current Tax Lot 2919 along Costa Circle East, Villebois Drive, and Orleans Avenue, is planned to be built in summer 2014.

Subsection 4.125 (.18) K. 3. PDP Approval Criteria: Parks Concurrency

A59. **Review Criterion:** "Parks within each PDP or PDP Phase shall be constructed prior to occupancy of 50% of the dwelling units in the PDP or PDP phase, unless weather or other special circumstances prohibit completion, in which case bonding for such improvements shall be permitted."

Finding: This criterion will be satisfied by Condition of Approval PDA 3.

Details of Finding: The applicant asserts and a condition of approval ensures the parks within PDP 3E will be completed prior to occupancy of 50% of the housing units or bonding will be provided if special circumstances prevent completion.

Subsection 4.125 (.18) K. 5. PDP Approval Criteria: DRB Conditions

A60. **Review Criterion:** "The Development Review Board may require modifications to the PDP, or otherwise impose such conditions as it may deem necessary to ensure conformance with the

approved SAP, the Villebois Village Master Plan, and compliance with applicable requirements and standards of the Planning and Land Development Ordinance, and the standards of this section.”

Finding: This criterion is satisfied.

Details of Finding: No additional conditions of approval are recommended.

Subsection 4.140 (.09) J. Planned Development Permit Review Criteria

“A planned development permit may be granted by the Development Review Board only if it is found that the development conforms to all the following criteria, as well as to the Planned Development Regulations in Section 4.140:”

Subsection 4.140 (.09) J. 1. Consistency with Comprehensive Plan and Other Plans, Ordinances

A61. **Review Criteria:** “The location, design, size and uses, both separately and as a whole, are consistent with the Comprehensive Plan, and with any other applicable plan, development map or Ordinance adopted by the City Council.”

Finding: These criteria are satisfied.

Details of Finding: The applicant’s findings demonstrate that the location, design, size, and uses proposed with the PDP are both separately and as a whole consistent with SAP Central, 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.

Subsection 4.140 (.09) J. 2. Meeting Traffic Level of Service D

A62. **Review Criteria:** That the location, design, size and uses are such that traffic generated by the development at the most probable used intersection(s) can be accommodated safely and without congestion in excess of Level of Service D, as defined in the Highway Capacity manual published by the National Highway Research Board, on existing or immediately planned arterial or collector streets and will, in the case of commercial or industrial developments, avoid traversing local streets. Immediately planned arterial and collector streets are those listed in the City’s adopted Capital Improvement Program, for which funding has been approved or committed, and that are scheduled for completion within two years of occupancy of the development or four year if they are an associated crossing, interchange, or approach street improvement to Interstate 5.

Finding: These criteria are satisfied.

Details of Finding: 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 the SAP Central approval, which included an Internal Circulation Evaluation including an assessment of intersection performance by DKS Associates. A copy of the Traffic Impact Analysis is attached in Section IID of the applicant’s notebook, Exhibit B1.

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

A63. **Review Criteria:** “That the location, design, size and uses are such that the residents or establishments to be accommodated will be adequately served by existing or immediately planned facilities and services.”

Finding: These criteria are satisfied.

Details of Finding: As shown in the Utility and Drainage Report, Section IIC of the applicant's notebook, Exhibit B1, and plan sheets, see Exhibit B2, adequate or immediately planned facilities and services are sufficient to serve the planned development.

Section 4.171 Protection of Natural Features & Other Resources

Subsection 4.171 (.02) General Terrain Preparation

A64. **Review Criteria:**

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

Finding: These criteria are satisfied.

Details of Finding: As stated by the applicant, "The plan sheets located in Section IIB demonstrate that the subject Preliminary Development Plan is designed with maximum regard to natural terrain features and topography. The subject PDP does not contain hillside areas or flood plains. The Grading and Erosion Control Plan shows proposed grading within the subject area and the Tree Preservation Plan shows proposed tree preservation.

All subsequent grading, filling and excavating will be done in accordance with the Uniform Building Code. Disturbance of soils and removal of trees and other native vegetation will be limited to the extent necessary to construct the proposed development. Construction will occur in a manner that avoids substantial probabilities of accelerated erosion; pollution, contamination or siltation of lakes, rivers, streams and wetlands; damage to vegetation; and injury to wildlife and fish habitats."

Subsection 4.171 (.03) Hillsides

A65. **Review Criterion:** "Hillsides: All developments proposed on slopes greater than 25% shall be limited to the extent that:"

Finding: This criterion does not apply.

Details of Finding: The subject Preliminary Development Plan does not include any areas of slopes in excess of 25%. Therefore, this standard does not apply to this application.

Subsection 4.171 (.04) Trees and Wooded Area

A66. **Review Criteria:**

- “All developments shall be planned, designed, constructed and maintained so that:
 - Existing vegetation is not disturbed, injured, or removed prior to site development and prior to an approved plan for circulation, parking and structure location.
 - Existing wooded areas, significant clumps/groves of trees and vegetation, and all trees with a diameter at breast height of six inches or greater shall be incorporated into the development plan and protected wherever feasible.
 - Existing trees are preserved within any right-of-way when such trees are suitably located, healthy, and when approved grading allows.
- Trees and woodland areas to be retained shall be protected during site preparation and construction according to City Public Works design specifications, by:
 - Avoiding disturbance of the roots by grading and/or compacting activity.
 - Providing for drainage and water and air filtration to the roots of trees which will be covered with impermeable surfaces.
 - Requiring, if necessary, the advisory expertise of a registered arborist/horticulturist both during and after site preparation.
 - Requiring, if necessary, a special maintenance, management program to insure survival of specific woodland areas of specimen trees or individual heritage status trees.

Finding: These criteria are satisfied.

Details of Finding: The Tree Preservation Plan, located in Section IIB of the applicant’s notebook, Exhibit B1, depicts existing trees within the subject area and identifies trees to be retained and to be removed. This application includes a request for approval of a Type “C” Tree Removal Plan, which can be found in Section V of the applicant’s notebook. See also Request F.

Only one tree exists on the subject that is part of this PDP request, which is proposed to be removed to enable alley construction. Other trees exist on Tax Lot 2919, but they are in Pocket Park 12, which was reviewed as part of PDP 3E.

Subsection 4.171 (.05) High Voltage Power Lines

A67. **Review Criteria:** “High Voltage Power line Easements and Rights of Way and Petroleum Pipeline Easements:

- Due to the restrictions placed on these lands, no residential structures shall be allowed within high voltage power line easements and rights of way and petroleum pipeline easements, and any development, particularly residential, adjacent to high voltage power line easements and rights of way and petroleum pipeline easement shall be carefully reviewed.
- Any proposed non-residential development within high voltage power line easements and rights of way and petroleum pipeline easements shall be coordinated with and approved by the Bonneville Power Administration, Portland General Electric Company or other appropriate utility, depending on the easement or right of way ownership.

Finding: These criteria do not apply.

Details of Finding: The development area and surrounding area are not around high voltage power lines.

Subsection 4.171 (.06) Safety Hazards

A68. **Review Criteria:** “

- To protect lives and property from natural or human-induced geologic or hydrologic hazards and disasters.
- To protect lives and property from damage due to soil hazards.
- To protect lives and property from forest and brush fires.
- To avoid financial loss resulting from development in hazard areas.

Finding: These criteria are satisfied.

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

Subsection 4.171 (.07) Earth Movement Hazard Areas

A69. **Review Criterion:** “No development or grading shall be allowed in areas of land movement, slump or earth flow, and mud or debris flow, except under one of the following conditions.”

Finding: This criterion is satisfied.

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

Subsection 4.171 (.08) Standards for Soil Hazard Areas

A70. **Review Criteria:**

- “Appropriate siting and design safeguards shall insure structural stability and proper drainage of foundation and crawl space areas for development on land with any of the following soil conditions: wet or high water table; high shrink-swell capability; compressible or organic; and shallow depth-to-bedrock.
- The principal source of information for determining soil hazards is the State DOGAMI Bulletin 99 and any subsequent bulleting and accompanying maps. Approved site-specific soil studies shall be used to identify the extent and severity of the hazardous conditions on the site, and to update the soil hazards database accordingly.

Finding: These criteria are satisfied.

Details of Finding: No soil hazard areas have been identified within the subject area.

Subsection 4.171 (.09) Historic Protection

A71. **Review Criteria:** This subsection establishes requirements for protection of historic resources.

Finding: This criterion is satisfied.

Details of Finding: A Historic/ Cultural Resource Inventory was previously conducted for SAP Central. No historic or cultural resource sites, objects, or areas were identified in the subject PDP.

Section 4.176 Landscaping, Screening, and Buffering

A72. **Review Criteria:** This section establishes landscape, screening, and buffering requirements for development within the City.

Finding: These criteria are satisfied.

Details of Finding: 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 G, Final Development Plan.

Section 4.177 Street Improvement Standards

A73. **Review Criteria:** This section establishes street improvements standards for development within the City.

Finding: These criteria are satisfied.

Details of Finding: The rights-of-way proposed within the subject PDP are shown on the plan sheets in Exhibit B2. Rights-of-way will be dedicated and a waiver of remonstrance against the formation of a local improvement district will be recorded with the final plat. The plan sheets demonstrate that all proposed access drives (alleys) within the PDP area will have a minimum improvement width of 16 feet and will provide two-way travel. All access drives will be constructed with a hard surface capable of carrying a 23-ton load. Easements for fire access will be dedicated as required by TVF&R. All access drives will be designed to provide a clear travel lane free from any obstructions. Clear vision areas will be maintained in accordance with the standards of Subsection 4.177(.01)(I). Vertical clearance will be maintained over all streets and access drives in accordance with Subsection 4.177(.01)(J).

Section 4.178 Sidewalk and Pathway Standards

A74. **Review Criteria:**

- “Sidewalks. All sidewalks shall be concrete and a minimum of five (5) feet in width, except where the walk is adjacent to commercial storefronts. In such cases, they shall be increased to a minimum of ten (10) feet in width.
- Pathways
 - Bicycle facilities shall be provided using a bicycle lane as the preferred facility design. The other facility designs listed will only be used if the bike lane standard cannot be constructed due to physical or financial constraints. The alternative standards are listed in order of preference.
 - Bike lane. This design includes 12-foot minimum travel lanes for autos and paved shoulders, 5-6 feet wide for bikes that are striped and marked as bicycle lanes. This shall be the basic standard applied to bike lanes on all arterial and collector streets in the City, with the exception of minor residential collectors with less than 1,500 (existing or anticipated) vehicle trips per day.”

Finding: These criteria are satisfied.

Details of Finding: The applicant’s sheet 7.2, see Exhibit B2, depicts cross-sections of the proposed sidewalks and pathways in compliance with the above standards and Specific Area Plan Central.

REQUEST B: DB13-0014 SAP-CENTRAL REFINEMENTS

The applicant's findings in Section IIA of their notebook, Exhibit B1, specifically pages 18-23, respond to the majority of the applicable criteria.

Refinements Generally

Subsection 4.125 (.18) J. 1. Refinement Process

B1. **Review Criteria:** "In the process of reviewing a PDP for consistency with the approved Specific Area Plan, the DRB may approve refinements, but not amendments, to the SAP. Refinements to the SAP may be approved by the Development Review Board, upon the applicant's detailed graphic demonstration of compliance with the criteria set forth in Section (.18)(J)(2), below."

Finding: These criteria are satisfied.

Details of Finding: The applicant is requesting a number of refinements as listed below. The applicant has provided plan sheets showing sufficient information to demonstrate compliance with the applicable criteria. As can be seen in the Findings below the criteria set forth in Subsection 4.125 (.18) J. 2. are satisfied for each requested refinement.

Refinement Request "a": Parks, Trails, and Open Space

Subsection 4.125 (.18) J. 1. a. ii. SAP Refinements: Parks, Trails, and Open Space

B2. **Review Criteria:** "Changes to the nature or location of park type, trails, or open space that do not significantly reduce function, usability, connectivity, or overall distribution or availability of these uses in the Preliminary Development Plan."

Finding: These criteria are satisfied.

Details of Finding: As stated by the applicant. "The Villebois Village Master Plan and SAP Central do not show any parks, linear greens, open space or pathways within the proposed PDP area. Several new linear greens are added to this area with the proposed design for PDP 4C. The additional linear greens add park areas to the PDP and are dispersed throughout the PDP distributing greenspace to every block within PDP 4C. The proposed refinement, addition of new linear greens, increases the usable park space within the PDP and achieves greater distribution of parks among all of the blocks in PDP 4C. The proposed refinement does not significantly reduce function, usability, connectivity, or overall distribution or availability of parks, trails or open space. The proposed refinement actually increases all of these factors."

Subsection 4.125 (.18) J. 1. b. i. Defining "Significant" for SAP Refinements: Quantifiable

B3. **Review Criteria:** "As used herein, "significant" means: More than ten percent of any quantifiable matter, requirement, or performance measure, as specified in (.18)(J)(1)(a), above,"

Finding: These criteria are satisfied.

Details of Finding: The performance measures, etc. being measured for the purpose of this refinement are the reduction of function, usability, connectivity, or overall distribution or availability of park uses in the Preliminary Development Plan. Park amenities are being added, creating no reduction in any measurable aspect of the parks.

Subsection 4.125 (.18) J. 1. b. ii. Defining “Significant” for SAP Refinements: Qualitative

B4. **Review Criteria:** “As used herein, “significant” means: That which negatively affects an important, qualitative feature of the subject, as specified in (.18)(J)(1)(a), above.”

Finding: These criteria are satisfied.

Details of Finding: 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 to be 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 B5 below, the proposed refinements do not negatively affect qualitative park features.

Subsection 4.125 (.18) J. 2. a. SAP Refinement Review Criteria: Better or Equally Implementing Villebois Village Master Plan

B5. **Review Criterion:** “The refinements will equally or better meet the conditions of the approved SAP, and the Goals, Policies and Implementation Measures of the Villebois Village Master Plan.”

Finding: These criteria are satisfied.

Details of Finding: No park amenities are shown for the PDP area in the Master Plan. Note the portion of Pocket Park 12 on Tax Lot 2919 was approved as part of PDP 3E. The addition these linear greens does not negatively impact the policies, goals, and implementation measures related to parks in the Villebois Village Master Plan.

Subsection 4.125 (.18) J. 2. b. SAP Refinement Review Criteria: Impact on Natural and Scenic Resources

B6. **Review Criterion:** “The refinement will not result in significant detrimental impacts to the environment or natural or scenic resources of the PDP and Village area”

Finding: These criteria are satisfied.

Details of Finding: The proposed refinements add green space and does not impact any identified environmental or scenic resources.

Subsection 4.125 (.18) J. 2. c. SAP Refinement Review Criteria: Effect on Subsequent PDP’s and SAP’s

B7. **Review Criterion:** “The refinement will not preclude an adjoining or subsequent PDP or SAP areas from development consistent with the approved SAP or the Master Plan.”

Finding: These criteria are satisfied.

Details of Finding: The proposed park refinements do not preclude an adjoining or subsequent PDP or SAP area from developing consistent with the approved SAP or Master Plan.

Refinement Request “b”: Location and Mix of Land Uses

Subsection 4.125 (.18) J. 1. a. iv. SAP Refinements: Location and Mix of Land Uses

B8. **Review Criteria:** “Changes to the location or mix of land uses that do not significantly alter the overall distribution or availability of uses in the Preliminary Development Plan. For purposes of this subsection, “land uses” or “uses” are defined in the aggregate, with specialty condos, mixed use condos, urban apartments, condos, village apartments, neighborhood apartments, row houses and small detached uses comprising a land use group and medium detached, standard detached, large and estate uses comprising another.”

Finding: These criteria are satisfied.

Details of Finding: The changes to the location and mix of land uses are illustrated in the following table.

Description of Block (bounded by:)	SAP Plan	Proposed PDP Plan
SW Mont Blanc St. SW Costa Circle East SW Villebois Dr. N. SW Orleans Loop	10-18 Attached Row Houses 8-10 Small Detached <hr/> 18-28 Total	4 Attached Row Houses 9 Small Cottage Detached 8 Small Detached <hr/> 21 Total
SW Orleans Loop Hilltop Park SW Costa Circle West	20-21 Attached Row Houses	25 Attached Row Houses
SW Costa Circle West Future multi-family development tract SW Geneva Loop SW Dundee Lane	6-10 Attached Row Houses	11 Attached Row Houses

Subsection 4.125 (.18) J. 1. b. i. Defining “Significant” for SAP Refinements: Quantifiable

B9. **Review Criteria:** “As used herein, “significant” means: More than ten percent of any quantifiable matter, requirement, or performance measure, as specified in (.18)(J)(1)(a), above.”

Finding: These criteria are satisfied.

Details of Finding: For the purpose of this refinement the quantifiable requirement is the number of lots/units under an aggregated land use category on the SAP level. The first land use category includes small detached, and all attached housing types including row houses. Staff notes the small cottage also is interpreted to fall into this aggregated category. The second land use category includes medium and larger single-family unit types. No units of the second land use category are planned in SAP Central. The table below shows the proposed changes affect the SAP Central Land Use Mix. Proposed is a 0.4 percent increase in the number of units in aggregate category 1, which is well below the ten percent threshold.

	Current SAP C Approved Unit Count	Proposed SAP C Unit Count	% Change
First Land Use Category (Small, Small Cottage, and Attached)	1007	1011	0.4%

Subsection 4.125 (.18) J. 1. b. ii. Defining “Significant” for SAP Refinements: Qualitative

B10. **Review Criteria:** “As used herein, “significant” means: That which negatively affects an important, qualitative feature of the subject, as specified in (.18)(J)(1)(a), above.”

Finding: These criteria are satisfied.

Details of Finding: 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 B11 below, the proposed refinements do not negatively affect qualitative features of the street network.

Subsection 4.125 (.18) J. 2. a. SAP Refinement Review Criteria: Better or Equally Implementing Villebois Village Master Plan

B11. **Review Criterion:** “The refinements will equally or better meet the conditions of the approved SAP, and the Goals, Policies and Implementation Measures of the Villebois Village Master Plan.”

Finding: These criteria are satisfied.

Details of Finding: 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:

Land Use Policy 1: The Villebois Village shall be a complete community with a wide range of living choices, transportation choices, and working and shopping choices. Housing shall be provided in a mix of types and densities resulting in a minimum of 2,300 dwelling units within the Villebois Village Master Plan area.

Land Use Policy 2: Future development applications within the Villebois Village area shall provide land uses and other major components of the Plan such as roadways and parks and open space in general compliance with their configuration as illustrated on Figure 1 – Land Use Plan or as refined by Specific Area Plans.

Residential Neighborhood Housing Goal: The Villebois Village shall provide neighborhoods consisting of a mix of homes for sale, apartments for rent, row homes, and single-family homes on a variety of lot sizes, as well as providing housing for individuals with special needs. The Villebois Village shall provide housing choices for people of a wide range of economic levels and stages of life through diversity in product type.

Residential Neighborhood Housing Policy 1: Each of the Villebois Village’s neighborhoods shall include a wide variety of housing options and shall provide home ownership options ranging from affordable housing to estate lots.

Residential Neighborhood Housing Policy 5: The Villebois Village shall provide a mix of housing types within each neighborhood and on each street to the greatest extent practicable.

Residential Neighborhood Housing Policy 10: Natural features shall be incorporated into the design of each neighborhood to maximize their aesthetic character while minimizing impacts to said natural features.

As stated by the applicant “In summary, the proposed refinements will better integrate green spaces throughout the PDP and expand the range of housing options in the subject area. As the proposed refinements will not compromise the project’s ability to comply with all other Goals, Policies and Implementation Measures of the Villebois Village Master Plan, they will equally meet all other Goals, Policies and Implementation Measures of the Villebois Village Master Plan.” See the applicant’s more detailed response on pages 21-22 of their compliance report in Section IIA of the applicant’s notebook, Exhibit B1.

Subsection 4.125 (.18) J. 2. b. SAP Refinement Review Criteria: Impact on Natural and Scenic Resources

B12. **Review Criterion**: “The refinement will not result in significant detrimental impacts to the environment or natural or scenic resources of the PDP and Village area”

Finding: These criteria are satisfied.

Details of Finding: No natural or scenic resources have been inventoried that would be impacted by the requested refinement.

Subsection 4.125 (.18) J. 2. c. SAP Refinement Review Criteria: Effect on Subsequent PDP’s and SAP’s

B13. **Review Criterion**: “The refinement will not preclude an adjoining or subsequent PDP or SAP areas from development consistent with the approved SAP or the Master Plan.”

Finding: These criteria are satisfied.

Details of Finding: The proposed refinements will not preclude any other SAP’s or PDP’s from developing consistent with the approved SAP or the Master Plan.

Refinement Request “c”: Density

Subsection 4.125 (.18) J. 1. a. v. SAP Refinements: Density

B14. **Review Criteria**: “A change in density that does not exceed ten percent, provided such density change has not already been approved as a refinement to the underlying SAP or PDP, and does not result in fewer than 2,300 dwelling units in the Village.”

Finding: These criteria are satisfied.

Details of Finding: The proposed PDP, as proposed, would result in a density increase (change in the number of overall units) in the SAP of 0.4 percent, which is well below the ten percent (10%) allowance. The small increase will not lead to fewer than 2300 dwelling units in the Villebois Village.

Subsection 4.125 (.18) J. 2. a. SAP Refinement Review Criteria: Better or Equally Implementing Villebois Village Master Plan

B15. **Review Criteria:** “The refinements will equally or better meet the conditions of the approved SAP, and the Goals, Policies and Implementation Measures of the Villebois Village Master Plan.”

Finding: These criteria are satisfied.

Details of Finding: The following is policy from the Villebois Village Master Plan followed by discussion of how the refinements better or equally meet it:

Residential Neighborhood Housing Policy 3: The mix of housing shall be such that the Village development provides an overall average density of at least 10 dwelling units per net residential acre.

The change of density is small increase and continues to meet the density requirement for the Village Zone.

Subsection 4.125 (.18) J. 2. b. SAP Refinement Review Criteria: Impact on Natural and Scenic Resources

B16. **Review Criterion:** “The refinement will not result in significant detrimental impacts to the environment or natural or scenic resources of the PDP and Village area”

Finding: This criterion is satisfied.

Details of Finding: No natural or scenic resources have been inventoried that would be impacted by the requested refinement.

Subsection 4.125 (.18) J. 2. c. SAP Refinement Review Criteria: Effect on Subsequent PDP's and SAP's

B17. **Review Criterion:** “The refinement will not preclude an adjoining or subsequent PDP or SAP areas from development consistent with the approved SAP or the Master Plan.”

Finding: This criterion is satisfied.

Details of Finding: The proposed minor change in density does not affect any adjoining PDP's or SAP's.

REQUEST C: DB13-0015 SAP-CENTRAL AMENDMENTS

The applicant's findings in Section IIA (page 23) and Section VIIA of their notebook, Exhibit B7, respond to the majority of the applicable criteria.

Amendment Request "a": SAP Phasing

Subsection 4.125 (.18) J. 4. SAP Phasing Amendment to be Processed as Class II Review

C1. **Review Criteria:** "Amendments to the SAP for phasing will be processed as a Class II administrative review proposal."

Finding: These criteria are satisfied.

Details of Finding: While the SAP Phasing Amendment is eligible to be processed as a Class II Review, the Planning Director is allowing it to be reviewed by the DRB as a component of the broader application for PDP 4 Central, as authorized by Section 4.030.

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

C2. **Review Criterion:** "If the SAP is to be phased, as enabled by Sections 4.125(.18)(D)(2)(g) and (h), that the phasing sequence is reasonable."

Finding: This criterion is satisfied.

Details of Finding: The SAP Central phasing is being realigned based on current property ownership. As a practical matter, development requests are coming in as developers purchase different properties. The areas of SAP Central outside of the Village Center are adjacent to and connected to other Polygon Developments including PDP 3E, PDP 6S, and PDP 2N. The development on these portions of SAP Central in connection with these neighboring Polygon developments is reasonable.

Amendment Request "b": Pattern Book Amendment

Subsection 4.125 (.18) J. 3. SAP Amendment Process

C3. **Review Criteria:** "Amendments to the SAP, not including SAP amendments for phasing, must follow the same procedures applicable to adoption of the SAP itself. Amendments are defined as changes to elements of the SAP not constituting a refinement."

Finding: These criteria are satisfied.

Details of Finding: The proposed changes to the pattern book are not among the changes listed as eligible for refinements. The amendments to the pattern book are thus being processed following the same procedures applicable to the adoption of the SAP itself.

Subsection 4.125 (.18) C. 1. SAP and Villebois Village Master Plan

C4. **Review Criteria:** "Purpose – A SAP is intended to advance the design of the Villebois Village Master Plan."

Finding: These criteria are satisfied.

Details of Finding: The applicant proposes making pattern book changes related to the Small Cottage Detached product, that have previously been found to advance the design of

the Villebois Village Master Plan by being approved for inclusion in the pattern books for SAP North, East, and South.

Subsection 4.125 (.18) C. 2. SAP Application Procedures

- C5. **Review Criteria:** “If not initiated by the City Council, Planning Commission or Development Review Board, an application for SAP approval shall be submitted by the Master Planner, or by landowners pursuant to subsection C.3 below. The application shall be accompanied by payment of a fee established in accordance with the City’s fee schedule.”

Finding: These criteria are satisfied.

Details of Finding: Due to lack of clarity of who currently is the Master Planner, it is not practical for the Master Planner to submit the application. All effected property is under the ownership of Polygon at Villebois III LLC, the property owner who has authorized the application.

Subsection 4.125 (.18) D. 3. Architectural Pattern Book Submission Requirements

- C6. **Review Criteria:** This subsection lists the submission requirements for Architectural Pattern Book.

Finding: These criteria are satisfied or will be satisfied by Condition of Approval PDC 2.

Details of Finding: Condition of Approval PDC 2 requires the applicant submit bound copies of the updated pattern books after final approval by the City.

Subsection 4.125 (.18) D. 8. SAP Narrative Statement

- C7. **Review Criteria:** A narrative statement shall be submitted, addressing the following: “Includes a description of the goals and objectives of the Villebois Village Master Plan and the Design Principles of the V-Zone, and how they will be met for the specified land use area.”

Finding: These criteria are satisfied.

Details of Finding: Similar amendments to other Villebois Pattern Books have previously been found to be supportive of the goals and objectives of the Villebois Village Master Plan. The applicant has provided additional analysis of the amendment’s support of the goals and objectives on pages 2-5 of Section VIIA of the applicant’s notebook, Exhibit B1.

Subsection 4.125 (.18) E. 1. b. i. SAP Approval Criteria: Consistent with Standards of Section 4.125

- C8. **Review Criteria:** “Is consistent with the standards identified in this section.”

Finding: These criteria are satisfied.

Details of Finding: Similar amendments to other Villebois Pattern Books have previously been found to be consistent with the standards of Section 4.125. The applicant has provided additional analysis of the amendments’ consistency with the standards of pages 5-9 of the Section VIIA of the applicant’s notebook, Exhibit B1.

Subsection 4.125 (.18) E. 1. b. i. SAP Approval Criteria: Complies with Development Code Standards

- C9. **Review Criteria:** “Complies with the applicable standards of the Planning and Land Development Ordinance.”

Finding: These criteria are satisfied.

Details of Finding: Similar amendments to other Villebois Pattern Books, including SAP South, East, and North, have previously been found to comply with the standards of the development code.

Subsection 4.125 (.18) E. 1. b. i. SAP Approval Criteria: Consistent with Master Plan

C10. **Review Criteria:** "Is consistent with the Villebois Village Master Plan. Those elements of the Village Master Plan with which the SAP must be consistent are the Plan's Goals, Policies, and Implementation Measures, and, except as the text otherwise provides, Figures 1, 5, 6A, 7, 8, 9A, and 9B."

Finding: These criteria are satisfied.

Details of Finding: Similar amendments to other Villebois Pattern Books have previously been found to be supportive of the goals and objectives of the Villebois Village Master Plan. The applicant has provided additional analysis of the amendments support of the goals and objectives on pages 2-5 of Section VIIA of the applicant's notebook, Exhibit B1.

Subsection 4.125 (.18) E. 1. b. iii. SAP Approval Criteria: DRB Modifications and Conditions

C11. **Review Criteria:** "The Development Review Board may require modifications to the SAP, or otherwise impose such conditions, as it may deem necessary to ensure conformance with the Villebois Village Master Plan, and compliance with applicable requirements and standards of the Planning and Land Development Ordinance, and the standards of this section."

Finding: These criteria are satisfied.

Details of Finding: No additional modifications or conditions are recommended.

REQUEST D: DB13-0016 ZONE MAP AMENDMENT

The applicant's findings in Section IVA of their notebook, Exhibit B1, respond to the majority of the applicable criteria.

Comprehensive Plan

Compact Urban Development-Implementation Measures

Implementation Measure 4.1.6.a

- D1. **Review Criteria:** "Development in the "Residential-Village" Map area shall be directed by the Villebois Village Concept Plan (depicting the general character of proposed land uses, transportation, natural resources, public facilities, and infrastructure strategies), and subject to relevant Policies and Implementation Measures in the Comprehensive Plan; and implemented in accordance with the Villebois Village Master Plan, the "Village" Zone District, and any other provisions of the Wilsonville Planning and Land Development Ordinance that may be applicable."

Finding: These criteria are satisfied.

Details of Finding: The subject area is within SAP-Central, which was previously approved as part of case file DB06-0005 et. seq. and found to be in accordance with the Villebois Village Master Plan and the Wilsonville Planning and Land Development Ordinance.

Implementation Measure 4.1.6.b.

- D2. **Review Criteria:** This implementation measure identifies the elements the Villebois Village Master Plan must contain.

Finding: These criteria are not applicable

Details of Finding: The current proposal is for a preliminary development plan implementing the procedures as outlined by the Villebois Village Master Plan, as previously approved.

Implementation Measure 4.1.6.c.

- D3. **Review Criterion:** "The "Village" Zone District shall be applied in all areas that carry the Residential-Village Plan Map Designation."

Finding: This criterion is satisfied.

Details of Finding: The Village Zone zoning district is being applied to an area designated as Residential-Village in the Comprehensive Plan.

Implementation Measure 4.1.6.d.

- D4. **Review Criterion:** "The "Village" Zone District shall allow a wide range of uses that befit and support an "urban village," including conversion of existing structures in the core area to provide flexibility for changing needs of service, institutional, governmental and employment uses."

Finding: This criterion is satisfied.

Details of Finding: The area covered by the proposed zone change is proposed for residential uses, parks, and open space as shown in the Villebois Village Master Plan.

Planning and Land Development Ordinance

Section 4.029 Zoning to be Consistent with Comprehensive Plan

- D5. **Review Criterion:** “If a development, other than a short-term temporary use, is proposed on a parcel or lot which is not zoned in accordance with the Comprehensive Plan, the applicant must receive approval of a zone change prior to, or concurrently with the approval of an application for a Planned Development.”

Finding: This criterion is satisfied.

Details of Finding: The applicant is applying for a zone change concurrently with other land use applications for the development as required by this section.

Subsection 4.110 (.01) Base Zones

- D6. **Review Criterion:** This subsection identifies the base zones established for the City, including the Village Zone.

Finding: This criterion is satisfied.

Details of Finding: The requested zoning designation of Village “V” is among the base zones identified in this subsection.

Subsection 4.125 (.01) Village Zone Purpose

- D7. **Review Criteria:** “The Village (V) zone is applied to lands within the Residential Village Comprehensive Plan Map designation. The Village zone is the principal implementing tool for the Residential Village Comprehensive Plan designation. It is applied in accordance with the Villebois Village Master Plan and the Residential Village Comprehensive Plan Map designation as described in the Comprehensive Plan.”

Finding: These criteria are satisfied.

Details of Finding: The subject lands are designated Residential-Village on the Comprehensive Plan map and are within the Villebois Village Master Plan area and the zoning designation thus being applied is the Village “V”.

Subsection 4.125 (.02) Village Zone Permitted Uses

- D8. **Review Criteria:** This subsection lists the uses permitted in the Village Zone.

Finding: These criteria are satisfied.

Details of Finding: The proposed residential and park uses are consistent with the Village Zone designation and Villebois Village Master Plan.

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

- D9. **Review Criterion:** “... Application for a zone change shall be made concurrently with an application for PDP approval...”

Finding: This criterion is satisfied.

Details of Finding: A zone map amendment is being requested concurrently with a request for PDP approval. See Request. A.

Subsection 4.197 (.02) Zone Change Review

Subsection 4.197 (.02) A. Zone Change Procedures

D10. **Review Criteria:** “That the application before the Commission or Board was submitted in accordance with the procedures set forth in Section 4.008, Section 4.125(.18)(B)(2), or, in the case of a Planned Development, Section 4.140;”

Finding: These criteria are satisfied.

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

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

D11. **Review Criteria:** “That the proposed amendment is consistent with the Comprehensive Plan map designation and substantially complies with the applicable goals, policies and objectives, set forth in the Comprehensive Plan text;”

Finding: These criteria are satisfied.

Details of Finding: The proposed zone map amendment is consistent with the Comprehensive Map designation of Residential-Village and as shown in Findings D1 through D4 substantially comply with applicable Comprehensive Plan text.

Subsection 4.197 (.02) C. Zone Change: Specific Findings Regarding Residential Designated Lands

D12. **Review Criteria:** “In the event that the subject property, or any portion thereof, is designated as “Residential” on the City’s Comprehensive Plan Map; specific findings shall be made addressing substantial compliance with Implementation Measure 4.1.4.b, d, e, q, and x of Wilsonville’s Comprehensive Plan text;”

Finding: These criteria are satisfied.

Details of Finding: Implementation Measure 4.1.6.c. states the “Village” Zone District shall be applied in all areas that carry the Residential-Village Plan Map Designation. Since the Village Zone must be applied to areas designated “Residential Village” on the Comprehensive Plan Map and is the only zone that may be applied to these areas, its application is consistent with the Comprehensive Plan.

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

D13. **Review Criteria:** “That the existing primary public facilities, i.e., roads and sidewalks, water, sewer and storm sewer are available and are of adequate size to serve the proposed development; or, that adequate facilities can be provided in conjunction with project development. The Planning Commission and Development Review Board shall utilize any and all means to insure that all primary facilities are available and are adequately sized.”

Finding: These criteria are satisfied.

Details of Finding: The Preliminary Development Plan compliance report and the plan sheets demonstrate that the existing primary public facilities are available or can be provided in conjunction with the project. Section IIC of the applicant’s notebook, Exhibit B1, includes supporting utility and drainage reports. In addition, the applicant has provided a Traffic Impact Analysis, which is in Section IID of the applicant’s notebook, Exhibit B1.

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

D14. **Review Criteria:** “That the proposed development does not have a significant adverse effect upon Significant Resource Overlay Zone areas, an identified natural hazard, or an identified geologic hazard. When Significant Resource Overlay Zone areas or natural hazard, and/ or geologic hazard are located on or about the proposed development, the Planning Commission or Development Review Board shall use appropriate measures to mitigate and significantly reduce conflicts between the development and identified hazard or Significant Resource Overlay Zone;”

Finding: These criteria are satisfied.

Details of Finding: The subject property does not involve land in the SROZ or contain any inventoried hazards identified by this subsection.

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

D15. **Review Criterion:** “That the applicant is committed to a development schedule demonstrating that the development of the property is reasonably expected to commence within two (2) years of the initial approval of the zone change.”

Finding: This criterion is satisfied.

Details of Finding: The applicant has provided information stating they reasonably expect to commence development within two (2) years of the approval of the zone change. However, in the scenario where the applicant or their successors due not commence development within two (2) years allow related land use approvals to expire, the zone change shall remain in effect.

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

D16. **Review Criteria:** “That the proposed development and use(s) can be developed in compliance with the applicable development standards or appropriate conditions are attached to insure that the project development substantially conforms to the applicable development standards.”

Finding: These criteria are satisfied.

Details of Finding: 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 E: DB13-0017 TENTATIVE SUBDIVISION PLAT

The applicant's findings in Section IIIA of their notebook, Exhibit B7, respond to the majority of the applicable criteria.

Subsection 4.125 (.02) Permitted Uses in the Village Zone

- E1. **Review Criteria:** This subsection lists the permitted uses in the Village Zone.
Finding: These criteria are satisfied.
Details of Finding: The proposed subdivision is for uses including single family homes and row houses and parks permitted in the Village Zone.

Subsection 4.125 (.05) Development Standards Applying to All Development in Village Zone

Subsection 4.125 (.05) A. Block, Alley, Pedestrian, and Bicycle Standards

- E2. **Review Criteria:** This subsection lists the block, alley, pedestrian, and bicycle standards applicable in the Village Zone.
Finding: These criteria are satisfied.
Details of Finding: The tentative subdivision plat shows blocks, alleys, pedestrian, and bicycle paths consistent with this subsection and the proposed PDP.

Subsection 4.125 (.05) B. Access Standards

- E3. **Review Criterion:** "All lots with access to a public street, and an alley, shall take vehicular access from the alley to a garage or parking area, except as determined by the City Engineer."
Finding: This criterion will be satisfied by Condition of Approval PDE 5.
Details of Finding: Condition of Approval PDE 5 requires a non-access reservation strip on the street side of lots with street access helping to ensure this criterion is met.

Table V-1: Development Standards in the Village Zone

- E4. **Review Criteria:** This table shows the development standards, including setback for different uses in the Village Zone. See full table under Finding A4.
Finding: These criteria are satisfied.
Details of Finding: 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 of houses that meet relevant standards of the table.

Subsection 4.125 (.07) Off-Street Parking, Loading and Bicycle Parking

- E5. **Review Criteria:** "Except as required by Subsections (A) through (D), below, the requirements of Section 4.155 shall apply within the Village zone."
Finding: These criteria are satisfied.
Details of Finding: Nothing concerning the tentative subdivision would prevent the required parking from being built.

Subsection 4.125 (.08) Open Space Requirements

- E6. **Review Criteria:** This subsection establishes the open space requirements for the Village Zone.
Finding: These criteria are satisfied or will be satisfied by Condition of Approval PDE 3.
Details of Finding: 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. A condition of approval requires the City Attorney to review and approve pertinent bylaws, covenants, or agreements prior to recordation and that a public access easement is granted across their entirety.

Subsection 4.125 (.09) A. 1. Street and Improvement Standards: General Provisions

- E7. **Review Criteria:** “Except as noted below, the provisions of Section 4.177 shall apply within the Village zone:
- General Provisions:
 - All street alignment and access improvements shall conform to Figures 7, 8, 9A, and 9B of the Villebois Village Master Plan, or as refined in an approved Specific Area Plan, Preliminary Development Plan, or Final Development Plan, and the following standards:
 - All street improvements shall conform to the Public Works Standards and the Transportation Systems Plan, and shall provide for the continuation of streets through proposed developments to adjoining properties or subdivisions, according to the Master Plan.
 - All streets shall be developed according to the Master Plan.”

Finding: These criteria are satisfied.

Details of Finding: The tentative subdivision plat shows street alignments, improvements, and access improvements consistent with the approved PDP found to be consistent with the Master Plan and Transportation Systems Plan.

Subsection 4.125 (.09) A. 2. Street and Improvement Standards: Intersection of Streets

- E8. **Review Criteria:** “Intersections of streets:
- Angles: Streets shall intersect one another at angles not less than 90 degrees, unless existing development or topography makes it impractical.
 - Intersections: If the intersection cannot be designed to form a right angle, then the right-of-way and paving within the acute angle shall have a minimum of a thirty (30) foot centerline radius and said angle shall not be less than sixty (60) degrees. Any angle less than ninety 90 degrees shall require approval by the City Engineer after consultation with the Fire District.
 - Offsets: Opposing intersections shall be designed so that no offset dangerous to the traveling public is created. Intersections shall be separated by at least:
 - 1000 ft. for major arterials
 - 600 ft. for minor arterials
 - 100 ft. for major collector
 - 50 ft. for minor collector
 - Curb Extensions:
 - Curb extensions at intersections shall be shown on the Specific Area Plans required in Subsection 4.125(.18)(C) through (F), below, and shall:
 - Not obstruct bicycle lanes on collector streets.

- Provide a minimum 20 foot wide clear distance between curb extensions at all local residential street intersections, meet minimum turning radius requirements of the Public Works Standards, and shall facilitate fire truck turning movements as required by the Fire District.”

Finding: These criteria are satisfied.

Details of Finding: The tentative subdivision plat shows street intersections as proposed in the proposed PDP consistent with these standards.

Subsection 4.125 (.09) A. 3. Street and Improvement Standards: Street Grades

E9. **Review Criteria:** “Street grades shall be a maximum of 6% on arterials and 8% for collector and local streets. Where topographic conditions dictate, grades in excess of 8%, but not more than 12%, may be permitted for short distances, as approved by the City Engineer, where topographic conditions or existing improvements warrant modification of these standards.”

Finding: These criteria are satisfied.

Details of Finding: The tentative subdivision plat shows streets found to meet these standards under Request A.

Subsection 4.125 (.09) A. 4. Street and Improvement Standards: Centerline Radius Street Curves

E10. **Review Criteria:** “The minimum centerline radius street curves shall be as follows:

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

Finding: These criteria are satisfied.

Details of Finding: The tentative subdivision plat shows streets found to meet these standards under Request A.

Subsections 4.125 (.09) A. 5. and 4.177 (.01) C. Street and Improvement Standards: Rights-of-way

E11. **Review Criteria:**

- “Prior to issuance of a Certificate of Occupancy Building permits or as a part of the recordation of a final plat, the City shall require dedication of rights-of-way in accordance with the Street System Master Transportation Systems Plan. All dedications shall be recorded with the County Assessor's Office.
- The City shall also require a waiver of remonstrance against formation of a local improvement district, and all non-remonstrances shall be recorded in the County Recorder’s Office as well as the City's Lien Docket, prior to issuance of a Certificate of Occupancy Building Permit or as a part of the recordation of a final plat.
- In order to allow for potential future widening, a special setback requirement shall be maintained adjacent to all arterial streets. The minimum setback shall be 55 feet from the centerline or 25 feet from the right-of-way designated on the Master Plan, whichever is greater.”

Finding: These criteria are satisfied.

Details of Finding: 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.”

Subsections 4.125 (.09) A. 6. and 4.177 (.01) E. Street and Improvement Standards: Access Drives

E12. Review Criteria:

- Access drives are required to be 16 feet for two-way traffic.
- An access drive to any proposed development shall be designed to provide a clear travel lane free from any obstructions.
- Access drive travel lanes shall be constructed with a hard surface capable of carrying a 23-ton load.
- Secondary or emergency access lanes may be improved to a minimum 12 feet with an all-weather surface as approved by the Fire District. All fire lanes shall be dedicated easements.
- Minimum access requirements shall be adjusted commensurate with the intended function of the site based on vehicle types and traffic generation.
- Where access drives connect to the public right-of-way, construction within the right-of-way shall be in conformance to the Public Works Standards.

Finding: These criteria are satisfied.

Details of Finding: The tentative subdivision plat shows alleys of sufficient width to meet the width standards. The applicant states easements for fire access will be dedicated as required.

Subsections 4.125 (.09) A. 7. and 4.177 (.01) F. Street and Improvement Standards: Clear Vision Areas

E13. Review Criteria: “A clear vision area which meets the Public Works Standards shall be maintained on each corner of property at the intersection of any two streets, a street and a railroad or a street and a driveway. However, the following items shall be exempt from meeting this requirement:” Listed 1. a.-f.

Finding: These criteria are satisfied.

Details of Finding: The tentative subdivision plat shows streets found to meet these standards under Request A.

Subsections 4.125 (.09) A. 8. and 4.177 (.01) G. Street and Improvement Standards: Vertical Clearance

E14. Review Criterion: “a minimum clearance of 12 feet above the pavement surface shall be maintained over all streets and access drives.”

Finding: This criterion is satisfied.

Details of Finding: Nothing shown on the tentative subdivision plat would preclude the required clearance from being provided.

Subsections 4.125 (.09) A. 9.and 4.177 (.01) H. Street and Improvement Standards: Interim Improvement Standards

E15. **Review Criteria:** “It is anticipated that all existing streets, except those in new subdivisions, will require complete reconstruction to support urban level traffic volumes. However, in most cases, existing and short-term projected traffic volumes do not warrant improvements to full Master Plan standards. Therefore, unless otherwise specified by the Planning Commission, the following interim standards shall apply.

- Arterials - 24 foot paved, with standard sub-base. Asphalt overlays are generally considered unacceptable, but may be considered as an interim improvement based on the recommendations of the City Engineer, regarding adequate structural quality to support an overlay.
- Half-streets are generally considered unacceptable. However, where the Development Review Board finds it essential to allow for reasonable development, a half-street may be approved. Whenever a half-street improvement is approved, it shall conform to the requirements in the Public Works Standards:
- When considered appropriate in conjunction with other anticipated or scheduled street improvements, the City Engineer may approve street improvements with a single asphalt lift. However, adequate provision must be made for interim storm drainage, pavement transitions at seams and the scheduling of the second lift through the Capital Improvements Plan.

Finding: These criteria are satisfied.

Details of Finding: The area covered by the tentative subdivision plat does not include any interim improvements. Condition of Approval PDA 2 requires timing of the development of current Tax Lot 2919 with certain improvements approved with PDP 3 East in order to avoid the need for interim improvements.

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

E16. **Review Criteria:** “Pursuant to ORS Chapter 92, plans and plats must be approved by the Planning Director or Development Review Board (Board), as specified in Sections 4.030 and 4.031, before a plat for any land division may be filed in the county recording office for any land within the boundaries of the City, except that the Planning Director shall have authority to approve a final plat that is found to be substantially consistent with the tentative plat approved by the Board.

The Development Review Board and Planning Director shall be given all the powers and duties with respect to procedures and action on tentative and final plans, plats and maps of land divisions specified in Oregon Revised Statutes and by this Code.

Approval by the Development Review Board or Planning Director of divisions of land within the boundaries of the City, other than statutory subdivisions, is hereby required by virtue of the authority granted to the City in ORS 92.”

Finding: These criteria are satisfied.

Details of Finding: The tentative subdivision plat is being reviewed by the Development Review Board according to this subsection. The final plat will be reviewed by the Planning Division under the authority of the Planning Director to ensure compliance with the DRB review of the tentative subdivision plat.

Subsection 4.202 (.04) A. Lots must be Legally Created for Issuing Development Permit

E17. **Review Criterion:** “No person shall sell any lot or parcel in any condominium, subdivision, or land partition until a final condominium, subdivision or partition plat has been approved by the Planning Director as set forth in this Code and properly recorded with the appropriate county.”

Finding: This criterion is satisfied.

Details of Finding: It is understood that no lots or parcels will be sold until the final plat has been approved by the Planning Director and recorded.

Subsection 4.202 (.04) B. Prohibition of Creating Undersized Lots

E18. **Review Criterion:** “It shall be a violation of this Code to divide a tract of land into a parcel smaller than the lot size required in the Zoning Sections of this Code unless specifically approved by the Development Review Board or City Council. No conveyance of any portion of a lot, for other than a public use, shall leave a structure on the remainder of the lot with less than the minimum lot size, width, depth, frontage, yard or setback requirements, unless specifically authorized through the Variance procedures of Section 4.196 or the waiver provisions of the Planned Development procedures of Section 4.118.”

Finding: This criterion is satisfied.

Details of Finding: No lots will be divided into a size smaller than allowed by the proposed Village “V” zoning designation.

Subsection 4.210 (.01) Pre-Application Conference

E19. **Review Criterion:** “Prior to submission of a tentative condominium, partition, or subdivision plat, a person proposing to divide land in the City shall contact the Planning Department to arrange a pre-application conference as set forth in Section 4.010.”

Finding: This criterion is satisfied.

Details of Finding: A pre-application meeting was held March 28, 2013. See case file PA13-0006.

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

E20. **Review Criterion:** “The applicant shall cause to be prepared a tentative plat, together with improvement plans and other supplementary material as specified in this Section. The Tentative Plat shall be prepared by an Oregon licensed professional land surveyor or engineer. An affidavit of the services of such surveyor or engineer shall be furnished as part of the submittal.”

Finding: This criterion is satisfied.

Details of Finding: The applicant’s sheets 4.1 and 4.2 of their plan set, Exhibit B2, is a tentative subdivision plat prepared in accordance with this subsection.

Subsection 4.210 (.01) B. Tentative Plat Submission

E21. **Review Criteria:** “The design and layout of this plan plat shall meet the guidelines and requirements set forth in this Code. The Tentative Plat shall be submitted to the Planning Department with the following information:” Listed 1. through 26.

Finding: These criteria are satisfied.

Details of Finding: The tentative subdivision plat has been submitted with the required information.

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

E22. **Review Criteria:** “Where the applicant intends to develop the land in phases, the schedule of such phasing shall be presented for review at the time of the tentative plat. In acting on an application for tentative plat approval, the Planning Director or Development Review Board may set time limits for the completion of the phasing schedule which, if not met, shall result in an expiration of the tentative plat approval.”

Finding: These criteria are satisfied.

Details of Finding: Phasing is shown in section IE of the applicant’s notebook, Exhibit B1 and the applicant’s Reference Diagrams, Exhibits B4 and B5.

Subsection 4.210 (.01) E. Remainder Tracts

E23. **Review Criteria:** “Remainder tracts to be shown as lots or parcels. Tentative plats shall clearly show all affected property as part of the application for land division. All remainder tracts, regardless of size, shall be shown and counted among the parcels or lots of the division.”

Finding: These criteria are satisfied.

Details of Finding: All affected property has been incorporated into the tentative subdivision plat.

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

E24. **Review Criteria:** “Land divisions shall conform to and be in harmony with the Transportation Master Plan (Transportation Systems Plan), the Bicycle and Pedestrian Master Plan, the Parks and Recreation Master Plan, the Official Plan or Map and especially to the Master Street Plan.”

Finding: These criteria are satisfied.

Details of Finding: The tentative subdivision plat is consistent with applicable plans including the Transportation Systems Plan and Villebois Village Master Plan.

Subsection 4.236 (.02) Relation to Adjoining Street System

E25. **Review Criteria:**

- A land division shall provide for the continuation of the principal streets existing in the adjoining area, or of their proper projection when adjoining property is not developed, and shall be of a width not less than the minimum requirements for streets set forth in these regulations. Where, in the opinion of the Planning Director or Development Review Board, topographic conditions make such continuation or conformity impractical, an exception may be made. In cases where the Board or Planning Commission has adopted a plan or plat of a neighborhood or area of which the proposed land division is a part, the subdivision shall conform to such adopted neighborhood or area plan.
- Where the plat submitted covers only a part of the applicant's tract, a sketch of the prospective future street system of the unsubmitted part shall be furnished and the street system of the part submitted shall be considered in the light of adjustments and connections with the street system of the part not submitted.
- At any time when an applicant proposes a land division and the Comprehensive Plan would allow for the proposed lots to be further divided, the city may require an arrangement of lots and streets such as to permit a later resubdivision in conformity to the street plans and other requirements specified in these regulations.

Finding: These criteria are satisfied.

Details of Finding: The tentative subdivision plat shows streets meeting these standards consistent with the proposed PDP. See Requests A.

Subsection 4.236 (.03) Streets: Conformity to Standards Elsewhere in the Code

E26. **Review Criteria:** “All streets shall conform to the standards set forth in Section 4.177 and the block size requirements of the zone.”

Finding: These criteria are satisfied.

Details of Finding: The tentative subdivision plat shows streets consistent with the proposed PDP under Request A which meets Section 4.177 and the block requirements of the zone.

Subsection 4.236 (.04) Creation of Easements

E27. **Review Criteria:** “The Planning Director or Development Review Board may approve an easement to be established without full compliance with these regulations, provided such an easement is the only reasonable method by which a portion of a lot large enough to allow partitioning into two (2) parcels may be provided with vehicular access and adequate utilities. If the proposed lot is large enough to divide into more than two (2) parcels, a street dedication may be required.”

Finding: These criteria are satisfied.

Details of Finding: No specific easements are requested pursuant to this subsection.

Subsection 4.236 (.05) Topography

E28. **Review Criterion:** “The layout of streets shall give suitable recognition to surrounding topographical conditions in accordance with the purpose of these regulations.”

Finding: This criterion is satisfied.

Details of Finding: The tentative subdivision plat shows street alignments recognizing topographic conditions consistent with the requested PDP.

Subsection 4.236 (.06) Reserve Strips

E29. **Review Criteria:** “The Planning Director or Development Review Board may require the applicant to create a reserve strip controlling the access to a street. Said strip is to be placed under the jurisdiction of the City Council, when the Director or Board determine that a strip is necessary.” Reasons listed A. through D.

Finding: These criteria are satisfied.

Details of Finding: 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 A5 and E3. Condition of Approval PDE 6 requires the reserve strips be detailed on the final plat.

Subsection 4.236 (.07) Future Expansion of Street

E30. **Review Criteria:** When necessary to give access to, or permit a satisfactory future division of, adjoining land, streets shall be extended to the boundary of the land division and the resulting dead-

end street may be approved without a turn-around. Reserve strips and street plugs shall be required to preserve the objective of street extension.

Finding: These criteria are satisfied.

Details of Finding: The tentative subdivision plat shows streets for future expansion consistent with this subsection.

Subsection 4.236 (.08) Additional Right-of-Way for Existing Streets

E31. **Review Criteria:** “Whenever existing streets adjacent to or within a tract are of inadequate width, additional right-of-way shall conform to the designated width in this Code or in the Transportation Systems Plan.”

Finding: These criteria are satisfied.

Details of Finding: No additional right-of-way is being required for existing streets.

Subsection 4.236 (.09) Street Names

E32. **Review Criteria:** “No street names will be used which will duplicate or be confused with the names of existing streets, except for extensions of existing streets. Street names and numbers shall conform to the established name system in the City, and shall be subject to the approval of the City Engineer.”

Finding: These criteria are satisfied.

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

Subsection 4.237 (.01) Blocks

E33. **Review Criteria:**

- The length, width, and shape of blocks shall be designed with due regard to providing adequate building sites for the use contemplated, consideration of needs for convenient access, circulation, control, and safety of pedestrian, bicycle, and motor vehicle traffic, and recognition of limitations and opportunities of topography.
- Sizes: Blocks shall not exceed the sizes and lengths specified for the zone in which they are located unless topographical conditions or other physical constraints necessitate larger blocks. Larger blocks shall only be approved where specific findings are made justifying the size, shape, and configuration.

Finding: These criteria are satisfied.

Details of Finding: The tentative subdivision plat shows blocks consistent with those proposed and reviewed as part of Request A, Preliminary Development Plan.

Subsection 4.237 (.02) Easements

E34. **Review Criteria:**

- Utility lines. Easements for sanitary or storm sewers, drainage, water mains, electrical lines or other public utilities shall be dedicated wherever necessary. Easements shall be provided consistent with the City's Public Works Standards, as specified by the City Engineer or Planning Director. All of the public utility lines within and adjacent to the site shall be installed within the public right-of-way or easement; with underground services extending to the private parcel constructed in conformance to the City's Public Works

Standards. All franchise utilities shall be installed within a public utility easement. All utilities shall have appropriate easements for construction and maintenance purposes.

- Water courses. Where a land division is traversed by a water course, drainage way, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of the water course, and such further width as will be adequate for the purposes of conveying storm water and allowing for maintenance of the facility or channel. Streets or parkways parallel to water courses may be required.

Finding: These criteria are satisfied or will be satisfied by Conditions of Approval.

Details of Finding: As shown on the applicant's sheets 4.1 and 4.2, Tentative Plat, of their plan set, Exhibit B2, the required easements have been provided. Condition of Approval PFA 46 additionally ensure all easements dealing with utilities are on the final plat.

Subsection 4.237 (.03) Mid-block Pedestrian and Bicycle Pathways

- E35. **Review Criteria:** "An improved public pathway shall be required to transverse the block near its middle if that block exceeds the length standards of the zone in which it is located.
- Pathways shall be required to connect to cul-de-sacs or to pass through unusually shaped blocks.
 - Pathways required by this subsection shall have a minimum width of ten (10) feet unless they are found to be unnecessary for bicycle traffic, in which case they are to have a minimum width of six (6) feet.

Finding: These criteria are satisfied.

Details of Finding: No pathways are required or proposed pursuant to this subsection.

Subsection 4.237 (.04) Tree Planting & Tree Access Easements

- E36. **Review Criteria:** "Tree planting plans for a land division must be submitted to the Planning Director and receive the approval of the Director or Development Review Board before the planting is begun. Easements or other documents shall be provided, guaranteeing the City the right to enter the site and plant, remove, or maintain approved street trees that are located on private property."

Finding: These criteria are satisfied.

Details of Finding: The proposed street trees are within the proposed public right-of-way.

Subsection 4.237 (.05) Lot Size and Shape

- E37. **Review Criteria:** "The lot size, width, shape and orientation shall be appropriate for the location of the land division and for the type of development and use contemplated. Lots shall meet the requirements of the zone where they are located."

Finding: These criteria are satisfied.

Details of Finding: 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 Request A.

Subsection 4.237 (.06) Access

- E38. **Review Criteria:** "The division of land shall be such that each lot shall have a minimum frontage on a street or private drive, as specified in the standards of the relative zoning districts. This minimum frontage requirement shall apply with the following exceptions:" Listed A. and B.

Finding: These criteria are satisfied.

Details of Finding: Each lot has the minimum frontage on a street or greenbelt, as allowed in the approved Architectural Pattern Book.

Subsection 4.237 (.07) Through Lots

E39. **Review Criteria:** “Through lots shall be avoided except where essential to provide separation of residential development from major traffic arteries or adjacent non-residential activity or to overcome specific disadvantages of topography and orientation.”

Finding: These criteria are satisfied.

Details of Finding: No through lots are proposed.

Subsection 4.237 (.08) Lot Side Lines

E40. **Review Criteria:** “The side lines of lots, as far as practicable for the purpose of the proposed development, shall run at right angles to the street or tract with a private drive upon which the lots face.”

Finding: These criteria are satisfied.

Details of Finding: 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.

Subsection 4.237 (.09) Large Lot Land Divisions

E41. **Review Criteria:** “In dividing tracts which at some future time are likely to be re-divided, the location of lot lines and other details of the layout shall be such that re-division may readily take place without violating the requirements of these regulations and without interfering with the orderly development of streets. Restriction of buildings within future street locations shall be made a matter of record if the Development Review Board considers it necessary.”

Finding: These criteria are satisfied.

Details of Finding: No future divisions of the lots included in the tentative subdivision plat are anticipated.

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

E42. **Review Criteria:** The Planning Director or Development Review Board may establish special:

- building setbacks to allow for the future redivision or other development of the property or for other reasons specified in the findings supporting the decision. If special building setback lines are established for the land division, they shall be shown on the final plat.
- build-to lines for the development, as specified in the findings and conditions of approval for the decision. If special build-to lines are established for the land division, they shall be shown on the final plat.

Finding: These criteria are satisfied.

Details of Finding: No building lines or built-to lines are proposed or recommended.

Subsection 4.237 (.12) Land for Public Purposes

E43. **Review Criterion:** “The Planning Director or Development Review Board may require property to be reserved for public acquisition, or irrevocably offered for dedication, for a specified period of time.”

Finding: This criterion is satisfied.

Details of Finding: No property reservation is recommended as described in this subsection.

Subsection 4.237 (.13) Corner Lots

E44. **Review Criterion:** “Lots on street intersections shall have a corner radius of not less than ten (10) feet.”

Finding: This criterion is satisfied.

Details of Finding: All proposed corner lots meet the minimum corner radius of ten (10) feet.

Section 4.250 Lots of Record

E45. **Review Criteria:** “All lots of record that have been legally created prior to the adoption of this ordinance shall be considered to be legal lots. Tax lots created by the County Assessor are not necessarily legal lots of record.”

Finding: These criteria are satisfied.

Details of Finding: The parcels being divided are of record, and the resulting subdivision lots will be lots of record.

Section 4.260 Improvements-Procedures

E46. **Review Criteria:** “In addition to other requirements, improvements installed by the developer, either as a requirement of these regulations or at the developer's own option, shall conform to the requirements of this Code and improvement standards and specifications of the City. The improvements shall be installed in accordance with the City's Public Works Standards.”

Finding: These criteria are satisfied.

Details of Finding: The rights-of-way shown on the tentative subdivision plat are sufficient for installation of improvements to City standards. Conformance of the improvements with the City's Public Works Standards and other applicable standards will be ensured through the Engineering Division's permit and inspection process.

Section 4.262 Improvements-Requirements

E47. **Review Criteria:** This section establishes requirements for a number of different improvements including curbs, sidewalks, sanitary sewers, drainage, underground utility and service facilities, streetlight standards, street signs, monuments, and water.

Finding: These criteria are satisfied.

Details of Finding: The applicant has stated their intent to meet the requirements for all the types of improvements indicated in this subsection. Conformance with these requirements will be ensured through the Engineering Division's, and Building Division's where applicable, permit and inspection process.

REQUEST F: DB13-0018 TYPE C TREE PLAN

The applicant's findings in Section VA of their notebook, Exhibit B7, respond to the majority of the applicable criteria.

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

F1. **Review Criterion:** "By submission of an application, the applicant shall be deemed to have authorized City representatives to have access to applicant's property as may be needed to verify the information provided, to observe site conditions, and if a permit is granted, to verify that terms and conditions of the permit are followed."

Finding: This criterion will be satisfied by Condition of Approval PDF 2.

Details of Finding: Condition of Approval PDF 2 ensures the required access is allowed.

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

F2. **Review Criterion:** "Type C. Where the site is proposed for development necessitating site plan review or plat approval by the Development Review Board, the Development Review Board shall be responsible for granting or denying the application for a Tree Removal Permit, and that decision may be subject to affirmation, reversal or modification by the City Council, if subsequently reviewed by the Council."

Finding: This criterion is satisfied.

Details of Finding: The requested removal of five (5) trees 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.

Subsection 4.610.00 (.06) A. Conditions Attached to Type C Tree Permits

F3. **Review Criterion:** "Conditions. Attach to the granting of the permit any reasonable conditions considered necessary by the reviewing authority including, but not limited to, the recording of any plan or agreement approved under this subchapter, to ensure that the intent of this Chapter will be fulfilled and to minimize damage to, encroachment on or interference with natural resources and processes within wooded areas;"

Finding: This criterion is satisfied.

Details of Finding: No additional conditions are recommended pursuant to this subsection.

Subsection 4.610.00 (.06) B. Completion of Operation

F4. **Review Criterion:** "Whenever an application for a Type B, C or D Tree Removal Permit is granted, the reviewing authority shall:" "Fix a reasonable time to complete tree removal operations;"

Finding: This criterion is satisfied.

Details of Finding: 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.

Subsection 4.610.00 (.06) C. Security

- F5. **Review Criterion:** “Whenever an application for a Type B, C or D Tree Removal Permit is granted, the reviewing authority shall:” “Require the Type C permit grantee to file with the City a cash or corporate surety bond or irrevocable bank letter of credit in an amount determined necessary by the City to ensure compliance with Tree Removal Permit conditions and this Chapter. 1. This requirement may be waived by the Planning Director if the tree removal must be completed before a plat is recorded, and the applicant has complied with WC 4.264(1) of this Code.”

Finding: This criterion will be satisfied by Condition of Approval PDF 3.

Details of Finding: The condition of approval ensures the security requirement of this subsection is met.

Subsection 4.610.10 (.01) Standards for Tree Removal, Relocation or Replacement

- F6. **Review Criteria:** “Except where an application is exempt, or where otherwise noted, the following standards shall govern the review of an application for a Type A, B, C or D Tree Removal Permit:” Listed A. through J.

Finding: These criteria are satisfied.

Details of Finding: The standards of this subsection are met as follows:

- The proposed tree removal is not within the Significant Resource Overlay Zone
- The applicant states tree preservation was taken into consideration the preservation of trees on the site.
- No significant wooded areas or trees would be preserved by design alternatives.
- Land clearing will not exceed the permitted areas.
- The applicant states the homes are designed to blend into the landscape as much as feasible consistent with the relevant pattern book.
- It is understood the proposed development will comply with all applicable statutes and ordinances.
- The necessary tree replacement and protection is planned according to the requirements of tree preservation and protection ordinance.
- Tree removal is limited to where it is necessary for construction or to address nuisances or where the health of the trees warrants removal.
- A tree survey has been provided. See sections VB and VC of the applicant’s notebook, Exhibit B1 and sheet 9 of the applicant’s plan set, Exhibit B2.
- A tree maintenance and protection plan has been submitted concurrently with the request for a tentative subdivision plat.
- No utilities are proposed to be located where they would cause adverse environmental consequences.

Subsection 4.610.40 (.01) Type C Tree Plan Reviewed with Stage II Final Plan

- F7. **Review Criteria:** “Approval to remove any trees on property as part of a site development application may be granted in a Type C permit. A Type C permit application shall be reviewed by the standards of this subchapter and all applicable review criteria of Chapter 4. Application of the standards of this section shall not result in a reduction of square footage or loss of density, but may require an applicant to modify plans to allow for buildings of greater height. If an applicant

proposes to remove trees and submits a landscaping plan as part of a site development application, an application for a Tree Removal Permit shall be included. The Tree Removal Permit application will be reviewed in the Stage II development review process, and any plan changes made that affect trees after Stage II review of a development application shall be subject to review by DRB. Where mitigation is required for tree removal, such mitigation may be considered as part of the landscaping requirements as set forth in this Chapter. Tree removal shall not commence until approval of the required Stage II application and the expiration of the appeal period following that decision. If a decision approving a Type C permit is appealed, no trees shall be removed until the appeal has been settled.”

Finding: These criteria are satisfied.

Details of Finding: The proposed Type C Tree Plan, which includes the removal of five (5) trees, is being reviewed concurrently with the Preliminary Development Plan, which is the equivalent of a Stage II Final Plan in the Village Zone.

Section 4.610.40 (.02) Submission of Tree Maintenance and Protection Plan

F8. **Review Criteria:** “The applicant must provide ten copies of a Tree Maintenance and Protection Plan completed by an arborist that contains the following information:” Listed A. 1. through A. 7.

Finding: These criteria are satisfied.

Details of Finding: The applicant has submitted the necessary copies of a Tree Maintenance and Protection Plan. See sections VB and VC of the applicant’s notebook, Exhibit B1 and sheet 9 of the applicant’s plan set, Exhibit B2.

Subsection 4.620.00 (.01) Tree Replacement Requirement

F9. **Review Criterion:** “A Type B or C Tree Removal Permit grantee shall replace or relocate each removed tree having six (6) inches or greater d.b.h. within one year of removal.”

Finding: This criterion is satisfied.

Details of Finding: The tree mitigation requirements for the five (5) removed trees will be more than exceeded by the planned street tree and trees in linear greens.

Subsection 4.620.00 (.02) Basis for Determining Replacement

F10. **Review Criteria:** “The permit grantee shall replace removed trees on a basis of one (1) tree replanted for each tree removed. All replacement trees must measure two inches (2”) or more in diameter.”

Finding: These criteria are satisfied.

Details of Finding: More trees are planned to be planted that proposed to be removed. Each tree, including street trees and trees in linear greens will meet the minimum diameter requirement.

Subsection 4.620.00 (.03) Replacement Tree Requirements

F11. **Review Criteria:** “A mitigation or replacement tree plan shall be reviewed by the City prior to planting and according to the standards of this subsection.

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

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

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

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

Finding: These criteria are satisfied or will be satisfied by Condition of Approval PDF 4.

Details of Finding: The condition of approval will ensure the relevant requirements of this subsection are met.

Subsection 4.620.00 (.04) Replacement Tree Stock Requirements

F12. **Review Criteria:** "All trees to be planted shall consist of nursery stock that meets requirements of the American Association of Nurserymen (AAN) American Standards for Nursery Stock (ANSI Z60.1) for top grade."

Finding: These criteria will be satisfied by Condition of Approval PDF 4.

Details of Finding: Condition of Approval PDF 4 assures this is met.

Subsection 4.620.00 (.05) Replacement Trees Locations

F13. **Review Criteria:** "The City shall review tree relocation or replacement plans in order to provide optimum enhancement, preservation and protection of wooded areas. To the extent feasible and desirable, trees shall be relocated or replaced on-site and within the same general area as trees removed."

Finding: These criteria are satisfied.

Details of Finding: The applicant proposes to mitigate for all removed trees on site and in the appropriate locations for the proposed development.

Section 4.620.10 Tree Protection During Construction

F14. **Review Criteria:** "Where tree protection is required by a condition of development under Chapter 4 or by a Tree Maintenance and Protection Plan approved under this subchapter, the following standards apply:" Listed A. through D.

Finding: These criteria are satisfied or will be satisfied by Condition of Approvals PDF 5 and PDF 6.

Details of Finding: The conditions of approval assure the applicable requirements of this Section will be met.

REQUEST G: DB13-0019 FINAL DEVELOPMENT PLAN FOR PARKS AND OPEN SPACE

The applicant's findings in Section VIA of their notebook, Exhibit B7, respond to the majority of the applicable criteria.

Subsection 4.125 (.02) Permitted Uses in the Village Zone

- G1. **Review Criteria:** This subsection lists the uses typically permitted in the Village Zone including "Non-commercial parks, plazas, playgrounds, recreational facilities, community buildings and grounds, tennis courts, and other similar recreational and community uses owned and operated either publicly or by an owners association."

Finding: These criteria are satisfied.

Details of Finding: The requested Final Development Plan is for parks and open space allowed within the Village Zone.

Subsection 4.125 (.08) A. Parks and Open Space in the Village Zone-Amount Required

- G2. **Review Criteria:** "In all residential developments and in mixed-use developments where the majority of the developed square footage is to be in residential use, at least twenty-five percent (25%) of the area shall be open space, excluding street pavement and surface parking. In multi-phased developments, individual phases are not required to meet the 25% standard as long as an approved Specific Area Plan demonstrates that the overall development shall provide a minimum of 25% open space. Required yard areas shall not be counted towards the required open space area."

Finding: These criteria are satisfied.

Details of Finding: The parks master plan for Villebois provides for approximately 33% of the area to be parks and open space. No parks or open spaces shown in the Master Plan are within the proposed PDP. Additional park and open space in this PDP add to the amount of parks and open space in Villebois.

Subsection 4.125 (.08) B. Parks and Open Space in the Village Zone-Ownership

- G3. **Review Criteria:** "Open space area required by this Section may, at the discretion of the Development Review Board, be protected by a conservation easement or dedicated to the City, either rights in fee or easement, without altering the density or other development standards of the proposed development. Provided that, if the dedication is for public park purposes, the size and amount of the proposed dedication shall meet the criteria of the City of Wilsonville standards. The square footage of any land, whether dedicated or not, which is used for open space shall be deemed a part of the development site for the purpose of computing density or allowable lot coverage."

Finding: These criteria are satisfied.

Details of Finding: The parks areas proposed in this PDP are not subject to this requirement.

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

- G4. **Review Criteria:** "The Development Review Board may specify the method of assuring the long-term protection and maintenance of open space and/or recreational areas. Where such protection or

maintenance are the responsibility of a private party or homeowners' association, the City Attorney shall review and approve any pertinent bylaws, covenants, or agreements prior to recordation."

Finding: These criteria are satisfied.

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

Subsection 4.125 (.09) Street and Access Improvement Standards

G5. **Review Criteria:** This section lists street and access improvement standards for the Village Zone including vision clearance standards.

Finding: These criteria are satisfied.

Details of Finding: This code section does not apply to the proposed parks and open space, except for vision clearance for vegetation which is met.

Subsection 4.125 (.10) Sidewalk and Pathway Improvement Standards

G6. **Review Criteria:** "The provisions of Section 4.178 shall apply within the Village zone."

Finding: These criteria are satisfied.

Details of Finding: Findings regarding Compliance with the standards of Section 4.178 can be found in Finding A74.

Subsection 4.125 (.11) Landscaping Screening and Buffering

G7. **Review Criteria:** "Except as noted below, the provisions of Section 4.176 shall apply in the Village zone:" "Streets in the Village zone shall be developed with street trees as described in the Community Elements Book."

Finding: These criteria are satisfied.

Details of Finding: Findings G18 through G29 pertain to Section 4.176. Street trees are proposed consistent with the Community Elements Book.

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

G8. **Review Criterion:** "All signage and wayfinding elements within the Village Zone shall be in compliance with the adopted Signage and wayfinding Master Plan for the appropriate SAP."

Finding: This criterion does not apply.

Details of Finding: The internal site identifier signs are proposed as shown in the Master Signage and Wayfinding Program. See also Finding A24.

Subsection 4.125 (.14) Design Standards Applying to the Village Zone

The following Design Standards implement the Design Principles found in Section 4.125(.13), above, and enumerate the architectural details and design requirements applicable to buildings and other features within the Village (V) zone. The Design Standards are based primarily on the features, types, and details of the residential traditions in the Northwest, but are not intended to mandate a particular style or fashion. All development within the Village zone shall incorporate the following:

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

- G9. **Review Criteria:** “Materials, colors and architectural details executed in a manner consistent with the methods included in an approved Architectural Pattern Book, Community Elements Book or approved Village Center Architectural Standards.”
Finding: These criteria are satisfied or will be satisfied by Condition of Approval PDG 5.
Details of Finding: No park furnishings subject to the Community Elements Book are proposed. Any handrails and retaining walls in the park areas are required to be consistent with materials shown in the Architectural Pattern Book. See Condition of Approval PDG 5.

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

- G10. **Review Criterion:** “The protection of existing significant trees as identified in an approved Community Elements Book.”
Finding: This criterion is satisfied.
Details of Finding: No significant trees are within the parks and open space covered by the proposed FDP.

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

- G11. **Review Criterion:** “A landscape plan in compliance with Sections 4.125(.07) and (.11), above.”
Finding: This criterion is satisfied.
Details of Finding: Landscape plans have been provided in compliance with the referenced sections.

Subsection 4.125 (.14) C. Lighting and Site Furnishings

- G12. **Review Criteria:** “Lighting and site furnishings shall be in compliance with the approved Architectural Pattern Book, Community Elements Book, or approved Village Center Architectural Standards.”
Finding: These criteria are satisfied or will be satisfied by Condition of Approval PDA 4.
Details of Finding: The lighting and site furnishings shown by the applicant match the Community Elements Book for SAP East. A condition of approval ensures street light type and spacing is consistent with the Community Elements Book.

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

- G13. **Review Criteria:** This subsection establishes the approval procedures for Final Development Plans.
Finding: These criteria are satisfied.
Details of Finding: The applicant has followed the applicable procedures set out in this subsection for approval of a FDP.

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

G14. **Review Criteria:** “An application for approval of a FDP shall be subject to the provisions of Section 4.034.”

Finding: These criteria are satisfied.

Details of Finding: The necessary materials have been submitted for review of the FDP.

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

G15. **Review Criteria:** “An application for approval of a FDP shall be subject to the provisions of Section 4.421”

Finding: These criteria are satisfied.

Details of Finding: The provisions of Section 4.421 are being used as criteria in the review of the FDP. See Findings G30 through G37.

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

G16. **Review Criteria:** This subsection identifies the process and requirements for refinements to a preliminary development plan as part of a final development plan.

Finding: These criteria are satisfied.

Details of Finding: No refinements are proposed as part of the requested FDP, as park and open space refinements were requested as part of the PDP approval request. See Request B.

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

G17. **Review Criteria:** “An application for an FDP shall demonstrate that the proposal conforms to the applicable Architectural Pattern Book, Community Elements Book, Village Center Architectural Standards and any conditions of a previously approved PDP.”

Finding: These criteria are satisfied or will be satisfied by Condition of Approval PDG 5.

Details of Finding: Overall, as demonstrated by Finding G7 through G9 above, the FDP demonstrates compliance with the SAP East Community Elements Book. Any handrails and retaining walls in the park areas are required to be consistent with materials shown in the Architectural Pattern Book. See Condition of Approval PDG 5.

Landscape Standards Section 4.176

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

G18. **Review Criterion:** “All landscaping and screening required by this Code must comply with all of the provisions of this Section, unless specifically waived or granted a Variance as otherwise provided in the Code. The landscaping standards are minimum requirements; higher standards can be substituted as long as fence and vegetation-height limitations are met. Where the standards set a minimum based on square footage or linear footage, they shall be interpreted as applying to each complete or partial increment of area or length”

Finding: This criterion is satisfied.

Details of Finding: No waivers or variances to landscape standards have been requested. Thus all landscaping and screening must comply with standards of this section.

Subsection 4.176 (.03) Landscape Area and Locations

G19. **Review Criteria:** "Not less than fifteen percent (15%) of the total lot area, shall be landscaped with vegetative plant materials. The ten percent (10%) parking area landscaping required by section 4.155.03(B)(1) is included in the fifteen percent (15%) total lot landscaping requirement. Landscaping shall be located in at least three separate and distinct areas of the lot, one of which must be in the contiguous frontage area. Planting areas shall be encouraged adjacent to structures. Landscaping shall be used to define, soften or screen the appearance of buildings and off-street parking areas. Materials to be installed shall achieve a balance between various plant forms, textures, and heights. The installation of native plant materials shall be used whenever practicable."

Finding: These criteria are satisfied.

Details of Finding: The proposed parks are predominantly covered with vegetative plant materials other than areas for walkways. The plantings are in a variety of areas.

Subsection 4.176 (.04) Buffering and Screening

G20. **Review Criteria:** "Additional to the standards of this subsection, the requirements of the Section 4.137.5 (Screening and Buffering Overlay Zone) shall also be applied, where applicable.

C. All exterior, roof and ground mounted, mechanical and utility equipment shall be screened from ground level off-site view from adjacent streets or properties.

D. All outdoor storage areas shall be screened from public view, unless visible storage has been approved for the site by the Development Review Board or Planning Director acting on a development permit.

E. In all cases other than for industrial uses in industrial zones, landscaping shall be designed to screen loading areas and docks, and truck parking.

F. In any zone any fence over six (6) feet high measured from soil surface at the outside of fenceline shall require Development Review Board approval."

Finding: These criteria are satisfied.

Details of Finding: No conditions requiring buffering and screening are within the area covered by the subject FDP request.

Subsection 4.176 (.06) A. Plant Materials-Shrubs and Groundcover

G21. **Review Criteria:** This subsection establishes plant material and planting requirements for shrubs and ground cover.

Finding: These criteria are satisfied.

Details of Finding: Applicant's sheets L1.0 and L2.0 in their FDP plan set, Exhibit B3, indicates the requirements established by this subsection will be met by the proposed plantings.

Subsection 4.176 (.06) B. Plant Materials-Trees

G22. **Review Criteria:** This subsection establishes plant material requirements for trees.

Finding: These criteria are satisfied.

Details of Finding: Applicant's sheets L1.0 and L2.0 of their FDP plan set, Exhibit B3, indicates the requirements established by this subsection will be met by the proposed plantings.

Subsection 4.176 (.06) D. Plant Materials-Street Trees

G23. **Review Criteria:** This subsection establishes plant material requirements for street trees.

Finding: These criteria are satisfied.

Details of Finding: Applicant's sheets L1.0 and L2.0 of their plan set, Exhibit B3, indicates the requirements established by this subsection as well as the Community Elements Book will be met by the proposed plantings.

Subsection 4.176 (.06) E. Types of Plant Species

G24. **Review Criteria:** This subsection discusses use of existing landscaping or native vegetation, selection of plant materials, and prohibited plant materials.

Finding: These criteria are satisfied.

Details of Finding: The allowed plant materials are governed by the Community Elements Book. All proposed plant materials are consistent with the SAP Central Community Elements Book.

Subsection 4.176 (.06) F. Tree Credit

G25. **Review Criteria:** "Existing trees that are in good health as certified by an arborist and are not disturbed during construction may count for landscaping tree credit as follows: Existing trunk diameter

	Number of Tree Credits
18 to 24 inches in diameter	3 tree credits
25 to 31 inches in diameter	4 tree credits
32 inches or greater	5 tree credits."

Maintenance requirements listed 1. through 2.

Finding: These criteria are satisfied.

Details of Finding: No trees are being preserved in the subject area.

Subsection 4.176 (.06) G. Exceeding Plant Material Standards

G26. **Review Criterion:** "Landscape materials that exceed the minimum standards of this Section are encouraged, provided that height and vision clearance requirements are met."

Finding: This criterion is satisfied.

Details of Finding: The selected landscape materials do not violate any height or vision clearance requirements.

Subsection 4.176 (.07) Installation and Maintenance of Landscaping

G27. **Review Criteria:** This subsection establishes installation and maintenance standards for landscaping.

Finding: These criteria are satisfied or will be satisfied by Condition of Approval PDG 6.

Details of Finding: The installation and maintenance standards are or will be met 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 L1.0 in their FDP plan set, Exhibit B3, indicates "project is to be irrigated by an automatic underground system, which will provide full coverage for all plant material. System is to be design/build by landscape contractor."

Subsection 4.176 (.09) Landscape Plans

G28. **Review Criterion:** "Landscape plans shall be submitted showing all existing and proposed landscape areas. Plans must be drawn to scale and show the type, installation size, number and placement of materials. Plans shall include a plant material list. Plants are to be identified by both their scientific and common names. The condition of any existing plants and the proposed method of irrigation are also to be indicated."

Finding: This criterion is satisfied.

Details of Finding: Landscape plans have been submitted with the required information. See applicant's sheets L1.0 through L3.0 in their FDP plan set, Exhibit B3.

Subsection 4.176 (.10) Completion of Landscaping

G29. **Review Criterion:** "The installation of plant materials may be deferred for a period of time specified by the Board or Planning Director acting on an application, in order to avoid hot summer or cold winter periods, or in response to water shortages. In these cases, a temporary permit shall be issued, following the same procedures specified in subsection (.07)(C)(3), above, regarding temporary irrigation systems. No final Certificate of Occupancy shall be granted until an adequate bond or other security is posted for the completion of the landscaping, and the City is given written authorization to enter the property and install the required landscaping, in the event that the required landscaping has not been installed. The form of such written authorization shall be submitted to the City Attorney for review."

Finding: This criterion is satisfied.

Details of Finding: As a condition of PDP approval the parks for the PDP or PDP phase must be completed prior to fifty percent (50%) of the homes being occupied unless certain conditions exist, similar to what is described in this subsection, in which case a bond can be posted. See Finding A59 in Request A and Condition of Approval PDA 3.

Site Design Review

Subsection 4.400 (.01) Excessive Uniformity, Inappropriateness of Design, Etc.

G30. **Review Criteria:** "Excessive uniformity, inappropriateness or poor design of the exterior appearance of structures and signs and the lack of proper attention to site development and landscaping in the business, commercial, industrial and certain residential areas of the City hinders the harmonious development of the City, impairs the desirability of residence, investment or occupation in the City, limits the opportunity to attain the optimum use in value and improvements, adversely affects the stability and value of property, produces degeneration of property in such areas and with attendant deterioration of conditions affecting the peace, health and welfare, and destroys a proper relationship between the taxable value of property and the cost of municipal services therefor."

Finding: These criteria are satisfied.

Details of Finding: It is staff's professional opinion that the proposed development will not result in excessive uniformity, inappropriateness or poor design, and the proper attention has been paid to site development and landscaping.

Subsection 4.400 (.02) Purposes of Objectives of Site Design Review

G31. **Review Criterion:** "The City Council declares that the purposes and objectives of site development requirements and the site design review procedure are to:" Listed A through J.

Finding: These criteria are satisfied.

Details of Finding: It is staff's professional opinion that the applicant has provided sufficient information demonstrating compliance with the purposes and objectives of site design review. Among the information provided is a written response to these purposes and objectives on pages 15 through 18 in Section VI of the applicant's notebook, Exhibit B1.

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

G32. **Review Criteria:** The section states the jurisdiction and power of the Development Review Board in relation to site design review including the application of the section, that development is required in accord with plans, and variance information.

Finding: These criteria will be satisfied by Condition of Approval PDG 3.

Details of Finding: A condition of approval has been included to ensure 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.

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

G33. **Review Criteria:** "The following standards shall be utilized by the Board in reviewing the plans, drawings, sketches and other documents required for Site Design Review. These standards are intended to provide a frame of reference for the applicant in the development of site and building plans as well as a method of review for the Board. These standards shall not be regarded as inflexible requirements. They are not intended to discourage creativity, invention and innovation. The specifications of one or more particular architectural styles is not included in these standards." Listed A through G.

Finding: These criteria are satisfied.

Details of Finding: The applicant has provided sufficient information demonstrating compliance with the standards of this subsection. Among the information provided is a written response to these standards on pages 18 through 20 of Section VI of the applicant's notebook, Exhibit B1.

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

G34. **Review Criteria:** "The standards of review outlined in Sections (a) through (g) above shall also apply to all accessory buildings, structures, exterior signs and other site features, however related to the major buildings or structures."

Finding: These criteria are satisfied.

Details of Finding: Design standards have been applied to all site features.

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

G35. **Review Criteria:** “The Board shall also be guided by the purpose of Section 4.400, and such objectives shall serve as additional criteria and standards.”

Finding: These criteria are satisfied.

Details of Finding: The purposes and objectives in Section 4.400 are being used as additional criteria and standards. See Finding G31 above.

Subsection 4.421 (.05) Site Design Review-Conditions of Approval

G36. **Review Criterion:** “The Board may attach certain development or use conditions in granting an approval that are determined necessary to insure the proper and efficient functioning of the development, consistent with the intent of the Comprehensive Plan, allowed densities and the requirements of this Code.”

Finding: This criterion is satisfied.

Details of Finding: No additional conditions are recommended pursuant to this subsection.

Subsection 4.421 (.06) Color or Materials Requirements

G37. **Review Criterion:** “The Board or Planning Director may require that certain paints or colors of materials be used in approving applications. Such requirements shall only be applied when site development or other land use applications are being reviewed by the City.”

Finding: This criterion will be satisfied by Condition of Approvals PDG 4 and PDG 5.

Details of Finding: Condition of Approval PDG 4 requires all retaining walls within the public view shed to be a decorative stone or brick construction or veneer consistent with the Architectural Pattern Book. Final design of retaining wall design will be approved by the Planning Division through the Class I Administrative Review process. Further, if hand rails are installed Condition of Approval PDG 5 ensures they are of a design mirroring that for courtyard fences shown in the Architectural Pattern Book. Final design of any handrails in parks and open space will be approved by the Planning Division through the Class I Administrative Review process.

Section 4.440 Site Design Review-Procedures

G38. **Review Criteria:** “A prospective applicant for a building or other permit who is subject to site design review shall submit to the Planning Department, in addition to the requirements of Section 4.035, the following:” Listed A through F.

Finding: These criteria are satisfied.

Details of Finding: The applicant has submitted the required additional materials, as applicable.

Section 4.442 Time Limit on Approval

G39. **Review Criterion:** “Site design review approval shall be void after two (2) years unless a building permit has been issued and substantial development pursuant thereto has taken place; or an extension is granted by motion of the Board.

Finding: This criterion is satisfied.

Details of Finding: 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.

Subsection 4.450 (.01) Landscape Installation or Bonding

G40. **Review Criterion:** “All landscaping required by this section and approved by the Board shall be installed prior to issuance of occupancy permits, unless security equal to one hundred and ten percent (110%) of the cost of the landscaping as determined by the Planning Director is filed with the City assuring such installation within six (6) months of occupancy. “Security” is cash, certified check, time certificates of deposit, assignment of a savings account or such other assurance of completion as shall meet with the approval of the City Attorney. In such cases the developer shall also provide written authorization, to the satisfaction of the City Attorney, for the City or its designees to enter the property and complete the landscaping as approved. If the installation of the landscaping is not completed within the six-month period, or within an extension of time authorized by the Board, the security may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City shall be returned to the applicant.”

Finding: This criterion is satisfied.

Details of Finding: As a condition of PDP approval the parks for the PDP or PDP phase must be completed prior to fifty percent (50%) of the homes being occupied. See Finding A59 in Request A and Condition of Approval PDA 3.

Subsection 4.450 (.02) Approved Landscape Plan Binding

G41. **Review Criterion:** “Action by the City approving a proposed landscape plan shall be binding upon the applicant. Substitution of plant materials, irrigation systems, or other aspects of an approved landscape plan shall not be made without official action of the Planning Director or Development Review Board, as specified in this Code.”

Finding: This criterion will be satisfied by Condition of Approval PDG 6.

Details of Finding: The condition of approval shall provide ongoing assurance this criterion is met.

Subsection 4.450 (.03) Landscape Maintenance and Watering

G42. **Review Criterion:** “All landscaping shall be continually maintained, including necessary watering, weeding, pruning, and replacing, in a substantially similar manner as originally approved by the Board, unless altered with Board approval.”

Finding: This criterion will be satisfied by Condition of Approval PDG 6.

Details of Finding: The condition of approval will ensure landscaping is continually maintained in accordance with this subsection.

Subsection 4.450 (.04) Addition and Modifications of Landscaping

G43. **Review Criterion:** “If a property owner wishes to add landscaping for an existing development, in an effort to beautify the property, the Landscape Standards set forth in Section 4.176 shall not apply and no Plan approval or permit shall be required. If the owner wishes to modify or remove landscaping that has been accepted or approved through the City’s development review process, that removal or modification must first be approved through the procedures of Section 4.010.”

Finding: This criterion will be satisfied by Condition of Approval PDG 6.

Details of Finding: The condition of approval shall provide ongoing assurance that this criterion is met by preventing modification or removal without the appropriate City review.

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LAND CONSERVATION
AND DEVELOPMENT



**CITY OF WILSONVILLE
29799 SW TOWN CENTER LP E
WILSONVILLE OR 97070**

TO:

Attention: Plan Amendment Specialist
Department of Land Conservation &
Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540



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